

10.5. Hume Street Park Project and Kelly's Place Children's Centre relocation options

AUTHOR	Marcelo Occhiuzzi, Director Planning and Environment
ATTACHMENTS	1. Kelly's Place detailed assessment [10.5.1 - 8 pages] 2. Site suitability for early childhood centre - site 1: Level 6/1James Place, North Sydney [10.5.2 - 32 pages] 3. Site suitability for early childhood centre - site 2: 96 Bank Street, North Sydney [10.5.3 - 29 pages] 4. Site suitability for early childhood centre - site 3: Rooftop of Ward Street carpark, North Sydney [10.5.4 - 31 pages] 5. Site suitability for early childhood centre - site 4: Rooftop of Barry Street carpark, North Sydney [10.5.5 - 33 pages]
CSP LINK	Outcome 3 – An active community with space for everyone to exercise and enjoys the outdoors O2. Maximise the capacity of our existing open spaces and recreational facilities O3. Provide new and upgraded facilities within existing public spaces to increase amenity, accessibility and diversity

PURPOSE:

The purpose of this report is to recommend progression of the Hume Street Park expansion project and outline various relocation options that have been explored for the Kellys Place Children's Centre.

EXECUTIVE SUMMARY:

- In 2008, Council adopted the *Open Space Provision Strategy* which identified a deficit of Open Space in St Leonards and Crows Nest.
- In 2012, the *St Leonards and Crows Nest Precinct 1 Planning Study* was undertaken to manage growth and ensure adequate infrastructure to support expected increases in population for the precinct.
- The study acknowledged the significant lack of open space and signalled the beginning of the commitment to the Hume Street Park expansion project. This project evolved into a detailed concept plan and was adopted by Council in 2015.
- In 2020, the NSW Government adopted the *St Leonard's and Crows Nest 2036 Plan* which increased growth expectations in the precinct.
- Stage 1 of the Hume Street Park Expansion project was delivered in 2022, creating 1,200sqm of new public space and created the first stage of a critical link between Hume Street Park, Willoughby Road, and the new Metro portal on Clarke Street.

- Recent NSW Government Housing Reforms including the *Crows Nest Transport Oriented Development* (TOD) have increased growth expectations for Crows Nest further, with a total of 5,800 planned dwellings in the North Sydney Local Government Area alone, and 11,000 new dwellings across the three effected local government areas.
- The new Housing Delivery Authority's (HDA) operations aim to accelerate this growth and have to date, been responsible for an additional approximately 800 dwellings including growth above TOD projections.
- In addition, the State Government's *Low to Mid Rise Housing* planning changes have created the potential for an additional 500 new dwellings in and around the precinct.
- The housing crisis and resultant NSW Government planning responses are placing further pressure on local infrastructure, particularly given open space was already considered inadequate in 2008.
- It is critical that Council progress all opportunities to increase open space to support the accelerated population growth, with Hume Street Park being the most impactful opportunity within the short to medium term.
- The NSW Government has indicated that it is making \$520M available as grant funding for infrastructure to support growth identified in TOD areas, including Crows Nest.
- Stage 2 of the Hume Street Park expansion project would include the closure of Hume Street between Clarke Street and the southern side of the Indoor Sports Centre, pedestrianisation of the road space, and providing park/plaza space on the area currently occupied by the Kelly's Place Children's Centre.
- The realisation of stage 2 of the project will create an additional (approximately) 2,000 sqm of public space to embellish the existing stage 1 works and, importantly, create a high-amenity pedestrian link between Willoughby Road and the Crows Nest Metro portal.
- Since the adoption of the Hume Street Park expansion project in 2015, Council has sought to identify alternate locations for Kelly's Place Children's Services, and in 2021 it was offered Forsyth Park Community Centre, however this was not accepted as it was not considered to meet their needs. This property is no longer available as it is leased to the Cameragal Montessori school.
- More recently, further investigation has been undertaken, including exploring other Council-owned sites, along with one other private property under construction. A review of these sites has determined that short-term alternatives are feasible.
- The Kelly's Place Children's Services lease expires on 31 December 2025. This report recommends that this lease be extended by 12 months. It is important that Council determine a clear path forward to ensure certainty for both the families of Kelly's Place and the growing population of Crows Nest.

RECOMMENDATION:

- 1. THAT** Council acknowledge the inadequate provision of open space identified in 2008 within the precinct and that this deficit is, and will continue to increasingly be, accelerated by the speed and scale of population growth expected in St Leonards and Crows Nest.
- 2. THAT** Council acknowledge the availability of \$520M in grant funding for infrastructure to support growth identified in TOD areas, including Crows Nest and the importance of this funding considering Council's financial capacity.
- 3. THAT** Council extend the lease for the Kelly's Place Children's Centre for a further period of 12 months, and during this time, work with Kelly's Place management and Committee to explore all other opportunities for continued operations including but not limited to relocation to private property, consideration of smaller operations and smaller premises.
- 4. THAT** Council, in preparing the Masterplan for the Holtermann precinct in Crows Nest, consider the childcare needs and availability in the local area.
- 5. THAT** Council make immediate representations to the Department of Planning, Housing and Infrastructure to request that it fund, manage, and deliver the Stage 2 Hume Street Park expansion project in collaboration with Council and if successful, authorise the Chief Executive Officer to enter into relevant contracts with the NSW Government for the and delivery of this project.

1. Background

1.1 Establishment of the Hume Street Park Project

In 2010, Council resolved to commence a process to plan for jobs and housing growth and create a stronger sense of place in St Leonards and Crows Nest. The first of the two comprehensive studies that occurred in the precinct was the *St Leonards/Crows Nest Planning Study - Precinct 1*. This was adopted by Council in October 2012 following extensive community and stakeholder consultation.

The endorsed Planning Study included a capacity to consider planning proposals for increased building height and density that were supported by contributions of public benefit, typically through Voluntary Planning Agreements (VPAs).

The upgrade and expansion of the Hume Street Park was conceptually identified as an important public need for which VPA funds would be sought to address the acute shortage of open space in the precinct and cater for its growing demands (Diagram 1 below). The lack of open space in the precinct was previously identified in Council's *Open Space Provision Strategy* in 2008.



Diagram 1 – Extract of a concept for the Hume Street Park Expansion
(*St Leonards/Crows Nest Planning Study Precinct 1 - 2012*)

In 2015, Council developed and exhibited three Concept Design Options to achieve expansion of the Hume Street Park. “Option 3” (as shown in Diagrams 2 and 3 below) was selected as the preferred scheme after extensive community consultation. This included the undergrounding the Hume Street car park and the indoor sports centre.



Diagram 2 - Concept plan of "Option 3"

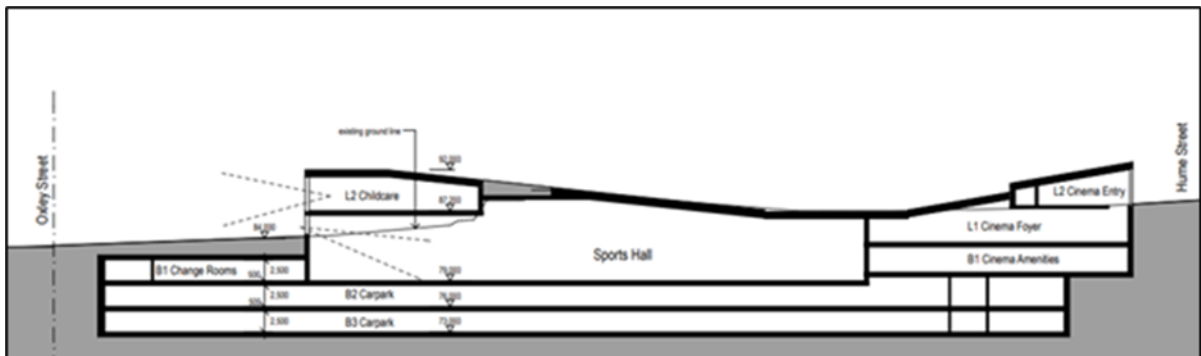


Diagram 3 – Cross section of “Option 3”

1.2 Staging

The preferred Option 3 represented a large and expensive undertaking and was therefore broken into three distinct stages to increase the viability of its delivery. The staging plan was developed in 2015 but was revisited by Council in 2021 where it adopted an amended staging plan as depicted in Diagram 4 on the next page.

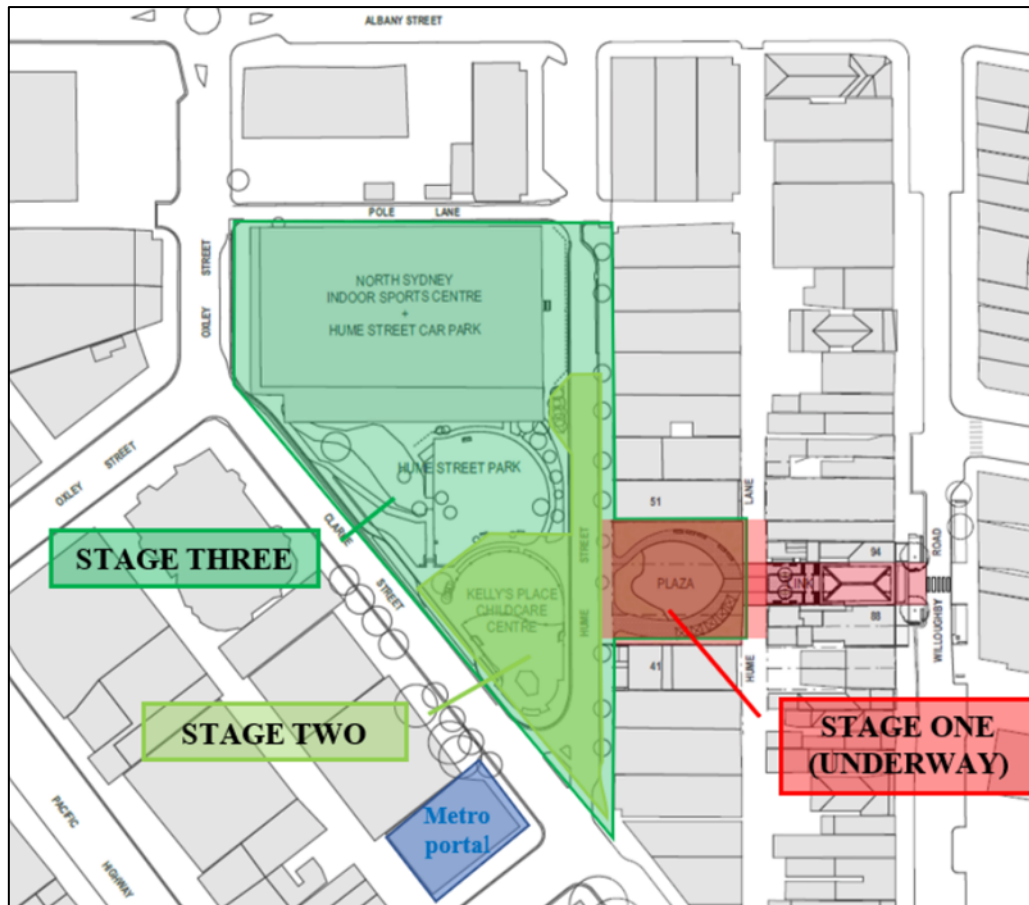


Diagram 4 – Amended Staging Plan as adopted by Council in 2021

Stage 1 of the expanded park was delivered in 2022 which represents approximately 1,200sqm of new public space and has been a welcome addition to both the Crows Nest centre and the open space network (see Diagrams 5 and 6). This first stage created the first step to create a high amenity pedestrian link between Hume Street Park, Willoughby Road, and the new Metro portal on Clarke Street.



Diagram 5 – Stage 1 of the Hume Street expansion project delivered in 2022



Diagram 6 – Stage 1 of the Hume Street expansion project delivered in 2022

The amended Staging Plan included, as part of Stage Two, the closure of Hume Street between Clarke Street and the southern side of the indoor Sports Centre, pedestrianisation of the road space, removal of Kelly's Place Children's Centre, and filling & landscape works (turfing, paving) over the footprint of the Kelly's Place building.

The delivery of Stage 2 has become increasingly important as growth expectations have expanded significantly since the original planning work and infrastructure requirements were adopted by Council in 2012 (as discussed below). With Stage 1 having been completed several years ago, the absence and delay in delivering of Stage 2 represents a significant lost opportunity, especially as:

- the shortfall of open space in the precinct is only increasing as population grows, and;
- it represents the essential connection between Crows Nest's vibrant high street (Willoughby Road) and the highly patronised Crows Nest Metro portal on Clarke Street.

Council last discussed this project at its ordinary meeting on 10 March 2025. At that meeting, Council resolved to progress the project, make representations to the Minister to seek support for the project to be grant funded and explore alternative locations for Kelly's Place Children's Service.

2. Report

In responding and implementing Council's resolution of 10 March 2025, several constraints were identified:

- limited strategic planning resources due to high volumes of State Significant Developments (SSD) associated with the NSW Government's accelerated housing delivery agenda;
- ongoing financial challenges following the refusal of special variation submission in May 2025;
- the significant backlog of infrastructure renewal; and

- the resource and financial risk inherent with the management of large-scale infrastructure projects.

To address these issues, Council representatives met with key staff from the Minister's Office and the Department of Planning, Housing and Infrastructure, to discuss the Hume Street Park expansion project.

The Department expressed a willingness to consider support towards the project by considering both funding and design/delivery services, and to collaborate with Council to ensure the project aligns with community expectations (see discussion below at section 2.2).

The project would be considered by the Minister for Planning and Public Spaces once Council could commit to a project commencement timeframe.

2.1 The 2036 Plan, Crows Nest TOD and the Housing Delivery Authority

As discussed in section 1.1 above, Council's plans for the precinct, delivered via its own planning studies in 2012 and in 2015, were bold and represented significant growth and change including plans to provide for and fund, supporting infrastructure. These plans were underpinned by comprehensive community consultation. They identified the need for various local infrastructure embellishments, including the need to address the significant under-supply of open space.

More recently, the NSW Government has delivered the *St Leonards and Crows Nest 2036 Plan* (in 2020) and the *Crows Nest Transport Oriented Development* (TOD) (in 2024). These more recent Government changes have increased these growth scenarios significantly. The combination of these two State Government initiatives has increased expected residential growth to 5,800 dwellings in the North Sydney Local Government Area (LGA) alone and 11,100 new dwelling across the three effected local government areas. Added to this is the Housing Delivery Authority's (HDA) operations, which have to date, been responsible for in-principle support for (approximately) 800 dwellings, much of which is over and above the planning rules established by the TOD. The HDA is also overseeing an accelerated level of applications being lodged. This is embellished by the potential addition of approximately 500 new dwellings that may be expected as a result of the *Low to Mid Rise* Housing changes introduced in late 2024.

These elements add to an even more urgent need for open space in this concentrated and fast-growing precinct.

2.2 NSW Government Planning and Funding

When the NSW Government announced the introduction of the *2036 Plan* in 2020, it recognised that a Hume Street Park expansion would be required to support the growing precinct. The changes included a State Infrastructure Contribution (SIC) requirement for new development in the precinct to assist with the funding of infrastructure.

When the Crows Nest TOD occurred in November 2024, the SIC was replaced by the Housing Productivity Contribution (HPC), which was applied more widely throughout the Sydney metropolitan area.

To support the Crows Nest and seven other TODs, the Minister announced that there would be \$520M made available by the NSW Government for supporting infrastructure. It is understood that there is a desire to distribute such funding throughout the eight TOD areas including Crows Nest, through NSW Government project delivery. It is anticipated that access to such financial assistance will be highly contested given the growth pressures currently being experienced in TOD precincts throughout Sydney.

Whilst preliminary discussions with Departmental staff have occurred, and a positive response has been received to Council's broad objectives and concepts regarding the expanded Hume Street Park project, grant funding for this project has not been guaranteed. The Department has indicated that if successful, the Department would coordinate the design and delivery of the Hume Street expansion project. As outlined previously in the report, this represents an opportunity for Council at this time.

2.3 Open Space Provision

Open Space and Recreation Planning and Strategy

Council's *Open Space Provision Strategy* (2008) identified St Leonards and Crows Nest as being deficient in open space. It stated that this would only be exacerbated with planned increases in growth.

Between 2011 and 2024 the precinct grew by 47% (ID Community Profile – North Sydney Council). With Council's five-year dwelling growth targets increasing from historical levels of approximately 3,000 dwellings to 5,900 dwellings (2024-2029), and with so much of this growth concentrated within the St Leonards and Crows Nest precinct (see section 2.1 above), the open space deficit already identified in 2008, has and will continue to grow.

Council's *Open Space and Recreation Needs Study* (2024) reinforced the under-supply of open space throughout the local government area. A range of strategies and actions were adopted in the subsequent *Open Space and Recreation Strategy* (2025) which acknowledged the limited land availability and high land prices severely restrict the ability to acquire new open space. One of these actions was to:

Prepare and deliver a Hume Street Park expansion project that includes removal of the childcare centre, closure of part of Hume Street, and improvements to the quality of open space in Hume Street Park.

Service Level/Asset Management – Community Survey

Demand for open space was once again reflected in recent community engagement undertaken by Micromex Research. This research included a two-stage community consultation project focused on asset management and service levels across the LGA.

Conducted in July and August 2025, the consultation aimed to gauge community sentiment regarding services, infrastructure, and rating levels. The findings are statistically significant and were detailed in the 27 October 2025 Council report *Draft Long Term Financial Plan including Special Rate Variation options*. This engagement will inform Council's long-term planning and potential rating strategies.

As part of the survey, residents were asked about their preferences for future open space planning and improvements. Key findings relevant to this report include:

- 80% of respondents supported making better use of existing open spaces;
- 65% supported the development and community consultation on masterplans for parks and foreshore areas.

2.4 Children's Services Infrastructure

Existing Council-owned childcare buildings

Including Kelly's Place Children's Centre, Council currently supports 12 child-based care facilities throughout the local government area, supporting 371 children and their families.

The financial support for these centres ranges from peppercorn or subsidised rent, building maintenance, waste services, and direct grants. This equates to over \$500K in ongoing financial support plus significant levels of foregone rental income. In addition, Council is responsible for renewal needs for these buildings.

Planned Children Services - McLaren Street Rezoning and VPA

Since 2021, Council officers had negotiated with Transport for NSW (TfNSW) regarding a planning proposal for a 24-storey mixed-use development at 52 McLaren Street, North Sydney. This proposal aligns with the outcomes of Council's adopted *Civic Precinct Planning Study*.

As part of these discussions, TfNSW submitted a draft Voluntary Planning Agreement (VPA), which included the provision of a "cold shell" 900 sqm childcare centre (450 sqm indoor and 450 sqm outdoor space).

The planning proposal and VPA underwent several iterations and refinements before being publicly exhibited in December 2024 and January 2025 for community feedback. The final planning controls were gazetted and came into effect on 3 October 2025. The VPA also took effect in early October 2025.

The public benefits identified in the VPA, including the childcare centre, are required to be delivered and dedicated to Council upon completion of the mixed-use development project. Whilst it is difficult to determine the exact timing, the development could be completed in the next four – five years. This timeframe will depend largely on the sale of the land and the development plans and schedules of any future owner. Importantly, the obligations outlined

in the VPA are registered on the property title and will remain in effect regardless of any change in ownership.

The VPA also included a monetary contribution of \$650K towards the fit-out of the future centre. This was always intended as a contribution, and it was acknowledged that it would not be sufficient to pay for the fit-out. It is estimated that such fit-out for a future childcare centre is likely to cost in the order of \$1.7M.

Council has identified the establishment of a new childcare centre within its *Local Infrastructure Contributions (LIC) Plan* to support the creation of an additional 60 childcare places. The Plan anticipates the collection of \$2.55M for this purpose.

Given Council's current financial challenges, it is considered prudent to utilise the LIC funds to fit out the cold shell in McLaren Street to be dedicated to Council. This would enable the VPA funds to enable ongoing maintenance and renewal of the asset over time (estimated at \$138K per annum), which is an area of asset management and financing that Council has not managed well in the past. This provides for a more cost-effective and financially sustainable solution to meet community needs. This approach also provides for a financial buffer (of approximately \$850K) to protect against under estimation of costs or unforeseen cost variations on this project in future.

Kelly's Place Children's Service

Kelly's Place is a community-based, not for profit childcare centre located at the intersection of Hume and Clarke Streets, Crows Nest. The property was constructed in 1988. The Centre was opened on 18 June 1988 and has been running for over 37 years.

The Centre is currently in a poor state of repair. It requires significant levels of building renewal and is fast approaching physical obsolescence and potentially not being fit for purpose unless significant levels of investment are carried out.

Since 2023, Council has spent \$215K in repairs and maintenance on the Centre with a further \$80K, planned to be spent this financial year. It is acknowledged that significantly more investment will be required in future to keep the Centre operational.

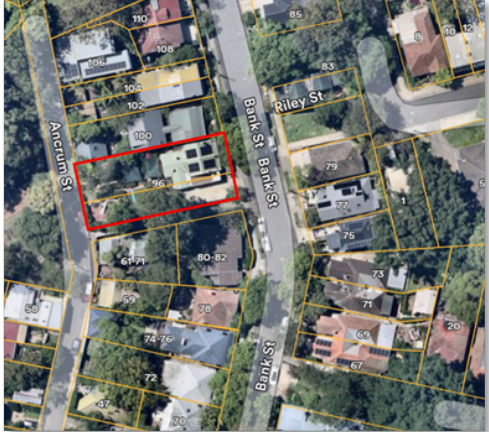
Kelly's Place had been made aware of Council's open space expansion plans in the past and the emerging need to relocate. Efforts have previously been made by Council officers to find alternative accommodation for Kelly's Place. This included the existing Council building in Forsyth Park which was offered to Kelly's Place but unfortunately not taken up for reasons of logistics, disturbance to its current operations and loss of income. Discussions with Kelly's Place management suggest that they had believed a more suitable option would be found.

2.5 Kelly's Place Children's Services - Assessment of Four Alternative Site Options

In response to Council's resolution of 10 March 2025, Council engaged CELA (Community Early Learning Australia Ltd) and the ECF Group to undertake an evaluation of four Council sites and their feasibility to deliver a compliant and functional early education service for 30 or 40

children aged 0-5 years, to potentially accommodate the Kelly's Place Children's Centre. These are identified below.

It should be noted that the costs of each option outlined in this report are based on a preliminary, conceptual analysis, and whilst a 20% contingency has been added to the figures provided by the consultant, the true cost of any project that arises from this analysis will only be accurately identified once detailed plans have been prepared with their various risks and issues documented. The estimated costs outlined in this report, should be therefore considered in this very preliminary way.

Site 1: Level 6, 1 James Place, North Sydney	Site 2: 96 Bank St, North Sydney
	
Site 3: Ward Street Car Park rooftop	Site 4: Barry Street Car Park rooftop, Neutral Bay
	

Site 1 - James Place

The concept to repurpose the top floor (level 6) office space to an early education and care service is burdened by substantial spatial, access, and compliance complexities. The assessment concluded that *this site is not recommended over the other three options due to a combination of high adaptation costs and critical site limitations*. This is discussed in more detail in Attachment 1 to this report.

Indicative Cost = \$3.4M - \$3.6M (40 places)

Site 4 - Barry Street Car Park, Neutral Bay

Barry Street in Neutral Bay accommodates a small carpark with 19 public carparking spaces (at the top deck). It is a small site of approximately 390sqm.

The Study finds that the site is significantly impacted by physical, operational, and regulatory constraints and challenges and finds that *due to its significant site constraints, complex approvals pathway, and construction risk, this site is not recommended as a first-preference location*. This is discussed in more detail in attachment 1.

Indicative Cost = \$5.0M - \$6.8M (40 places)

Site 3 - Ward Street Carpark

Whilst the Ward Street carpark option was identified as having potential to accommodate a childcare centre, there were significant barriers and constraints identified in the Study. Its advantage is its size and accessibility in terms of public transport. The site's capability to accommodate a child care centre represents a level of technical complexity which *introduces significant construction risks, cost escalations, and approval uncertainties*.

In addition, the Ward Street car park is a strategic landholding for Council and accommodating a childcare centre may constrain any future dealings in the land. Given Council's current financial challenges and constraints, it is prudent that this be avoided.

For the reasons outlined in the consultant's report, including uncertainty of costs and scale of investment required, combined with the site being a strategic asset for Council, this site is not recommended to be pursued. This is discussed in more detail in Attachment 1.

Indicative Cost = \$3.6M - \$4.6M (40 places)

Site 2 - 96 Bank St, North Sydney

The existing development at 96 Bank Street, North Sydney has served as the headquarters of Council's family day care operations for some decades and accommodates training, resources for educators, meetings, and playgroup sessions. The impact of the use for this purpose is relatively consistent with a domestic, residential use.

The site contains a pair of older cottages that are identified as "contributory items" within a heritage conservation area. It is located within a quiet residential pocket of North Sydney, offering a distinctly different community experience from the other three sites reviewed.

Whilst the site has definite potential to accommodate a childcare centre, its conversion presents significant planning, operational, and compliance challenges. These include space constraints, potential heritage limitations, inadequate parking, outdated facilities, and the need for structural extension.

The following issues and constraints have been identified by the Study (Attachment 3):

- the existing building has a gross floor area of only 149m², which would require substantial extension and reconstruction to meet the Education and Care Services National Regulations requirements.
- the building is identified as a Contributory Item under the North Sydney DCP, which imposes limitations on external alterations and potentially, internal demolition.
- the site currently only has capacity for four parking spaces (tandem), which is critically insufficient for a compliant childcare facility. Based on the North Sydney Development Control Plan, eight parking spaces would be required.
- the lack of separate, safe pick-up and drop-off zones raises significant traffic safety and operational issues and challenges, particularly in a high-density urban setting.
- there is no viable option for additional on-site parking, and surrounding streets are heavily restricted and utilised, making shared-use or on-street solutions impractical without council-supported Traffic Management Planning.
- any requirement to build an additional storey will trigger the following requirements:
 - a much closer heritage assessment for consistency with the Heritage Conservation Area controls in the DCP
 - fire-isolated stair access for vertical circulation;
 - possible upgrades to passive and active fire systems (e.g., fire-rated walls, alarms, hydrants); and
 - DDA-compliant access to upper levels (e.g., lift or platform lift).

Planning Considerations

Whilst of the four sites considered, this site offers the most immediate potential to accommodate a childcare centre, Council's Planners caution that development applications (DAs) for childcare centres tend to elicit a strong local response in residential areas for amenity reasons. The site at Bank Street is a particularly quiet residential area characterised by a cul-de-sac located only some ~60m to the north. As a result, there is no "through" traffic, and the area generally experiences low levels of local traffic movements only. A nearby childcare centre was the subject of persistent complaints between 2011-2017 for reasons of noise and traffic issues.

Given the deficiency of parking on site (four spaces, and compounded by their availability being in "tandem" format), and the incapacity to provide a dedicated pick-up and drop-off area within the site, it is highly likely that local residents will raise opposition to any future DA for a childcare centre on this site. A stacked parking arrangement, especially with pedestrian entry and exits being so closely located, also gives rise to significant pedestrian risk, especially to vulnerable children. Added to this would be the perception that the proposed use of the site as a childcare centre will disrupt the quiet amenity of the neighbourhood with additional noise and movement (noting that the hours of operation are likely to be approximately 7.30am-6.00pm).

These characteristics of the site and its surroundings, over and above those identified in the consultant's report, would make a DA process a challenging one, which would require the investment of six to nine months preparation and assessment timeframe and cost approximately \$250k, with no guarantee of approval.

Indicative Cost = \$2.0M - \$3.1M (40 places)

Other Options

Council staff have investigated a mixed-use development that is currently under construction in the general vicinity of the Kelly's Place Children's Centre. The approval indicated a childcare centre was proposed and approved in a new mixed-use building. Unfortunately, we have been advised through our property advisors that the developer has had a change of plans, and an alternative use is now being pursued.

Conclusion to Relocation Option Investigations

As discussed, previous investigations to relocate Kelly's Place Children's Centre occurred several years ago. The most recent investigations outlined in this report are an extension of those efforts.

All four relocation options investigated carry with them various degrees of compliance, infrastructure, cost and/or impact implications. Together, these factors make any relocation expensive, complex, and possibly unable to obtain development approval.

The potential loss of services for those families attending Kellys Place is acknowledged and understood. Council has met with Kellys Place representatives to discuss the outcome of relocation investigations. In progressing an application to the NSW Government for funding of the Hume Street Park project, it is recommended that Council officers continue to work with Kellys Place to consider all alternate options for continued community childcare services. This may include private land holdings and the potential for smaller operations, therefore requiring smaller premises. This may require Kellys Place to consider alternate operating models, along with financial implications.

