

COMPLIANCE TABLES

DEVELOPMENT APPLICATION NO. 167.1.1/2023

- State Environmental Planning Policy (Transport and Infrastructure) 2021: Chapter 3 – Educational Establishments
- Child Care Facilities and Child Care Planning Guideline 2021
- Fairfield City Wide DCP 2013 – Chapter 13: Childcare Centres

1. State Environmental Planning Policy (Transport and Infrastructure) 2021: Chapter 3 – Educational Establishments and Child Care Facilities

The subject Development Application has been assessed against the relevant clauses of the State Environmental Planning Policy (Transport and Infrastructure) 2021. An assessment against the criteria is provided in the tables below.

Control	Prescribed	Comment	Compliance
Clause 3.23 – Centre-based Child Care Facility – Matters for Consideration by Consent Authorities	Before determining a development application for development for the purpose of a centre-based child care facility, the consent authority must take into consideration any applicable provisions of the <i>Child Care Planning Guideline</i> , in relation to the proposed development.	Refer to assessment against the Child Car Planning Guideline.	Refer to assessment
Clause 3.25 Centre-based child care facility – floor space ratio	(1) Development consent must not be granted for the purposes of a centre-based child care facility in Zone R2 Low Density Residential if the floor space ratio for the building on the site of the facility exceeds 0.5:1. (2) This clause does not apply if another environmental planning instrument or a development control	Not applicable	N/A

	plan sets a maximum floor space ratio for the centre-based child care facility.		
Clause 3.26 – Non-Discretionary Development Standards	(2) The following are non-discretionary development standards for the purposes of section 4.15(2) and (3) of the Act in relation to the carrying out of development for the purposes of a centre-based child care facility— (a) location —the development may be located at any distance from an existing or proposed early education and care facility,	The proposed development is located within Cabramatta.	Complies
	(b) indoor or outdoor space (i) for development to which regulation 107 (indoor unencumbered space requirements) or 108 (outdoor unencumbered space requirements) of the <u>Education and Care Services National Regulations</u> applies—the unencumbered area of indoor space and the unencumbered area of outdoor space for the development complies with the requirements of those regulations, or (ii) for development to which clause 28 (unencumbered indoor space and useable outdoor play space) of the <u>Children (Education and Care Services) Supplementary</u>	No fitout details have been provided and therefore unable to accurately calculate the indoor floor area	No

	<u>Provisions Regulation 2012</u> applies—the development complies with the indoor space requirements or the useable outdoor play space requirements in that clause,		
	(c) site area and site dimensions —the development may be located on a site of any size and have any length of street frontage or any allotment depth,	Noted	Complies
	(d) colour of building materials or shade structures —the development may be of any colour or colour scheme unless it is a State or local heritage item or in a heritage conservation area.	The building will be located within a proposed mixed use development	Complies
Clause 3.27 Centre-based child care facility—development control plans	(1) A provision of a development control plan that specifies a requirement, standard or control in relation to any of the following matters (including by reference to ages, age ratios, groupings, numbers or the like, of children) does not apply to development for the purpose of a centre-based child care facility— (a) operational or management plans or arrangements (including hours of operation), (b) demonstrated need or demand for child care services, (c) proximity of facility to other early education	The Fairfield City Wide Development Control Plan 2013 contains numerous provisions that are also provided for in the State Environmental Planning Policy (Transport and Infrastructure) 2021 and the Child Care Planning Guideline which prevail in accordance with this clause. Notwithstanding, consideration has been given to the Fairfield City Wide Development Control Plan 2013 controls within this report.	Complies

	<p>and care facilities,</p> <p>(d) any matter relating to development for the purpose of a centre-based child care facility contained in:</p> <p>(i) the design principles set out in Part 2 of the Child Care Planning Guideline, or</p> <p>(ii) the matters for consideration set out in Part 3 or the regulatory requirements set out in Part 4 of that Guideline (other than those concerning building height, side and rear setbacks or car parking rates).</p>		
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2. Child Care Planning Guideline 2021

The subject Development Application has been assessed against Part 2 of the Child Care Planning Guideline. An assessment against the criteria provided in the tables below.

Reference	Control/requirement	Proposal	Compliance
Part 2, Principle 1	<p>Context</p> <p>Good design responds and contributes to its context, including the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions. Well-designed child care facilities respond to and enhance the qualities and identity of the area including adjacent sites, streetscapes and neighbourhood. Well-designed child care facilities take advantage of its context by optimising nearby transport, public facilities and centres, respecting local heritage, and being responsive to the demographic, cultural and socio-economic</p>	<p>The proposed development is located within a proposed mixed use development. It will be centrally located within Cabramatta East and will adjoin a train station, Notwithstanding, concern is raised regarding the design of the Mixed Use development and the potential for land use conflict, particularly in terms of privacy and acoustic noise.</p>	No

	makeup of the facility users and surrounding communities.		
Part 2, Principle 2	<p>Adaptive learning spaces</p> <p>Good facility design delivers high quality learning spaces and achieves a high level of amenity for children and staff, resulting in buildings and associated infrastructure that are fit-for-purpose, enjoyable and easy to use. This is achieved through site layout, building design, and learning spaces fit-out. Good design achieves a mix of inclusive learning spaces to cater for all students and different modes of learning. This includes appropriately designed physical spaces offering a variety of settings, technology and opportunities for interaction.</p>	Minimal detail is provided in regards to the fitout of the proposed childcare centre. Council is therefore unable to determine if the proposed development will provide high quality learning spaces.	No
Part 2, Principle 3	<p>Built form</p> <p>Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the surrounding area. Good design achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements. Good design also uses a variety of materials, colours and textures. Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook. Contemporary facility design can be distinctive and unique to support innovative approaches to teaching and learning, while still achieving a visual appearance that is aesthetically pleasing, complements the surrounding areas, and contributes positively to the public realm.</p>	The proposed childcare is located within a Mixed use building, the childcare component has openings located long the northern boundary and therefore this will create conflict with Stage 4.	Yes
Part 2,	Sustainability	An ESD report was	Yes

