

STRATEGIC PLANNING

DRAFT **Randwick** **Development** **Control Plan** **C6 Child care** **centres**

D04579844

18 November 2025



File reference	D04579844	Date	Signature
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Introduction

Child care centres provide an important community service and have a significant role to play in a young child's development. Well-located and designed childcare centres, provide a safe, attractive, and inviting environment that is also flexible to meet the ongoing needs of children.

A variety of child care centres currently operate in the Randwick Local Government Area (LGA) offering full time or part time child care services. These include centres operating in purpose-built buildings in residential neighbourhoods or within business centres. A number of child care centres are also co-located with community services, public open space and schools.

Chapter 3 (Education and Child Care Facilities) of the State Environmental Planning Policy (SEPP) (Transport and Infrastructure) 2021 and the associated Child Care Planning Guideline provide the overarching planning controls for selecting the location and design for centre based child care centres in New South Wales (NSW). The SEPP and Guidelines take precedence over local planning controls and override most DCP design matters regarding child care centres with the exception of maximum building height, side and rear setbacks and car parking rates.

Relationship to other documents

This DCP Part should be read in conjunction with:

- State Environmental Planning Policy (Transport and Infrastructure) 2021 which contains specific development controls for early education and care facilities (including child care centres)
- Child Care Planning Guideline, which contains additional matters that need to be considered in the determination of Development Applications (DA) for centre-based child care facilities
- Relevant parts in this DCP including:
 - Part B General controls
 - Part C Land use controls
 - Part D Location specific controls

Applications for service approval of a child care centre must be obtained from Education NSW.

Notes

1. Applicants should consult with Education NSW to determine licensing requirements prior to lodgement of a DA with Council. To obtain a license, applicants are required to comply with various requirements of the Education and Care Services National Law and the Education and Care Services National Regulations 2011 (E&C Regulations), which prescribe minimum standards for buildings, facilities and operational practices.
2. The National Construction Code (NCC) also specifies relevant standards for child care centres relating to a number of matters including structural considerations, fire resistance, access and egress, services.
3. As a condition of consent, applicants must submit a signed statement or checklist to Council verifying compliance with both the Education and Care Services National Law and E&C Regulations.

1.1. Application

This section applies to DA's relating to:

- Construction of a new purpose built child care centre
- Conversion or adaptation of an existing building to a child care centre
- Expansion or alteration of an existing child care centre.

This DCP does not apply to home-based child care. Applicants for home-based child care should refer to the Children (Education and Care Services) Supplementary Provisions Regulation 2004.

1.2. Objectives

The Objectives of this DCP are to:

1. Provide for the establishment of high quality child care centres that are located and designed to achieve a high level of safety, security, environmental health and amenity for their users
2. Ensure that child care centres respond positively to the context and setting and minimise adverse environmental impact in the locality
3. Deliver certainty to applicants, operators and the local community about the planning requirements for child care centres.

2. General

Explanation

Selecting an appropriate site for a child care centre is critical to ensuring the safety, wellbeing, and accessibility of children, staff, and families. Not all sites are suitable for this land use, and careful consideration must be given to the surrounding context, environmental conditions, and potential impacts on neighbouring properties.

Site selection should prioritise the needs of centre users in terms of safety, security and environmental health, and the surrounding residential neighbourhood with consideration given to ensuring that the commercial nature of a proposal does not unreasonably impact on the amenity of residents.

An acceptable location for a child care centre depends on a number of factors including capacity, scale, compatibility with neighbouring land uses, potential for exposure to safety risks and environmental hazards, vehicle movements, sightlines and pedestrian safety.

Proposals must demonstrate compliance with the National Quality Framework (NQF) and the National Construction Code (NCC), particularly in relation to environmental health, emergency access, and exposure to potential hazards.

Objectives

The general objectives for child care centres are to:

1. Ensure that child care centres are appropriately located and sited, having regard to the environmental attributes of the locality and the health and wellbeing of centre users
2. Encourage child care centres in accessible locations, in proximity to public transport, business centres, community services and open space.

Controls

- a) DAs must address the suitability and context of the proposal including:
 - i. Proposed size, number of children and age breakdown for the centre
 - ii. The number of staff to be employed
 - iii. Proposed hours of operation
 - iv. Nature of the surrounding development (including proximity to residential, business, industrial uses and sex services premises etc)
 - v. Potential impacts on surrounding properties (e.g. privacy, noise, solar access, views) and proposed mitigation measures)
 - vi. Likely impacts on the local road network including traffic generation and on-street parking availability
 - vii. Availability of on-site vehicular access and parking
 - viii. Proximity to public transport
 - ix. Proximity to existing community and children's services
 - x. Demonstrated demand for the service and identification of any specific needs the centre will address

- b) Where a child care centre is proposed within 300m of a mobile phone tower, base station, transmission line easement or other source of potentially significant electromagnetic radiation, a report by a suitably qualified consultant must be submitted with the DA, assessing the potential exposure impacts on the centre and its occupants referencing relevant standards and guidelines.

3. Building design

3.1. Built form, streetscape and character

Explanation

The design of a new child care centre or extensions to an existing centre can impact on the physical and visual amenity of a streetscape. Child care centres that are sensitively designed and integrated in terms of built form, scale and massing can positively contribute to the streetscape and the character of the locality.

Child care centre proposals are required to comply with relevant Randwick LEP 2012 height and FSR controls which apply to the site to ensure an appropriate built form outcome.