Financial Considerations

Council's financial position is currently unsustainable, including \$69 million in building infrastructure backlogs. Any funding allocated towards new childcare facilities at this time will further impact Council's capacity to manage existing infrastructure.

Whilst a contribution (VPA funded) has been earmarked for a part of the capital cost of the required fit out of the new McLaren Street childcare space, operational budgets - including lifecycle costs associated with the new building - have not been allocated and will require consideration in the next revision of Council's *Long Term Financial Plan*.

In addition to this, the cost of preparing DA-ready drawings with the various specialist input required, is likely to be in the order of \$250K. This cost would be over and above the cost of construction described in each of the options descriptions above.

Impact on Ratepayers

Council has just endorsed for public comment, the exhibition of various rate variation options to address Council's ongoing financial challenges ([report](#)). Based on the estimated cost of the Bank Street (ranging between \$2M and \$3.1M for a 40-place centre), any investment would need to be funded through Council's general revenue.

This represents approximately \$77,500 per childcare place, plus an ongoing financial commitment. This level of capital expenditure is the equivalent of 3% to 5% increase in Council rates for one year and does not including ongoing operational costs associated with maintenance and renewal.

This is in addition to the initial \$250K required for the DA, and there remains significant uncertainties regarding the feasibility and final construction cost of Option 3.

Conclusion

In the context of a fast-growing population within a precinct of significant under-supply of open space, Council has been planning for the expansion of the Hume Street Park for more than a decade. The opportunity now exists, with State Government financial support, to realise this vision and deliver much-needed open space infrastructure in a cost-effective and prompt manner.

This report has outlined relocation options that have been investigated by Council officers. Given the costs and other significant challenges associated with these, and the prospects that the NSW Government assistance to deliver an expanded Hume Street Park is not perennially guaranteed, it is recommended that Council immediately pursue NSW Government assistance to undertake the design and delivery of this project.

In the meantime, Kelly's Place Children's Centre may be provided with any reasonable assistance that Council may render to support its relocation from its Hume Street premises.

It should be noted that Council's preliminary planning work to consider a Masterplan for the Holtermann precinct will also include consideration of childcare facilities. Whilst the delivery of the outcome of this work will be more than five years away, this planning should be noted.

Consultation requirements

Should the Department of Planning and Public Spaces assume the design and project management responsibilities for the Hume Street Park expansion design, they will also undertake the required community consultation, in collaboration with Council.

Legislation

The legislative requirements or considerations relevant to this matter include:

- The Environmental Planning and Assessment Act
- The [National Quality Framework](#) for early childhood education and care:

- [Children \(Education and Care Services\) National Law \(NSW\) No 104a of 2010](#)
- [Education and Care Services National Regulations \(2011 SI 653\)](#)

Attachment 1 – Detailed Analysis of Four Options

This attachment provides a more detailed appraisal of the potential challenges associated with the various options explored for the relocation of the Kelly's Place Children's Centre relocation.

Site 1 - James Place

The concept to repurpose the top floor (level 6) office space to an early education and care service is burdened by substantial spatial, access, and compliance complexities.



This site is not recommended over the other three options due to a combination of high adaptation costs and critical site limitations. Key issues include capacity issues, fire safety infrastructure, inadequate plumbing infrastructure, reliance on adjacent public parking, complex emergency egress from Level 6, and the need for substantial internal reconfiguration to meet regulatory requirements. The consultant's report finds that these constraints significantly impact the site's viability, making it a less practical and cost-effective option compared to the other shortlisted alternatives and therefore not recommended.

These are detailed in attachment 2.

To achieve regulatory and functional compliance, the site will require a complete internal reconfiguration to provide:

- Dedicated activity rooms and cot rooms suited to different age groups;
- Nappy change areas with handwashing and hygienic waste disposal facilities;
- A food and bottle preparation area and / or commercial-grade kitchen;
- A laundry or separate access to laundering facilities;
- Accessible staff and children's toilets in accordance with AS 1428.1;
- Adequate internal storage (minimum 0.2m³ per child).
- Adequate external storage (minimum 0.3m³ per child).

- Modified access to Level 6 for security and safety purposes.

The following issues and challenges were identified for Site 1:

- **Capacity** – The site will only have the capacity to accommodate a 30 place centre because of space constraints associated with existing floor space, especially the limitation of external space.
- **Fire Safety** - While a dedicated fire-isolated stairwell exclusively for child care use is not explicitly required under the National Construction Code, the proposed centre must have access to compliant fire-isolated exits suitable for the evacuation of young children and staff in an emergency. All egress paths must meet the requirements for Class 9b buildings, including signage, emergency lighting, and travel distances. There are egress challenges associated with children leaving the building in times of emergency given that no dedicated fire access is provided.
- **Plumbing Infrastructure** - The plumbing infrastructure that is currently available on Level 6 will not accommodate the requirements of a child care service. There are significant additional costs when converting an upper-level office (Level 6) into a child care centre without existing plumbing infrastructure in the correct locations.
- **External Considerations** - Externally, the proposed centre must ensure compliance with outdoor play space and safety standards:
 - Fencing will need to be upgraded to a minimum of 1.8 metres in height, constructed to prevent climbing and unauthorised access.
 - The design must enable direct access from indoor rooms to outdoor play areas, particularly for children under two years of age.
- **Outdoor Space** - The use of the rooftop terrace for external open space can only achieve compliance for a 30 place centre but with “borrowed” internal outdoor space. Compliance for a 40 place centre cannot be achieved given the extent of indoor space that would be required. Noise transfer to nearby tenancies, fencing, fall protection, and access controls would be required to be addressed.
- **Parking** - Parking for staff and families would be accommodated within the adjacent public car park, subject to assessment against the North Sydney Council Development Control Plan (DCP) Section 5 – Child Care Facilities, which outlines minimum off-street parking ratios, access arrangements, and safety requirements. The use of parking in an adjacent building for a child care centre may be conditionally acceptable, but it raises critical compliance, operational, and safety considerations. It is noted that parking here would attract a fee.
- **Pick up and Drop off** - There would be child and family arrival and departure logistical challenges associated with the pick-up and drop off relating to the carpark at Ridge Street given the relationship of access to the sixth floor is via a lift.
- **Acoustics, privacy and operational considerations** associated with deliveries, waste collection, building maintenance occurring during sleep or educational programming periods.

The assessment concluded that *this site is not recommended over the other three options due to a combination of high adaptation costs and critical site limitations.*

Whilst the significant area of leasable office space has a potential to generate regular income for Council, it is noted that the space has been vacant for some years. As the office market is currently in somewhat of a state of transition, the space may also be considered for alternative income generating uses in the medium term by Council.

Site 4 - Barry Street Car Park, Neutral Bay

Barry Street in Neutral Bay accommodates a small carpark with 19 public carparking spaces (at the top deck) and a ground level below this. It is a small site of approximately 390sqm. Vehicular access to this level of the car park is via a two-way vehicular ramp off Barry Street.



The Study finds that the site is significantly impacted by physical, operational, and regulatory constraints and challenges. It concludes that *a number of complex constraints reduce its feasibility*. These are detailed in attachment 5.

The following issues and challenges were identified for Site 4:

- **Local Traffic** - Barry Street and adjacent laneways are narrow, one-way streets with limited turning capacity which would make pick-up and drop-offs congested and complicated. The nature of the local road network, also raises questions of child safety at these times which often coincide with peak hours.
- **Parking** – Local parking is highly contested in this precinct. The public parking below the roof top area is an obvious pick-up and drop-off area, relying on existing public access points. These conditions would complicate safe and efficient drop-off and pick-up, especially during peak hours. If arrangements were made for the exclusive use of parking in this area, this would further erode the availability of public parking (see below).
- **Loss of Parking** – the development of the roof top slap, which currently accommodates 19 public carparking spaces, are likely to be keenly felt by the local business community and their visitors.

- **Insufficient Outdoor Space** - Sufficient unencumbered outdoor play space would not be met without vertical expansion given the site's limited area. This introduces further complexity in terms of structural loading, vertical access and fire related control measures. One way to address this may be to privatise the forecourt area adjacent to Barry Street. This would, however, alienate and effectively privatise a small (approximately 200sqm) and important public area of green open space within the centre which also includes a public toilet facility and lacks public open space.
- **Vertical Expansion** – Vertical expansion would be required given the limited area available (approx. 400sqm). This would introduce a range of fire safety, lift access, water proofing, acoustic treatment and structural integrity issues that would need to be resolved/funded.
- **Emergency Evacuation and Management** – Emergency evacuation and management would be particularly problematic in this setting. The rooftop location limits the ability to provide direct egress to ground level within acceptable travel distances, especially for young children who may require assisted evacuation. There is no readily available or suitable secondary assembly point in the immediate vicinity, and access to the car park's lower levels is constrained by narrow driveways and limited pedestrian refuge areas. These limitations raise significant concerns regarding compliance with fire safety standards and the effective implementation of emergency procedures for early childhood services.

The report concludes that *due to its significant site constraints, complex approvals pathway, and construction risk, this site is not recommended as a first-preference location when compared to more conventional development options.*

Site 3 - Ward Street Carpark

The southern portion of the top deck of the Ward Street carpark in North Sydney was assessed for its potential and viability to accommodate a childcare centre.



Whilst the Ward Street carpark option was identified as bold and having potential to accommodate a child care centre, there were significant barriers and constraints identified in the Study. With regard to the capacity to accommodate the minimum areas required for indoor and outdoor spaces, the site is superior with regard to its relatively vast availability of space. Over and above this, the site benefits from accessibility in terms of public transport and central location.

However, the primary challenges are not regulatory in nature, but rather infrastructure-based and structural. As the rooftop was not originally designed to support a habitable use, several critical feasibility issues must be addressed (details in attachment 4):

- **Structural Capacity** - A structural engineer will need to confirm whether the existing rooftop slab can support the additional live loads associated with the centre, including internal fitout, outdoor play structures, shading, acoustic fencing, water tanks, and groups of people. Slab strengthening may be required.
- **Plumbing and Services**: Extending essential services such as potable water, sewerage, stormwater drainage, and trade waste to rooftop level will require extensive and complex hydraulic engineering. Given that the existing infrastructure is likely concentrated at ground or basement level, pump-assisted systems and vertical service risers will be needed. These introduce cost, access, and fire compliance considerations.
- **Mechanical Systems** - Heating, cooling, ventilation, and exhaust must be carefully designed to address rooftop exposure, urban air quality, and acoustic privacy. Plant equipment must be located and shielded to avoid conflict with outdoor play or neighbouring properties.
- **Air Quality** - The site's CBD location and proximity to high traffic environments like Miller and Berry Streets, exposes it to higher levels of vehicle emissions, particularly during peak traffic periods. Mitigation measures such as high-efficiency air filtration, vegetation buffers, and careful siting of outdoor spaces will be necessary.
- **Access and Wayfinding** - The car park's complex circulation and shared use with the general public mean safe, legible, and accessible arrival and departure routes must be prioritised. Secure lift access, designated drop-off zones, and protected pedestrian paths will be essential.

Whilst there are various successful precedents cited in the report, it also refers to the site's capability to accommodate a child care centre here as introducing a level of technical complexity which *introduces significant construction risks, cost escalations, and approval uncertainties*.

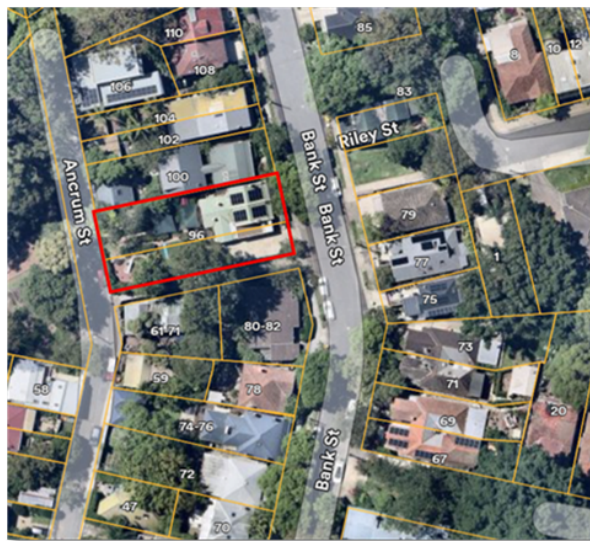
Staff Comments

- In addition to the findings of the report, Council would need to consider the additional foregone income for lost carparking as a result of a future development. The rooftop currently accommodates 148 parking spaces. Assuming a loss of 50 spaces to accommodate a child care centre, this would equate to an annual loss of approximately \$260K (based on an occupancy rate of 80% and an early bird rate of \$25 per day on weekdays only).

- The entire building may need to be brought up to full or partial conformity with the current Building Code of Australia requirements to ensure the safety of all occupants of any new child care facility on the top deck of the carpark. This would be a costly exercise.
- The Ward Street car park is a strategic landholding for Council and accommodating a child care centre will complicate or restrict any future dealings in this important land asset.

Site 2 - 96 Bank St, North Sydney

The existing development at 96 Bank Street, North Sydney, has served as the headquarters of Council's family day care operations for some decades and accommodates training, resources for educators, meetings and playgroup sessions.



The site contains a pair of older cottages that are identified as “contributory items” within a heritage conservation area as identified in the North Sydney Local Environmental Plan 2013.

The site is located within a quiet residential pocket of North Sydney, offering a distinctly different community experience from the other three sites reviewed.

Whilst the site has potential to be repurposed for use as a centre-based child care service accommodating either a 30 or 40 place centre, the preliminary analysis confirms that there is an inadequate building footprint to meet the regulated space requirements.

Converting the site into a centre-based child care service for 30–40 children, presents significant planning, operational, and compliance challenges. These include space constraints, heritage limitations, inadequate parking, outdated facilities, and the need for structural extension. The report does state, however, that *while the site presents considerable constraints, its central location, existing landscaped outdoor area, and early childhood use history suggest that, with careful design and expert guidance, a compliant and high-quality child care centre could be achievable.* (details in attachment 3)

The following issues and constraints have been identified by the Study:

- **Area** - The existing building has a gross floor area of only 149m², which significantly constrains the ability to meet the Education and Care Services National Regulations requirements for unencumbered indoor space (3.25m² per child) and associated support functions. Total indoor areas required for a 30 space centre would be approximately 261sqm. For 40 children, a minimum of 130m² of unencumbered indoor space is required, excluding amenities, storage, kitchens, and circulation. A total of 334 sqm of indoor space would be required.
 - To achieve compliance, a substantial internal reconfiguration and built extension into the outdoor area is necessary, which will in turn impact the outdoor space required (7m² per child = 280m²), however, there is currently 371.73m² of outdoor play area, so this is achievable.
 - Vertical expansion may be required for educator breakout, administration, or programming areas, though it introduces additional Building Code of Australia and accessibility complexities.
- **Heritage** - The building is identified as a Contributory Item under the North Sydney DCP, which imposes limitations on external alterations and potentially, internal demolition.
 - Any external additions must be sensitive to heritage fabric and compatible in scale, bulk, and character with the existing building and surrounding streetscape (see staff comments below).
- **Parking** - The site currently only has capacity for 4 (tight) parking spaces (in “tandem” format), which is critically insufficient for a compliant child care facility. Based on the SEPP (Educational Establishments and Child Care Facilities) and North Sydney DCP a total of 8 parking spaces would be required as follows (noting that the Study included an error in parking calculations):
 - 1 space per 2 employees (max of 3 spaces) = 3 spaces
 - 3 spaces for a centre greater than 24 children = 3 spaces
 - 1 disabled space
 - 1 emergency vehicle space.

There is no viable option for additional on-site parking, and surrounding streets are heavily restricted and metered, making shared-use or on-street solutions impractical without council-supported Traffic Management Planning.

- **Pick Up and Drop Off** - The lack of separate, safe pick-up and drop-off zones raises significant traffic safety and operational issues, particularly in a high-density urban setting.
- **Additional Storey** - Any requirement to build an additional storey will trigger the following requirements:
 - A much closer heritage assessment for consistency with the Heritage Conservation Area controls in the DCP
 - Fire-isolated stair access for vertical circulation
 - Possible upgrades to passive and active fire systems (e.g., fire-rated walls, alarms, hydrants)
 - DDA-compliant access to upper levels (e.g., lift or platform lift).

A feasibility report with input from a heritage consultant, architect, certifier, and town planner will be essential to determine if a compliant and financially viable redevelopment is achievable.

Staff Comments

In addition to the Study's findings, Council's planners advise that applications for child care centres tend to be controversial in residential areas for reasons of disruption to amenity. The site at Bank Street is a particularly quiet residential area characterised by a cul-de-sac only some 60m to the north. As a result, there is no "through" traffic and the area generally experiences only local traffic. It is noted that there is a significant stretch of Bank Street from Union Street, that is well under 8 metres in width making passing, when cars are parked on either side of this road, a little challenging. A nearby child care centre was the subject of continued complaints between 2011-2017 for reasons of noise and traffic issues.

Given the under provision of parking on site (by 2-4 spaces), and the incapacity to provide a dedicated pick-up and drop-off area within the site, it is highly likely that local residents will raise opposition to any future development application. A stacked parking arrangement, especially with pedestrian entry and exits being so closely located, also gives rise to significant pedestrian risk. Added to this will be the perception that the proposed use of the site as a child care centre, will disrupt the amenity of the neighbourhood with additional noise (noting that the hours of operation are likely to be 7.30am-6.00pm).

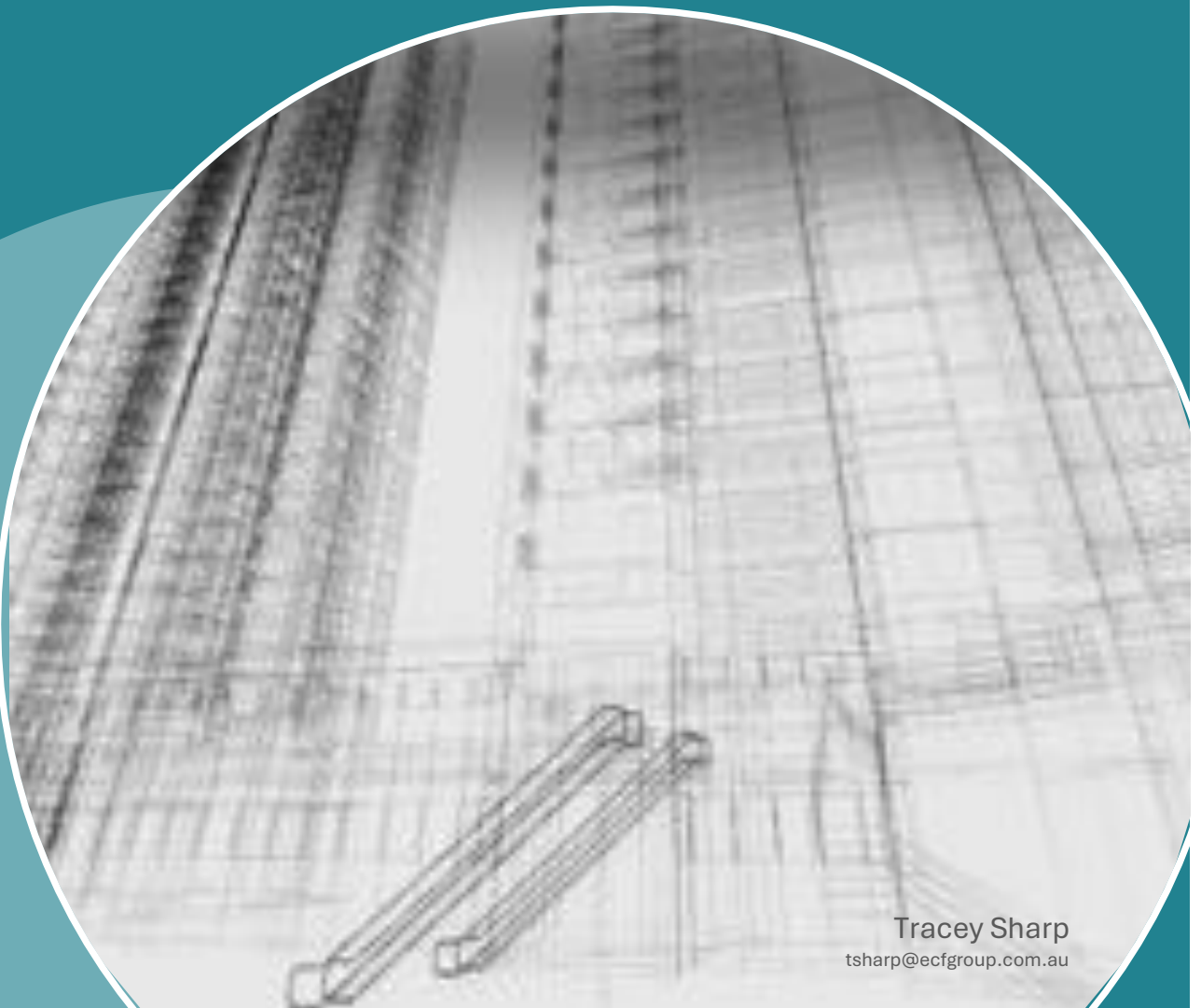
Council's heritage advisor has concluded that sensitively designed alterations and additions may not be prohibitive in terms of achieving a heritage sensitive building outcome, any need for vertical expansion will attract close scrutiny in this regard.



Level 6, 1 James Place North Sydney

Site Suitability

Prepared by Tracey Sharp of ECGroup of behalf of CELA



Tracey Sharp
tsharp@ecfgroup.com.au

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EXECUTIVE SUMMARY

This Site Suitability Statement assesses the viability of adapting Level 6 of a mixed-use commercial building for use as a centre-based child care service. Based on preliminary spatial analysis and regulatory requirements, the site demonstrates potential to support a 30-place early learning service, subject to significant modifications. However, it does not have the capacity to accommodate 40 children due to limitations in both indoor and outdoor unencumbered space.

The site presents an opportunity for adaptive reuse as an Education and Care Service catering for approximately 30 children aged 0–5 years. While the existing floor area has the potential to meet the spatial requirements prescribed under the *Education and Care Services National Regulations* (Regulations 107 and 108), significant modifications will be necessary to achieve compliance with the *National Construction Code (NCC)* and relevant planning controls. The current office layout includes a small kitchenette and staff amenities located within the fire exit stairwell, which does not satisfy the minimum requirements for sanitary facilities or egress under the NCC.

A full internal redesign will be required to accommodate dedicated activity rooms, child and staff amenities, nappy change areas, a commercial kitchen or prep space, laundry, storage, and administrative facilities in accordance with the *Child Care Planning Guideline 2017* and *State Environmental Planning Policy (Education Establishments and Child Care Facilities) 2017 (SEPP)*. External modifications will include increasing the height of perimeter fencing to meet safety standards for outdoor play spaces and ensuring adequate separation for age groups. Car parking is proposed to be accommodated within the adjacent public car park and will need to satisfy the requirements outlined in the *North Sydney Council Development Control Plan (DCP)* Section 5, which governs parking, access, and amenity for child care facilities.

While the location at 1 James Place, North Sydney, benefits from centrality and amenity, its designation as a busy civic and commercial hub significantly complicates its suitability as a child care centre. The cumulative risks related to emergency management, access control, traffic and parking logistics, and operational independence would require a highly customised design solution and likely fire engineering performance solutions. A comprehensive feasibility study, including stakeholder engagement and early consultation with council and a qualified certifier or fire engineer, is essential before proceeding further.

Key Findings

- The internal floor area is sufficient to meet the Education and Care Services National Regulations for 30 children, including minimum indoor (3.25m² per child) and outdoor (7.0m² per child) play space.
- The existing layout, designed for office use, is not compliant with National Construction Code (NCC 2022) standards for Class 9b early childhood centres. Staff amenities located within fire stairwells, lack of compliant sanitary facilities, and unsuitable access and egress paths are significant issues.

- A full internal reconfiguration is required to incorporate age-appropriate activity rooms, nappy change areas, kitchen and laundry facilities, accessible toilets, and adequate storage. These works must align with the Child Care Planning Guideline 2017 and relevant SEPP controls.
- The site lacks direct access to suitable plumbing infrastructure, and retrofitting services on Level 6 will incur considerable cost and complexity. Investigation into Level 5's structure and service risers is essential.
- The available outdoor space is insufficient to meet regulatory requirements for more than 30 children. A simulated outdoor environment must be integrated within the internal layout to meet outdoor play requirements.
- Acoustic upgrades will be necessary to address reverberation, noise transfer, and sound insulation deficiencies inherent in the current office configuration.
- Parking is proposed in an adjacent public car park, which may be conditionally acceptable, but must demonstrate safe, direct, and accessible pedestrian access in accordance with North Sydney Council's DCP and state planning policies.
- Fire safety compliance must be rigorously assessed. Although a dedicated fire stair is not explicitly required, access to compliant fire-isolated egress routes is critical. Early engagement with a fire safety engineer is strongly recommended to validate evacuation procedures and ensure compliance with NCC Vol 1 Sections D and E.

This site is not recommended over the other three options due to a combination of high adaptation costs and critical site limitations. Key issues include inadequate plumbing infrastructure, reliance on adjacent public parking, complex emergency egress from Level 6, and the need for substantial internal reconfiguration to meet regulatory requirements. These constraints significantly impact the site's viability, making it a less practical and cost-effective option compared to the other shortlisted alternatives.

1. INTRODUCTION

1.1 PURPOSE OF THE REVIEW OF THE SITE

North Sydney Council is exploring the relocation of Kelly's Place (an existing not for profit, community based long day care centre) to a temporary site that meets all regulatory, operational, and community needs. This report assesses the feasibility and compliance of the four council assets that have been nominated as the potential relocation.

This site assessment has been developed to support decision making surrounding the temporary relocation of Kelly's Place Children's Centre. The North Sydney Council has engaged CELA to review four potential sites and assess their feasibility as an Early Education and Care Service.

The advice and criteria in the report has been outlined to help achieve high quality design decision making that supports the North Sydney Council and their team of Early Learning Educational Practitioners to deliver their exceptional curriculum currently at Kelly's Place Children's Centre at a temporary location.

The report has been completed using the information from the Consultant Brief Relocation of Kelly's Place Children's Centre Feasibility of site selection, site visits and desktop reviews undertaken by ECFgroup on behalf of CELA.

The primary objective is to evaluate the suitability of each site to accommodate an early education and care service in accordance with the relevant legislative and planning requirements. The study aims to identify the site that delivers the best overall outcome in terms of compliance, capacity, safety, cost-effectiveness, and integration into the local community.

1.2 PROJECT OBJECTIVES

- a. To assess the suitability of the site to accommodate a 30 or ideally 40 early learning places.
- b. To prepare a report on the outcomes of that assessment with consideration to the items addressed in 2.3.
- c. Develop schematic area diagrams for the site that illustrate proposed indoor and outdoor zones, staff facilities, amenities, and parking/drop-off areas.

1.3 SCOPE OF WORK

The report is to assess the suitability of this Site to support a centre-based childcare facility that would be capable of meeting all relevant legislative and regulatory requirements (outlined below).

For sites that are identified as suitable, the consultant is to provide:

- a. Ascertain the number of children that the site could accommodate
- b. Provide schematic area diagrams that show net indoor, outdoor and other office, storage, service & amenity areas, plus parking and drop off/ pick up locations

- c. Commentary on what would be required to reconfigure the space to operate as a childcare facility
- d. A recommendation if the site can be included in the preferred site that delivers the best outcomes for Council and Kellys Place Children's Centre.

1.4 DOCUMENTATION REVIEWED

The report has been completed using the information from the Consultant Brief Relocation of Kelly's Place Children's Centre Feasibility of site selection, site visits and desktop reviews undertaken by ECFgroup on behalf of CELA.

DOCUMENT	PROVIDED BY	DRAWING NUMBER	REV	DATE ISSUED	DATE REVIEWED BY ECFgroup
No Drawings Provided					

1.5 REPORT INTENT, UNDERSTANDING AND KEY OF DOCUMENTATION

This report has been prepared using Part 4.3 Physical Environment of the Education and Care Services National Regulations (clauses 103-115). Supporting documentation from The State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (the SEPP) 'Child Care Planning Guideline – Delivering quality child care for NSW, August 2017' has also been utilized in the preparation of this report. All information must be read in conjunction with The National Quality Framework, National Regulations, BCA requirements and the North Sydney Council Development Control Plan (DCP).