Principle 4	Sustainable design combines positive environmental, social and economic outcomes. This includes use of natural cross ventilation, sunlight and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and re-use of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation. Well-designed facilities are durable and embed resource efficiency into building and site design, resulting in less energy and water consumption, less generation of waste and air emissions and reduced operational costs.	submitted as part of the application.	
Part 2, Principle 5	Landscape Landscape and buildings should operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A contextual fit of well-designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood. Well-designed landscapes make outdoor spaces assets for learning. This includes designing for diversity in function and use, age-appropriateness and amenity. Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.	No details have been provided regarding the outdoor play area.	No
Part 2, Principle 6	Amenity Good design positively influences internal and external amenity for children, staff and neighbours. Achieving good amenity contributes to positive learning	It is considered that the submitted acoustic report does not demonstrate that the proposed centre will not adversely impact	No

	environments and the well-being of students and staff. Good amenity combines appropriate and efficient indoor and outdoor learning spaces, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, service areas and ease of access for all age groups and degrees of mobility. Well-designed child care facilities provide comfortable, diverse and attractive spaces to learn, play and socialise.	the amenity of the adjoining residential dwellings located within the proposed Mixed use building. proposed development receives sufficient solar access.	
Part 2, Principle 7	Safety Well-designed child care facilities optimise the use of the built and natural environment for learning and play, while utilising equipment, vegetation and landscaping that has a low health and safety risk, and can be checked and maintained efficiently and appropriately. Good child care facility design balances safety and security with the need to create a welcoming and accessible environment. It provides for quality public and private spaces that are inviting, clearly defined and allow controlled access for members of the community. Well-designed child care facilities incorporate passive surveillance and Crime Prevention Through Environmental Design (CPTED).	The outdoor play area is elevated above ground level. A 1m high balustrade is proposed along the outdoor play area. This is not considered reasonable in regards to the safety of children.	Yes
Objective	<i>To ensure that appropriate zone considerations are assessed when selecting a site.</i>		
Part 3, C1	For proposed developments in or adjacent to a residential zone, consider: <ul style="list-style-type: none"> • the acoustic and privacy impacts of the proposed development on the residential properties • the setbacks and siting of buildings within the residential context • traffic and parking impacts of the proposal on residential amenity 	Not Applicable	N/A
Objective	<i>To ensure that the site selected for a proposed child care facility is suitable for the use.</i>		

Part 3, C2	<p>When selecting a site, ensure that:</p> <ul style="list-style-type: none"> • the location and surrounding uses are compatible with the proposed development or use • the site is environmentally safe including risks such as flooding, land slip, bushfires, coastal hazards • there are no potential environmental contaminants on the land, in the building or the general proximity, and whether hazardous materials remediation is needed • the characteristics of the site are suitable for the scale and type of development proposed having regard to: <ul style="list-style-type: none"> - size of street frontage, lot configuration, dimensions and overall size - number of shared boundaries with residential properties - the development will not have adverse environmental impacts on the surrounding area, particularly in sensitive environmental or cultural areas • where the proposal is to occupy or retrofit an existing premises, the interior and exterior spaces are suitable for the proposed use • there are suitable drop off and pick up areas, and off and on street parking • the type of adjoining road (for example classified, arterial, local road, cul-de-sac) is appropriate and safe for the proposed use • it is not located closely to incompatible social activities and uses such as restricted premises, injecting rooms, drug clinics and the like, premises licensed for alcohol or gambling such as hotels, clubs, cellar door premises and sex services premises. 	<p>The site will be located within a Mixed use Building contain commercial and residential uses.</p> <p>It is not considered that the documentation demonstrates that there would not be an adverse impact to the amenity of the adjoining dwellings.</p>	No
Objective	<i>To ensure that sites for child care facilities are appropriately located.</i>		
Part 3, C3	<p>A child care facility should be located:</p> <ul style="list-style-type: none"> • near compatible social uses such 	<p>The site is located within the Cabramatta town centre and</p>	Yes

	<p>as schools and other educational establishments, parks and other public open space, community facilities, places of public worship</p> <ul style="list-style-type: none"> • near or within employment areas, town centres, business centres, shops • with access to public transport including rail, buses, ferries • in areas with pedestrian connectivity to the local community, businesses, shops, services and the like. 	adjoins the train station.	
Objective	<i>To ensure that sites for child care facilities do not incur risks from environmental, health or safety hazards.</i>		
Part 3, C4	<p>A child care facility should be located to avoid risks to children, staff or visitors and adverse environmental conditions arising from:</p> <ul style="list-style-type: none"> • proximity to: <ul style="list-style-type: none"> - heavy or hazardous industry, waste transfer depots or landfill sites - LPG tanks or service stations - water cooling and water warming systems - odour (and other air pollutant) generating uses and sources or sites which, due to prevailing land use zoning, may in future accommodate noise or odour generating uses 	Location considered not to be located near adverse environmental conditions.	Yes
Objective	<i>To ensure that the child care facility is compatible with the local character and surrounding streetscape.</i>		
Part 3, C5	<p>The proposed development should:</p> <ul style="list-style-type: none"> • contribute to the local area by being designed in character with the locality and existing streetscape • reflect the predominant form of surrounding land uses, particularly in low density residential areas • recognise predominant streetscape qualities, such as building form, scale, materials and colours • include design and architectural treatments that respond to and 	The proposed development has been designed to be consistent with the built form of the proposed Mixed Use Building.	Yes

	integrate with the existing streetscape • use landscaping to positively contribute to the streetscape and neighbouring amenity • integrate car parking into the building and site landscaping design in residential areas.		
Objective	<i>To ensure clear delineation between the child care facility and public spaces.</i>		
Part 3, C6	Create a threshold with a clear transition between public and private realms, including: • fencing to ensure safety for children entering and leaving the facility • windows facing from the facility towards the public domain to provide passive surveillance to the street as a safety measure and connection between the facility and the community • integrating existing and proposed landscaping with fencing.	The transition between public and private land is clear. AS separate access is provided to the Childcare Centre.	Yes
Part 3, C7	On sites with multiple buildings and/or entries, pedestrian entries and spaces associated with the child care facility should be differentiated to improve legibility for visitors and children by changes in materials, plant species and colours.	The proposal provides specific car parking spaces for staff and visitors and separate access is provided.	Yes
Part 3, C8	Where development adjoins public parks, open space or bushland, the facility should provide an appealing streetscape frontage by adopting some of the following design solutions: • clearly defined street access, pedestrian paths and building entries • low fences and planting which delineate communal/ private open space from adjoining public open space • minimal use of blank walls and high fences.	Not relevant to the subject site.	Not applicable
Objective	<i>To ensure that front fences and retaining walls respond to and complement the context and character of the area and do not dominate the public domain.</i>		