In addition to complying with the Randwick LEP 2012 height and FSR controls, proposals must also meet the requirements of the National Quality Framework (NQF), including the Education and Care Services National Regulations, and the National Construction Code (NCC). These frameworks set minimum standards for safety, amenity, accessibility, and the physical environment, including:

- Adequate natural light and ventilation (Regulation 110)
- Unencumbered indoor and outdoor space (Regulations 107 & 108)
- Safe and hygienic toilet and wash facilities (Regulations 109 & 112)
- Supervision-friendly layouts (Regulation 115)
- Emergency access and evacuation provisions (Regulations 97 & 168)
[education.vic.gov.au], [ncc.abcb.gov.au]

These standards ensure that child care centres provide safe, nurturing, and developmentally appropriate environments for children.

Objectives

The building design objectives are to:

1. Facilitate the establishment of small scale child care centres in residential neighbourhoods
2. Ensure that the building's form, scale and massing complements and enhances the established or desired future character of the streetscape or site.

Controls

- a) For new child care centres or extensions proposed in the R2 Low Density Residential zone, the building design must reflect the character and architectural expression of a dwelling house including building height, built form, scale, massing, roof design/form and articulation. Single storey buildings are encouraged for safety and accessibility
- b) In other zones or locations, the building design must complement the desired built form, scale and character of that locality
- c) Where a child care centre is proposed in a multi-storey building (e.g. mixed use building) it must be located on the ground floor unless it can be demonstrated that:
 - i. No viable ground level alternatives exist in the building
 - ii. In relation to a heritage item, the proposed child care centre on the ground floor would adversely affect the heritage significance of the item

- iii. Adequate access to play areas, solar access (particularly mid-winter) and natural ventilation is provided
- iv. Adequate emergency access and egress is available and complies with NCC and NQF requirements
- v. Safe and convenient access for pick ups/drop offs is available.
- vi. Facades visible from the street must incorporate architectural elements that provide visual interest and articulation
- vii. Large, blank walls must be avoided.

3.2. Setbacks

Explanation

Building setbacks define the overall footprint of a building and its relationship to front, side and rear boundaries. They influence the character of the streetscape and the spatial relationship between buildings. and the overall character of the

Importantly, setbacks can assist in protecting solar access and mitigate against noise and privacy impacts for properties that adjoin child care centres. Setbacks for child care centres must generally be consistent with the requirements of the relevant zone.

For child care centres, setbacks also play a critical role in ensuring compliance with the NQF and NCC, particularly in relation to:

- Solar access and ventilation (Regulation 110)
- Acoustic and visual privacy
- Provision of unencumbered outdoor play space (Regulation 108)
- Safe fencing and barriers (Regulation 104)

Setbacks must be designed to support these outcomes while maintaining compatibility with the surrounding built form.

Objectives

The setback objectives are to:

1. Maintain a consistent rhythm of development that contributes positively to the character of the streetscape and locality
2. Ensure adequate separation between neighbouring buildings for visual and acoustic privacy, solar access and air circulation purposes.

Controls

- a) New child care centre developments or alterations and additions to existing child care centres must address the setback controls for dwelling houses set out in Part C1 of this DCP or demonstrate that alternative setbacks are suitable, having regard to:
 - i. The zoning for the site and alternative setback controls in this DCP e.g. for business centres, master plan sites or key sites
 - ii. The site location and prevailing setbacks of surrounding properties.
- b) Increased setbacks may be required in certain circumstances having regard to privacy, solar access, to achieve reasonable view sharing with neighbouring properties and/or to provide the required amount of space for outdoor play areas
- c) The front setback area may only be used for access, car parking and landscaping purposes and not for the purposes of outdoor play areas and the like, unless it can be demonstrated that it is suitable due to:
 - i. Site characteristics (e.g. configuration, solar access, relationships to neighbouring properties)
 - ii. Rear access availability
 - iii. Provision of appropriate screening measures.

4. Carparking

Explanation

Providing sufficient parking for staff, parents and visitors is essential for the safe and efficient operation of child care centres. Parking design of childcare centres must comply with the NCC and relevant Australian Standards (e.g. AS2890.1 and AS2890.6), and support the NQF requirements for safe access and emergency evacuation. Parking rates are generally measured as a function of capacity of the centre and determined relative to the availability and frequency of public transport.

Objective

The car parking objective is to:

1. Ensure sufficient and safe parking is provided for staff, parents and visitors

Controls

- a) DAs are to comply with the parking controls for child care centres contained in DCP Part B7 Transport, traffic and parking
- b) A reduction in car parking controls in Part B7 may be considered where:
 - i. The site is in proximity to high frequency public transport
 - ii. The site is co-located or in proximity to other trip generators (e.g. business centres, schools, public open space, car parks)
 - iii. There is sufficient on street parking available at appropriate times within proximity of the site
 - iv. The development is not likely to result in any adverse impact on the safe operation of the surrounding road network
- c) On-site parking and drive through facilities must not visually dominate or detract from the streetscape character
- d) Car parking areas and set down and pick up points, must be appropriately marked, signposted, and lit to ensure pedestrian safety
- e) Separate entry and exit points for pick-up/drop-off zones are preferred
- f) On site parking and vehicle manoeuvring areas are to be designed so that vehicles can safely enter and exit the site in a forward direction, unless an alternative safe arrangement can be demonstrated in the Parking and Access Report
- g) Stack parking may be considered for a maximum of two car spaces
- h) Access driveways must not be located opposite or in the vicinity of road intersections.