There is an abundance of documentation, regulatory information and requirements to understand and adhere to. To ensure a summary of compliance requirements, the report utilises the colour coded key system below.

NSW Education and Care Services National Regulations (2011)

REGULATIONS (2011)	

North Sydney Council Development Control Plan (DCP)

DCP – North Sydney Development Control Plan	

Child Care Planning Guidelines- Planning & Environment NSW Government (SEPP)

SEPP	

1.6 CLIENT RESPONSE TO SITE

The site is located on level 6 of a Council-owned commercial property that shares access with other businesses and organisations. The building adjoins the Stanton Library and overlooks Ted Mack Civic Park. The space is estimated to have approximately 336m² of indoor space and 200m² of outdoor balcony space. One of many considerations in assessing this site is whether it is feasible to reconfigure the indoor and outdoor space required for a minimum 30-place centre under the Education and Care Services National Regulations 2011.

1.7 ABBREVIATIONS

BCA	Building Code of Australia
DCP	Developmental Control Plan
EPA	Environmental Protection Agency
NCC	National Construction Code
NQF	National Quality Framework
NQS	National Quality Standards
SEPP	State Environmental Planning Policy

2. LEGISLATIVE & REGULATORY COMPLAINTS

This section outlines the legislative and regulatory frameworks governing the establishment and operation of early education and care Services in New South Wales. Understanding and adhering to these frameworks is critical to ensuring that any proposed site is legally permissible, functionally appropriate, and aligned with community safety and wellbeing standards.

2.1 OVERVIEW OF REGULATORY REQUIREMENTS

- a. Education and Care Services National Regulations
- b. NSW Department of Education standards
- c. Building Code of Australia (BCA)
- d. NSW Food Authority guidelines

a. Education and Care Services National Law & Regulations (2011)

Administered by the Australian Children's Education & Care Quality Authority (ACECQA) and implemented in NSW by the Department of Education, this legislation sets the minimum legal standards for:

- Space requirements per child (Indoor: 3.25 m² / Outdoor: 7 m²)
- Child-to-educator ratios
- Health, hygiene, and safety practices
- Qualifications for educators
- Physical environment standards (natural light, ventilation, equipment, etc.)
- Programming and curriculum
- Emergency and evacuation procedures

b. Building Code of Australia (BCA – Part of the National Construction Code)

All Early Education and Care Services developments must comply with the BCA, which governs:

- Building classifications and fire safety (typically Class 9b)
- Access and egress routes

- Fire detection and suppression systems
- Structural adequacy and durability
- Ventilation and lighting
- Sanitary facilities (based on occupancy loads)
- Accessibility (in conjunction with the Disability Discrimination Act)

c. NSW Department of Education Guidelines for Childcare Centres

These guidelines supplement the National Regulations with state-specific expectations, including:

- Outdoor space design and materials
- Indoor environment standards (acoustic performance, flooring, visibility)
- Safety fencing and secure entry systems
- Proximity to hazards (e.g. traffic, bodies of water, industrial activity)
- Best practice for locating services in residential or commercial zones

d. NSW Food Authority – Childcare Food Safety Guidelines

Where on-site meal preparation is proposed, compliance with food safety standards is mandatory.

This includes:

- Proper kitchen facilities (hand washing basins, food prep areas)
- Food storage, refrigeration, and waste disposal
- Food handler hygiene and allergen management
- Registration of food business (where applicable)

3. SITE INFORMATION

3.1 SITE LOCATION

The site subject to this report is located at Level 6, 1 James Place, North Sydney as shown in Figure 1 below.

3.2 SUMMARY OF SITE DETAILS

Details	
Site Address	Level 6, 1 James Place, North Sydney
Council Property Number	3/DP1101874
Council	North Sydney Council
Site Area	636m ²
Current Land Use Zoning	MU1 - Mixed Use
Classified	Operational

3.3 GEOGRAPHICAL LOCATION

The location of the property places it in the heart of North Sydney, offering proximity to the central business district and various amenities, including a library, café's and other educational facilities. Situated just off Ridge Street, the property is a mere 5-minute walk from the North Sydney CBD. It's well-served by public transport, with bus stops within 100 meters and the new Victoria Cross Metro Station 89 meters away if walking through the buildings and 200 meters walking out and around the block.

3.4 SITE OBSERVATIONS



Figure 1_Aerial photograph of the site_Level 6 , 1 James Place, North Sydney

COMMUNITY EXPERIENCE

COMPATIBLE SOCIAL USES NEARBY

- **Nearby Amenities:** Located within walking distance to the North Sydney Council Chambers, Stanton Library, and the Mary MacKillop Place Museum.
- **Green Spaces:** Close to Brett Whiteley Place, St Thomas Rest Park, and Ridge Street Park for outdoor learning and nature-based play.
- **Civic Functions:** Adjacent to professional offices and government services which may limit spontaneous family-oriented interactions but offer potential for structured programs or partnerships.

OPTIONS FOR DAILY / WEEKLY EXCURSIONS

- **Library Visits:** Stanton Library offers storytime programs and children's sections suitable for regular literacy-focused excursions.
- **Historical and Cultural Walks:** Proximity to local heritage sites, including the Mary MacKillop Place Museum and heritage trails.
- **Parks and Outdoor Play:** Several small urban parks suitable for gross motor activities, nature walks, and picnic-based learning are within safe walking distance.
- **Civic Engagement:** Possible visits to the Council Chambers or nearby community events (markets, art installations, etc.).

OPPORTUNITIES TO PARTNER WITH LOCAL BUSINESSES / SERVICES / RESOURCES

- **Cafés and Retail:** Opportunities for supply partnerships, community window displays, or child-created art exhibitions.
- **Local Council Programs:** Potential to align with North Sydney Council's sustainability, arts, and community outreach programs.
- **Professional Services:** Possible enrichment visits or family workshops facilitated by allied health, financial literacy, or wellness services in the area.

ALIGNMENT WITH FAMILY LIFESTYLES AND WORK PATTERNS

- **Commuter Convenience:** Strong alignment with professional families working in the CBD or Lower North Shore, offering an easy drop-off on the way to nearby office towers or transit links.
- **Transport Accessibility:** Close to train (North Sydney Station), buses, and walkable routes to nearby offices.

- **Work-Life Integration:** May appeal to working families seeking a convenient, urban childcare option co-located with their daily routines.

OPPORTUNITIES FOR INTERGENERATIONAL AND COMMUNITY ENGAGEMENT

- **Nearby Retirement and Aged Care Facilities:** Limited in the immediate vicinity, though potential may exist for scheduled programs with community groups via council connections.
- **Community Events:** North Sydney regularly hosts civic and cultural events that could include or showcase children's participation, helping foster identity and connection.

WALKABILITY AND VISIBILITY FROM THE STREET TO PROMOTE ACCESSIBILITY AND NEIGHBOURHOOD INVOLVEMENT

- **Visibility:** The site is located on Level 6 and is not directly visible from the street, reducing passive surveillance and community visibility.
- **Street Presence:** An enhanced entry experience and branded ground-floor presence (e.g., signage, art, digital display) could improve connection with the public realm.
- **Walk Score:** High—well-connected pedestrian infrastructure and proximity to public transport increase accessibility.

FEELS SAFE AND FAMILIAR

- **Urban Environment:** The surrounding precinct feels ordered and well-maintained, though may initially feel impersonal or formal for young children.
- **Wayfinding and Arrival:** Requires careful planning to ensure that access points feel welcoming, intuitive, and age-appropriate.
- **Security:** Controlled entry and enclosed access to the lift are essential for emotional and physical safety.

EMOTIONAL SAFETY – THE SERVICE IS WANTED AND ENCOURAGED BY THE COMMUNITY

- **Demographic Demand:** North Sydney LGA has a high proportion of dual-income households and a growing need for early childhood education, particularly in walkable proximity to the CBD.
- **Consultation Opportunity:** Proactive community engagement during the planning phase could strengthen place attachment and perceived value.

PLACE-BASED IDENTITY – A PLACE WHERE CHILDREN CAN RECOGNISE AND FEEL PRIDE IN

- **Civic Identity:** The location offers opportunities to develop a unique urban-centre identity, shaped by its proximity to key civic and cultural landmarks.
- **Design Expression:** With appropriate branding, storytelling, and art integration (e.g., murals, local history references, child-led projects), children can develop a sense of ownership and belonging in a distinctly North Sydney context.

The site at 1 James Place, North Sydney, presents a range of operational and logistical challenges when considered for adaptation into an education and care service, particularly due to its mixed-use character and civic prominence. The building is a council-owned asset situated within a busy urban precinct that supports a high level of foot traffic and vehicle movement throughout the day. These surrounding uses result in a number of site-specific complexities:

1. Emergency Evacuation Risks and Constraints

- In a mixed-use building, shared accessways, fire stairs, and lobbies must be assessed for exclusive, safe, and direct egress routes suitable for young children.
- High volumes of unrelated building occupants (e.g. library users, shoppers, office tenants) during peak periods may cause congestion or delays during an emergency evacuation.
- Coordination of emergency management plans will require input from all building stakeholders and must comply with the National Construction Code (NCC) and relevant fire safety engineering principles. Additional child-focused fire safety measures may be necessary, including supervised assembly zones and suitable evacuation aids for non-mobile children.

2. Child and Family Arrival & Departure Logistics

- The public car park servicing multiple civic and commercial uses may be at or near capacity during peak hours (typically coinciding with childcare drop-off and pick-up times), limiting availability and convenience for families.
- The lack of dedicated, on-title parking or a defined drop-off zone presents a significant risk to child safety, particularly if families are required to navigate through a busy civic plaza or cross active vehicle access points.

3. Shared Access and Restricted Control

- A child care centre located on Level 6 of a mixed-use civic building limits the operator's ability to control the entry, movement, and security of people within and around the building.
- Shared lobbies, lifts, and corridors can pose risks in terms of unauthorised access or exposure to adults not affiliated with the service, which may conflict with regulatory requirements under

Regulation 168(2)(d) and (g) of the *Education and Care Services National Regulations* regarding child safety and supervision.

4. Acoustic, Privacy, and Operational Considerations

- Mixed-use zones also create potential for conflicting uses, such as deliveries, waste collection, or building maintenance activities occurring during sleep or educational programming periods.
- Use of a rooftop terrace as outdoor play space, while potentially compliant, must address concerns around noise transfer to nearby tenancies and ensure that fencing, fall protection, and access controls are comprehensively addressed.

5. Approval Complexity and Stakeholder Coordination

- There may be restrictions on structural modifications, installation of fixed outdoor play equipment, or reconfiguration of access routes, due to shared services or building-wide fire engineering strategies.
- A child care development application will likely trigger a detailed planning assessment, requiring alignment with the Child Care Planning Guideline 2017, the State Environmental Planning Policy (SEPP) – Educational Establishments and Child Care Facilities, the National Construction Code, and the North Sydney Development Control Plan (DCP) Section 5.2 – Child Care Centres.

4. EDUCATION AND CARE SERVICES NATIONAL LAW & REGULATIONS (2011)

4.1 BUILT ENVIRONMENT REQUIREMENTS

The built environment plays a critical role in supporting children's development by providing access to facilities that promote health, hygiene, wellbeing, and the achievement of key developmental milestones. This documentation review outlines the specific requirements that must be addressed on site to ensure regulatory compliance and functional suitability. A primary consideration is the provision of unencumbered indoor play space, which is determined in accordance with the number of children the centre is licensed to accommodate.

UNENCUMBERED INDOOR SPACE (107)		
PART 4.3: PHYSICAL ENVIRONMENT	Regulation:	Title:
Division 1: Centre-based services and family day care services	107 (2) (3) (4) (5)	Space requirements - indoor

Regulation Requirements:

- There is a minimum of 3.25 sqm/child of unencumbered indoor space
 - Unencumbered indoor space excludes any of the following:
 - 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
 - other space that is not suitable for children.

4.1.1 EDUCATION AND CARE UNENCUMBERED INDOOR SPACE FOR 30 PLACES

Based on the 3.25 sqm/child of unencumbered indoor space required, a minimum of 97.5m² is required for a 30 place Service.

LEARNING SPACES	RECOMMENDED PLACES	STAFFING RATIO	EDUCATIONAL STAFFING REQUIRED	M ² REQUIRED
Activity Room 1 (0-2YRS)	10	1:4	3	32.5m ²
Activity Room 2(2-3YRS)	10	1:5	2	32.5m ²
Activity Room 3(3-5YRS)	10	1:10	1	32.5m ²
Total	30		6	97.5m ²

4.1.2 EDUCATION AND CARE UNENCUMBERED INDOOR SPACE FOR 40 PLACES

Based on the 3.25 sqm/child of unencumbered indoor space required, a minimum of 130m² is required for a 40 place Service.

LEARNING SPACES	RECOMMENDED PLACES	STAFFING RATIO	EDUCATIONAL STAFFING REQUIRED	M ² REQUIRED
Activity Room 1 (0-2YRS)	10	1:4	3	32.5m ²
Activity Room 2(2-3YRS)	10	1:5	2	32.5m ²
Activity Room 3(3-5YRS)	20	1:10	2	65 m ²
Total	40		7	130m ²

4.2 NATURAL ENVIRONMENT REQUIREMENTS

Another major spatial consideration is the outdoor unencumbered play area. This space is vital for supporting children's physical activity, social interaction, and connection with the natural environment. In accordance with regulatory requirements, this area must be free from fixed equipment, storage structures, and other encumbrances, ensuring it remains fully accessible for play and programming. The total unencumbered outdoor area must be calculated based on the number and age of children enrolled, with minimum area provisions set by the Education and Care Services National Regulations. Its design should also support supervision, safety, and meaningful engagement across different developmental stages.

UNENCUMBERED OUTDOOR SPACE (108)		
PART 4.3: PHYSICAL ENVIRONMENT	108 (2) (3) (4)	Title: Space requirements – outdoor space
Division 1: Centre-based services and family day care services	(5)	

Regulation Requirements:

- There is a minimum of 7 sqm/child of unencumbered outdoor space
 - Unencumbered indoor space excludes any of the following
 - any pathway or thoroughfare, except where used by children as part of the education and care program;
 - any car parking area;
 - any storage shed or other storage area;
 - any other space that is not suitable for children.
- Please also refer to Regulation 114 when calculating outdoor space requirements and solar access.
- In spatial calculations the verandah can only be counted once. It is therefore only included as indoor or outdoor play.

4.2.1 EDUCATION AND CARE UNENCUMBERED OUTDOOR SPACE FOR 30 PLACES

Based on the 7 sqm/child of unencumbered indoor space required, a minimum of 210m² is required for a 30 place Service.

LEARNING SPACES	RECOMMENDED PLACES	STAFFING RATIO	EDUCATIONAL STAFFING REQUIRED	M ² REQUIRED
Activity Room 1 (0-2YRS)	10	1:4	3	70m ²
Activity Room 2(2-3YRS)	10	1:5	2	70m ²
Activity Room 3(3-5YRS)	10	1:10	1	70m ²
Total	30		6	210m ²

4.2.2 EDUCATION AND CARE UNENCUMBERED OUTDOOR SPACE FOR 40 PLACES

Based on the 7 sqm/child of unencumbered indoor space required, a minimum of 280m² is required for a 40 place Service.

LEARNING SPACES	RECOMMENDED PLACES	STAFFING RATIO	EDUCATIONAL STAFFING REQUIRED	M ² REQUIRED
Activity Room 1 (0-2YRS)	10	1:4	3	70m ²
Activity Room 2(2-3YRS)	10	1:5	2	70m ²
Activity Room 3(3-5YRS)	20	1:10	2	140m ²
Total	30		6	280m ²

4.3 SCHEDULE OF ACCOMODATION_MINIMUM REQUIREMENTS

A **Schedule of Accommodation (SOA)** is a critical planning and design tool used in architectural and facility development projects — particularly in complex environments like schools, hospitals, and childcare centres. The SOA has been developed based on 30 and 40 places.

FUNCTIONAL INTERNAL AREA ALLOCATIONS FOR BIRTH TO SCHOOL AGE SERVICE FUNDING: FEDERALLY FUNDED LONG DAY CARE SERVICES				
	NUMBER OF APPROVED PLACES			
	30		40	
	TYPICAL NUMBER OF LEARNING ROOMS			
	3		3	
	TYPICAL NUMBER OF STAFFING			
	5-8		7-10	
INTERNAL SPACES (BASED ON 3.25M² OF UNENCUMBERED AREA PER CHILD)				
LEARNING ROOMS	97.5		130	
ADDITIONAL SPACE – JOINERY, DOOR SWINGS	6.84		10.26	
BOTTLE PREP	7		9	
EDUCATOR SPACE	14		16	
FOYER/ ENTRY	18		24	
OFFICE	12		14	
KITCHEN	12		14	
STAFF ROOM	12		14	
SLEEP SPACES	19.5		24	
SUBTOTAL	198.84		255.26	
PLUS 10% CIRCULATION TO THE FIGURES ABOVE				
10% CIRCULATION	19.88		25.52	
SUBTOTAL INTERNAL SPACE	218.72		280.78	
STORAGE	6		8	
LAUNDRY	8		10	
CLEANERS ROOM	2		2	
CHILDREN'S WC / NAPPY CHANGE	15	2WC	20	3WC
ACCESS / PUBLIC TOILETS	7		7	
STAFF TOILETS	4	1WC	6	1WC
TOTAL INTERNAL SPACE	260.72		333.78	
EXTERNAL SPACES (BASED ON 7M² OF UNENCUMBERED AREA PER CHILD)				
OUTDOOR LEARNING SPACE	210		280	
VERANDAH / UNDERCOVER SPACE / TRANSITION SPACE	30		40	
VERANDAH ALLOWANCE CAN BE INCLUDED IN INDOOR OR OUTDOOR UNENCUMBERED AREA				
STORAGE	9		12	
SUBTOTAL	249		332	
PLUS 5% CIRCULATION TO THE FIGURES ABOVE – CIRCULATION DEPENDANT ON DESIGN AND TRANSITION TO EMERGENCY EVACUATION POINTS				
5% CIRCULATION	12.45		16.6	
PARKING	125m ² 170m ²	<400metres Min. 6 >400metres Min. 8	170m ² - 253m ²	<400metres Min. 8 >400metres Min. 10
BICYCLE PARKING AREA	3.6m ²		7.2m ²	
TOTAL EXTERNAL SPACE	435.05m²		608.8m²	
SITE REQUIREMENTS	695.77		942.58	

NOTE: CIRCULATION ALLOWANCE HAS NOT BEEN INCLUDED AND DEPENDS ON ORIENTATION, SIZE AND SHAPE OF THE SITE

NOTE: WALL TYPE AND THICKNESS HAVE NOT BE INCLUDED IN THE CALCULATIONS

4.4 FACILITIES REQUIRED

The facilities outlined in this document are essential to ensure the health, safety, and developmental wellbeing of children in early learning education settings. They are based on regulatory requirements from the National Quality Framework (NQF), the Education and Care Services National Regulations, and applicable NSW-specific planning and health guidelines. These minimum standards support high-quality care by providing functional, hygienic, and engaging environments that foster learning, exploration, and social interaction while also enabling educators to work effectively and safely.

FACILITIES REQUIRED	MINIMUM REQUIREMENTS
UNENCUMBERED INDOOR PLAY SPACE	Minimum 3.25m ² per child of usable floor area (excluding storage, passageways, or fixtures).
UNENCUMBERED OUTDOOR PLAY SPACE	Minimum 7m ² per child of usable outdoor space (excluding garden beds, pathways not used for play, storage sheds, or carparks).
NAPPY CHANGE FACILITIES	Properly constructed bench, baby bath, handwashing sinks for adults and children, steps for child access, impervious materials, and proximity to the 0–2 area.
TOILET AND HYGIENE FACILITIES	Must be accessible from both indoor and outdoor play areas. Must include child-sized toilets and handwashing basins.
COMMERCIAL KITCHEN	Required if food is prepared on site. Must comply with NSW Food Authority and Council health regulations.
LAUNDRY / LAUNDRY ACCESS	Must provide washing, drying, and hygienic storage for soiled linen. Can be onsite or offsite with documented access arrangements.
SLEEPING FACILITIES	Each child must have access to rest/sleep facilities, especially for children under 3 years. Comply with Red Nose (SIDS) safe sleep guidelines.
ADMINISTRATIVE SPACES	Spaces for: administration tasks, private family consultations, staff support, programming, and documentation.
EDUCATORS' BREAKOUT SPACE	Should be a separate, designated area for staff rest and meal breaks (not in laundry, kitchen, or cot room).
CRAFT PREPARATION AREA	Requires sink with hot and cold water, workbench, and storage space.
FOOD & BOTTLE PREPARATION AREA	Requires sink (separate from craft), cleanable benches, bottle warmer, refrigerator, and dedicated storage.
INTERNAL STORAGE	Minimum 0.2m ³ per child for play materials, bedding, cleaning supplies, etc. Must be secure and not located in play areas.
EXTERNAL STORAGE	Minimum 0.3m ³ per child. For outdoor play equipment, prams, and maintenance tools. Should be secure and weatherproof.

FACILITIES REQUIRED	MINIMUM REQUIREMENTS
NATURAL LIGHTING	Indoor play areas must have access to natural light achieving a minimum of 200 lux.
VENTILATION	Natural or mechanical ventilation required for all rooms, including bathrooms and sleep areas.
WASTE ROOM / CLEANERS STORE	Separate secure room for waste disposal and cleaning equipment. Must include a cleaner's sink and space for mop buckets.
BOTTLE STERILISATION / PREP STATION	If caring for infants, a sterilisation area for bottles with access to boiling water or a steriliser.
COT ROOM	For services with 0–2-year-olds, a separate cot room with visibility from the play area. One cot per child sleeping at any time.
ENTRY / RECEPTION AREA	Secure, clearly defined entry with sign-in/out, access control (e.g., lockable gate or security door).
ACCESS FOR PEOPLE WITH DISABILITIES	Must comply with the Disability Discrimination Act and relevant BCA/NCC requirements for access, including ramps, toilets, and parking.
FIRE SAFETY & EMERGENCY EXITS	Must meet NCC/BCA fire safety requirements, with clear egress paths, extinguishers, and evacuation plans.
SIGNAGE	Clearly visible external signage and internal signage to indicate emergency exits, room use, hygiene, and safety instructions.
IT/TECHNOLOGY INFRASTRUCTURE	Provision for computers, internet, and secure digital storage for records and programming (especially under NQF digital recordkeeping).
SHADE AND WEATHER PROTECTION	Outdoor areas must include adequate shade (natural or built) to protect children from UV exposure, and weather protection for entries and play spaces.

4.5 KELLY'S PLACE COMPARITVIE DETAILS

Kelly's Place currently provides a 45-place long day care, comprising:

- 170.6m² total internal play area
- 280.97m² total gross floor area
- 395.3m² external play area
- 119.92m² cot room, office, storage, services and amenities.

Area's Schedule

Zone Number	Room Name	NET Area
1.1	Play Room 1	83.77
1.2	Kid's WC 1	10.35
1.3	Store 2	3.68
1.4	Store 1	6.21
2.1	Play Room 2	63.48
2.2	Kid's WC 2	9.45
2.3	Store 4	3.36
2.4	Store 3	5.67
2.5	Cot Room 1	12.60
3.1	Foyer / Play Room 3	22.80
4.1	Kitchen	11.84
4.2	Kitchen St.	2.31
4.3	Laundry	4.41
4.5	Bottle Room	9.99
5.1	Office	14.06
5.2	Staff	13.69
5.3	WC	3.30
6.1	Outdoor Transition Area	55.01
6.2	Outdoor Playground	340.99
6.3	Outdoor Store	9.00
TOTAL		685.97m²

5. SITE ASSESSMENT

5.1 ASSESSMENT OF EXISTING FACILITIES BASED ON NSW EDUCATION AND CARE SERVICES NATIONAL REGULATIONS (2011)

REGULATION	NATIONAL LAW AND NATIONAL REGULATIONS	SITE 1 – JAMES PLACE, NORTH SYDNEY
REG.103	Premises, furniture and equipment to be safe, clean and in good repair	N/A
REG.105	Furniture, materials and equipment	N/A
REG.106	Laundry and hygiene facilities	No
REG.107	Space requirements—indoor ≥ 3.25 m ² per child unencumbered	321.78m ² of Internal Space. Capable of accommodating 30 / 40 licenced places if other regs and facilities comply.
REG.109	Toilet and hygiene facilities	2 x Adult Amenities only, No junior toilets
REG.110	Ventilation and natural light	Ample access to natural light and mechanical ventilation. Access to the outdoor area when opened will increase the natural ventilation.
REG.111	Administrative space	Capable of including administrative space in the concept design.
REG.112	Nappy change facilities	Capable of including nappy change facilities in the concept design.
REG.115	Premises designed to facilitate supervision	The concept design will be able to facilitate supervision
	Storage – Internal	Square meters available will accommodate storage
REG.104	Fencing and security	The glazed fencing would not comply with regulations and will need to be replaced.
REG.108	Space requirements—outdoor space ≥ 7m ² per child unencumbered	260.06m ² of External Space will accommodate a 30 place Service. If 40 places is required, an indoor simulated outdoor environment would need to be included in the concept design.
REG.113	Outdoor space—natural environment	The concept design will need to included access to the natural environment as there is currently no access.
REG.114	Outdoor space—shade	Shade to be included in concept design.
REG.115	Premises designed to facilitate supervision	The outdoor area has an optimal layout for supervision.
	Storage – External	Storage will need to be included internally for external storage

5.2 EDUCATION AND CARE SERVICE SITE SUITABILITY BASED ON SEPP AND RELEVANT NCC

ASSESSMENT CRITERIA	CHILD CARE PLANNING GUIDELINES- PLANNING & ENVIRONMENT NSW GOVERNMENT (SEPP) and NCC	SITE 1 – JAMES PLACE, NORTH SYDNEY	
		30 PLACES	40 PLACES
SANITARY & HYGIENE REQUIREMENTS			
Children’s Toilets	Adequate numbers provided, accessible from indoor and outdoor areas; designed for age-appropriateness (e.g., lower pans, smaller cubicles). Toilets must be visible or directly accessible from indoor play spaces to meet supervision and safety standards.	There are currently no children’s amenities, and they will need to be provided between the indoor and outdoor area. There is currently no plumbing existing where the toilets will need to be located.	
Number of Children’s Toilets Required	Generally, 1 toilet and 1 hand basin per 10 children over 3 years of age. For younger children, age-appropriate sanitary facilities (including nappy change) are required.	3 minimum	4 minimum
Accessible Toilet Facility	At least 1 accessible toilet required per level (complying with AS 1428.1). Must be located on accessible paths and accessible to staff and children with additional needs	1 accessible toilet on ground level. Potentially one on level six, return to site to review.	
Staff Toilets	Separate from children’s toilets. One staff toilet per 10 staff typically required. Must not be accessed through children’s spaces.	1 staff toilet for 40 places.	
Nappy Change Facilities	Required for all centres with children under 3. Must include: - Impervious bench - Baby bath - Hot and cold water - Sink - Steps for child access - Storage for soiled nappies	No facilities currently. Required nappy change facilities with 1 change mat for 30 and 2 for 40 dependant on age group breakdown.	
Laundry or Access to laundry facilities	A separate, dedicated laundry or access to laundry is required. Must allow for washing, drying, and storage of soiled linen and clothing. Not to be shared with staff room.	The laundry could potentially be placed where the mini kitchenette is currently located.	
Hand Washing Facilities – Children	Hand basins in toilet areas and playrooms, sized and located for child use (e.g., lower height). Warm running water, soap dispensers, and drying facilities required. Craft Prep Area	Included in all learning rooms, this space will accommodate three learning rooms.	
Hand Washing – Staff	At least one adult-height basin in each toilet/nappy area and near food preparation zones.	Included in all children’s amenities and food pre areas. Will	

Food Preparation Kitchen	Must meet NSW Food Authority standards	The existing food prep area could be renovated if food is catered. A full commercial kitchen is required if meals are prepared onsite.	
Bottle Preparation Area	Separate sink and sterilisation facilities required if preparing infant bottles onsite.	Capable of being included in concept design	
Cleaning Storage / Janitor's Closet	Required on each floor. Includes slop sink, storage for cleaning equipment and chemicals, hot and cold water.	Capable of being included in concept design	
OTHER REQUIREMENTS			
Sleeping facilities	All children must have access to a sleep space should they choose	Capable of being included in concept design	
Administrative Spaces	Conducting administration tasks, Consulting with Families, Conducting private conversations Supporting educational team, Programming & Planning, Educators Breakout Space	Capable of being included in concept design	
Internal Storage	0.2m3 per child	6m ³ required	8m ³ required
External Storage	0.3m3 per child	9m ³ required	12m ³ required
Natural Lighting	Natural lighting should provide a lighting level of 200lux.	Available	
Infrastructure Services	Water, power, sewer, data	Existing	
Modification Required	High / Medium / Low	High	

5.3 EDUCATION AND CARE SERVICE SITE SUITABILITY BASED ON NORTH SYDNEY COUNCIL DCP

This checklist is prepared to support the design and assessment of an Education and Care Service in alignment with the North Sydney Council Development Control Plan (DCP) – Section 5: Child Care Facilities. It also considers the NSW Child Care Planning Guideline, Education and Care Services National Regulations (2011), and relevant BCA requirements.