Part 3, C9	Front fences and walls within the front setback should be constructed of visually permeable materials and treatments. Where the site is listed as a heritage item, adjacent to a heritage item or within a conservation area front fencing should be designed in accordance with local heritage provisions.	Not relevant to the subject site.	Not applicable
Part 3, C10	High solid acoustic fencing may be used when shielding the facility from noise on classified roads. The walls should be setback from the property boundary with screen landscaping of a similar height between the wall and the boundary.	The site is not located on a classified road.	Not applicable
Objective	<i>To respond to the streetscape and site, while optimising solar access and opportunities for shade.</i>		
Part 3, C11	<p>Orient a development on a site and design the building layout to:</p> <ul style="list-style-type: none"> • ensure visual privacy and minimise potential noise and overlooking impacts on neighbours by: - facing doors and windows away from private open space, living rooms and bedrooms in adjoining residential properties - placing play equipment away from common boundaries with residential properties - locating outdoor play areas away from residential dwellings and other sensitive uses • optimise solar access to internal and external play areas • avoid overshadowing of adjoining residential properties • minimise cut and fill • ensure buildings along the street frontage define the street by facing it • ensure that where a child care facility is located above ground level, outdoor play areas are protected from wind and other climatic conditions. 	The proposed design in its current form is not considered to provide sufficient privacy.	No
Objective	<i>To ensure that the scale of the child care facility is compatible with</i>		

	<i>adjoining development and the impact on adjoining buildings is minimised.</i>		
Part 3, C12	<p>The following matters may be considered to minimise the impacts of the proposal on local character:</p> <ul style="list-style-type: none"> • building height should be consistent with other buildings in the locality • building height should respond to the scale and character of the street • setbacks should allow for adequate privacy for neighbours and children at the proposed child care facility • setbacks should provide adequate access for building maintenance • setbacks to the street should be consistent with the existing character. 	The proposed childcare centre is within the proposed mixed use building.	Yes
Objective	<i>To ensure that setbacks from the boundary of a child care facility are consistent with the predominant development within the immediate context.</i>		
Part 3, C13	Where there are no prevailing setback controls minimum setback to a classified road should be 10 metres. On other road frontages where there are existing buildings within 50 metres, the setback should be the average of the two closest buildings. Where there are no buildings within 50 metres, the same setback is required for the predominant adjoining land use.	Not relevant to the subject site.	Not applicable
Part 3, C14	On land in a residential zone, side and rear boundary setbacks should observe the prevailing setbacks required for a dwelling house.	Not relevant to the subject site.	Not applicable
Objective	<i>To ensure that the built form, articulation and scale of development relates to its context and buildings are well designed to contribute to an area's character.</i>		
Part 3, C15	<p>The built form of the development should contribute to the character of the local area, including how it:</p> <ul style="list-style-type: none"> • respects and responds to its physical context such as adjacent built form, neighbourhood character, streetscape quality and heritage • contributes to the identity of the place 	The proposed childcare centre is within the proposed mixed use building.	Yes

	<ul style="list-style-type: none"> • retains and reinforces existing built form and vegetation where significant • considers heritage within the local neighbourhood including identified heritage items and conservation areas • responds to its natural environment including local landscape setting and climate • contributes to the identity of place. 		
Objective	<i>To ensure that buildings are designed to create safe environments for all users.</i>		
Part 3, C16	<p>Entry to the facility should be limited to one secure point which is:</p> <ul style="list-style-type: none"> • located to allow ease of access, particularly for pedestrians • directly accessible from the street where possible • directly visible from the street frontage • easily monitored through natural or camera surveillance • not accessed through an outdoor play area. • in a mixed-use development, clearly defined and separate from entrances to other uses in the building. 	<p>Entry to the facility is limited to one vehicular entry point and one pedestrian entry point from the main street and basement.</p> <p>Easy and direct access is provided.</p>	Yes
Objective	<i>To ensure that child care facilities are designed to be accessible by all potential users.</i>		
Part 3, C17	<p>Accessible design can be achieved by:</p> <ul style="list-style-type: none"> • providing accessibility to and within the building in accordance with all relevant legislation • linking all key areas of the site by level or ramped pathways that are accessible to prams and wheelchairs, including between all car parking areas and the main building entry • providing a continuous path of travel to and within the building, including access between the street entry and car parking and main building entrance. Platform lifts should 	<p>Access is provided to the site from the street and via a lift from the basement.</p>	Yes

	be avoided where possible <ul style="list-style-type: none"> • minimising ramping by ensuring building entries and ground floors are well located relative to the level of the footpath. 		
Objective	<i>To provide landscape design that contributes to the streetscape and amenity.</i>		
Part 3, C18	Appropriate planting should be provided along the boundary integrated with fencing. Screen planting should not be included in calculations of unencumbered outdoor space. Use the existing landscape where feasible to provide a high quality landscaped area by: <ul style="list-style-type: none"> • reflecting and reinforcing the local context • incorporating natural features of the site, such as trees, rocky outcrops and vegetation communities into landscaping. 	Limited detail is provide to the landscaping proposed for the outdoor play area.	No
Part 3, C19	Incorporate car parking into the landscape design of the site by: <ul style="list-style-type: none"> • planting shade trees in large car parking areas to create a cool outdoor environment and reduce summer heat radiating into buildings • taking into account streetscape, local character and context when siting car parking areas within the front setback • using low level landscaping to soften and screen parking areas. 	Car parking is located within the basement.	Yes
Objective	<i>To protect the privacy and security of children attending the facility.</i>		
Part 3, C20	Open balconies in mixed use developments should not overlook facilities nor overhang outdoor play spaces.	Large outdoor play area is proposed.	No
Part 3, C21	Minimise direct overlooking of indoor rooms and outdoor play spaces from public areas through: <ul style="list-style-type: none"> • appropriate site and building layout • suitably locating pathways, windows and doors • permanent screening and landscape design. 	It is considered that it has not been demonstrated that there will not be any overlooking between the 2 landuses.	No
Objective	<i>To minimise impacts on privacy of adjoining properties.</i>		

Part 3, C22	<p>Minimise direct overlooking of main internal living areas and private open spaces in adjoining developments through:</p> <ul style="list-style-type: none"> • appropriate site and building layout • suitable location of pathways, windows and doors • landscape design and screening. 	It is considered that it has not been demonstrated that there will not be any overlooking between the 2 landuses.	No
Objective	<i>To minimise the impact of child care facilities on the acoustic privacy of neighbouring residential developments</i>		
Part 3, C23	<p>A new development, or development that includes alterations to more than 50 per cent of the existing floor area, and is located adjacent to residential accommodation should:</p> <ul style="list-style-type: none"> • provide an acoustic fence along any boundary where the adjoining property contains a residential use. (An acoustic fence is one that is a solid, gap free fence). • ensure that mechanical plant or equipment is screened by solid, gap free material and constructed to reduce noise levels e.g. acoustic fence, building, or enclosure. 	It is considered that insufficient acoustic attenuation has been provided to ensure that there is no impact between the 2 landuses.	No
Part 3, C24	<p>A suitably qualified acoustic professional should prepare an acoustic report which will cover the following matters:</p> <ul style="list-style-type: none"> • identify an appropriate noise level for a child care facility located in residential and other zones • determine an appropriate background noise level for outdoor play areas during times they are proposed to be in use • determine the appropriate height of any acoustic fence to enable the noise criteria to be met. 	Council's Public Health and Environment Branch have reviewed the submitted acoustic assessment report and raise concerns. The concerns have not been addressed with the amended documentation.	No
Objective	<i>To ensure that outside noise levels on the facility are minimised to acceptable levels.</i>		
Part 3, C25	<p>Adopt design solutions to minimise the impacts of noise, such as:</p> <ul style="list-style-type: none"> • creating physical separation between buildings and the noise source • orienting the facility perpendicular to the noise source and where 	It is considered that insufficient acoustic attenuation has been provided to ensure that there is no impact between the 2 landuses.	No

	<p>possible buffered by other uses</p> <ul style="list-style-type: none"> • using landscaping to reduce the perception of noise • limiting the number and size of openings facing noise sources • using double or acoustic glazing, acoustic louvres or enclosed balconies (wintergardens) • using materials with mass and/or sound insulation or absorption properties, such as solid balcony balustrades, external screens and soffits • locating cot rooms, sleeping areas and play areas away from external noise sources. 		
Part 3, C26	<p>An acoustic report should identify appropriate noise levels for sleeping areas and other non-play areas and examine impacts and noise attenuation measures where a child care facility is proposed in any of the following locations:</p> <ul style="list-style-type: none"> • on industrial zoned land • where the ANEF contour is between 20 and 25, consistent with AS 2021 – 2000 • along a railway or mass transit corridor, as defined by State Environmental Planning Policy (Infrastructure) 2007 • on a major or busy road • other land that is impacted by substantial external noise. 	Council's Public Health and Environment Branch have reviewed the submitted acoustic assessment report and raise concerns. The concerns have not been addressed with the amended documentation.	No
Objective	<i>To ensure air quality is acceptable where child care facilities are proposed close to external sources of air pollution such as major roads and industrial development.</i>		
Part 3, C27	Locate child care facilities on sites which avoid or minimise the potential impact of external sources of air pollution such as major roads and industrial development.	The site is not located near a major road or any industrial land uses. It is considered that the development would not be affected by air pollution.	Not applicable
Part 3, C28	A suitably qualified air quality professional should prepare an air quality assessment report to demonstrate that proposed child care facilities close to major roads or industrial developments can	Not required as the site is located in a low density residential environment surrounded by residential	Not applicable

	<p>meet air quality standards in accordance with relevant legislation and guidelines. The air quality assessment report should evaluate design considerations to minimise air pollution such as:</p> <ul style="list-style-type: none"> • creating an appropriate separation distance between the facility and the pollution source. The location of play areas, sleeping areas and outdoor areas should be as far as practicable from the major source of air pollution • using landscaping to act as a filter for air pollution generated by traffic and industry. Landscaping has the added benefit of improving aesthetics and minimising visual intrusion from an adjacent roadway • incorporating ventilation design into the design of the facility 	developments.	
Objective	<i>To minimise the impact of the child care facility on the amenity of neighbouring residential developments.</i>		
Part 3, C29	Hours of operation within areas where the predominant land use is residential should be confined to the core hours of 7.00am to 7.00pm weekdays. The hours of operation of the proposed child care facility may be extended if it adjoins or is adjacent to non-residential land uses.	<p>The proposed hours of operation are Monday to Friday 7:00am to 6:00pm.</p> <p>Children are expected to arrive at various intervals between 7:00am and 10:00am.</p>	Yes
Part 3, C30	Within mixed use areas or predominantly commercial areas, the hours of operation for each child care facility should be assessed with respect to its compatibility with adjoining and co-located land uses.	Council's Public Health and Environment Branch have reviewed the submitted acoustic assessment report and raise concerns. The concerns have not been addressed with the amended documentation.	No
Objective	<i>To provide parking that satisfies the needs of users and demand generated by the centre.</i>		
Part 3, C31	Off street car parking should be provided at the rates for child care facilities specified in a Development Control Plan that	Please see Section 5 of the report	No

	applies to the land.		
Part 3, C32	In commercial or industrial zones and mixed use developments, on street parking may only be considered where there are no conflicts with adjoining uses, that is, no high levels of vehicle movement or potential conflicts with trucks and large vehicles	Please see Section 5 of the report	No
Part 3, C33	<p>A Traffic and Parking Study should be prepared to support the proposal to quantify potential impacts on the surrounding land uses and demonstrate how impacts on amenity will be minimised. The study should also address any proposed variations to parking rates and demonstrate that:</p> <ul style="list-style-type: none"> • the amenity of the surrounding area will not be affected • there will be no impacts on the safe operation of the surrounding road network. 	The development application is supported by a Traffic and Parking Impacts Report. Council's traffic engineer still maintains concerns regarding the submitted documentation.	Yes
Objective	<i>To provide vehicle access from the street in a safe environment that does not disrupt traffic flows.</i>		
Part 3, C34	<p>Alternate vehicular access should be provided where child care facilities are on sites fronting:</p> <ul style="list-style-type: none"> • a classified road • roads which carry freight traffic or transport dangerous goods or hazardous materials. <p>The alternate access must have regard to:</p> <ul style="list-style-type: none"> • the prevailing traffic conditions • pedestrian and vehicle safety including bicycle movements • the likely impact of the development on traffic. 	Access to the childcare centre is from Broomfield Street.	Yes
Part 3, C35	Child care facilities proposed within cul-de-sacs or narrow lanes or roads should ensure that safe access can be provided to and from the site, and to and from the wider locality in times of emergency.	The site is not located on a cul-de-sac or a narrow road.	Yes
Objective	<i>To provide a safe and connected environment for pedestrians both on and around the site.</i>		
Part 3,	The following design solutions may	The application	Yes