CATEGORY	REQUIREMENT	COMPLIANT?	NOTES / ACTIONS
Site Suitability	Site is appropriately zoned (e.g., R2, R3, or B1/B2 with consent)	☒ Yes ☐ No ☐ N/A	Zone: MU1 Mixed Use Classified: Operational With Consent
	Located away from high-noise areas (main roads, rail)	☒ Yes ☐ No ☐ N/A	
	Not located near hazardous/industrial sites	☒ Yes ☐ No ☐ N/A	
	Not subject to flooding, landslip, or contamination	☒ Yes ☐ No ☐ N/A	
Access & Traffic	Separate and safe pedestrian and vehicular entries	☒ Yes ☒ No ☐ N/A	Public Use
	Drop-off/pick-up bays comply with DCP or SEPP (1/10 children or 1/4 in areas >400m from station)	☐ Yes ☒ No ☐ N/A	Would need to be included in the Ridge Street Car Park
	Car parking for staff and visitors as per SEPP or DCP standards	☐ Yes ☒ No ☐ N/A	Would need to be included in the Ridge Street Car Park
	Traffic impact study provided if >40 children	☐ Yes ☐ No ☒ N/A	Not required, however traffic will be impacted in this area with the addition of an EC Service
Built Form & Streetscape	Development responds to surrounding character	☐ Yes ☐ No ☒ N/A	Interior Fitout Required
	Heritage or conservation area impact	☐ Yes ☒ No ☐ N/A	

CATEGORY	REQUIREMENT	COMPLIANT?	NOTES / ACTIONS
	Height, setbacks, and site coverage comply with zone and context	☐ Yes ☐ No ☒ N/A	
	Fencing is safe, attractive, and appropriate to the street character	☐ Yes ☒ No ☐ N/A	New Fencing required to meet 1.8m REG 104
Amenity for Neighbours	Acoustic privacy ensured; noise from outdoor areas is mitigated	☐ Yes ☐ No ☐ N/A	Level 6 outdoor area will affect neighbours however the site is mixed use
	Overshadowing of adjoining properties is minimised	☒ Yes ☐ No ☐ N/A	
Indoor Environment	Minimum 3.25m ² unencumbered indoor space per child	☒ Yes ☐ No ☐ N/A	Capable of being included in concept design
	Access to natural light and ventilation	☒ Yes ☐ No ☐ N/A	
	Functional program (cot room, staff room, prep area, office, laundry)	☐ Yes ☒ No ☐ N/A	Can be included with new design
Outdoor Environment	Minimum 7.0m ² unencumbered outdoor space per child	☐ Yes ☐ No ☐ N/A ☒ Possible	40 place Service would require partial simulated outdoor area in the indoor area.
	Outdoor play space is safe, shaded, and directly accessible from indoor	☐ Yes ☐ No ☐ N/A ☒ Possible	
	Outdoor area located away from streets and noise where possible	☒ Yes ☐ No ☐ N/A	
Landscaping	Appropriate soft landscaping provided	☐ Yes ☐ No ☐ N/A ☒ Possible	
	Tree planting to provide shade and contribute to streetscape	☐ Yes ☐ No ☐ N/A ☒ Possible	
Sustainability & Services	Incorporates water- and energy-efficient design (rainwater reuse, insulation)	☐ Yes ☒ No ☐ N/A	Limited space to include energy efficient design
	Waste storage area designed and screened appropriately	☐ Yes ☒ No ☐ N/A	The removal of waste will require significant planning.
Regulatory Compliance	Complies with the Education and Care Services National Regulations (2011)	☐ Yes ☐ No ☐ N/A ☒ Possible	
	Complies with the NSW Child Care Planning Guideline (2017)	☐ Yes ☐ No ☐ N/A ☐ Possible	

CATEGORY	REQUIREMENT	COMPLIANT?	NOTES / ACTIONS
	Complies with the National Construction Code (BCA)	☐ Yes ☐ No ☐ N/A ☒ Possible	
Operational & Management	Hours of operation consider surrounding residential amenity	☒ Yes ☐ No ☐ N/A ☒ Possible	Provided when necessary
	Outdoor play times and noise management plans provided	☐ Yes ☐ No ☐ N/A ☒ Possible	Provided when necessary

6. SITE SUITABILITY STATEMENT- ADAPTIVE REUSE FOR EDUCATION AND CARE SERVICE

Overview

The subject site has potential to be repurposed for use as a centre-based child care service accommodating approximately 30 children only. Preliminary analysis confirms that the internal floor area is sufficient to meet the minimum spatial requirements for indoor (3.25m² per child) and outdoor (7.0m² per child) unencumbered play space in accordance with Regulations 107 and 108 of the *Education and Care Services National Regulations* for 30 places. *The floor area excludes catering for 40 children as it does not meet the area allocations required.*

Existing Building Constraints

The site is currently configured for office use, comprising a general open-plan layout, an office kitchenette, and staff toilet amenities situated within the fire exit stairwell. These existing amenities do not comply with the egress, fire safety, or sanitary provisions under the *National Construction Code (NCC 2022)* for Class 9b – Early Childhood Centres. Specifically, the current location of staff facilities within a fire stair enclosure contravenes NCC fire compartmentation and access provisions.

Required Modifications

To achieve regulatory and functional compliance, the site will require a complete internal reconfiguration to provide:

- Dedicated activity rooms and cot rooms suited to different age groups;
- Nappy change areas with handwashing and hygienic waste disposal facilities;
- A food and bottle preparation area and / or commercial-grade kitchen;
- A laundry or separate access to laundering facilities;
- Accessible staff and children's toilets in accordance with AS 1428.1;
- Adequate internal storage (minimum 0.2m³ per child).
- Adequate external storage (minimum 0.3m³ per child).
- Modified access to Level 6 for security and safety purposes

These modifications must be undertaken with reference to the Child Care Planning Guideline 2017 and State Environmental Planning Policy (Education Establishments and Child Care Facilities) 2017 (SEPP), which provide further direction on spatial layout, indoor–outdoor connectivity, natural light, and acoustics.

Plumbing Infrastructure

The plumbing infrastructure that is currently available on Level 6 will not accommodate the requirements of a child care service. There are significant additional costs when converting an upper-level office (Level 6) into a child care centre without existing plumbing infrastructure in the correct locations, especially when:

- Wet areas (kitchens, bathrooms, nappy change, laundry) need to be added above non-wet areas on lower floors. A services scan or review of Level 5's ceiling to understand the structural and plumbing layout would need to be conducted to ascertain if this is correct.
- There is no direct access to stack plumbing or drainage points aligned vertically from levels below.

External Considerations

Externally, the proposed centre must ensure compliance with outdoor play space and safety standards:

- Fencing will need to be upgraded to a minimum of 1.8 metres in height, constructed to prevent climbing and unauthorised access, in accordance with National Regulation 104.
- The design must enable direct access from indoor rooms to outdoor play areas, particularly for children under two years of age.

Simulated Outdoor Environment

To meet the outdoor space requirements for a 30-place service, a simulated outdoor environment will need to be integrated within the indoor areas. The site does not have sufficient external space—or internal unencumbered area available for borrowing—to support a 40-place service in accordance with regulatory requirements.

Acoustic Considerations

An office space in its existing form is acoustically unsuitable for child care without significant upgrades. Noise transfer, reverberation, and lack of sound insulation pose risks to both regulatory compliance and educational quality. However, with targeted acoustic design interventions—including enhanced partitions, soft finishes, acoustic ceilings, and mechanical system upgrades—the space can be made appropriate for early learning use.

Parking Considerations

Parking for staff and families is proposed to be accommodated within the adjacent public car park, subject to assessment against the North Sydney Council Development Control Plan (DCP) Section 5 – Child Care Facilities, which outlines minimum off-street parking ratios, access arrangements, and safety requirements. The use of parking in an adjacent building for a child care centre may be conditionally acceptable, but it raises critical compliance, operational, and safety considerations under NSW regulations, the National Construction Code (NCC), and the Child Care Planning Guideline (CCPG).

Fire Safety Compliance

While a dedicated fire-isolated stairwell exclusively for child care use is not explicitly required under the *NCC*, the proposed centre must have access to compliant fire-isolated exits suitable for the evacuation of young children and staff in an emergency. All egress paths must meet the requirements for Class 9b buildings, including signage, emergency lighting, and travel distances. Given the complexity of fire safety provisions and the unique vulnerabilities of young occupants, it is strongly recommended that the design be reviewed by a qualified fire safety engineer or accredited certifier to ensure full compliance with all relevant codes, including *NCC Volume 1 Section D – Access and Egress* and *Section E – Services and Equipment*.

Recommendation for further Exploration

- Engage a hydraulic engineer early to assess feasibility of plumbing routing, stack locations, and pumping solutions.
- Conduct a services scan or review of Level 5's ceiling to understand the structural and plumbing layout.
- Confirm with a building certifier that plumbing changes and penetrations are allowed under the BCA and building management plans.
- Engage a fire safety engineer to determine the buildings compliance in regard to emergency egress.

7. SITE ASSESSMENT CONCLUSION

Based on the current feasibility analysis, this site is not recommended over the other three shortlisted options due to a combination of critical limitations and anticipated upgrade costs. Key concerns include:

- High adaptation costs associated with the need for significant internal reconfiguration and service upgrades to achieve compliance with early learning regulatory and functional requirements.
- Complex site constraints, including limited unencumbered outdoor space, non-compliant existing amenities, and the requirement to integrate a simulated outdoor environment.
- Reliance on adjacent public parking, which introduces safety, accessibility, and operational risks that may not satisfy planning and licensing standards.
- Emergency egress challenges, given the site's location on Level 6 of a mixed-use building, with no dedicated child care access routes or fire-isolated stairwell exclusive to the service.
- Inadequate plumbing infrastructure, with no existing stack or wet area alignment to support essential functions such as nappy change, food preparation, and laundry without significant structural intervention.
- Indicative costs for 30 places is \$2.4-2.8 million. Further design and costings is required. For 40 places is \$2.8-3.0 million.

Collectively, these factors make this site less viable and cost-effective compared to the other three alternatives, each of which demonstrates a clearer pathway to compliance, operational efficiency, and long-term sustainability.

8. DISCLAIMER

This Site Suitability Assessment has been prepared for general informational purposes only and is not a substitute for detailed planning, compliance analysis, or design documentation. All spatial measurements, assumptions, and data contained within are indicative and must be verified through detailed site investigation and professional consultancy.

Final design parameters must be confirmed in consultation with a qualified team of specialist consultants, including but not limited to:

- Architect / Early Learning Design Specialist
- Accredited Certifier or Registered Building Surveyor
- Fire Safety Engineer
- Hydraulic Engineer
- Mechanical Engineer (HVAC and Ventilation)
- Structural Engineer
- Acoustic Engineer
- Access Consultant
- Town Planner
- Traffic Engineer
- Landscape Architect (for outdoor play design)

These professionals are essential to assess the site's compliance with the Education and Care Services National Regulations, National Construction Code (NCC), Child Care Planning Guideline 2017, State Environmental Planning Policies (SEPP), and relevant local government planning controls.

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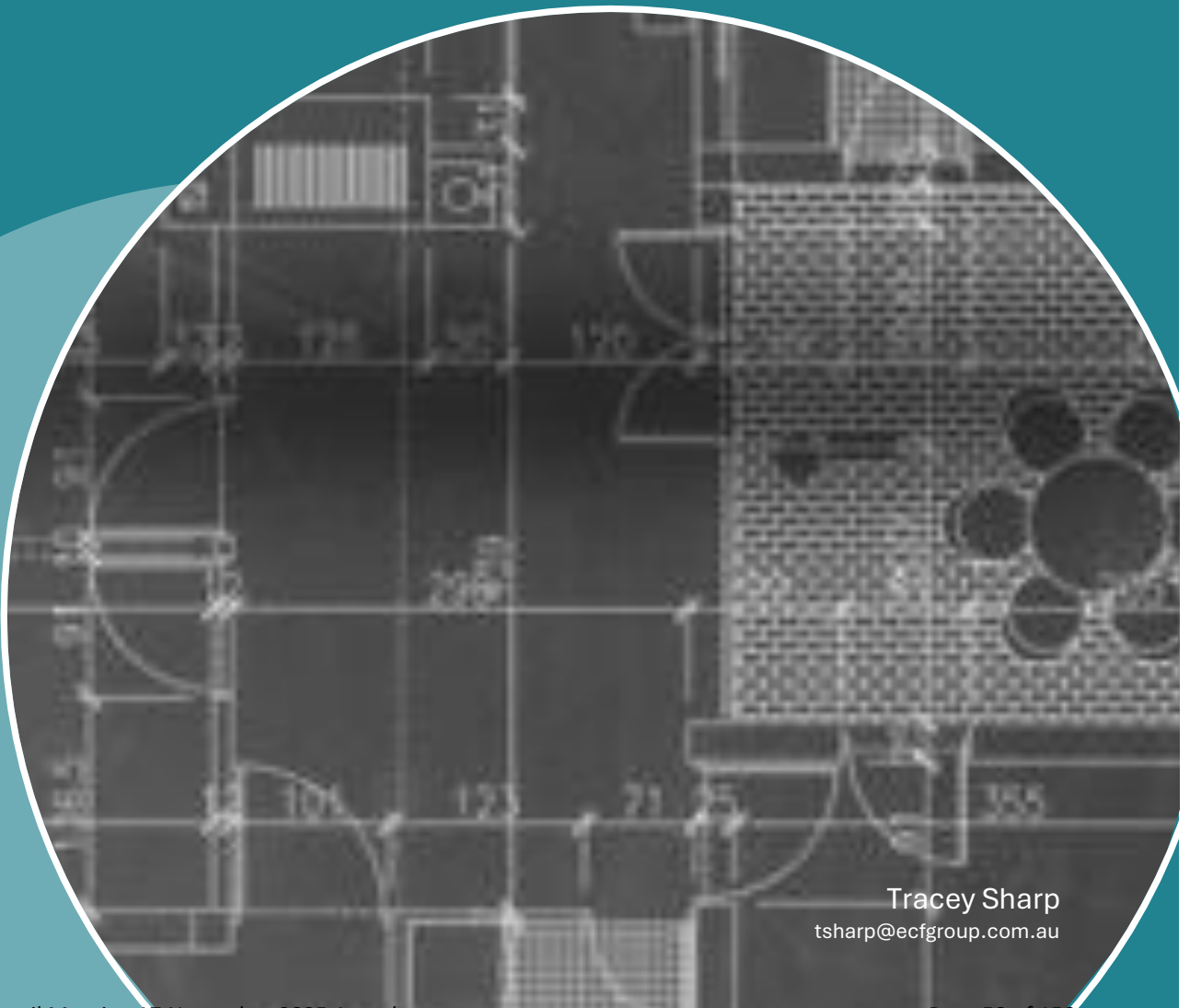
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96 Bank Street North Sydney

Site Suitability

Prepared by Tracey Sharp of ECFGroup of behalf of CELA



Tracey Sharp
tsharp@ecfgroup.com.au

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EXECUTIVE SUMMARY

While the site's existing use as a family day care resource centre indicates a history of early childhood service provision, its adaptation into a centre-based child care facility for 30–40 children presents substantial planning, operational, and regulatory challenges. These include spatial limitations, heritage constraints under the north sydney council development control plan (dcp), insufficient on-site parking, non-compliant sanitary amenities, and the requirement for structural alterations to meet modern building and safety standards.

Notably, the site is enriched with established landscaping, including mature trees and a variety of well-maintained plantings, offering a naturally engaging and biodiverse outdoor environment that aligns with the North Sydney DCP's objectives to support high-quality outdoor play and connection to nature. This aspect provides a valuable foundation for meeting the unencumbered outdoor space requirements under regulation 108 of the education and care services national regulations, which prescribes 7m² per child.

While the overall site area may have the potential to accommodate the spatial requirements under regulations 107 and 108 (indoor and outdoor unencumbered space), achieving full regulatory compliance will require significant extensions and upgrades. These works must also be assessed in the context of the site's heritage significance and contribution to the local character, as identified in the North Sydney DCP.

In addition, any redevelopment must align with the state environmental planning policy (educational establishments and child care facilities) 2017, which outlines design quality principles and consent authority considerations for child care facilities. Furthermore, compliance with the national construction code (ncc)—particularly class 9b building standards for fire safety, accessibility, and sanitary provisions—will necessitate substantial design intervention and professional input.

Given these factors, a comprehensive feasibility assessment involving a heritage consultant, architect, town planner, and certifier is essential to determine whether a compliant and economically viable child care facility can be achieved on the site.

1. INTRODUCTION

1.1 PURPOSE OF THE REVIEW OF THE SITE

North Sydney Council is exploring the relocation of Kelly's Place (an existing not for profit, community based long day care centre) to a temporary site that meets all regulatory, operational, and community needs. This report assesses the feasibility and compliance of the four council assets that have been nominated as the potential relocation.

This site assessment has been developed to support decision making surrounding the temporary relocation of Kelly's Place Children's Centre. The North Sydney Council has engaged CELA to review four potential sites and assess their feasibility as an Early Education and Care Service.

The advice and criteria in the report has been outlined to help achieve high quality design decision making that supports the North Sydney Council and their team of Early Learning Educational Practitioners to deliver their exceptional curriculum currently at Kelly's Place Children's Centre at a temporary location.

The report has been completed using the information from the Consultant Brief Relocation of Kelly's Place Children's Centre Feasibility of site selection, site visits and desktop reviews undertaken by ECFgroup on behalf of CELA.

The primary objective is to evaluate the suitability of each site to accommodate an early education and care service in accordance with the relevant legislative and planning requirements. The study aims to identify the site that delivers the best overall outcome in terms of compliance, capacity, safety, cost-effectiveness, and integration into the local community.

1.2 PROJECT OBJECTIVES

- a. To assess the suitability of the site to accommodate a 30 or ideally 40 early learning places.
- b. To prepare a report on the outcomes of that assessment with consideration to the items addressed in 2.3.
- c. Develop schematic area diagrams for the site that illustrate proposed indoor and outdoor zones, staff facilities, amenities, and parking/drop-off areas.

1.3 SCOPE OF WORK

The report is to assess the suitability of this Site to support a centre-based childcare facility that would be capable of meeting all relevant legislative and regulatory requirements (outlined below).

For sites that are identified as suitable, the consultant is to provide:

- a. Ascertain the number of children that the site could accommodate
- b. Provide schematic area diagrams that show net indoor, outdoor and other office, storage, service & amenity areas, plus parking and drop off/ pick up locations

- c. Commentary on what would be required to reconfigure the space to operate as a childcare facility
- d. A recommendation if the site can be included in the preferred site that delivers the best outcomes for Council and Kellys Place Children's Centre.

1.4 DOCUMENTATION REVIEWED

The report has been completed using the information from the Consultant Brief Relocation of Kelly's Place Children's Centre Feasibility of site selection, site visits and desktop reviews undertaken by ECFgroup on behalf of CELA.

DOCUMENT	PROVIDED BY	DRAWING NUMBER	REV	DATE ISSUED	DATE REVIEWED BY ECFgroup
No Drawings Provided					

1.5 REPORT INTENT, UNDERSTANDING AND KEY OF DOCUMENTATION

This report has been prepared using Part 4.3 Physical Environment of the Education and Care Services National Regulations (clauses 103-115). Supporting documentation from The State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (the SEPP) 'Child Care Planning Guideline – Delivering quality child care for NSW, August 2017' has also been utilized in the preparation of this report. All information must be read in conjunction with The National Quality Framework, National Regulations, BCA requirements and the North Sydney Council Development Control Plan (DCP).

There is an abundance of documentation, regulatory information and requirements to understand and adhere to. To ensure a summary of compliance requirements, the report utilises the colour coded key system below.

NSW Education and Care Services National Regulations (2011)

REGULATIONS (2011)	

North Sydney Council Development Control Plan (DCP)

DCP – North Sydney Development Control Plan	

Child Care Planning Guidelines- Planning & Environment NSW Government (SEPP)

SEPP	

1.6 CLIENT RESPONSE TO SITE

The site is currently home to the North Sydney Family Day Care Resource Centre. The centre coordinates family day care services in North Sydney, provides training and resources for educators, and is used for meetings, training sessions and children playgroups.

The site contains a pair of heritage-listed cottages that have been in use for community purposes since the 1970s. The main building supports administrative offices and resource centre.

The outdoor spaces at 96 Bank St includes play areas equipped with age-appropriate play equipment and a small garden where children can engage in outdoor activities and learn about nature.

1.7 ABBREVIATIONS

BCA	Building Code of Australia
DCP	Developmental Control Plan
EPA	Environmental Protection Agency
NCC	National Construction Code
NQF	National Quality Framework
NQS	National Quality Standards
SEPP	State Environmental Planning Policy

2. LEGISLATIVE & REGULATORY COMPLAINTS

This section outlines the legislative and regulatory frameworks governing the establishment and operation of early education and care Services in New South Wales. Understanding and adhering to these frameworks is critical to ensuring that any proposed site is legally permissible, functionally appropriate, and aligned with community safety and wellbeing standards.

2.1 OVERVIEW OF REGULATORY REQUIREMENTS

- a. Education and Care Services National Regulations
- b. NSW Department of Education standards
- c. Building Code of Australia (BCA)
- d. NSW Food Authority guidelines

a. Education and Care Services National Law & Regulations (2011)

Administered by the Australian Children's Education & Care Quality Authority (ACECQA) and implemented in NSW by the Department of Education, this legislation sets the minimum legal standards for:

- Space requirements per child (Indoor: 3.25 m² / Outdoor: 7 m²)
- Child-to-educator ratios
- Health, hygiene, and safety practices
- Qualifications for educators
- Physical environment standards (natural light, ventilation, equipment, etc.)
- Programming and curriculum
- Emergency and evacuation procedures

b. Building Code of Australia (BCA – Part of the National Construction Code)

All Early Education and Care Services developments must comply with the BCA, which governs:

- Building classifications and fire safety (typically Class 9b)
- Access and egress routes

- Fire detection and suppression systems
- Structural adequacy and durability
- Ventilation and lighting
- Sanitary facilities (based on occupancy loads)
- Accessibility (in conjunction with the Disability Discrimination Act)

c. NSW Department of Education Guidelines for Childcare Centres

These guidelines supplement the National Regulations with state-specific expectations, including:

- Outdoor space design and materials
- Indoor environment standards (acoustic performance, flooring, visibility)
- Safety fencing and secure entry systems
- Proximity to hazards (e.g. traffic, bodies of water, industrial activity)
- Best practice for locating services in residential or commercial zones

d. NSW Food Authority – Childcare Food Safety Guidelines

Where on-site meal preparation is proposed, compliance with food safety standards is mandatory.

This includes:

- Proper kitchen facilities (hand washing basins, food prep areas)
- Food storage, refrigeration, and waste disposal
- Food handler hygiene and allergen management
- Registration of food business (where applicable)

3. SITE INFORMATION

3.1 SITE LOCATION

The site subject to this report is located at 96 Banks Street, North Sydney. Currently operating as a Family Daycare Resource Centre.

3.2 SUMMARY OF SITE DETAILS

Details	
Site Address	96 Bank Street, North Sydney
Council Property Number	30/2/DP418 1/DP726405
Council	North Sydney Council
Site Area	666m ²
Building Area	149m ²
Current Land Use Zoning	SP2 Infrastructure "Community Facility"
Classified	Operational

3.3 GEOGRAPHICAL LOCATION

The property at 96 Bank Street, North Sydney, NSW 2060, is situated within the North Sydney Council local government area. It is in a predominantly residential area, approximately 3 kilometres north of the Sydney Central Business District. The site is currently occupied by the North Sydney Family Day Care Centre, a child care facility.

The property is subject to a heritage overlay and is identified as a DCP contributory item. As it makes character contribution to the area, adjustments to the façade will need to be sympathetic. Internal walls may have the potential to be partially removed, and windows added where necessary.

The property is in a flood management area, as indicated by planning overlays.

3.4 SITE OBSERVATIONS



Figure 1_96 Bank Street, North Sydney

COMMUNITY EXPERIENCE

96 Bank Street is located within a quiet residential pocket of North Sydney, offering a distinctly different community experience from urban commercial sites. The low-traffic environment and proximity to schools, homes, and local parks support a nurturing, neighbourhood-focused atmosphere ideal for an early learning education and care service. The character of the area promotes a calm and familiar setting, well-aligned with family routines and local expectations.

COMPATIBLE SOCIAL USES NEARBY

- **Residential Neighbourhood:** Surrounded by low-density housing, small-scale apartment blocks, and family dwellings, enhancing the sense of community connection.
- **School Zones:** In close proximity to schools and after-school facilities, enabling continuity of care and long-term educational relationships.
- **Community-Oriented Spaces:** The area includes local churches, community centres, and playgrounds, contributing to a socially supportive context.

OPTIONS FOR DAILY / WEEKLY EXCURSIONS

- **Park Visits:** Within easy walking distance to St Thomas Rest Park, a large, heritage-listed open space ideal for outdoor play, nature walks, and environmental learning.
- **Neighbourhood Walks:** Quiet streets with safe crossings allow for low-risk group outings, supporting local geography and community exploration.
- **Local Amenities:** While retail and civic destinations are limited nearby, the area provides sufficient green space and passive recreation options for regular excursions.
- **Additional Excursions:** Bank Street is quiet enough to accommodate small bus services to transport children to other excursions.

OPPORTUNITIES TO PARTNER WITH LOCAL BUSINESSES / SERVICES / RESOURCES

- **Home-Based Enterprises and Local Professionals:** Opportunity to connect with neighbourhood-based services such as allied health practitioners, artists, or retired educators.
- **Council Programs:** Potential alignment with North Sydney Council's community and sustainability initiatives, particularly through use of local parks and gardens.
- **Local Schools and Faith Organisations:** These may offer occasional shared-use events or child-friendly activities for inter-service engagement.

ALIGNMENT WITH FAMILY LIFESTYLES AND WORK PATTERNS

- **Family-Led Neighbourhood:** Strong appeal to families living in the area, particularly those with young children not yet at school or with flexible work arrangements.
- **Home-to-Service Proximity:** Ideal for parents seeking care close to home rather than their workplace, reducing pressure during peak travel times.
- **Limited Transit Connection:** Less suitable for commuters seeking drop-off en route to the CBD, though potentially ideal for remote or hybrid workers.

OPPORTUNITIES FOR INTERGENERATIONAL AND COMMUNITY ENGAGEMENT

- **Neighbourhood Familiarity:** The residential setting allows for informal connections with neighbours and community members.
- **Local Aged Care and Churches:** May provide occasional opportunities for shared activities or intergenerational events.
- **Community-Led Events:** Quiet streets and local gatherings offer a context for child-centred participation in seasonal or cultural activities.

WALKABILITY AND VISIBILITY FROM THE STREET TO PROMOTE ACCESSIBILITY AND NEIGHBOURHOOD INVOLVEMENT

- **High Street Visibility:** The site has direct street frontage, increasing passive surveillance and creating a sense of welcome and integration with the neighbourhood.
- **Pedestrian-Friendly:** The quiet, walkable streets promote safe drop-off and pick-up, stroller access, and group walking excursions.
- **Neighbourhood Scale:** The centre can be visually and physically integrated into the streetscape, supporting place-based recognition and accessibility.

FEELS SAFE AND FAMILIAR

- **Domestic Scale and Setting:** The quiet residential environment evokes emotional security and familiarity for young children and families.
- **Community Presence:** Likely to be supported by local residents who value family-friendly services that enhance the character of the neighbourhood, especially as the site is already a family day care service.
- **Low-Stress Arrival:** Calm vehicular conditions and street parking reduce arrival anxiety and support smooth transitions at the start and end of the day.