C36	<p>be incorporated into a development to help provide a safe pedestrian environment:</p> <ul style="list-style-type: none"> • separate pedestrian access from the car park to the facility • defined pedestrian crossings included within large car parking areas • separate pedestrian and vehicle entries from the street for parents, children and visitors • pedestrian paths that enable two prams to pass each other • delivery and loading areas located away from the main pedestrian access to the building and in clearly designated, separate facilities • in commercial or industrial zones and mixed use developments, the path of travel from the car parking to the centre entrance physically separated from any truck circulation or parking areas • vehicles can enter and leave the site in a forward direction. 	<p>proposes a pedestrian pathway within the car park to help improve pedestrian safety.</p> <p>Vehicles can enter and exit the site in a forward direction.</p>	
Part 3, C37	<p>Mixed use developments should include:</p> <ul style="list-style-type: none"> • driveway access, manoeuvring areas and parking areas for the facility that are separate to parking and manoeuvring areas used by trucks • drop off and pick up zones that are exclusively available for use during the facility's operating hours with spaces clearly marked accordingly, close to the main entrance and preferably at the same floor level. Alternatively, direct access should avoid crossing driveways or manoeuvring areas used by vehicles accessing other parts of the site • parking that is separate from other uses, located and grouped together and conveniently located near the entrance or access point to the facility 	<p>The access to the childcare car parking spaces is via Broomfield Street. This access is also the access for servicing vehicles. Therefore there is conflict between servicing vehicles and the childcare.</p>	No

Part 3, C38	<p>Car parking design should:</p> <ul style="list-style-type: none"> • include a child safe fence to separate car parking areas from the building entrance and play areas • provide clearly marked accessible parking as close as possible to the primary entrance to the building in accordance with appropriate Australian Standards • include wheelchair and pram accessible parking. 	Separate access is provided for the childcare center.	Yes
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Chapter 4 – Operational Requirements		
4.3 Physical Environment		Compliance
<p>Regulation 107 <i>Education and Care Services National Regulations</i></p> <p>Every child being educated and cared for within a facility must have a minimum of 3.25m² of unencumbered indoor space.</p> <p>Unencumbered indoor space excludes any of the following:</p> <ul style="list-style-type: none"> • Passageway or thoroughfare (including door swings) used for circulation; • Toilet and hygiene facilities; • Nappy changing area or area for preparing bottles; • Area permanently set aside for the use or storage of cots; • Area permanently set aside for storage; • Area or room for staff or administration; • Kitchens, unless the kitchen is designed to be used predominately by the children as part of an educational program e.g. a learning kitchen; • On-site laundry; and • Other space that is not suitable for children. 	<p>No fitout details have been provided for the childcare centre. Council offices are therefore unable to do an accurate assessment of the indoor unencumbered play area.</p>	No
Verandahs as indoor space	The premises does not rely on	Not

<p>For a verandah to be included as unencumbered indoor space, any opening must be able to be fully closed during inclement weather. It can only be counted once and therefore cannot be counted as outdoor space as well as indoor space.</p> <p>Storage</p> <p>Storage areas including joinery units are not to be included in the calculation of indoor space. To achieve a functional unencumbered area free of clutter, storage areas must be considered when designing and calculating the spatial requirements of the facility. It is recommended that a child care facility provide:</p> <ul style="list-style-type: none"> • A minimum of 0.3m³ per child of external storage space; and • A minimum of 0.2m³ per child of internal storage space. 	verandahs as indoor space.	applicable
106 Laundry and Hygiene Facilities		
<p>Regulation 106 Education and Care Services National Regulations</p> <p>There must be laundry facilities or access to laundry facilities; or other arrangements for dealing with soiled clothing, nappies and linen, including hygienic facilities for storage prior to their disposal or laundering. The laundry and hygienic facilities must be located and maintained in a way that does not pose a risk to children.</p>	A laundry room is provided which is separated from the indoor play areas and is secured with a gate with child-proof barriers.	Yes
4.3 Toilet and Hygiene Facilities		
<p>Regulation 109 Education and Care Services National Regulations</p> <p>A service must ensure that</p>	<p>The proposal complies and adequate and age appropriate toilet, washing and drying facilities are provided.</p> <p>Toilet facilities are provided in</p>	Yes

adequate, developmentally and age-appropriate toilet, washing and drying facilities are provided for use by children being educated and cared for by the service; and the location and design of the toilet, washing and drying facilities enable safe use and convenient access by the children. Child care facilities must comply with the requirements for sanitary facilities that are contained in the <i>National Construction Code</i> .	between each indoor playroom and are directly accessible from the outdoor play area.	
4.4 Ventilation and Natural Light		
Regulation 110 Education and Care Services National Regulations Services must be well ventilated, have adequate natural light, and be maintained at a temperature that ensures the safety and wellbeing of children. Child care facilities must comply with the light and ventilation and minimum ceiling height requirements of the <i>National Construction Code</i> . Ceiling height requirements may be affected by the capacity of the facility.	The development provides sufficient window and door openings within the premises to provide adequate natural ventilation.	Yes
4.5 Administrative Space		
Regulation 111 Education and Care Services National Regulations The approved provider of a centre-based service must ensure that an adequate area or areas are available at the education and care service premises for the purposes of— (a) conducting the administrative functions of the service; and (b) consulting with parents of children; and (c) conducting private conversations.	An office room is provided within the facility with a door.	Yes
4.6 Nappy Change Facilities		

<p>Regulation 112 Education and Care Services National Regulations</p> <p>(2) The approved provider of the service must ensure that adequate and appropriate hygienic facilities are provided for nappy changing.</p> <p>(3) Without limiting subregulation (2), the approved provider of the service must ensure that the following are provided—</p> <p>(a) if any of the children are under 3 years of age, at least 1 properly constructed nappy changing bench; and</p> <p>(b) hand cleansing facilities for adults in the immediate vicinity of the nappy change area.</p> <p>(4) The approved provider of the service must ensure that nappy change facilities are designed, located and maintained in a way that prevents unsupervised access by children.</p>	<p>Hand cleansing facilities are proposed with the nappy change facilities. The nappy change facilities are located within the children's bathroom facility.</p>	<p>Yes</p>
<p>4.7 Premises designed to facilitate supervision</p>		
<p>Regulation 115 Education and Care Services National Regulations</p> <p>A centre-based service must ensure that the rooms and facilities within the premises (including toilets, nappy change facilities, indoor and outdoor activity rooms and play spaces) are designed to facilitate supervision of children at all times, having regard to the need to maintain their rights and dignity. Child care facilities must also comply with any requirements regarding the ability to facilitate supervision that are contained in the <i>National Construction Code</i>.</p>	<p>The centre has been designed to provide appropriate visibility between different areas within the premises.</p>	<p>Yes</p>
<p>4.8 Emergency and Evacuation Procedures</p>		

<p>Regulations 97 and 168 Education and Care Services National Regulations</p> <p>Regulation 168 sets out the list of procedures that a care service must have, including procedures for emergency and evacuation. Regulation 97 sets out the detail for what those procedures must cover including:</p> <ul style="list-style-type: none"> • Instructions for what must be done in the event of an emergency; • An emergency and evacuation floor plan, a copy of which is displayed in a prominent position near each exit; and • A risk assessment to identify potential emergencies that are relevant to the service. 	<p>The childcare centre is located above ground. A fire staircase is provided from the outdoor play area to the Market Square</p>	<p>Yes</p>
<p>4.9 Outdoor Space Requirements</p>		
<p>Regulation 108 Education and Care Services National Regulations</p> <p>An education and care service premises must provide for every child being educated and cared for within the facility to have a minimum of 7.0m² of unencumbered outdoor space.</p> <p>Unencumbered outdoor space excludes any of the following:</p> <ul style="list-style-type: none"> • Pathway or thoroughfare, except where used by children as part of the education and care program; • Car parking area; • Storage shed or other storage area; • Laundry; and • Other space that is not suitable for children. <p>Calculating unencumbered space for outdoor areas should not include areas of dense</p>	<p>No details of the landscaping within the outdoor play area have been provided. Council officers are therefore unable to accurately assess the unencumbered outdoor space in accordance with the provisions.</p>	<p>No</p>

hedges or plantings along boundaries which are designed for landscaping purposes and not for children's play (refer to Figures 9 and 10).		
4.10 Natural Environment		
<p>Regulation 113 <i>Education and Care Services National Regulations</i></p> <p>The approved provider of a centre-based service must ensure that the outdoor spaces allow children to explore and experience the natural environment.</p>	No details of the landscaping within the outdoor play area have been provided. Council officers are therefore unable to accurately assess the unencumbered outdoor space in accordance with the provisions.	No
4.11 Shade		
<p>Regulation 114 <i>Education and Care Services National Regulations</i></p> <p>The approved provider of a centre-based service must ensure that outdoor spaces include adequate shaded areas to protect children from overexposure to ultraviolet radiation from the sun.</p> <p>Solar access Controlled exposure to daylight for limited periods is essential as sunlight provides vitamin D which promotes healthy muscles, bones and overall wellbeing. Outdoor play areas should be provided with controlled solar access throughout the year. Outdoor play areas should:</p> <ul style="list-style-type: none"> • have year-round solar access to at least 30 per cent of the ground area, with no more than 60 per cent of the outdoor space covered. • provide shade in the form of trees or built shade structures giving protection from ultraviolet radiation to at least 30 per cent of the outdoor play area. 	Adequate shaded spaces are provided throughout the outdoor play areas.	Yes

<ul style="list-style-type: none"> • have evenly distributed shade structures over different activity spaces. 		
4.12 Fencing		
<p>Regulation 104 Education and Care Services National Regulations</p> <p>(1) The approved provider of an education and care service must ensure that any outdoor space used by children at the education and care service premises is enclosed by a fence or barrier that is of a height and design that children preschool age or under cannot go through, over or under it.</p>	No fences are proposed	N/A
4.13 Soil Assessment		
<p>Regulation 25 Education and Care Services National Regulations</p> <p>Subclause (d) of regulation 25 requires an assessment of soil at a proposed site, and in some cases, sites already in use for such purposes as part of an application for service approval. With every service application one of the following is required:</p> <ul style="list-style-type: none"> • A soil assessment for the site of the proposed education and care service premises; • If a soil assessment for the site of the proposed child care facility has previously been undertaken, a statement to that effect specifying when the soil assessment was undertaken; and • A statement made by the applicant that states, to the best of the applicant's knowledge, the site history does not indicate that the site is likely to be contaminated in a way that poses an unacceptable risk to the health of children. 	A PSI, DSI and RAP have been submitted in support of the application.	Considered acceptable

3. Fairfield CityWide Development Control Plan (DCP) 2013 - Chapter 13 Childcare Centres

Chapter 13 of the DCP contains specific DCP controls in regards to Childcare centres. An assessment against the criteria provided in the tables below.

Control	Prescribed	Comment	Compliance
13.1.2 Maximum Capacities			
13.1.2.1 Childcare Centres in Residential Zones	a) Child care centres shall be classified according to the number of children under care in accordance with the following table: <ul style="list-style-type: none"> • 7 children or less (Home-based child care) • 8-30 children (Type A) • 31-40 children (Type B) 	Type B – 80 children proposed.	No
	b) The maximum number of children that a child care centre, located in any zone, may accommodate at any time must not exceed forty (40).		
	c) If a proposed child care centre has a common boundary with an existing centre, then the applicant must demonstrate that the new centre is not an addition to the existing centre. That licences are not in the same name is not sufficient proof. It must be illustrated that the centres cannot be combined in the future.	Not applicable.	Not applicable
	d) In each of the child care centre types, the following minimum ratio of the children under care shall be in the 0-2 years age group: Classification 0-2 years age group Type A: No minimum Types B: 1 in 8 or part	Type B: 1 in 8. 16 are proposed.	Yes