EMOTIONAL SAFETY – THE SERVICE IS WANTED AND ENCOURAGED BY THE COMMUNITY

- **Neighbourhood Demand:** Strong alignment with local family demographics may result in high demand and community support.
- **Community Value:** A small-scale, high-quality childcare service could be perceived as an asset to the community, enhancing amenity and neighbourhood cohesion.
- **Consultation Sensitivity:** Engagement with nearby residents will be important to address concerns about traffic, noise, and operating hours.

PLACE-BASED IDENTITY – A PLACE WHERE CHILDREN CAN RECOGNISE AND FEEL PRIDE IN

- **Neighbourhood Familiarity:** Children attending from nearby homes are likely to see the centre as part of their everyday world.
- **Small-Scale Identity:** The centre has the opportunity to establish a strong sense of belonging, reinforced by personal connections to the environment and people.
- **Local Landmarks:** Walks to nearby parks, gardens, and community spaces create a lived geography that helps children build emotional and cognitive maps of their place.

3.5 SITE DIAGRAM

Site 2: North Sydney Family Day Care Centre - 96 Bank Street, North Sydney

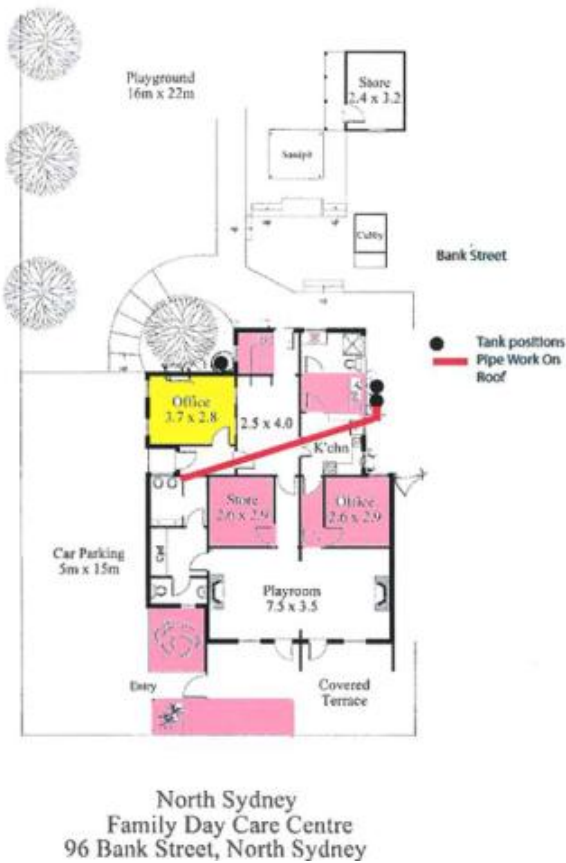


Diagram provided by North Sydney Council

4. EDUCATION AND CARE SERVICES NATIONAL LAW & REGULATIONS (2011)

4.1 BUILT ENVIRONMENT REQUIREMENTS

The built environment plays a critical role in supporting children's development by providing access to facilities that promote health, hygiene, wellbeing, and the achievement of key developmental milestones. This documentation review outlines the specific requirements that must be addressed on site to ensure regulatory compliance and functional suitability. A primary consideration is the provision of unencumbered indoor play space, which is determined in accordance with the number of children the centre is licensed to accommodate.

UNENCUMBERED INDOOR SPACE (107)		
PART 4.3: PHYSICAL ENVIRONMENT	Regulation:	Title:
Division 1: Centre-based services and family day care services	107 (2) (3) (4) (5)	Space requirements - indoor

Regulation Requirements:

- There is a minimum of 3.25 sqm/child of unencumbered indoor space
 - Unencumbered indoor space excludes any of the following:
 - 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
 - other space that is not suitable for children.

4.1.1 EDUCATION AND CARE UNENCUMBERED INDOOR SPACE FOR 30 PLACES

Based on the 3.25 sqm/child of unencumbered indoor space required, a minimum of 97.5m² is required for a 30 place Service.

LEARNING SPACES	RECOMMENDED PLACES	STAFFING RATIO	EDUCATIONAL STAFFING REQUIRED	M ² REQUIRED
Activity Room 1 (0-2YRS)	10	1:4	3	32.5m ²
Activity Room 2(2-3YRS)	10	1:5	2	32.5m ²
Activity Room 3(3-5YRS)	10	1:10	1	32.5m ²
Total	30		6	97.5m ²

4.1.2 EDUCATION AND CARE UNENCUMBERED INDOOR SPACE FOR 40 PLACES

Based on the 3.25 sqm/child of unencumbered indoor space required, a minimum of 130m² is required for a 40 place Service.

LEARNING SPACES	RECOMMENDED PLACES	STAFFING RATIO	EDUCATIONAL STAFFING REQUIRED	M ² REQUIRED
Activity Room 1 (0-2YRS)	10	1:4	3	32.5m ²
Activity Room 2(2-3YRS)	10	1:5	2	32.5m ²
Activity Room 3(3-5YRS)	20	1:10	2	65 m ²
Total	40		7	130m ²

4.2 NATURAL ENVIRONMENT REQUIREMENTS

Another major spatial consideration is the outdoor unencumbered play area. This space is vital for supporting children's physical activity, social interaction, and connection with the natural environment. In accordance with regulatory requirements, this area must be free from fixed equipment, storage structures, and other encumbrances, ensuring it remains fully accessible for play and programming. The total unencumbered outdoor area must be calculated based on the number and age of children enrolled, with minimum area provisions set by the Education and Care Services National Regulations. Its design should also support supervision, safety, and meaningful engagement across different developmental stages.

UNENCUMBERED OUTDOOR SPACE (108)		
PART 4.3: PHYSICAL ENVIRONMENT	108 (2) (3) (4)	Title: Space requirements – outdoor space
Division 1: Centre-based services and family day care services	(5)	

Regulation Requirements:

- There is a minimum of 7 sqm/child of unencumbered outdoor space
 - Unencumbered indoor space excludes any of the following
 - any pathway or thoroughfare, except where used by children as part of the education and care program;
 - any car parking area;
 - any storage shed or other storage area;
 - any other space that is not suitable for children.
- Please also refer to Regulation 114 when calculating outdoor space requirements and solar access.
- In spatial calculations the verandah can only be counted once. It is therefore only included as indoor or outdoor play.

4.2.1 EDUCATION AND CARE UNENCUMBERED OUTDOOR SPACE FOR 30 PLACES

Based on the 7 sqm/child of unencumbered indoor space required, a minimum of 210m² is required for a 30 place Service.

LEARNING SPACES	RECOMMENDED PLACES	STAFFING RATIO	EDUCATIONAL STAFFING REQUIRED	M ² REQUIRED
Activity Room 1 (0-2YRS)	10	1:4	3	70m ²
Activity Room 2(2-3YRS)	10	1:5	2	70m ²
Activity Room 3(3-5YRS)	10	1:10	1	70m ²
Total	30		6	210m ²

4.2.2 EDUCATION AND CARE UNENCUMBERED OUTDOOR SPACE FOR 40 PLACES

Based on the 7 sqm/child of unencumbered indoor space required, a minimum of 280m² is required for a 40 place Service.

LEARNING SPACES	RECOMMENDED PLACES	STAFFING RATIO	EDUCATIONAL STAFFING REQUIRED	M ² REQUIRED
Activity Room 1 (0-2YRS)	10	1:4	3	70m ²
Activity Room 2(2-3YRS)	10	1:5	2	70m ²
Activity Room 3(3-5YRS)	20	1:10	2	140m ²
Total	40		7	280m ²

4.3 SCHEDULE OF ACCOMODATION_MINIMUM REQUIREMENTS

A **Schedule of Accommodation (SOA)** is a critical planning and design tool used in architectural and facility development projects — particularly in complex environments like schools, hospitals, and childcare centres. The SOA has been developed based on 30 and 40 places.

FUNCTIONAL INTERNAL AREA ALLOCATIONS FOR BIRTH TO SCHOOL AGE SERVICE FUNDING: FEDERALLY FUNDED LONG DAY CARE SERVICES	NUMBER OF APPROVED PLACES			
	30		40	
	TYPICAL NUMBER OF LEARNING ROOMS			
	3		3	
	TYPICAL NUMBER OF STAFFING			
	5-8		7-10	
INTERNAL SPACES (BASED ON 3.25M² OF UNENCUMBERED AREA PER CHILD)				
LEARNING ROOMS	97.5		130	
ADDITIONAL SPACE – JOINERY, DOOR SWINGS	6.84		10.26	
BOTTLE PREP	7		9	
EDUCATOR SPACE	14		16	
FOYER/ ENTRY	18		24	
OFFICE	12		14	
KITCHEN	12		14	
STAFF ROOM	12		14	
SLEEP SPACES	19.5		24	
SUBTOTAL	198.84		255.26	
PLUS 10% CIRCULATION TO THE FIGURES ABOVE				
10% CIRCULATION	19.88		25.52	
SUBTOTAL INTERNAL SPACE	218.72		280.78	
STORAGE	6		8	
LAUNDRY	8		10	
CLEANERS ROOM	2		2	
CHILDREN'S WC / NAPPY CHANGE	15	2WC	20	3WC
ACCESS / PUBLIC TOILETS	7		7	
STAFF TOILETS	4	1WC	6	1WC
TOTAL INTERNAL SPACE	260.72		333.78	
EXTERNAL SPACES (BASED ON 7M² OF UNENCUMBERED AREA PER CHILD)				
OUTDOOR LEARNING SPACE	210		280	
VERANDAH / UNDERCOVER SPACE / TRANSITION SPACE	30		40	
VERANDAH ALLOWANCE CAN BE INCLUDED IN INDOOR OR OUTDOOR UNENCUMBERED AREA				
STORAGE	9		12	
SUBTOTAL	249		332	
PLUS 5% CIRCULATION TO THE FIGURES ABOVE – CIRCULATION DEPENDANT ON DESIGN AND TRANSITION TO EMERGENCY EVACUATION POINTS				
5% CIRCULATION	12.45		16.6	
PARKING	125m ² 170m ²	<400metres Min. 6 >400metres Min. 8	170m ² - 253m ²	<400metres Min. 8 >400metres Min. 10
BICYCLE PARKING AREA	3.6m ²		7.2m ²	
TOTAL EXTERNAL SPACE	435.05m²		608.8m²	
SITE REQUIREMENTS	695.77		942.58	

NOTE: CIRCULATION ALLOWANCE HAS NOT BEEN INCLUDED AND DEPENDS ON ORIENTATION, SIZE AND SHAPE OF THE SITE

NOTE: WALL TYPE AND THICKNESS HAVE NOT BE INCLUDED IN THE CALCULATIONS

4.4 FACILITIES REQUIRED

The facilities outlined in this document are essential to ensure the health, safety, and developmental wellbeing of children in early learning education settings. They are based on regulatory requirements from the National Quality Framework (NQF), the Education and Care Services National Regulations, and applicable NSW-specific planning and health guidelines. These minimum standards support high-quality care by providing functional, hygienic, and engaging environments that foster learning, exploration, and social interaction while also enabling educators to work effectively and safely.

FACILITIES REQUIRED	MINIMUM REQUIREMENTS
UNENCUMBERED INDOOR PLAY SPACE	Minimum 3.25m ² per child of usable floor area (excluding storage, passageways, or fixtures).
UNENCUMBERED OUTDOOR PLAY SPACE	Minimum 7m ² per child of usable outdoor space (excluding garden beds, pathways not used for play, storage sheds, or carparks).
NAPPY CHANGE FACILITIES	Properly constructed bench, baby bath, handwashing sinks for adults and children, steps for child access, impervious materials, and proximity to the 0–2 area.
TOILET AND HYGIENE FACILITIES	Must be accessible from both indoor and outdoor play areas. Must include child-sized toilets and handwashing basins.
COMMERCIAL KITCHEN	Required if food is prepared on site. Must comply with NSW Food Authority and Council health regulations.
LAUNDRY / LAUNDRY ACCESS	Must provide washing, drying, and hygienic storage for soiled linen. Can be onsite or offsite with documented access arrangements.
SLEEPING FACILITIES	Each child must have access to rest/sleep facilities, especially for children under 3 years. Comply with Red Nose (SIDS) safe sleep guidelines.
ADMINISTRATIVE SPACES	Spaces for: administration tasks, private family consultations, staff support, programming, and documentation.
EDUCATORS' BREAKOUT SPACE	Should be a separate, designated area for staff rest and meal breaks (not in laundry, kitchen, or cot room).
CRAFT PREPARATION AREA	Requires sink with hot and cold water, workbench, and storage space.
FOOD & BOTTLE PREPARATION AREA	Requires sink (separate from craft), cleanable benches, bottle warmer, refrigerator, and dedicated storage.
INTERNAL STORAGE	Minimum 0.2m ³ per child for play materials, bedding, cleaning supplies, etc. Must be secure and not located in play areas.
EXTERNAL STORAGE	Minimum 0.3m ³ per child. For outdoor play equipment, prams, and maintenance tools. Should be secure and weatherproof.

FACILITIES REQUIRED	MINIMUM REQUIREMENTS
NATURAL LIGHTING	Indoor play areas must have access to natural light achieving a minimum of 200 lux.
VENTILATION	Natural or mechanical ventilation required for all rooms, including bathrooms and sleep areas.
WASTE ROOM / CLEANERS STORE	Separate secure room for waste disposal and cleaning equipment. Must include a cleaner's sink and space for mop buckets.
BOTTLE STERILISATION / PREP STATION	If caring for infants, a sterilisation area for bottles with access to boiling water or a steriliser.
COT ROOM	For services with 0–2-year-olds, a separate cot room with visibility from the play area. One cot per child sleeping at any time.
ENTRY / RECEPTION AREA	Secure, clearly defined entry with sign-in/out, access control (e.g., lockable gate or security door).
ACCESS FOR PEOPLE WITH DISABILITIES	Must comply with the Disability Discrimination Act and relevant BCA/NCC requirements for access, including ramps, toilets, and parking.
FIRE SAFETY & EMERGENCY EXITS	Must meet NCC/BCA fire safety requirements, with clear egress paths, extinguishers, and evacuation plans.
SIGNAGE	Clearly visible external signage and internal signage to indicate emergency exits, room use, hygiene, and safety instructions.
IT/TECHNOLOGY INFRASTRUCTURE	Provision for computers, internet, and secure digital storage for records and programming (especially under NQF digital recordkeeping).
SHADE AND WEATHER PROTECTION	Outdoor areas must include adequate shade (natural or built) to protect children from UV exposure, and weather protection for entries and play spaces.

4.5 KELLY'S PLACE COMPARITVIE DETAILS

Kelly's Place currently provides a 45-place long day care, comprising:

- 170.6m² total internal play area
- 280.97m² total gross floor area
- 395.3m² external play area
- 119.92m² cot room, office, storage, services and amenities.

Area's Schedule

Zone Number	Room Name	NET Area
1.1	Play Room 1	83.77
1.2	Kid's WC 1	10.35
1.3	Store 2	3.68
1.4	Store 1	6.21
2.1	Play Room 2	63.48
2.2	Kid's WC 2	9.45
2.3	Store 4	3.36
2.4	Store 3	5.67
2.5	Cot Room 1	12.60
3.1	Foyer / Play Room 3	22.80
4.1	Kitchen	11.84
4.2	Kitchen St.	2.31
4.3	Laundry	4.41
4.5	Bottle Room	9.99
5.1	Office	14.06
5.2	Staff	13.69
5.3	WC	3.30
6.1	Outdoor Transition Area	55.01
6.2	Outdoor Playground	340.99
6.3	Outdoor Store	9.00
TOTAL		685.97m²

5. SITE ASSESSMENT

5.1 ASSESSMENT OF EXISTING FACILITIES BASED ON NSW EDUCATION AND CARE SERVICES NATIONAL REGULATIONS (2011)

REGULATION	NATIONAL LAW AND NATIONAL REGULATIONS	SITE 2 – 96 BANK STREET, NORTH SYDNEY
REG.103	Premises, furniture and equipment to be safe, clean and in good repair	Premise will need to be updated and as there is mould and water leaks present
REG.105	Furniture, materials and equipment	Furniture will need to be updated
REG.106	Laundry and hygiene facilities	No laundry included in the current design.
REG.107	Space requirements—indoor ≥ 3.25 m ² per child unencumbered	149m ² of building space 97.5m ² minimum requirement for indoor unencumbered area for 30 places
REG.109	Toilet and hygiene facilities	Two Junior pans and basins. Supervision is constantly required as it is not directly off the play rooms.
REG.110	Ventilation and natural light	Access to natural light is limited
REG.111	Administrative space	2 x offices
REG.112	Nappy change facilities	There is nappy change facilities but not compliant with current regs due to location and lack of visibility.
REG.115	Premises designed to facilitate supervision	Supervision with current layout is significantly reduced and does not comply with regs.
	Storage – Internal	Two existing storage rooms at 9.89m ²
REG.104	Fencing and security	1500mm (H) Powder coated aluminium in green
REG.108	Space requirements—outdoor space ≥ 7m ² per child unencumbered	666m ² Site Area 210m ² minimum requirement for outdoor unencumbered area for 30 places
REG.113	Outdoor space—natural environment	Bountiful landscaping
REG.114	Outdoor space—shade	1 large shade structure located over the sandpit.
REG.115	Premises designed to facilitate supervision	Specific supervision plan would be required
	Storage – External	Outdoor Storage shed x2

5.2 EDUCATION AND CARE SERVICE SITE SUITABILITY BASED ON SEPP AND RELEVANT NCC

ASSESSMENT CRITERIA	CHILD CARE PLANNING GUIDELINES- PLANNING & ENVIRONMENT NSW GOVERNMENT (SEPP) and NCC	SITE 2 – 96 BANK STREET, NORTH SYDNEY	
		30 PLACES	40 PLACES
SANITARY & HYGIENE REQUIREMENTS			
Children’s Toilets	Adequate numbers provided, accessible from indoor and outdoor areas; designed for age-appropriateness (e.g., lower pans, smaller cubicles). Toilets must be visible or directly accessible from indoor play spaces to meet supervision and safety standards.	The junior toilets are not accessible from the indoor play areas or the outdoor areas. There currently location does not comply with supervision and safety standards.	
Number of Children’s Toilets Required	Generally, 1 toilet and 1 hand basin per 10 children over 3 years of age. For younger children, age-appropriate sanitary facilities (including nappy change) are required.	2 out of the 3 required	2 out of the 4 required
Accessible Toilet Facility	At least 1 accessible toilet required per level (complying with AS 1428.1). Must be located on accessible paths and accessible to staff and children with additional needs	No	
Staff Toilets	Separate from children’s toilets. One staff toilet per 10 staff typically required. Must not be accessed through children’s spaces.	There is one adult toilet located in a residential bathroom. With a bath and basin.	
Nappy Change Facilities	Required for all centres with children under 3. Must include: - Impervious bench - Baby bath - Hot and cold water - Sink - Steps for child access - Storage for soiled nappies	One built in nappy change bench, no steps built in.	
Laundry or Access to laundry facilities	A separate, dedicated laundry or access to laundry is required. Must allow for washing, drying, and storage of soiled linen and clothing. Not to be shared with staff room.	No Laundry	
Hand Washing Facilities – Children	Hand basins in toilet areas and playrooms, sized and located for child use (e.g., lower height). Warm running water, soap dispensers, and drying facilities required.	Stainless Steel trough basin with two taps.	
Craft Prep Area	Junior and Adult basin and benchtop for craft prep and clean up.		

ASSESSMENT CRITERIA	CHILD CARE PLANNING GUIDELINES- PLANNING & ENVIRONMENT NSW GOVERNMENT (SEPP) and NCC	SITE 2 – 96 BANK STREET, NORTH SYDNEY	
Hand Washing – Staff	At least one adult-height basin in each toilet/nappy area and near food preparation zones.	2 x hand washing	
Food Preparation Kitchen	Must meet NSW Food Authority standards	Residential kitchen	
Bottle Preparation Area	Separate sink and sterilisation facilities required if preparing infant bottles onsite.	No	
Cleaning Storage / Janitor’s Closet	Required on each floor. Includes slop sink, storage for cleaning equipment and chemicals, hot and cold water.	No	
OTHER REQUIREMENTS			
Sleeping facilities	All children must have access to a sleep space should they choose	No	
Administrative Spaces	Conducting administration tasks, Consulting with Families, Conducting private conversations Supporting educational team, Programming & Planning, Educators Breakout Space	2 offices currently	
Internal Storage	0.2m3 per child	6m ³ required	8m ³ required
External Storage	0.3m3 per child	9m ³ required	12m ³ required
Natural Lighting	Natural lighting should provide a lighting level of 200lux.	More lighting and ventilation required.	
Infrastructure Services	Water, power, sewer, data	Existing	
Modification Required	High / Medium / Low	High	

5.3 EDUCATION AND CARE SERVICE SITE SUITABILITY BASED ON NORTH SYDNEY COUNCIL DCP

This checklist is prepared to support the design and assessment of an Education and Care Service in alignment with the North Sydney Council Development Control Plan (DCP) – Section 5: Child Care Facilities. It also considers the NSW Child Care Planning Guideline, Education and Care Services National Regulations (2011), and relevant BCA requirements.

CATEGORY	REQUIREMENT	COMPLIANT?	NOTES / ACTIONS
Site Suitability	Site is appropriately zoned (e.g., R2, R3, or B1/B2 with consent)	☒ Yes ☐ No ☐ N/A	SP2 Infrastructure “Community Facility” with Council Consent
	Located away from high-noise areas (main roads, rail)	☒ Yes ☐ No ☐ N/A	
	Not subject to flooding, landslip, or contamination	☒ Yes ☐ No ☐ N/A	
Access & Traffic	Separate and safe pedestrian and vehicular entries	☐ Yes ☒ No ☐ N/A	Transition Paths from car park spaces required.
	Drop-off/pick-up bays comply with DCP or SEPP (1/10 children or 1/4 in areas >400m from station)	☐ Yes ☒ No ☐ N/A	Designated street parking allocated for the child care centre.
	Car parking for staff and visitors as per SEPP or DCP standards	☐ Yes ☒ No ☐ N/A	Triple Tandem parking may be an option in a managed parking situation for staffing
	Traffic impact study provided if >40 children	☐ Yes ☐ No ☒ N/A	
Built Form & Streetscape	Development responds to surrounding character	☐ Yes ☐ No ☒ N/A	
CATEGORY	REQUIREMENT	COMPLIANT?	NOTES / ACTIONS
	Height, setbacks, and site coverage comply with zone and context	☐ Yes ☐ No ☒ N/A	
	Fencing is safe, attractive, and appropriate to the street character	☐ Yes ☒ No ☐ N/A	Fencing needs to increase in height from 1500 to 1800mm in height.
Amenity for Neighbours	Acoustic privacy ensured; noise from outdoor areas is mitigated	☐ Yes ☒ No ☐ N/A	Neighbour on one side is considerable close and acoustic measures will need to be put in place.
	Overshadowing of adjoining properties is minimised	☒ Yes ☐ No ☐ N/A	
Indoor Environment	Minimum 3.25m ² unencumbered indoor space per child	☐ Yes ☒ No ☐ N/A	Extension required to meet the unencumbered space required.

CATEGORY	REQUIREMENT	COMPLIANT?	NOTES / ACTIONS
	Access to natural light and ventilation	☐ Yes ☒ No ☐ N/A	Further access to natural light is required
	Functional program (cot room, staff room, prep area, office, laundry)	☐ Yes ☒ No ☐ N/A	Cot room, laundry and additional space for learning rooms required.
Outdoor Environment	Minimum 7.0m ² unencumbered outdoor space per child	☒ Yes ☐ No ☐ N/A ☐ Possible	
	Outdoor play space is safe, shaded, and directly accessible from indoor	☐ Yes ☒ No ☐ N/A ☐ Possible	Not accessible from the indoor learning rooms.
	Outdoor area located away from streets and noise where possible	☒ Yes ☐ No ☐ N/A	Outdoor area backs onto a no through road and public park directly across the road.
Landscaping	Appropriate soft landscaping provided	☒ Yes ☐ No ☐ N/A ☐ Possible	
	Tree planting to provide shade and contribute to streetscape	☒ Yes ☐ No ☐ N/A ☐ Possible	
Sustainability & Services	Incorporates water- and energy-efficient design (rainwater reuse, insulation)	☐ Yes ☒ No ☐ N/A	Incorporate in new extension.
	Waste storage area designed and screened appropriately	☐ Yes ☒ No ☐ N/A	Incorporate waste storage at the front of the property that is inaccessible by children.
Regulatory Compliance	Complies with the Education and Care Services National Regulations (2011)	☐ Yes ☒ No ☐ N/A ☐ Possible	Follow the notes in this column to achieve compliance.
	Complies with the NSW Child Care Planning Guideline (2017)	☐ Yes ☒ No ☐ N/A ☐ Possible	Follow the notes in this column to achieve compliance.
	Complies with the National Construction Code (BCA)	☐ Yes ☒ No ☐ N/A ☐ Possible	Requires consultancy from builders, engineers, electricians, plumbers etc.
Operational & Management	Hours of operation consider surrounding residential amenity	☐ Yes ☐ No ☐ N/A ☒ Possible	
Noise Management	Outdoor play times and noise management plans provided	☐ Yes ☐ No ☐ N/A ☒ Possible	Outline in the Operational Management Plan (OMP) for the service.

6. SITE SUITABILITY STATEMENT- ADAPTIVE REUSE FOR EDUCATION AND CARE SERVICE

The subject site has potential to be repurposed for use as a centre-based child care service accommodating approximately 30 to 40 children aged 0–5 years, however preliminary analysis confirms that there is an inadequate building footprint to meet the regulated space requirements.

Existing Site Constraints

While the site's existing use as a family day care resource centre suggests a history of early childhood use, converting it into a centre-based child care service for 30–40 children presents significant planning, operational, and compliance challenges. These include space constraints, heritage limitations, inadequate parking, outdated facilities, and the need for structural extension.

A feasibility report with input from a heritage consultant, architect, certifier, and town planner will be essential to determine if a compliant and financially viable redevelopment is achievable.

Inadequate Building Footprint and Regulated Space Requirements

The existing building has a gross floor area of only 149m², which significantly constrains the ability to meet the Education and Care Services National Regulations requirements for unencumbered indoor space (3.25m² per child) and associated support functions. For 40 children, a minimum of 130m² of unencumbered indoor space is required, excluding amenities, storage, kitchens, and circulation.

- To achieve compliance, a substantial internal reconfiguration and built extension into the outdoor area is necessary, which will in turn impact the outdoor space required under Regulation 108 (7m² per child = 280m²) however there is currently 371.73m² of outdoor play area.
- Vertical expansion (e.g., a first-floor addition) may be required for educator breakout, administration, or programming areas, though it introduces additional BCA and accessibility complexities.

Heritage Constraints

The building is identified as a Contributory Item under the North Sydney DCP Heritage Schedule, which imposes strict limitations on external alterations and internal demolition.

- Only partial removal of internal walls may be permitted, subject to heritage advice and council approval.

- This severely limits the ability to undertake wholesale reconfiguration of the internal layout to accommodate required sanitary facilities, nappy change areas, bottle prep spaces, and child-accessible toilets.
- Any external additions must be sensitive to heritage fabric and compatible in scale, bulk, and character with the existing building and surrounding streetscape.

Deficient On-Site Parking

The site currently has only two tandem parking spaces, which is critically insufficient for a compliant child care facility.

- Based on the SEPP (Educational Establishments and Child Care Facilities) and North Sydney DCP, parking should be provided at:
 - 1 space per 10 children = 3–4 spaces
 - 1 space per 2 staff = likely 3–4 spaces
- The lack of separate, safe pick-up and drop-off zones raises significant traffic safety and operational issues, particularly in a high-density urban setting.
- There is no viable option for additional on-site parking, and surrounding streets are heavily restricted and metered, making shared-use or on-street solutions impractical without council-supported Traffic Management Planning.

Full-Service Upgrade Required

The current facility lacks compliant amenities:

- Sanitary facilities (adult and child WCs, nappy change, handwashing) are outdated and not appropriately located per NCC and National Regulations.
- The site lacks a compliant commercial-grade kitchen or food preparation space, essential for a long day care model.
- Laundry, bottle prep, storage, and staff amenities must be purpose-built and separated from children's areas in accordance with infection control and operational best practice.

Fire Safety and Vertical Egress

Any proposal to build upwards will trigger compliance with BCA Class 9b requirements, including:

- Fire-isolated stair access for vertical circulation
- Possible upgrades to passive and active fire systems (e.g., fire-rated walls, alarms, hydrants)
- DDA-compliant access to upper levels (e.g., lift or platform lift)

Indicative costs for 30 places is \$1.4-2.4 million. Further design and costings is required. For 40 places is \$1.7-2.6 million

7. SITE ASSESSMENT CONCLUSION

Despite several significant constraints, the subject site at 96 Bank Street, North Sydney, may be feasible for conversion into a centre-based child care facility for 30–40 children aged 0–5 years, subject to careful planning, professional input, and design innovation.