	thereof		
13.1.3 Location Requirements	<p>a) A location analysis shall be submitted with each application as prescribed by Chapter 2 of this DCP. For child care centres, the locational analysis should also indicate in map form all existing child care centres as well as all parks, schools and other community facilities within a two kilometre (2km) radius of the proposed centre. The map shall identify the capacity of surrounding centres, as well as any potential health and safety risk hazards. An analysis of the need for a centre in the proposed location must also support the application. Council discourages the location of child care centres in the following zones:</p> <p>a. RU2 - Rural Landscape. b. RU4 - Primary Production Small Lots.</p>	A location analysis has not been submitted depicting the location of surrounding schools, childcare centres and parks.	No
	b) Where a child care centre is located in a commercial zone, the applicant must demonstrate that it is ancillary to the principal commercial uses on the same land and primarily serves the needs of the local work force.	Childcare centre considered to be not the dominant use.	Yes
	<p>c) The location of child care centres shall take into consideration the proximity to environmental health or safety risk hazards. To this end consent will not be granted for centres located:</p> <p>a. having frontage to, or access from:</p> <p>i. Classified State and Regional Roads (Schedule</p>	The site is within Cabramatta town centre and is not located in proximity to any of the listed environmental health or safety risk hazards.	Yes

	<p>1),</p> <p>ii. Unclassified Regional Roads (Schedule 2), and</p> <p>iii. Cul-de-sacs</p> <p>b. within 100m of the following features:</p> <p>i. Classified State and Regional Roads (see Schedule 1),</p> <p>ii. High-voltage power lines,</p> <p>iii. Telecommunication base stations and towers, and</p> <p>iv. LPG above ground gas-tank or tanker unloading position.</p> <p>c. Any site where following Council's assessment, the road upon which the child care centre is proposed to be located, is not suitable due to:</p> <p>i. the prevailing traffic conditions,</p> <p>ii. pedestrian and traffic safety, and</p> <p>iii. the likely impact of the activity on the flow of traffic on the surrounding street system.</p> <p>d. Any site located in high or medium flood risk zone</p>		
	<p>d) In addition, consideration shall be given to the following hazards either within the site or in the surrounding area:</p> <p>a. Contaminated land;</p> <p>b. Proximity to water cooling and water warming systems;</p> <p>c. Proximity to odour generating uses and sources; and</p> <p>d. Any other identified environmental hazards or risks relevant to the child care</p>	The site is not in proximity to known hazards.	Yes

13.1.4 Building Design and Streetscape	a) Child care centres shall have a minimum road frontage as listed below. Where there is more than one frontage this width relates to the nominated frontage of the centre: a. Type A, 20 metres b. Types B, 22 metres	Provided	Yes
	b) Child care centres, and all areas used by children, shall be located only at the ground level of the building within which they are located.	The facility is located on the first floor.	No
	c) Council will encourage the adaptive re-use of buildings where possible, consistent with the objectives of environmental sustainability. This shall be weighed against the social objective of providing high-quality community facilities. In the development of child care centres, the social objective shall prevail and Council may require that facilities be purpose-built to satisfy the requirements of this plan.	Not applicable.	Not applicable
	d) That if a proposal for a child care centre requires boundary fences or other structures to be greater than 2.1 metres in height so as to adequately mitigate noise and/or to otherwise protect the amenity of neighbours, then the scale of the child care centre is inappropriate and should be reduced.	No acoustic fence is provided.	N/A
13.1.5 Parking and Traffic	a) The car-parking requirement is 1 space per employee and 1 space per 10 children in care. Off-street car parking shall be provided at the same rate as that required by Chapter	See Section 5 of this report.	No

	12 - Car-Parking, Vehicle and Access Management, with at least one of these to be a disabled car space.		
	b) Where there is another use on the same site, additional spaces at the rate applicable to that use shall be provided.	Not applicable.	Not applicable
	c) All vehicles shall enter and leave the site in a forward direction.	A two-way driveway is provided to allow for vehicles to enter and leave the site in a forward direction.	Yes
	d) Child care centres shall only be permitted where their nominated frontage is to a roadway that has a minimum carriageway width (sealed road measured kerb to kerb) of twelve metres (12m).	The carriageway width of Broomfield Street complies with this.	Yes
	e) The traffic circulation system serving the centre shall be designed to allow the safe drop-off and collection of children and the safe movement and parking of staff, parent, visitor and service vehicles. The design shall take into account nearby traffic generators, street design, and the safety of pedestrians and cyclists. For example, driveways shall not be located opposite, or in the vicinity of, roads at a T-intersection or near a round-about.	Council's Traffic Engineer has reviewed the proposal and has raised concerns regarding the development.	No
	f) All applications for child care centres shall be accompanied by a 'traffic and parking' report, prepared by a suitably qualified person addressing the above issues to Council's satisfaction. For	The development application was supported by a Traffic and Parking Impact Study. Council's Traffic Engineer has reviewed the proposal and has raised concerns regarding the	No

	centres of Type B & C, suitably qualified means a certified traffic engineer, transport planner or equivalent.	development.	
13.1.6 Indoor Spaces	A minimum of 3.25 square metres of unencumbered indoor floor space shall be provided for each child under care, exclusively for the use of children. (Refer cl. 30 of Children (Education and Care Services) Supplementary Provisions Regulation 2004.	Fitout details of the childcare centre have been provided in order to accurately assess this.	No
13.1.7 Outdoor Spaces and Landscaping	a) A minimum of three metres of landscaping must be provided to the street frontage.	Not required in this circumstance	Yes
	b) A minimum one metre of landscaping from the rear boundary is to be provided for Type B and Type C centres.	Not required in this circumstance	Yes
	c) A minimum one metre of landscaping for each of the side boundaries is to be provided for Type A, Type B centres and Type C centres.		
	d) In each case, this landscaping shall include substantial trees to provide visual privacy for neighbours. Trees should not be such as to compromise the security of the children in care by providing a means for climbing over fences.	The landscaping on the site is considered in the SSDCP.	Yes
	e) Child care centres must have at least 7 square metres of useable outdoor play space per child that is exclusively for the use of children.	Details of the landscaping for the childcare centre have not been provided in order to accurately assess this.	No
	f) Outdoor spaces must include a range of different areas including open space for activities such as	Details of the landscaping for the childcare centre have not been provided in order to accurately	No