While the existing building has a limited footprint of 149m²—insufficient on its own to meet the minimum indoor space requirements under Regulation 107 of the Education and Care Services National Regulations—the site benefits from an ample outdoor play area of 371.73m², which exceeds the minimum requirement of 280m² for 40 children under Regulation 108. This surplus outdoor space presents an opportunity for a modest extension to the building footprint, enabling the creation of compliant internal learning environments while maintaining the required external play area. There is also potential for a vertical addition to accommodate staff amenities and administrative functions, though this would introduce added complexity in terms of fire safety, accessibility, and heritage integration.

Importantly, the building is listed as a Contributory Item under the North Sydney DCP Heritage Schedule, which will require a sensitive design approach and ongoing liaison with Council and heritage specialists. While internal alterations are likely to be restricted, partial internal wall removals may be permissible, enabling limited reconfiguration to accommodate sanitary, kitchen, and support facilities.

Parking remains a significant challenge, with only triple tandem parking existing spaces on site. However, where the service is small in scale and within walking distance to public transport, alternative transport management strategies—such as timed kerbside drop-off, shared arrangements, or negotiated Council agreements—may mitigate this issue. Compliance with SEPP (Educational Establishments and Child Care Facilities) 2017 and the North Sydney DCP will be essential in this regard.

A complete service upgrade will be required to meet the standards of the National Construction Code (NCC) and all applicable child care regulations, including compliant fire egress, sanitary facilities, food preparation areas, laundry, and child-safe circulation.

In conclusion, while the site presents considerable constraints, its central location, existing landscaped outdoor area, and early childhood use history suggest that, with careful design and expert guidance, a compliant and high-quality child care centre could be achievable. A positive outcome would rely on coordinated input from a heritage consultant, architect, building certifier, town planner, and traffic engineer as part of a comprehensive feasibility and development application process.

8. DISCLAIMER

This Site Suitability Assessment has been prepared for general informational purposes only and is not a substitute for detailed planning, compliance analysis, or design documentation. All spatial measurements, assumptions, and data contained within are indicative and must be verified through detailed site investigation and professional consultancy.

Final design parameters must be confirmed in consultation with a qualified team of specialist consultants, including but not limited to:

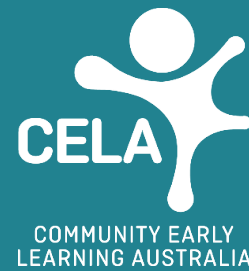
- Architect / Early Learning Design Specialist
- Accredited Certifier or Registered Building Surveyor
- Fire Safety Engineer
- Hydraulic Engineer
- Mechanical Engineer (HVAC and Ventilation)
- Structural Engineer
- Acoustic Engineer
- Access Consultant
- Town Planner
- Traffic Engineer
- Landscape Architect (for outdoor play design)

These professionals are essential to assess the site's compliance with the Education and Care Services National Regulations, National Construction Code (NCC), Child Care Planning Guideline 2017, State Environmental Planning Policies (SEPP), and relevant local government planning controls.

This document provides preliminary guidance only on key planning principles and functional requirements of an early learning environment. No representation or warranty is made as to the accuracy, completeness, or ongoing relevance of the information provided. E disclaims all liability for any loss, damage, or consequence arising from reliance on this assessment or its contents.

Users of this document are solely responsible for determining the appropriateness, accuracy, and applicability of the information in relation to their specific project scope and context.

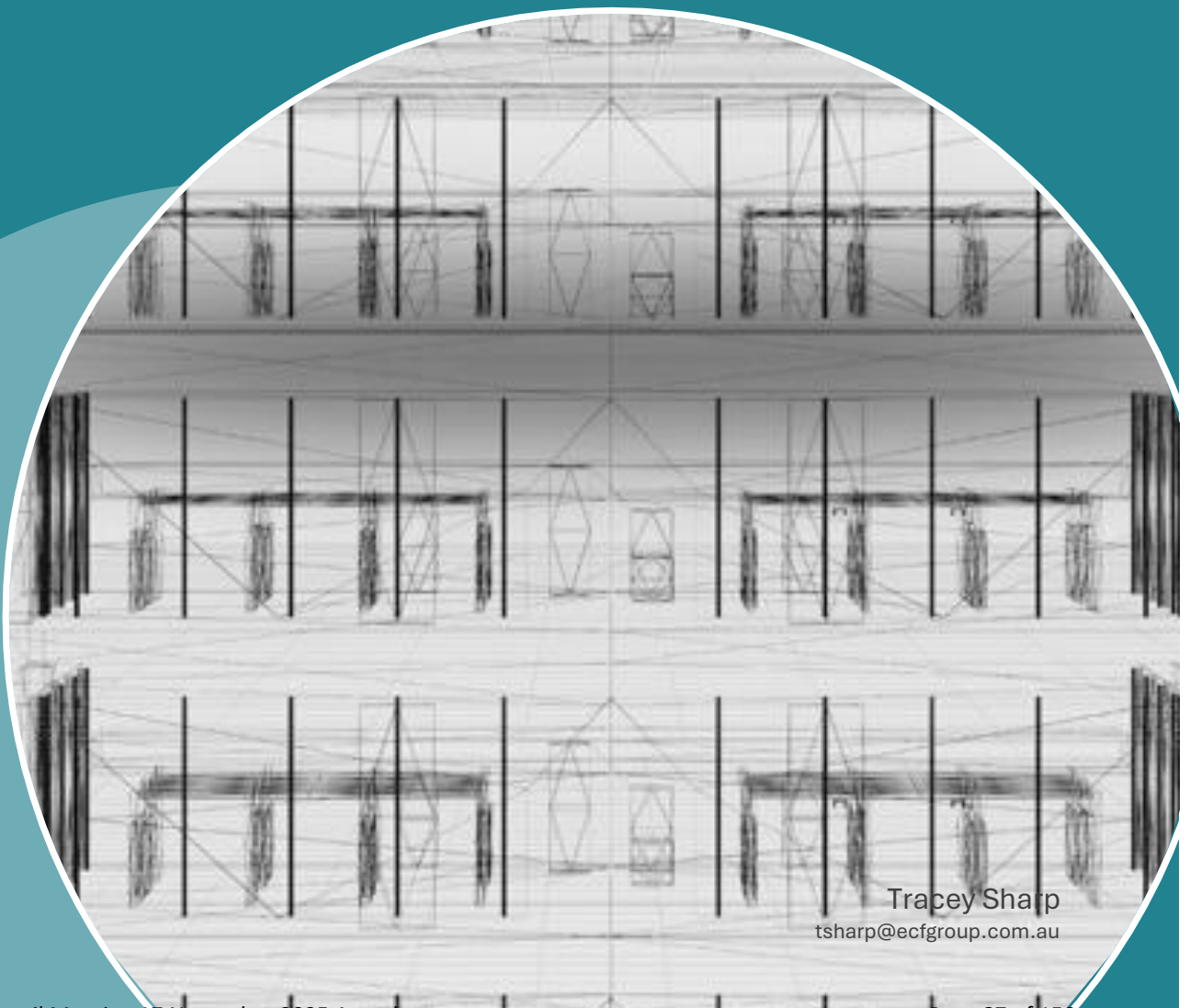
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Rooftop of Ward St Carpark, North Sydney

Site Suitability

Prepared by Tracey Sharp of ECFGroup of behalf of CELA



Tracey Sharp
tsharp@ecfgroup.com.au

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EXECUTIVE SUMMARY

The adaptive reuse of the Ward Street Council Car Park rooftop presents a unique and forward-thinking opportunity to deliver early learning education within an urban asset. Centrally located and well-connected, the site aligns with planning frameworks including the *Education and Care Services National Regulations*, *National Construction Code (NCC)*, *SEPP (Educational Establishments and Child Care Facilities) 2017*, and *North Sydney DCP 2013*. Preliminary assessments indicate that, with appropriate design responses, the site could comply with all regulatory requirements for indoor and outdoor space, safety, and educational quality.

Despite its regulatory viability, the site poses significant infrastructure and engineering challenges. Key feasibility constraints include the need for structural reinforcement of the rooftop slab, complex hydraulic solutions to provide essential services at height, and the integration of mechanical systems to mitigate air quality, noise, and climatic exposure. Critically, the absence of a compliant lift presents a major accessibility barrier and would require costly structural intervention to achieve compliance with the Disability Discrimination Act 1992 and AS 1428.1.

Ward Street's rooftop is technically complex, it demonstrates regulatory potential, however the risks associated with structural loading, service delivery, vertical access, and environmental performance make it less immediately viable. Consequently, this site may be better positioned as a long-term opportunity, contingent on comprehensive feasibility studies, detailed engineering input, and cost-benefit analysis.

Nonetheless, the site's urban position offers an exciting chance to redefine early learning design within city infrastructure. Precedents such as Vancouver's Gastown Child Care Centre, the rooftop Fuji Kindergarten in Tokyo, and the North Perth School of Early Learning demonstrate how innovative design can transform constraints into opportunities for imaginative, vertical, and environmentally connected learning environments. With vision and investment, Ward Street could become a model for 21st-century urban early learning, balancing regulatory compliance with architectural innovation and community integration.

1. INTRODUCTION

1.1 PURPOSE OF THE REVIEW OF THE SITE

North Sydney Council is exploring the relocation of Kelly's Place (an existing not for profit, community based long day care centre) to a temporary site that meets all regulatory, operational, and community needs. This report assesses the feasibility and compliance of the four council assets that have been nominated as the potential relocation.

This site assessment has been developed to support decision making surrounding the temporary relocation of Kelly's Place Children's Centre. The North Sydney Council has engaged CELA to review four potential sites and assess their feasibility as an Early Education and Care Service.

The advice and criteria in the report has been outlined to help achieve high quality design decision making that supports the North Sydney Council and their team of Early Learning Educational Practitioners to deliver their exceptional curriculum currently at Kelly's Place Children's Centre at a temporary location.

The report has been completed using the information from the Consultant Brief Relocation of Kelly's Place Children's Centre Feasibility of site selection, site visits and desktop reviews undertaken by ECFgroup on behalf of CELA.

The primary objective is to evaluate the suitability of each site to accommodate an early education and care service in accordance with the relevant legislative and planning requirements. The study aims to identify the site that delivers the best overall outcome in terms of compliance, capacity, safety, cost-effectiveness, and integration into the local community.

1.2 PROJECT OBJECTIVES

- a. To assess the suitability of the site to accommodate a 30 or ideally 40 early learning places.
- b. To prepare a report on the outcomes of that assessment with consideration to the items addressed in 2.3.
- c. Develop schematic area diagrams for the site that illustrate proposed indoor and outdoor zones, staff facilities, amenities, and parking/drop-off areas.

1.3 SCOPE OF WORK

The report is to assess the suitability of this Site to support a centre-based childcare facility that would be capable of meeting all relevant legislative and regulatory requirements (outlined below).

For sites that are identified as suitable, the consultant is to provide:

- a. Ascertain the number of children that the site could accommodate
- b. Provide schematic area diagrams that show net indoor, outdoor and other office, storage, service & amenity areas, plus parking and drop off/ pick up locations

- c. Commentary on what would be required to reconfigure the space to operate as a childcare facility
- d. A recommendation if the site can be included in the preferred site that delivers the best outcomes for Council and Kellys Place Children's Centre.

1.4 DOCUMENTATION REVIEWED

The report has been completed using the information from the Consultant Brief Relocation of Kelly's Place Children's Centre Feasibility of site selection, site visits and desktop reviews undertaken by ECFgroup on behalf of CELA.

DOCUMENT	PROVIDED BY	DRAWING NUMBER	REV	DATE ISSUED	DATE REVIEWED BY ECFgroup
No Drawings Provided					

1.5 REPORT INTENT, UNDERSTANDING AND KEY OF DOCUMENTATION

This report has been prepared using Part 4.3 Physical Environment of the Education and Care Services National Regulations (clauses 103-115). Supporting documentation from The State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (the SEPP) 'Child Care Planning Guideline – Delivering quality child care for NSW, August 2017' has also been utilized in the preparation of this report. All information must be read in conjunction with The National Quality Framework, National Regulations, BCA requirements and the North Sydney Council Development Control Plan (DCP).

There is an abundance of documentation, regulatory information and requirements to understand and adhere to. To ensure a summary of compliance requirements, the report utilises the colour coded key system below.

NSW Education and Care Services National Regulations (2011)

REGULATIONS (2011)	

North Sydney Council Development Control Plan (DCP)

DCP – North Sydney Development Control Plan	

Child Care Planning Guidelines- Planning & Environment NSW Government (SEPP)

SEPP	

1.6 CLIENT RESPONSE TO SITE

The Ward Street Car Park in North Sydney has a total of 410 parking spaces over four levels of parking that serves the surrounding commercial and retail area. Level 4 (rooftop) holds 100 spaces. Many of these would need to be forgone to locate a child care service on top.

The car park is near the North Sydney Council Chambers, Greenwood Plaza, Stanton Library and a range of office buildings and retail outlets.

A temporary structure would need to be constructed on the top level of the car park. This is possible on the southern portion of the car park that has a maximum height limit of RL 130 under NSLEP 2013.¹

The consultant will need to reference the areas required for indoor and outdoor spaces, identify safe drop-off and pick-up points, and consider broader issues including, but not limited to, air quality, privacy, safety and accessibility.

1.7 ABBREVIATIONS

BCA	Building Code of Australia
DCP	Developmental Control Plan
EPA	Environmental Protection Agency
NCC	National Construction Code
NQF	National Quality Framework
NQS	National Quality Standards
SEPP	State Environmental Planning Policy

¹ Consultant Brief_ North Sydney Council_ Relocation of Kelly's Place Children's Centre Feasibility of site selection

2. LEGISLATIVE & REGULATORY COMPLAINTS

This section outlines the legislative and regulatory frameworks governing the establishment and operation of early education and care Services in New South Wales. Understanding and adhering to these frameworks is critical to ensuring that any proposed site is legally permissible, functionally appropriate, and aligned with community safety and wellbeing standards.

2.1 OVERVIEW OF REGULATORY REQUIREMENTS

- a. Education and Care Services National Regulations
- b. NSW Department of Education standards
- c. Building Code of Australia (BCA)
- d. NSW Food Authority guidelines

a. Education and Care Services National Law & Regulations (2011)

Administered by the Australian Children's Education & Care Quality Authority (ACECQA) and implemented in NSW by the Department of Education, this legislation sets the minimum legal standards for:

- Space requirements per child (Indoor: 3.25 m² / Outdoor: 7 m²)
- Child-to-educator ratios
- Health, hygiene, and safety practices
- Qualifications for educators
- Physical environment standards (natural light, ventilation, equipment, etc.)
- Programming and curriculum
- Emergency and evacuation procedures

b. Building Code of Australia (BCA – Part of the National Construction Code)

All Early Education and Care Services developments must comply with the BCA, which governs:

- Building classifications and fire safety (typically Class 9b)
- Access and egress routes

- Fire detection and suppression systems
- Structural adequacy and durability
- Ventilation and lighting
- Sanitary facilities (based on occupancy loads)
- Accessibility (in conjunction with the Disability Discrimination Act)

c. NSW Department of Education Guidelines for Childcare Centres

These guidelines supplement the National Regulations with state-specific expectations, including:

- Outdoor space design and materials
- Indoor environment standards (acoustic performance, flooring, visibility)
- Safety fencing and secure entry systems
- Proximity to hazards (e.g. traffic, bodies of water, industrial activity)
- Best practice for locating services in residential or commercial zones

d. NSW Food Authority – Childcare Food Safety Guidelines

Where on-site meal preparation is proposed, compliance with food safety standards is mandatory.

This includes:

- Proper kitchen facilities (hand washing basins, food prep areas)
- Food storage, refrigeration, and waste disposal
- Food handler hygiene and allergen management
- Registration of food business (where applicable)

3. SITE INFORMATION

3.1 SITE LOCATION

The site subject to this report is located at 16-24 Ward Street, North Sydney. Currently operating as a public multi level car park.

3.2 SUMMARY OF SITE DETAILS

Details	
Site Address	16-24 Ward Street, North Sydney
Council Property Number	4/DP237745
Council	North Sydney Council
Site Area	3,762m ²
Building Area	968.24m ² (Optional)
Current Land Use Zoning	Part E2 Commercial Centre, part MU1 Mixed Use
Classified	Operational

3.3 GEOGRAPHICAL LOCATION

The location of the property places it in the heart of North Sydney, offering proximity to the central business district and various amenities, including a library, café's and other educational facilities.

3.4 SITE OBSERVATIONS



COMMUNITY EXPERIENCE

The rooftop of the Ward Street Car Park presents a bold, urban opportunity for an education and care service in a dense commercial environment. While the setting lacks the immediate warmth of residential streetscapes, it benefits from high accessibility, proximity to civic institutions, and strong links to daily adult routines. With thoughtful design and community engagement, it could transform into a highly visible, place-based service that contributes meaningfully to North Sydney's evolving urban fabric.

COMPATIBLE SOCIAL USES NEARBY

- **Civic and Government Services:** Close to public library
- **Business Community:** Surrounded by office towers, coworking hubs, and professional services, suggesting alignment with professional working families.
- **Urban Activation:** Near zones of civic events, including the North Sydney Market and community plaza spaces.

OPTIONS FOR DAILY / WEEKLY EXCURSIONS

- **Stanton Library:** Offering a reliable venue for early literacy excursions and educational programs.
- **Brett Whiteley Place:** A small urban plaza suitable for brief outdoor breaks or community observation (e.g., buskers, pop-up art).
- **Green Spaces:** Ridge Street Park and St Leonards Park are accessible within walking distance (though requiring safe road crossings).
- **Art and Architecture Walks:** Urban design features and public art installations provide opportunity for built environment exploration.

OPPORTUNITIES TO PARTNER WITH LOCAL BUSINESS / SERVICES / RESOURCES

- **Council-Led Programs:** Strong potential to collaborate with North Sydney Council on sustainability, art, and early years initiatives.
- **Local Businesses:** Opportunity for partnerships with cafés, health and wellbeing providers, and co-working offices (e.g., parent sessions, shared facilities).
- **Public Spaces Activation:** The rooftop centre itself could become a landmark or showcase for children's art, sustainability features, or innovation in urban education design.

ALIGNMENT WITH FAMILY LIFESTYLES AND WORK PATTERNS

- **Commuter Convenience:** Ideally located for parents working in the North Sydney CBD, enabling seamless integration of drop-off/pick-up into daily routines. The multi-storey makes commuter access more difficult, but the actual location is ideal.
- **Transport Accessibility:** Close to North Sydney Station, frequent buses, and pedestrian corridors, supporting both public and private commuting families.
- **Flexibility for Office Workers:** Potential for extended hours and proximity-based accessibility for busy professionals with unpredictable schedules.

OPPORTUNITIES FOR INTERGENERATIONAL AND COMMUNITY ENGAGEMENT

- **Civic Interaction:** Opportunities exist for children to engage in symbolic community events or observe civic life from a safe distance.
- **Council and Library:** Regular interactions or co-programming with the library and council-run community groups (e.g., storytelling, local celebrations).

WALKABILITY AND VISIBILITY FROM THE STREET TO PROMOTE ACCESSIBILITY AND NEIGHBOURHOOD INVOLVEMENT

- **Low Visibility from the Street:** Located on a rooftop, the service would not benefit from passive street-level visibility. This limits spontaneous community connection but increases privacy and security.
- **Wayfinding Challenges:** Requires high-quality signage and clear pedestrian navigation from street level to rooftop.
- **Walkability:** Centrally located with well-developed footpath networks and access to public transit, though vertical access (i.e., lift or stair) must be installed.

FEELS SAFE AND FAMILIAR

- **Urban Hardscape:** The built, concrete setting lacks the instinctive familiarity of a residential or green setting and must be intentionally designed for warmth, comfort, and child-appropriate scale.
- **Arrival Experience:** Needs strong spatial and emotional design elements (e.g., soft landscaping, welcoming signage, child-sized cues) to offset the sterile nature of car park infrastructure.
- **Controlled Access:** While the rooftop is removed from traffic, safety must be ensured through secured perimeters, canopy coverage, and regulated entry/exit points.

EMOTIONAL SAFETY – THE SERVICE IS WANTED AND ENCOURAGED BY THE COMMUNITY

- **Urban Renewal Appeal:** There may be strong public support for reimagining infrastructure to meet the growing demand for early learning services in the CBD. However the reduction in car spaces may have a negative impact.
- **Innovative Identity:** Families may be drawn to the service as a forward-thinking, convenient, and unique offering.
- **Community Sentiment:** Engagement with council and local stakeholders during planning will be critical to building trust and confirming community endorsement.

PLACE-BASED IDENTITY – A PLACE WHERE CHILDREN CAN RECOGNISE AND FEEL PRIDE IN

- **Unique Urban Location:** The rooftop setting can be turned into a memorable, iconic space for children—offering a "sky school" identity that celebrates elevation, light, and visibility.
- **Design Opportunities:** Integration of natural elements, skyline views, and urban gardens can foster a deep sense of place attachment and pride.
- **Ownership of Space:** Children can feel empowered by transforming an unconventional space into their own nurturing learning environment—especially if co-designed and filled with their artwork and stories.

3.5 SITE DIAGRAM

Site 3: Rooftop of the Ward Street Car Park



4. EDUCATION AND CARE SERVICES NATIONAL LAW & REGULATIONS (2011)

4.1 BUILT ENVIRONMENT REQUIREMENTS

The built environment plays a critical role in supporting children's development by providing access to facilities that promote health, hygiene, wellbeing, and the achievement of key developmental milestones. This documentation review outlines the specific requirements that must be addressed on site to ensure regulatory compliance and functional suitability. A primary consideration is the provision of unencumbered indoor play space, which is determined in accordance with the number of children the centre is licensed to accommodate.

UNENCUMBERED INDOOR SPACE (107)		
PART 4.3: PHYSICAL ENVIRONMENT	Regulation:	Title:
Division 1: Centre-based services and family day care services	107 (2) (3) (4) (5)	Space requirements - indoor

Regulation Requirements:

- There is a minimum of 3.25 sqm/child of unencumbered indoor space
 - Unencumbered indoor space excludes any of the following:
 - 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
 - other space that is not suitable for children.

4.1.1 EDUCATION AND CARE UNENCUMBERED INDOOR SPACE FOR 30 PLACES

Based on the 3.25 sqm/child of unencumbered indoor space required, a minimum of 97.5m² is required for a 30 place Service.

LEARNING SPACES	RECOMMENDED PLACES	STAFFING RATIO	EDUCATIONAL STAFFING REQUIRED	M ² REQUIRED
Activity Room 1 (0-2YRS)	10	1:4	3	32.5m ²
Activity Room 2(2-3YRS)	10	1:5	2	32.5m ²
Activity Room 3(3-5YRS)	10	1:10	1	32.5m ²
Total	30		6	97.5m ²

4.1.2 EDUCATION AND CARE UNENCUMBERED INDOOR SPACE FOR 40 PLACES

Based on the 3.25 sqm/child of unencumbered indoor space required, a minimum of 130m² is required for a 40 place Service.

LEARNING SPACES	RECOMMENDED PLACES	STAFFING RATIO	EDUCATIONAL STAFFING REQUIRED	M ² REQUIRED
Activity Room 1 (0-2YRS)	10	1:4	3	32.5m ²
Activity Room 2(2-3YRS)	10	1:5	2	32.5m ²
Activity Room 3(3-5YRS)	20	1:10	2	65 m ²
Total	40		7	130m ²

4.2 NATURAL ENVIRONMENT REQUIREMENTS

Another major spatial consideration is the outdoor unencumbered play area. This space is vital for supporting children's physical activity, social interaction, and connection with the natural environment. In accordance with regulatory requirements, this area must be free from fixed equipment, storage structures, and other encumbrances, ensuring it remains fully accessible for play and programming. The total unencumbered outdoor area must be calculated based on the number and age of children enrolled, with minimum area provisions set by the Education and Care Services National Regulations. Its design should also support supervision, safety, and meaningful engagement across different developmental stages.

UNENCUMBERED OUTDOOR SPACE (108)		
PART 4.3: PHYSICAL ENVIRONMENT	108 (2) (3) (4)	Title: Space requirements – outdoor space
Division 1: Centre-based services and family day care services	(5)	

Regulation Requirements:

- There is a minimum of 7 sqm/child of unencumbered outdoor space
 - Unencumbered indoor space excludes any of the following
 - any pathway or thoroughfare, except where used by children as part of the education and care program;
 - any car parking area;
 - any storage shed or other storage area;
 - any other space that is not suitable for children.
- Please also refer to Regulation 114 when calculating outdoor space requirements and solar access.
- In spatial calculations the verandah can only be counted once. It is therefore only included as indoor or outdoor play.

4.2.1 EDUCATION AND CARE UNENCUMBERED OUTDOOR SPACE FOR 30 PLACES

Based on the 7 sqm/child of unencumbered indoor space required, a minimum of 210m² is required for a 30 place Service.

LEARNING SPACES	RECOMMENDED PLACES	STAFFING RATIO	EDUCATIONAL STAFFING REQUIRED	M ² REQUIRED
Activity Room 1 (0-2YRS)	10	1:4	3	70m ²
Activity Room 2(2-3YRS)	10	1:5	2	70m ²
Activity Room 3(3-5YRS)	10	1:10	1	70m ²
Total	30		6	210m ²

4.2.2 EDUCATION AND CARE UNENCUMBERED OUTDOOR SPACE FOR 40 PLACES

Based on the 7 sqm/child of unencumbered indoor space required, a minimum of 280m² is required for a 40 place Service.

LEARNING SPACES	RECOMMENDED PLACES	STAFFING RATIO	EDUCATIONAL STAFFING REQUIRED	M ² REQUIRED
Activity Room 1 (0-2YRS)	10	1:4	3	70m ²
Activity Room 2(2-3YRS)	10	1:5	2	70m ²
Activity Room 3(3-5YRS)	20	1:10	2	140m ²
Total	40		7	280m ²

4.3 SCHEDULE OF ACCOMODATION_MINIMUM REQUIREMENTS

A **Schedule of Accommodation (SOA)** is a critical planning and design tool used in architectural and facility development projects — particularly in complex environments like schools, hospitals, and childcare centres. The SOA has been developed based on 30 and 40 places.

FUNCTIONAL INTERNAL AREA ALLOCATIONS FOR BIRTH TO SCHOOL AGE SERVICE FUNDING: FEDERALLY FUNDED LONG DAY CARE SERVICES	NUMBER OF APPROVED PLACES			
	30		40	
	TYPICAL NUMBER OF LEARNING ROOMS			
	3		3	
	TYPICAL NUMBER OF STAFFING			
	5-8		7-10	
INTERNAL SPACES (BASED ON 3.25M² OF UNENCUMBERED AREA PER CHILD)				
LEARNING ROOMS	97.5		130	
ADDITIONAL SPACE – JOINERY, DOOR SWINGS	6.84		10.26	
BOTTLE PREP	7		9	
EDUCATOR SPACE	14		16	
FOYER/ ENTRY	18		24	
OFFICE	12		14	
KITCHEN	12		14	
STAFF ROOM	12		14	
SLEEP SPACES	19.5		24	
SUBTOTAL	198.84		255.26	
PLUS 10% CIRCULATION TO THE FIGURES ABOVE				
10% CIRCULATION	19.88		25.52	
SUBTOTAL INTERNAL SPACE	218.72		280.78	
STORAGE	6		8	
LAUNDRY	8		10	
CLEANERS ROOM	2		2	
CHILDREN'S WC / NAPPY CHANGE	15	2WC	20	3WC
ACCESS / PUBLIC TOILETS	7		7	
STAFF TOILETS	4	1WC	6	1WC
TOTAL INTERNAL SPACE	260.72		333.78	
EXTERNAL SPACES (BASED ON 7M² OF UNENCUMBERED AREA PER CHILD)				
OUTDOOR LEARNING SPACE	210		280	
VERANDAH / UNDERCOVER SPACE / TRANSITION SPACE	30		40	
VERANDAH ALLOWANCE CAN BE INCLUDED IN INDOOR OR OUTDOOR UNENCUMBERED AREA				
STORAGE	9		12	
SUBTOTAL	249		332	
PLUS 5% CIRCULATION TO THE FIGURES ABOVE – CIRCULATION DEPENDANT ON DESIGN AND TRANSITION TO EMERGENCY EVACUATION POINTS				
5% CIRCULATION	12.45		16.6	
PARKING	125m ² 170m ²	<400metres Min. 6 >400metres Min. 8	170m ² - 253m ²	<400metres Min. 8 >400metres Min. 10
BICYCLE PARKING AREA	3.6m ²		7.2m ²	
TOTAL EXTERNAL SPACE	435.05m²		608.8m²	
SITE REQUIREMENTS	695.77		942.58	

NOTE: CIRCULATION ALLOWANCE HAS NOT BEEN INCLUDED AND DEPENDS ON ORIENTATION, SIZE AND SHAPE OF THE SITE

NOTE: WALL TYPE AND THICKNESS HAVE NOT BE INCLUDED IN THE CALCULATIONS

4.4 FACILITIES REQUIRED

The facilities outlined in this document are essential to ensure the health, safety, and developmental wellbeing of children in early learning education settings. They are based on regulatory requirements from the National Quality Framework (NQF), the Education and Care Services National Regulations, and applicable NSW-specific planning and health guidelines. These minimum standards support high-quality care by providing functional, hygienic, and engaging environments that foster learning, exploration, and social interaction while also enabling educators to work effectively and safely.

FACILITIES REQUIRED	MINIMUM REQUIREMENTS
UNENCUMBERED INDOOR PLAY SPACE	Minimum 3.25m ² per child of usable floor area (excluding storage, passageways, or fixtures).
UNENCUMBERED OUTDOOR PLAY SPACE	Minimum 7m ² per child of usable outdoor space (excluding garden beds, pathways not used for play, storage sheds, or carparks).
NAPPY CHANGE FACILITIES	Properly constructed bench, baby bath, handwashing sinks for adults and children, steps for child access, impervious materials, and proximity to the 0–2 area.
TOILET AND HYGIENE FACILITIES	Must be accessible from both indoor and outdoor play areas. Must include child-sized toilets and handwashing basins.
COMMERCIAL KITCHEN	Required if food is prepared on site. Must comply with NSW Food Authority and Council health regulations.
LAUNDRY / LAUNDRY ACCESS	Must provide washing, drying, and hygienic storage for soiled linen. Can be onsite or offsite with documented access arrangements.
SLEEPING FACILITIES	Each child must have access to rest/sleep facilities, especially for children under 3 years. Comply with Red Nose (SIDS) safe sleep guidelines.
ADMINISTRATIVE SPACES	Spaces for: administration tasks, private family consultations, staff support, programming, and documentation.
EDUCATORS' BREAKOUT SPACE	Should be a separate, designated area for staff rest and meal breaks (not in laundry, kitchen, or cot room).
CRAFT PREPARATION AREA	Requires sink with hot and cold water, workbench, and storage space.
FOOD & BOTTLE PREPARATION AREA	Requires sink (separate from craft), cleanable benches, bottle warmer, refrigerator, and dedicated storage.
INTERNAL STORAGE	Minimum 0.2m ³ per child for play materials, bedding, cleaning supplies, etc. Must be secure and not located in play areas.
EXTERNAL STORAGE	Minimum 0.3m ³ per child. For outdoor play equipment, prams, and maintenance tools. Should be secure and weatherproof.

FACILITIES REQUIRED	MINIMUM REQUIREMENTS
NATURAL LIGHTING	Indoor play areas must have access to natural light achieving a minimum of 200 lux.
VENTILATION	Natural or mechanical ventilation required for all rooms, including bathrooms and sleep areas.
WASTE ROOM / CLEANERS STORE	Separate secure room for waste disposal and cleaning equipment. Must include a cleaner's sink and space for mop buckets.
BOTTLE STERILISATION / PREP STATION	If caring for infants, a sterilisation area for bottles with access to boiling water or a steriliser.
COT ROOM	For services with 0–2-year-olds, a separate cot room with visibility from the play area. One cot per child sleeping at any time.
ENTRY / RECEPTION AREA	Secure, clearly defined entry with sign-in/out, access control (e.g., lockable gate or security door).
ACCESS FOR PEOPLE WITH DISABILITIES	Must comply with the Disability Discrimination Act and relevant BCA/NCC requirements for access, including ramps, toilets, and parking.
FIRE SAFETY & EMERGENCY EXITS	Must meet NCC/BCA fire safety requirements, with clear egress paths, extinguishers, and evacuation plans.
SIGNAGE	Clearly visible external signage and internal signage to indicate emergency exits, room use, hygiene, and safety instructions.
IT/TECHNOLOGY INFRASTRUCTURE	Provision for computers, internet, and secure digital storage for records and programming (especially under NQF digital recordkeeping).
SHADE AND WEATHER PROTECTION	Outdoor areas must include adequate shade (natural or built) to protect children from UV exposure, and weather protection for entries and play spaces.

4.5 KELLY'S PLACE COMPARITVIE DETAILS

Kelly's Place currently provides a 45-place long day care, comprising:

- 170.6m² total internal play area
- 280.97m² total gross floor area
- 395.3m² external play area
- 119.92m² cot room, office, storage, services and amenities.

Area's Schedule

Zone Number	Room Name	NET Area
1.1	Play Room 1	83.77
1.2	Kid's WC 1	10.35
1.3	Store 2	3.68
1.4	Store 1	6.21
2.1	Play Room 2	63.48
2.2	Kid's WC 2	9.45
2.3	Store 4	3.36
2.4	Store 3	5.67
2.5	Cot Room 1	12.60
3.1	Foyer / Play Room 3	22.80
4.1	Kitchen	11.84
4.2	Kitchen St.	2.31
4.3	Laundry	4.41
4.5	Bottle Room	9.99
5.1	Office	14.06
5.2	Staff	13.69
5.3	WC	3.30
6.1	Outdoor Transition Area	55.01
6.2	Outdoor Playground	340.99
6.3	Outdoor Store	9.00
TOTAL		685.97m²

5. SITE ASSESSMENT

5.1 ASSESSMENT OF EXISTING FACILITIES BASED ON NSW EDUCATION AND CARE SERVICES NATIONAL REGULATIONS (2011)

REGULATION	NATIONAL LAW AND NATIONAL REGULATIONS	SITE 2 – 96 BANK STREET, NORTH SYDNEY
REG.103	Premises, furniture and equipment to be safe, clean and in good repair	The ward street car park is a council car park with access 24 hours, 7 days a week. The structure has 410 spaces over four levels. The Rooftop (level 4) holds 100 car spaces, and the concept is to utilise the southern portion of the car park. As such a new build for the child care centre will be required and no review against the NSW Education and Care Services National Regulations (2011) is required.
REG.105	Furniture, materials and equipment	
REG.106	Laundry and hygiene facilities	
REG.107	Space requirements—indoor $\geq 3.25 \text{ m}^2$ per child unencumbered	
REG.109	Toilet and hygiene facilities	
REG.110	Ventilation and natural light	
REG.111	Administrative space	
REG.112	Nappy change facilities	
REG.115	Premises designed to facilitate supervision	
	Storage – Internal	
REG.104	Fencing and security	
REG.108	Space requirements—outdoor space $\geq 7 \text{ m}^2$ per child unencumbered	
REG.113	Outdoor space—natural environment	
REG.114	Outdoor space—shade	
REG.115	Premises designed to facilitate supervision	
	Storage – External	

5.2 INTEGRATING EDUCATION AND CARE SERVICES WITHIN MIXED -USE DEVELOPMENTS, INCLUDING CONSIDERATIONS FOR ROOFTOP PLACEMENTS.

DESIGN CONSIDERATION	REQUIREMENT	CONSIDERATIONS	SITE - WARD STREETCAR PARK OBSERVATIONS
STRUCTURAL AND ENGINEERING CONSIDERATIONS	Load-bearing capacity	The existing car park structure must be assessed to ensure it can support the additional weight of placing an education and care service on the existing slab. This will include heavy loads from playground equipment, landscaping, planting, water tanks, construction materials and groups of people.	The existing structure must be assessed to ensure it can support the additional weight of a child care facility, including playground equipment and occupants.
	Vibration and noise	Mechanical vibration and noise from vehicles below may require acoustic insulation or structural decoupling to meet acoustic standards for early learning environments.	Structural Assessment required
	Waterproofing and drainage	The rooftop must be thoroughly waterproofed to prevent leaks. Effective drainage systems must be implemented to handle stormwater.	Structural Assessment required
ACCESS AND CIRCULATION	Emergency egress	Clear, compliant fire exits and emergency evacuation paths are essential. Evacuation via lifts is typically prohibited in emergencies, so access to fire-isolated stairs is critical.	Emergency evacuation with the existing fire exits is problematic and will need to be reviewed alongside the vertical transport.
	Vertical transport	Safe, secure lift or ramp access is needed for children, educators, parents, and prams. Lifts must comply with accessibility standards (AS 1428.1) and be DDA compliant.	No lift are currently available at the car park. This impacts a diverse range of operational requirements, including waste removal, food and supply and deliveries.
	Accessibility	The rooftop should be accessible.	The car park is currently not wheelchair accessible. Upgrades would be necessary to comply with Australian Standard 1428.3, ensuring safe and inclusive access for all users.

DESIGN CONSIDERATION	REQUIREMENT	CONSIDERATIONS	SITE - WARD STREETCAR PARK OBSERVATIONS
	Arrival and departure logistics	Coordinating arrival and departures in a public car park raises safety and congestion concerns, especially during peak times.	The time taken to traverse a multi-level public car park (entry, navigate the current wrap around all the way to the rooftop, unload children, and then participate in standard drop off) will be significantly longer than at ground-level facilities. Delays in morning drop-offs could affect punctuality for work, particularly for families with multiple children.
OUTDOOR PLAY AND SAFETY	Fencing and fall prevention	High balustrades or fencing (minimum 1800 mm) with climb-resistant detailing must be installed to prevent falls.	This height is a standard minimum, with this site, the design and detailing of the boundary fencing will be of highest priority.
	Sun, wind and weather protection	Roofs are typically exposed, requiring shade sails, pergolas, or enclosed verandahs to ensure sun-safe outdoor play and shelter from wind and rain.	The southern side of the rooftop car park is surrounded by buildings on three sides.
	Outdoor play compliance	Meeting the 7m ² per child of <i>unencumbered</i> outdoor play space may be difficult without creative design or decking extensions.	Not relevant for this site, as it has the capacity to meet the unencumbered requirements.
ENVIRONMENTAL AND AMENITY CONSTRAINTS	Heat island effect	Roofs can become excessively hot in summer. Mitigation measures like green roofs, reflective materials, and extensive shading will be necessary.	A green roof and natural landscaping is required for the unencumbered outdoor area and to also mitigate excessive heat.
	Air quality	Proximity to car exhaust fumes can raise health concerns. Appropriate filtration and ventilation systems may be needed.	A Green roof, vertical green walls, planter boxes and trees in large pots will help filter pollutants, reduce dust and cool the microclimate. Mechanical ventilation and filtration
	Acoustic privacy	External noise from the urban context or car park use must be managed to ensure a calm, learning-conducive environment.	High performance glazing, solid wall construction, acoustic fencing and barriers, rooftop plant / equipment shielding will support acoustic privacy.

DESIGN CONSIDERATION	REQUIREMENT	CONSIDERATIONS	SITE - WARD STREETCAR PARK OBSERVATIONS
SERVICES AND INFRASTRUCTURE	Plumbing, sewer, and waste	Extending water supply, sewer, stormwater, and waste disposal infrastructure to a rooftop level can be complex and costly.	Cost Drivers Distance and height of pipe runs (more vertical = more expensive) Ground floor grease trap connections Fire-rated and acoustic compliant shaft construction Access challenges during construction (crane or scaffold for pipework)
	Mechanical systems	HVAC systems must be designed to account for the exposed rooftop location, balancing efficiency and resilience to weather	Consultants Required Mechanical engineer Fire engineer Acoustic engineer Hydraulic engineer
	Fire safety system	Sprinklers, alarms, and emergency lighting systems must be upgraded or extended to cover the new facility	
REGULATORY COMPLIANCE	NCC & SEPP requirements	Must comply with the National Construction Code, the <i>Education and Care Services National Regulations</i> , and <i>State Environmental Planning Policy (Educational Establishments and Child Care Facilities)</i> .	Certifier (PCA): To confirm NCC compliance
	Local DCP constraint	Rooftop development may breach height controls, overshadowing restrictions, or aesthetic requirements (especially in heritage or view-sensitive areas).	This is possible on the southern portion of the car park that has a maximum height limit of RL 130 under NSLEP 2013
	Separate fire exits	If the building below is used for another purpose (e.g. council facilities or shops), the child care centre must not share exits or paths of travel in ways that breach fire compartmentation rules.	Fire engineer required for further consideration
CHILD AND FAMILY EXPERIENCE	Amenity and aesthetics	A rooftop setting may limit opportunities for natural landscaping and connection to nature, which is important for child development and regulatory expectations.	Green Roof and quality landscape design will mitigate some of this concern.

DESIGN CONSIDERATION	REQUIREMENT	CONSIDERATIONS	SITE - WARD STREETCAR PARK OBSERVATIONS
CHILD AND FAMILY EXPERIENCE	Wayfinding and identity	Signage, arrival sequences, and child-friendly design elements are needed to overcome the impersonal or utilitarian nature of a car park.	Extremely important on this site due to the existing layout. In this context, wayfinding does far more than help people “navigate”—it directly impacts safety, efficiency, first impressions, accessibility, and the daily user experience for families and staff.

5.3 EDUCATION AND CARE SERVICE SITE SUITABILITY BASED ON NORTH SYDNEY COUNCIL DCP

This checklist is prepared to support the design and assessment of an Education and Care Service in alignment with the North Sydney Council Development Control Plan (DCP) – Section 5: Child Care Facilities. It also considers the NSW Child Care Planning Guideline, Education and Care Services National Regulations (2011), and relevant BCA requirements.

CATEGORY	REQUIREMENT	COMPLIANT?	NOTES / ACTIONS
Site Suitability	Site is appropriately zoned (e.g., r2, r3, or b1/b2 with consent)	☒ Yes ☐ No ☐ N/A	PART E2 COMMERCIAL CENTRE, PART MU1 MIXED USE
	Located away from high-noise areas (main roads, rail)	☐ Yes ☒ No ☐ N/A	Engage an acoustic specialist to ensure that the service has been designed to reduce noise levels.
	Not subject to flooding, landslip, or contamination	☒ Yes ☐ No ☐ N/A	
Access & Traffic	Separate and safe pedestrian and vehicular entries	☒ Yes ☐ No ☐ N/A	Must be designed to ensure compliancy
	Drop-off/pick-up bays comply with DCP or SEPP (1/10 children or 1/4 in areas >400m from station)	☒ Yes ☐ No ☐ N/A	
	Car parking for staff and visitors as per SEPP or DCP standards	☒ Yes ☐ No ☐ N/A	
	Traffic impact study provided if >40 children	☐ Yes ☐ No ☒ N/A	
Built Form & Streetscape	Development responds to surrounding character	☐ Yes ☐ No ☒ N/A	Must be designed to ensure compliancy
	Height, setbacks, and site coverage comply with zone and context	☐ Yes ☐ No ☒ N/A	
	Fencing is safe, attractive, and appropriate to the street character	☐ Yes ☒ No ☒ N/A	
Amenity for Neighbours	Acoustic privacy ensured; noise from outdoor areas is mitigated	☐ Yes ☐ No ☒ N/A	
	Overshadowing of adjoining properties is minimised	☐ Yes ☒ No ☐ N/A	In the design process, ensure that the overshadowing doesn't affect access to sun.
Indoor Environment	Minimum 3.25m ² unencumbered indoor space per child	☒ Yes ☐ No ☐ N/A	Must be designed to ensure compliancy

CATEGORY	REQUIREMENT	COMPLIANT?	NOTES / ACTIONS
	Access to natural light and ventilation	☒ Yes ☐ No ☐ N/A	Must be designed to ensure compliancy
	Functional program (cot room, staff room, prep area, office, laundry)	☐ Yes ☐ No ☐ N/A ☒ Possible	
Outdoor Environment	Minimum 7.0m ² unencumbered outdoor space per child	☐ Yes ☐ No ☐ N/A ☒ Possible	
	Outdoor play space is safe, shaded, and directly accessible from indoor	☐ Yes ☐ No ☐ N/A ☒ Possible	
	Outdoor area located away from streets and noise where possible	☒ Yes ☐ No ☐ N/A	Must be designed to ensure compliancy
Landscaping	Appropriate soft landscaping provided	☐ Yes ☐ No ☐ N/A ☒ Possible	
	Tree planting to provide shade and contribute to streetscape	☐ Yes ☐ No ☐ N/A ☒ Possible	
Sustainability & Services	Incorporates water- and energy-efficient design (rainwater reuse, insulation)	☐ Yes ☐ No ☐ N/A ☒ Possible	
	Waste storage area designed and screened appropriately	☐ Yes ☐ No ☐ N/A ☒ Possible	Follow the notes in this column to achieve compliancy.
Regulatory Compliance	Complies with the Education and Care Services National Regulations (2011)	☐ Yes ☐ No ☐ N/A ☒ Possible	
	Complies with the NSW Child Care Planning Guideline (2017)	☐ Yes ☐ No ☐ N/A ☒ Possible	
	Complies with the National Construction Code (BCA)	☐ Yes ☐ No ☐ N/A ☒ Possible	
Operational & Management	Hours of operation consider surrounding residential amenity	☐ Yes ☐ No ☐ N/A ☒ Possible	Outline in the Operational Management Plan (OMP) for the service.
Noise Management	Outdoor play times and noise management plans provided	☐ Yes ☐ No ☐ N/A ☒ Possible	

6. SITE SUITABILITY STATEMENT- ADAPTIVE REUSE FOR EDUCATION AND CARE SERVICE

The proposal to adaptively reuse the rooftop of the Ward Street Council Car Park for an early education and care service presents a unique opportunity to activate the car parking space in a central urban location. From a regulatory perspective, the site offers potential for compliance with the Education and Care Services National Regulations, National Construction Code (NCC), and relevant planning instruments including the SEPP (Educational Establishments and Child Care Facilities) 2017 and North Sydney DCP 2013. With appropriate design responses, the facility could be built to meet all minimum standards relating to indoor/outdoor play space, natural light and ventilation, safety, and educational environment quality.

However, the primary challenges are not regulatory in nature, but rather infrastructure-based and structural. As the rooftop was not originally designed to support a habitable use, several critical feasibility issues must be addressed:

- **Structural Capacity:** A structural engineer will need to confirm whether the existing rooftop slab can support the additional live loads associated with the centre, including internal fitout, outdoor play structures, shading, acoustic fencing, water tanks, and groups of people. Slab strengthening may be required.
- **Plumbing and Services:** Extending essential services such as potable water, sewerage, stormwater drainage, and trade waste to rooftop level will require extensive hydraulic engineering. Given that the existing infrastructure is likely concentrated at ground or basement level, pump-assisted systems and vertical service risers will be needed. These introduce cost, access, and fire compliance considerations.
- **Mechanical Systems:** Heating, cooling, ventilation, and exhaust must be carefully designed to address rooftop exposure, urban air quality, and acoustic privacy. Plant equipment must be located and shielded to avoid conflict with outdoor play or neighbouring properties.
- **Air Quality:** The site's proximity to arterial roads like Miller Street exposes it to higher levels of vehicle emissions, particularly during peak traffic periods. Mitigation measures such as high-efficiency air filtration, vegetation buffers, and careful siting of outdoor spaces will be necessary.
- **Access and Wayfinding:** The car park's complex circulation and shared use with the general public mean safe, legible, and accessible arrival and departure routes must be prioritised. Secure lift access, designated drop-off zones, and protected pedestrian paths will be essential.

In summary, while the proposed use is not precluded by child care regulation, the viability of adapting the Ward Street Car Park rooftop hinges on comprehensive structural, hydraulic,

mechanical, and environmental assessments. If these constraints can be resolved, the site may offer a bold, innovative model for urban early learning delivery.

7. SITE ASSESSMENT CONCLUSION

When assessed against the other three shortlisted sites, the Ward Street Car Park rooftop demonstrates potential in terms of meeting early childhood education and care regulatory requirements. With considered design, the site could accommodate compliant indoor and outdoor play areas, meet the National Quality Standard (NQS), and address safety, supervision, and operational criteria in accordance with the Education and Care Services National Regulations, SEPP 2017, and North Sydney DCP 2013.

However, key feasibility constraints distinguish this site from the others. The most significant concerns relate to:

- Structural capacity of the existing rooftop slab to support the additional live and dead loads associated with a child care facility; and
- Plumbing and service infrastructure, which is not currently configured for rooftop use and would require significant extension or augmentation to accommodate amenities such as child toilets, kitchen facilities, and drainage systems.
- Lack of lift access: The existing car park does not have a compliant lift, which presents a major barrier to accessibility for families with prams, people with disabilities, and service deliveries. Installing a new lift core would involve substantial structural intervention and cost, and is critical for compliance with the Disability Discrimination Act 1992 (DDA) and AS 1428.1.

While this site offers strong potential for urban activation and benefits from a centrally connected location, its technical complexity introduces significant construction risks, cost escalations, and approval uncertainties. As such, it may be more suitably positioned as a longer-term or secondary-tier opportunity, subject to comprehensive structural, engineering, and financial feasibility investigations.

Nonetheless, its unique positioning invites the possibility of reimagining early learning education environments for the 21st century. With reference to precedent projects such as the *Gastown Child Care Centre* in Vancouver—an exemplary rooftop learning space that integrates natural materials and urban play—it is possible to view this site as an opportunity for innovation rather than limitation. Similar visionary approaches can be seen in the *Fuji Kindergarten* in Tokyo, designed by Tezuka Architects, where a continuous rooftop playground supports physical activity and exploration, and the *North Perth School of Early Learning* in Western

Australia, which embeds biophilic design and community integration into a compact urban footprint.

Harnessing such precedents, this site could support a forward-thinking model for early learning in dense urban contexts—one that embraces verticality, community engagement, and environmental connection as central design principles.



Image: Gastown_ City funded rooftop childcare Vancouver



North Perth School of Early Learning in Western Australia.

Indicative costs for 30 places is \$2.3-2.8 million. Further design and costings are required. For 40 places is \$3.0-3.5 million.

8. DISCLAIMER

This Site Suitability Assessment has been prepared for general informational purposes only and is not a substitute for detailed planning, compliance analysis, or design documentation. All spatial measurements, assumptions, and data contained within are indicative and must be verified through detailed site investigation and professional consultancy.

Final design parameters must be confirmed in consultation with a qualified team of specialist consultants, including but not limited to:

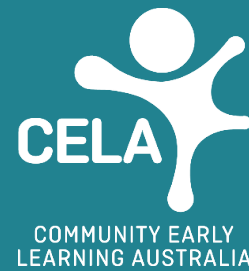
- Architect / Early Learning Design Specialist
- Accredited Certifier or Registered Building Surveyor
- Fire Safety Engineer
- Hydraulic Engineer
- Mechanical Engineer (HVAC and Ventilation)
- Structural Engineer
- Acoustic Engineer
- Access Consultant
- Town Planner
- Traffic Engineer
- Landscape Architect (for outdoor play design)

These professionals are essential to assess the site's compliance with the Education and Care Services National Regulations, National Construction Code (NCC), Child Care Planning Guideline 2017, State Environmental Planning Policies (SEPP), and relevant local government planning controls.

This document provides preliminary guidance only on key planning principles and functional requirements of an early learning environment. No representation or warranty is made as to the accuracy, completeness, or ongoing relevance of the information provided. E disclaims all liability for any loss, damage, or consequence arising from reliance on this assessment or its contents.

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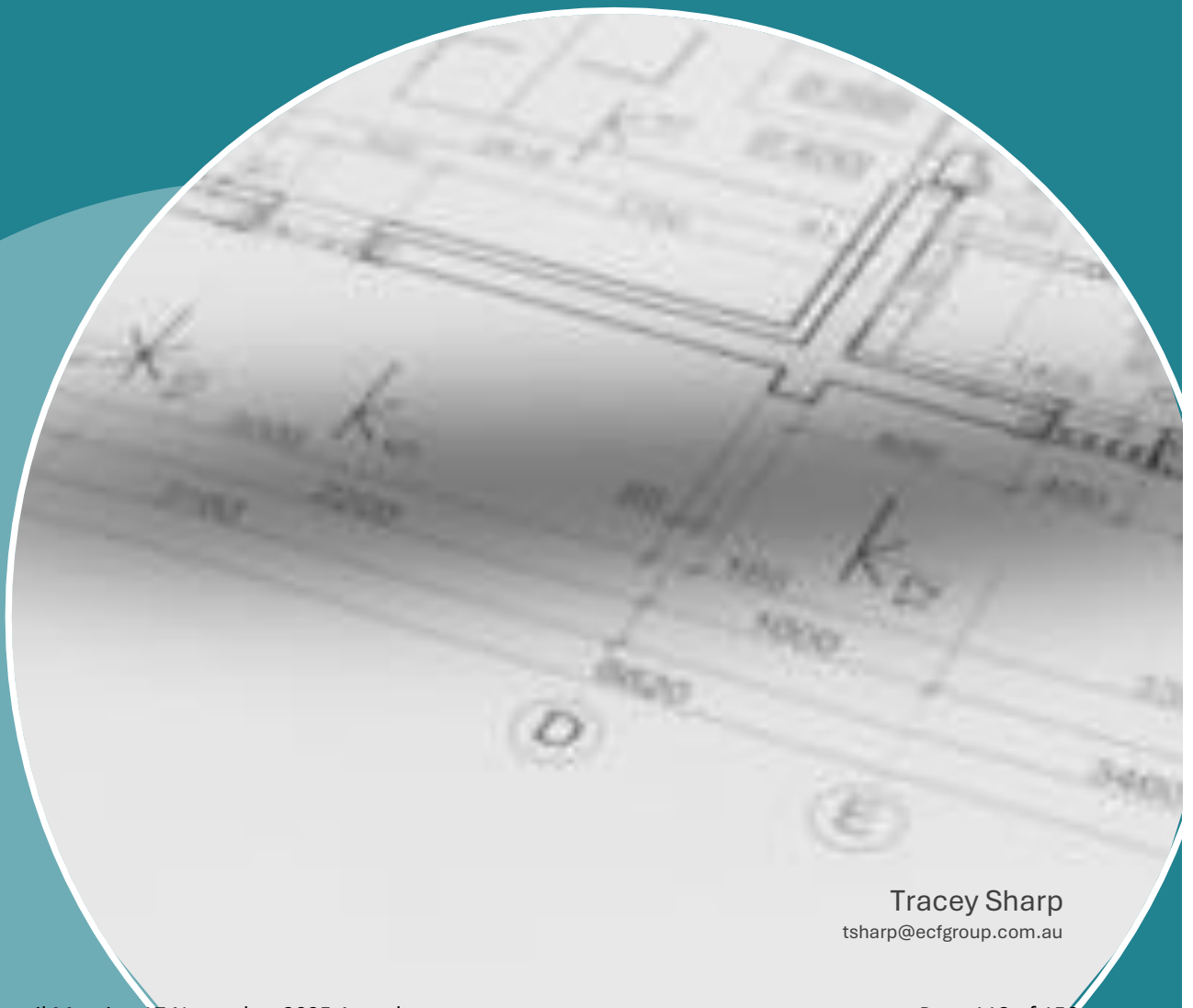
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Rooftop of Barry Street Carpark, North Sydney

Site Suitability

Prepared by Tracey Sharp of ECFGroup of behalf of CELA



Tracey Sharp
tsharp@ecfgroup.com.au

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EXECUTIVE SUMMARY

The rooftop of Barry Street Car Park offers a distinctive opportunity to repurpose council-owned infrastructure for a boutique (30–40 place) education and are service in a well-connected urban precinct. However, the concept is burdened by substantial spatial, access, and compliance complexities.

- **Space & Structure**
 - Existing slab likely too small for a single-level scheme; multi-storey construction or inclusion of the grassed forecourt is required to satisfy National Regulations for indoor and outdoor area.
 - Any vertical build-up demands rigorous structural, waterproofing, acoustic, and services engineering.
- **Access & Circulation**
 - Tight one-way laneways and shared parking make safe drop-off/pick-up difficult; a bespoke traffic and pedestrian management plan is essential.
 - The existing vehicular ramp could be adapted as an inclusive circulation spine (staff access, emergency egress, future lift/stair integration) but must be redesigned for child-safe gradients and supervision.
- **Life-Safety & Operations**
 - Limited secondary assembly space and rooftop egress present evacuation challenges.
 - Public–private interface, noise control, and dedicated parking require careful resolution.
- **Prerequisites for Feasibility**
 - Favourable structural assessment of slab and ramp.
 - Secured use of the forecourt for licensed outdoor play or multi level building on the rooftop.
 - Traffic, evacuation, and fire strategies endorsed by specialists.
 - Modification of a public asset.