	running, shaded areas for reading and other quiet activities and active areas which include play equipment.	assess this.	
	g) A physical division in the form of a low fence (600mm high) or similar structure is to be maintained between the play spaces provided for children under the age of two years and that provided for older children to ensure the younger children have adequate access to play areas and equipment.	Details of the landscaping for the childcare centre have not been provided in order to accurately assess this.	No
	h) Outdoor play areas shall be physically separated from the main entrance, car- parking areas and vehicle circulation areas and shall be adequately fenced on all side.	Details of the landscaping for the childcare centre have not been provided in order to accurately assess this.	No
13.1.8 Visual and Acoustic Privacy	a) Child care centres must achieve an ambient noise level within the centre not exceeding 40dB(A) within learning areas. Designated sleeping areas are to achieve a level not exceeding 35dB(A) within the room. Designs should aim to locate sleep rooms and play areas away from the principal noise sources. Where necessary the impact of noise must be reduced by solid fencing and double glazing.	Council's Public Health and Environment Branch have reviewed the Acoustic Report and raise concern.	No
	b) Centres must be carefully designed so that noise is kept to a minimum and does not create "Offensive Noise" as defined by the Protection of the Environment Operations Act 1997. Factors to consider, and which Council	Council's Public Health and Environment Branch have reviewed the Acoustic Report and raise concern.	No

	<p>may require to be addressed include:</p> <p>a. Orientating the building having regard to impacts on neighbours. This may include locating play areas away from neighbouring bedrooms;</p> <p>b. Providing double-glazing of windows where necessary;</p> <p>c. Erection of noise barriers, which may include fencing types that minimise noise transmission;</p> <p>d. Insulation of external noise sources such as air conditioners;</p> <p>e. Placing restrictions on the number of children to be outdoors at any one time.</p>		
	c) All applications for Type B & C, child care centres shall be accompanied by an 'acoustic' report, prepared by a suitably qualified person addressing the above issues to Council's satisfaction.	Council's Public Health and Environment Branch have reviewed the Acoustic Report and raise concern.	No
	d) Overlooking of adjoining principal living areas and private open spaces must be kept to a minimum. This may be done by a number of means including appropriate building layout, landscaping or screening.	It is considered that insufficient information has been submitted to ensure that there are no privacy concerns with the proposal.	No
13.1.9 Emergency Evacuation	<p>a) Prior to the issue of an Occupation Certificate for the child care centre, an evacuation plan complying with AS31045 must be prepared and implemented. This plan shall consider:</p> <p>a. The mobility of children;</p> <p>b. The location of a safe congregation area away from the evacuated</p>	No fire refuge is provided.	No

	building, busy roads and other hazards; and c. The supervision of children during evacuation and at the safe congregation area.		
13.1.10 Signage	a) The signage shall comply with provisions outlined in Appendix C – Advice for Designing Advertising Signs.	Not provided	N/A
13.1.11 Hours of Operation	A) Hours of operation for child care centres shall not extend beyond 7:00am to 7:00pm Mondays to Fridays and 8:00am to 7:00pm Saturdays. No operation will be permitted on Sundays or public Holidays;	The proposed operating hours are 7.00am to 6.00pm, Monday to Friday.	Yes
	B) Centres proposing to obtain a licence for long-day care may be granted consent to operate from 6:00am from Mondays to Fridays. Any such application shall be accompanied by an acoustic report, prepared by a suitably qualified person addressing issues raised in 13.1.8 (b).	Not applicable.	Not applicable
13.1.12.1 Stormwater Disposal	a) To direct stormwater runoff to Council's drainage system without adversely impacting on adjoining or downstream properties. b) To ensure the efficient and effective planning, management and maintenance of Council's existing and future stormwater systems and reduce environmental and property damage.	Council's Engineering Assessment Branch have reviewed the proposed stormwater concept plan and raise concern.	No
13.1.12.2 Onsite Detention	a) To ensure that through the use of OSD, stormwater discharge is controlled thereby ensuring	Council's Engineering Assessment Branch have reviewed the proposed stormwater concept plan	No

	development does not increase the risk of downstream flooding, erosion of unstable waterways or a reduction of the capacity of Council's drainage network.	and raise concern.	
13.1.17 Educator to Child Ratio	Age Educator-to-child ratio Birth to 24 months 1:4 24 to 36 months 1:5 36 months to 72 months 1:11	No details of the breakdown of ages within the relevant rooms have been provided. It appears that the staff levels are not in accordance with the regulations.	No
13.1.18 Bushfire Prone Land	a) Child Care Centre proposed on or in close proximity to Bushfire prone land must be compliant with Clause 3.9 Bushfire of Chapter 3 Environmental Management Controls of this Development Control Plan.	The site is not identified as being bushfire prone land and is not in proximity to land identified as being bushfire prone.	Not applicable
13.1.19 Flood Risk Management	Sites that are affected by flooding will need to refer to Chapter 11 Flood Risk Management in the City Wide DCP for more information. This chapter identifies different controls applicable to specific land uses based on the level of flood inundation and hazard. According to 13.1.3 Location Requirements, childcare centres will not be permitted in medium and high flood risk zones	The subject site is affected by a overland flow path. The application was referred to Council's Engineering Assessment Branch who raised concerns with the proposed development.	No
13.1.20 Energy Efficiency and Solar Access Controls	a) The centre shall be designed and sited to maintain solar access for a minimum period of four hours between 9am and 3pm on 22 June to key areas of the centre, including indoor/outdoor spaces. b) The design of the centre must not affect solar access to adjacent	Solar access is considered sufficient.	Yes

	<p>buildings for a minimum period of four hours between 9am and 3pm on 22 June.</p> <p>c) Children's sleeping areas, toilets, staff rooms and internal play spaces are to have access to natural lighting during daylight hours.</p> <p>d) The centre design should have regard to Part J of the Building Code of Australia</p> <p>– Energy Efficiency applicable to sustainable design of Class 9B buildings.</p>		
13.1.21 Ventilation and Lighting	<p>a) The child care centre is to be designed in a manner that utilises cross ventilation as the primary ventilation control system.</p> <p>b) All heating and cooling units must be placed in a position that is inaccessible to children.</p> <p>c) Floor mounted heaters should be permanently fixed in position, and be provided with a guard to prevent children from coming into contact with them.</p> <p>d) Where possible clerestory windows should be provided to allow warm air to escape in summer and to provide passive solar heating in winter.</p> <p>e) All natural ventilation is to be provided in accordance with the requirements of the Building Code of Australia. All child care centres are to be provided with suitable natural lighting.</p>	<p>The development provides sufficient window and door openings within the premises to provide adequate natural ventilation.</p>	Yes