Recommendation

Given the high design, approval, and construction complexity, the site is not the preferred option versus more straightforward alternatives. It remains conditionally feasible only with robust architectural innovation and multidisciplinary consultant input.

1. INTRODUCTION

1.1 PURPOSE OF THE REVIEW OF THE SITE

North Sydney Council is exploring the relocation of Kelly's Place (an existing not for profit, community based long day care centre) to a temporary site that meets all regulatory, operational, and community needs. This report assesses the feasibility and compliance of the four council assets that have been nominated as the potential relocation.

This site assessment has been developed to support decision making surrounding the temporary relocation of Kelly's Place Children's Centre. The North Sydney Council has engaged CELA to review four potential sites and assess their feasibility as an Early Education and Care Service.

The advice and criteria in the report has been outlined to help achieve high quality design decision making that supports the North Sydney Council and their team of Early Learning Educational Practitioners to deliver their exceptional curriculum currently at Kelly's Place Children's Centre at a temporary location.

The report has been completed using the information from the Consultant Brief Relocation of Kelly's Place Children's Centre Feasibility of site selection, site visits and desktop reviews undertaken by ECFgroup on behalf of CELA.

The primary objective is to evaluate the suitability of each site to accommodate an early education and care service in accordance with the relevant legislative and planning requirements. The study aims to identify the site that delivers the best overall outcome in terms of compliance, capacity, safety, cost-effectiveness, and integration into the local community.

1.2 PROJECT OBJECTIVES

- a. To assess the suitability of the site to accommodate a 30 or ideally 40 early learning places.
- b. To prepare a report on the outcomes of that assessment with consideration to the items addressed in 2.3.
- c. Develop schematic area diagrams for the site that illustrate proposed indoor and outdoor zones, staff facilities, amenities, and parking/drop-off areas.

1.3 SCOPE OF WORK

The report is to assess the suitability of this Site to support a centre-based childcare facility that would be capable of meeting all relevant legislative and regulatory requirements (outlined below).

For sites that are identified as suitable, the consultant is to provide:

- a. Ascertain the number of children that the site could accommodate
- b. Provide schematic area diagrams that show net indoor, outdoor and other office, storage, service & amenity areas, plus parking and drop off/ pick up locations

- c. Commentary on what would be required to reconfigure the space to operate as a childcare facility
- d. A recommendation if the site can be included in the preferred site that delivers the best outcomes for Council and Kellys Place Children's Centre.

1.4 DOCUMENTATION REVIEWED

The report has been completed using the information from the Consultant Brief Relocation of Kelly's Place Children's Centre Feasibility of site selection, site visits and desktop reviews undertaken by ECFgroup on behalf of CELA.

DOCUMENT	PROVIDED BY	DRAWING NUMBER	REV	DATE ISSUED	DATE REVIEWED BY ECFgroup
No Drawings Provided					

1.5 REPORT INTENT, UNDERSTANDING AND KEY OF DOCUMENTATION

This report has been prepared using Part 4.3 Physical Environment of the Education and Care Services National Regulations (clauses 103-115). Supporting documentation from The State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (the SEPP) 'Child Care Planning Guideline – Delivering quality child care for NSW, August 2017' has also been utilized in the preparation of this report. All information must be read in conjunction with The National Quality Framework, National Regulations, BCA requirements and the North Sydney Council Development Control Plan (DCP).

There is an abundance of documentation, regulatory information and requirements to understand and adhere to. To ensure a summary of compliance requirements, the report utilises the colour coded key system below.

NSW Education and Care Services National Regulations (2011)

REGULATIONS (2011)

North Sydney Council Development Control Plan (DCP)

DCP – North Sydney Development Control Plan

Child Care Planning Guidelines- Planning & Environment NSW Government (SEPP)

SEPP

1.6 CLIENT RESPONSE TO SITE

The Barry Street Car Park is located on the southern side of the Neutral Bay village centre. It is approximately 390m² in area. The site provides two levels of parking with a total of 19 spaces. The top level of the car park is uncovered. Access to this level of the car park is via a two way vehicular ramp off Barry Street. The lower, covered level of the carpark can be accessed via both Cheal and Olive Lanes.

A temporary structure would need to be constructed on the top level of the car park. The consultant will need to reference the areas required for indoor and outdoor spaces, identify safe drop-off and pick-up points, and consider broader issues including, but not limited to, air quality, privacy, safety and accessibility.

1.7 ABBREVIATIONS

BCA	Building Code of Australia
DCP	Developmental Control Plan
EPA	Environmental Protection Agency
NCC	National Construction Code
NQF	National Quality Framework
NQS	National Quality Standards
SEPP	State Environmental Planning Policy

2. LEGISLATIVE & REGULATORY COMPLAINTS

This section outlines the legislative and regulatory frameworks governing the establishment and operation of early education and care Services in New South Wales. Understanding and adhering to these frameworks is critical to ensuring that any proposed site is legally permissible, functionally appropriate, and aligned with community safety and wellbeing standards.

2.1 OVERVIEW OF REGULATORY REQUIREMENTS

- a. Education and Care Services National Regulations
- b. NSW Department of Education standards
- c. Building Code of Australia (BCA)
- d. NSW Food Authority guidelines

a. Education and Care Services National Law & Regulations (2011)

Administered by the Australian Children's Education & Care Quality Authority (ACECQA) and implemented in NSW by the Department of Education, this legislation sets the minimum legal standards for:

- Space requirements per child (Indoor: 3.25 m² / Outdoor: 7 m²)
- Child-to-educator ratios
- Health, hygiene, and safety practices
- Qualifications for educators
- Physical environment standards (natural light, ventilation, equipment, etc.)
- Programming and curriculum
- Emergency and evacuation procedures

b. Building Code of Australia (BCA – Part of the National Construction Code)

All Early Education and Care Services developments must comply with the BCA, which governs:

- Building classifications and fire safety (typically Class 9b)
- Access and egress routes

- Fire detection and suppression systems
- Structural adequacy and durability
- Ventilation and lighting
- Sanitary facilities (based on occupancy loads)
- Accessibility (in conjunction with the Disability Discrimination Act)

c. NSW Department of Education Guidelines for Childcare Centres

These guidelines supplement the National Regulations with state-specific expectations, including:

- Outdoor space design and materials
- Indoor environment standards (acoustic performance, flooring, visibility)
- Safety fencing and secure entry systems
- Proximity to hazards (e.g. traffic, bodies of water, industrial activity)
- Best practice for locating services in residential or commercial zones

d. NSW Food Authority – Childcare Food Safety Guidelines

Where on-site meal preparation is proposed, compliance with food safety standards is mandatory.

This includes:

- Proper kitchen facilities (hand washing basins, food prep areas)
- Food storage, refrigeration, and waste disposal
- Food handler hygiene and allergen management
- Registration of food business (where applicable)

3. SITE INFORMATION

3.1 SITE LOCATION

The site subject to this report is located at 68 Barry Street, Neutral Bay. Currently operating as a council operated car park.

3.2 SUMMARY OF SITE DETAILS

Details	
Site Address	68 Barry Street, Neutral Bay, NSW 2089
Council Property Number	DP777542
Council	North Sydney Council
Site Area	892.13 m ²
Building Area	476.57 m ²
Current Land Use Zoning	SP2 Infrastructure “Car Park” Site adjoins land zoned MU1 Mixed Use. Clause 5.3 of NSLEP 2013 applies
Classified	Operational

3.3 GEOGRAPHICAL LOCATION

The car park is surrounded by a mix of residential and commercial zones. The area features a variety of amenities, including shops, cafes, and restaurants, particularly along Military Road, which serves as the main commercial thoroughfare. The suburb's proximity to the Sydney CBD makes it a desirable location for both residents and businesses. There is no train / metro services within the suburb of Neutral Bay however Military Road has bus services.

3.4 SITE OBSERVATIONS



Figure 1_ Photograph of the pedestrian entrance to the car park

The building is a council-owned asset located within a vibrant urban precinct characterised by high levels of pedestrian activity and vehicular movement throughout the day. Surrounding land uses include commercial offices, a café, local retail tenancies, and the primary access points to the public car park. These immediate adjacencies contribute to a range of site-specific challenges and operational complexities.

Given the site's urban setting and existing infrastructure, any proposed development, such as constructing an education and care service atop the car park, would need to address several factors:

- **Traffic Management:** The narrow, one-way nature of Barry Street necessitates careful planning to manage increased vehicle movements, particularly during peak drop-off and pick-up times.
- **Structural Assessment:** An evaluation of the car park's structural integrity would be essential to determine its capacity to support additional construction on the rooftop.
- **Outdoor Play Areas:** The design of rooftop play spaces will require significant landscape design to meet safety standards and provide adequate shade and protection.
- **Community Impact:** Engagement with local residents and stakeholders would be crucial to address potential concerns related to increased traffic, noise, and changes to the local environment.
- **Regulatory Compliance:** The design and development of this site would be significant in meeting the regulatory requirements and National Construction Code.

COMMUNITY EXPERIENCE

Located in a lively pocket of Neutral Bay, the Barry Street Rooftop Car Park offers a community-centric yet unconventional opportunity for adaptive reuse. Its proximity to residential zones, local businesses, and recreational facilities creates strong potential for integration into daily family life. While the rooftop location may feel unfamiliar at first, a thoughtfully designed early learning environment could transform it into a locally valued and proudly embraced space for children and families.

COMPATIBLE SOCIAL USES NEARBY

- **Village-Like Urban Setting:** Surrounded by small-scale shops, cafés, and services catering to family life, contributing to a vibrant, human-scaled environment.
- **Nearby Schools and Preschools:** Close to educational institutions such as Neutral Bay Public School and other early childhood centres, which reflect a family-oriented demographic.
- **Active Community Spaces:** Adjacent to Neutral Bay Club, parks, and community venues that regularly host family-friendly events and recreational activities.

OPTIONS FOR DAILY / WEEKLY EXCURSIONS

- Grassed Forecourt and Parklets: The landscaped area in front of the car park offers immediate access to green space for outdoor learning and unstructured play.
- Forsyth Park and Anderson Park: Both are within short walking distance and provide space for nature play, group games, and environmental exploration.
- Village Walks: Excursions to the local post office, bakery, grocery, or art spaces support real-world learning and connection to place.
- Community Events: Access to seasonal markets, performances, or pop-ups allows for spontaneous community engagement.

OPPORTUNITIES TO PARTNER WITH LOCAL BUSINESSES / SERVICES / RESOURCES

- Local Retailers and Cafés: Potential for partnerships around nutrition education, art exhibitions, or supplies (e.g., cooking programs with the local bakery).
- Library: These venues could host events, music programs, or intergenerational storytelling sessions.
- Council Partnerships: North Sydney Council's local sustainability and arts initiatives provide additional programming potential.

ALIGNMENT WITH FAMILY LIFESTYLES AND WORK PATTERNS

- Highly Walkable Residential Catchment: Ideal for local families walking or cycling to care, particularly those living in nearby apartments or houses.
- Convenient for Mixed-Mode Commuters: Suitable for parents commuting via car, bus, or ferry into the city, especially with Neutral Bay's well-connected transit options.
- Village Lifestyle Compatibility: Aligns with families seeking a blend of work-life convenience, lifestyle amenity, and strong community belonging.

OPPORTUNITIES FOR INTERGENERATIONAL AND COMMUNITY ENGAGEMENT

- Neighbourhood Familiarity: Rooftop setting notwithstanding, the site is surrounded by spaces that foster natural intergenerational interactions.
- Civic Participation: Children can participate in community events and street beautification projects, increasing their presence in local narratives.

WALKABILITY AND VISIBILITY FROM THE STREET TO PROMOTE ACCESSIBILITY AND NEIGHBOURHOOD INVOLVEMENT

- **Street Presence via Grassed Forecourt:** While the actual centre would be rooftop-based, the ground-level green space could be used to create a visual and functional connection to the street.
- **Wayfinding and Vertical Access:** Requires enhanced signage and a welcoming ground-level entry sequence to clearly signal a child-focused use.
- **Strong Pedestrian Links:** Embedded within a fine-grained street network that promotes walking, prams, and local foot traffic.

FEELS SAFE AND FAMILIAR

- **Local Character:** The surrounding neighbourhood is warm and family-friendly, with a mix of long-term residents and young families.
- **Calm but Connected:** Rooftop setting ensures distance from vehicular hazards while still embedded within the rhythms of everyday village life.
- **Design Opportunity:** The transition from ground to rooftop must be intentionally designed to feel welcoming, secure, and child-appropriate.

EMOTIONAL SAFETY – THE SERVICE IS WANTED AND ENCOURAGED BY THE COMMUNITY

- **High Local Demand:** Neutral Bay families are often seeking nearby care with flexible hours, and community sentiment may be favourable toward innovative reuse of familiar infrastructure.
- **Reactivation of Underutilised Space:** The transformation of a utilitarian rooftop into a vibrant learning space may be celebrated as a smart, sustainable civic improvement.
- **Potential for Advocacy:** With appropriate stakeholder engagement and family consultation, this site could generate a strong sense of local ownership and pride.

PLACE-BASED IDENTITY – A PLACE WHERE CHILDREN CAN RECOGNISE AND FEEL PRIDE IN

- **Iconic Locality:** Children can easily recognise and associate the centre with their familiar village surroundings—local parks, cafés, and walking routes.
- **Pride in Visibility:** A rooftop centre overlooking their own community could create a powerful sense of elevation—both physically and symbolically.
- **Child-Led Place-Making:** Integrating murals, rooftop gardens, or artwork into the streetscape could foster a visible expression of child presence and participation.

3.5 TRAFFIC MANAGEMENT AND SITE ACCESS

Traffic management will be one of the most significant consideration due to the Barry Street Car Park's central location in Neutral Bay, its proximity to busy local roads, and existing public parking usage. Key challenges include:

- **Increased Vehicle Movements:** Drop-off and pick-up times will concentrate traffic within short windows, compounding local congestion.
- **Limited Access Points:** The existing car park entry and exits are not designed for the frequent turnover required for a child care service.
- **Conflict with Public Use:** As the car park is used by the general public, introducing a dedicated childcare function may lead to conflicts between short-stay users and families. The education and care service would not require all of the car spaces on ground level but keeping them available will require significant planning.
- **Safety Risks:** Managing pedestrian flow and ensuring safe child-friendly access routes from parking areas to the centre is critical, especially in a shared-use environment.

A detailed Traffic Impact Assessment (TIA) will be required to model peak flows, assess queuing risks, and propose mitigation strategies such as:

- Designated drop-off zones
- Traffic marshals during peak times
- Restricted access periods
- Separation of pedestrian and vehicle paths

3.5 TRAFFIC AND PARKING ASSESSMENT

Although the North Sydney DCP does not mandate a formal Traffic and Parking Impact Assessment for childcare services accommodating fewer than 40 children, the unique constraints of the Barry Street Car Park site necessitate a more rigorous approach.

The site is located within a tightly constrained urban setting, accessible only via narrow, one-way streets and laneways, which significantly limit vehicle manoeuvrability and traffic flow.

If a rooftop education and care service were developed, parking and drop-off would occur beneath the structure, relying on existing public access points. These conditions would complicate safe and efficient drop-off and pick-up, especially during peak hours. In this context, a Traffic Management Plan—prepared in consultation with a traffic engineer—is strongly recommended to address:

- Safe circulation of vehicles and pedestrians
- Conflict minimisation with public car park users

- Queuing impacts on surrounding streets
- Designation of time-restricted childcare-only zones

4. EDUCATION AND CARE SERVICES NATIONAL LAW & REGULATIONS (2011)

4.1 BUILT ENVIRONMENT REQUIREMENTS

The built environment plays a critical role in supporting children's development by providing access to facilities that promote health, hygiene, wellbeing, and the achievement of key developmental milestones. This documentation review outlines the specific requirements that must be addressed on site to ensure regulatory compliance and functional suitability. A primary consideration is the provision of unencumbered indoor play space, which is determined in accordance with the number of children the centre is licensed to accommodate.

UNENCUMBERED INDOOR SPACE (107)		
PART 4.3: PHYSICAL ENVIRONMENT Division 1: Centre-based services and family day care services	Regulation: 107 (2) (3) (4) (5)	Title: Space requirements - indoor

Regulation Requirements:

- There is a minimum of 3.25 sqm/child of unencumbered indoor space
 - Unencumbered indoor space excludes any of the following:
 - 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
 - other space that is not suitable for children.

4.1.1 EDUCATION AND CARE UNENCUMBERED INDOOR SPACE FOR 30 PLACES

Based on the 3.25 sqm/child of unencumbered indoor space required, a minimum of 97.5m² is required for a 30 place Service.

LEARNING SPACES	RECOMMENDED PLACES	STAFFING RATIO	EDUCATIONAL STAFFING REQUIRED	M ² REQUIRED
Activity Room 1 (0-2YRS)	10	1:4	3	32.5m ²
Activity Room 2(2-3YRS)	10	1:5	2	32.5m ²
Activity Room 3(3-5YRS)	10	1:10	1	32.5m ²
Total	30		6	97.5m ²

4.1.2 EDUCATION AND CARE UNENCUMBERED INDOOR SPACE FOR 40 PLACES

Based on the 3.25 sqm/child of unencumbered indoor space required, a minimum of 130m² is required for a 40 place Service.

LEARNING SPACES	RECOMMENDED PLACES	STAFFING RATIO	EDUCATIONAL STAFFING REQUIRED	M ² REQUIRED
Activity Room 1 (0-2YRS)	10	1:4	3	32.5m ²
Activity Room 2(2-3YRS)	10	1:5	2	32.5m ²
Activity Room 3(3-5YRS)	20	1:10	2	65 m ²
Total	40		7	130m ²

4.2 NATURAL ENVIRONMENT REQUIREMENTS

Another major spatial consideration is the outdoor unencumbered play area. This space is vital for supporting children's physical activity, social interaction, and connection with the natural environment. In accordance with regulatory requirements, this area must be free from fixed equipment, storage structures, and other encumbrances, ensuring it remains fully accessible for play and programming. The total unencumbered outdoor area must be calculated based on the number and age of children enrolled, with minimum area provisions set by the Education and Care Services National Regulations. Its design should also support supervision, safety, and meaningful engagement across different developmental stages.

UNENCUMBERED OUTDOOR SPACE (108)		
PART 4.3: PHYSICAL ENVIRONMENT	108 (2) (3) (4)	Title: Space requirements – outdoor space
Division 1: Centre-based services and family day care services	(5)	

Regulation Requirements:

- There is a minimum of 7 sqm/child of unencumbered outdoor space
 - Unencumbered indoor space excludes any of the following
 - any pathway or thoroughfare, except where used by children as part of the education and care program;
 - any car parking area;
 - any storage shed or other storage area;
 - any other space that is not suitable for children.
- Please also refer to Regulation 114 when calculating outdoor space requirements and solar access.
- In spatial calculations the verandah can only be counted once. It is therefore only included as indoor or outdoor play.

4.2.1 EDUCATION AND CARE UNENCUMBERED OUTDOOR SPACE FOR 30 PLACES

Based on the 7 sqm/child of unencumbered indoor space required, a minimum of 210m² is required for a 30 place Service.

LEARNING SPACES	RECOMMENDED PLACES	STAFFING RATIO	EDUCATIONAL STAFFING REQUIRED	M ² REQUIRED
Activity Room 1 (0-2YRS)	10	1:4	3	70m ²
Activity Room 2(2-3YRS)	10	1:5	2	70m ²
Activity Room 3(3-5YRS)	10	1:10	1	70m ²
Total	30		6	210m ²

4.2.2 EDUCATION AND CARE UNENCUMBERED OUTDOOR SPACE FOR 40 PLACES

Based on the 7 sqm/child of unencumbered indoor space required, a minimum of 280m² is required for a 40 place Service.

LEARNING SPACES	RECOMMENDED PLACES	STAFFING RATIO	EDUCATIONAL STAFFING REQUIRED	M ² REQUIRED
Activity Room 1 (0-2YRS)	10	1:4	3	70m ²
Activity Room 2(2-3YRS)	10	1:5	2	70m ²
Activity Room 3(3-5YRS)	20	1:10	2	140m ²
Total	30		6	280m ²

4.3 SCHEDULE OF ACCOMODATION_MINIMUM REQUIREMENTS

A **Schedule of Accommodation (SOA)** is a critical planning and design tool used in architectural and facility development projects — particularly in complex environments like schools, hospitals, and childcare centres. The SOA has been developed based on 30 and 40 places.

FUNCTIONAL INTERNAL AREA ALLOCATIONS FOR BIRTH TO SCHOOL AGE SERVICE FUNDING: FEDERALLY FUNDED LONG DAY CARE SERVICES				
	NUMBER OF APPROVED PLACES			
	30		40	
	TYPICAL NUMBER OF LEARNING ROOMS			
	3		3	
	TYPICAL NUMBER OF STAFFING			
	5-8		7-10	
INTERNAL SPACES (BASED ON 3.25M² OF UNENCUMBERED AREA PER CHILD)				
LEARNING ROOMS	97.5		130	
ADDITIONAL SPACE – JOINERY, DOOR SWINGS	6.84		10.26	
BOTTLE PREP	7		9	
EDUCATOR SPACE	14		16	
FOYER/ ENTRY	18		24	
OFFICE	12		14	
KITCHEN	12		14	
STAFF ROOM	12		14	
SLEEP SPACES	19.5		24	
SUBTOTAL	198.84		255.26	
PLUS 10% CIRCULATION TO THE FIGURES ABOVE				
10% CIRCULATION	19.88		25.52	
SUBTOTAL INTERNAL SPACE	218.72		280.78	
STORAGE	6		8	
LAUNDRY	8		10	
CLEANERS ROOM	2		2	
CHILDREN'S WC / NAPPY CHANGE	15	2WC	20	3WC
ACCESS / PUBLIC TOILETS	7		7	
STAFF TOILETS	4	1WC	6	1WC
TOTAL INTERNAL SPACE	260.72		333.78	
EXTERNAL SPACES (BASED ON 7M² OF UNENCUMBERED AREA PER CHILD)				
OUTDOOR LEARNING SPACE	210		280	
VERANDAH / UNDERCOVER SPACE / TRANSITION SPACE	30		40	
VERANDAH ALLOWANCE CAN BE INCLUDED IN INDOOR OR OUTDOOR UNENCUMBERED AREA				
STORAGE	9		12	
SUBTOTAL	249		332	
PLUS 5% CIRCULATION TO THE FIGURES ABOVE – CIRCULATION DEPENDANT ON DESIGN AND TRANSITION TO EMERGENCY EVACUATION POINTS				
5% CIRCULATION	12.45		16.6	
PARKING	125m ² 170m ²	<400metres Min. 6 >400metres Min. 8	170m ² - 253m ²	<400metres Min. 8 >400metres Min. 10
BICYCLE PARKING AREA	3.6m ²		7.2m ²	
TOTAL EXTERNAL SPACE	435.05m²		608.8m²	
SITE REQUIREMENTS	695.77		942.58	

NOTE: CIRCULATION ALLOWANCE HAS NOT BEEN INCLUDED AND DEPENDS ON ORIENTATION, SIZE AND SHAPE OF THE SITE

NOTE: WALL TYPE AND THICKNESS HAVE NOT BE INCLUDED IN THE CALCULATIONS

4.4 FACILITIES REQUIRED

The facilities outlined in this document are essential to ensure the health, safety, and developmental wellbeing of children in early learning education settings. They are based on regulatory requirements from the National Quality Framework (NQF), the Education and Care Services National Regulations, and applicable NSW-specific planning and health guidelines. These minimum standards support high-quality care by providing functional, hygienic, and engaging environments that foster learning, exploration, and social interaction while also enabling educators to work effectively and safely.

FACILITIES REQUIRED	MINIMUM REQUIREMENTS
UNENCUMBERED INDOOR PLAY SPACE	Minimum 3.25m ² per child of usable floor area (excluding storage, passageways, or fixtures).
UNENCUMBERED OUTDOOR PLAY SPACE	Minimum 7m ² per child of usable outdoor space (excluding garden beds, pathways not used for play, storage sheds, or carparks).
NAPPY CHANGE FACILITIES	Properly constructed bench, baby bath, handwashing sinks for adults and children, steps for child access, impervious materials, and proximity to the 0–2 area.
TOILET AND HYGIENE FACILITIES	Must be accessible from both indoor and outdoor play areas. Must include child-sized toilets and handwashing basins.
COMMERCIAL KITCHEN	Required if food is prepared on site. Must comply with NSW Food Authority and Council health regulations.
LAUNDRY / LAUNDRY ACCESS	Must provide washing, drying, and hygienic storage for soiled linen. Can be onsite or offsite with documented access arrangements.
SLEEPING FACILITIES	Each child must have access to rest/sleep facilities, especially for children under 3 years. Comply with Red Nose (SIDS) safe sleep guidelines.
ADMINISTRATIVE SPACES	Spaces for: administration tasks, private family consultations, staff support, programming, and documentation.
EDUCATORS' BREAKOUT SPACE	Should be a separate, designated area for staff rest and meal breaks (not in laundry, kitchen, or cot room).
CRAFT PREPARATION AREA	Requires sink with hot and cold water, workbench, and storage space.
FOOD & BOTTLE PREPARATION AREA	Requires sink (separate from craft), cleanable benches, bottle warmer, refrigerator, and dedicated storage.
INTERNAL STORAGE	Minimum 0.2m ³ per child for play materials, bedding, cleaning supplies, etc. Must be secure and not located in play areas.
EXTERNAL STORAGE	Minimum 0.3m ³ per child. For outdoor play equipment, prams, and maintenance tools. Should be secure and weatherproof.

FACILITIES REQUIRED	MINIMUM REQUIREMENTS
NATURAL LIGHTING	Indoor play areas must have access to natural light achieving a minimum of 200 lux.
VENTILATION	Natural or mechanical ventilation required for all rooms, including bathrooms and sleep areas.
WASTE ROOM / CLEANERS STORE	Separate secure room for waste disposal and cleaning equipment. Must include a cleaner's sink and space for mop buckets.
BOTTLE STERILISATION / PREP STATION	If caring for infants, a sterilisation area for bottles with access to boiling water or a steriliser.
COT ROOM	For services with 0–2-year-olds, a separate cot room with visibility from the play area. One cot per child sleeping at any time.
ENTRY / RECEPTION AREA	Secure, clearly defined entry with sign-in/out, access control (e.g., lockable gate or security door).
ACCESS FOR PEOPLE WITH DISABILITIES	Must comply with the Disability Discrimination Act and relevant BCA/NCC requirements for access, including ramps, toilets, and parking.
FIRE SAFETY & EMERGENCY EXITS	Must meet NCC/BCA fire safety requirements, with clear egress paths, extinguishers, and evacuation plans.
SIGNAGE	Clearly visible external signage and internal signage to indicate emergency exits, room use, hygiene, and safety instructions.
IT/TECHNOLOGY INFRASTRUCTURE	Provision for computers, internet, and secure digital storage for records and programming (especially under NQF digital recordkeeping).
SHADE AND WEATHER PROTECTION	Outdoor areas must include adequate shade (natural or built) to protect children from UV exposure, and weather protection for entries and play spaces.

4.5 KELLY'S PLACE COMPARITVIE DETAILS

Kelly's Place currently provides a 45-place long day care, comprising:

- 170.6m² total internal play area
- 280.97m² total gross floor area
- 395.3m² external play area
- 119.92m² cot room, office, storage, services and amenities.

Area's Schedule

Zone Number	Room Name	NET Area
1.1	Play Room 1	83.77
1.2	Kid's WC 1	10.35
1.3	Store 2	3.68
1.4	Store 1	6.21
2.1	Play Room 2	63.48
2.2	Kid's WC 2	9.45
2.3	Store 4	3.36
2.4	Store 3	5.67
2.5	Cot Room 1	12.60
3.1	Foyer / Play Room 3	22.80
4.1	Kitchen	11.84
4.2	Kitchen St.	2.31
4.3	Laundry	4.41
4.5	Bottle Room	9.99
5.1	Office	14.06
5.2	Staff	13.69
5.3	WC	3.30
6.1	Outdoor Transition Area	55.01
6.2	Outdoor Playground	340.99
6.3	Outdoor Store	9.00
TOTAL		685.97m²

5. SITE ASSESSMENT

5.1 ASSESSMENT OF EXISTING FACILITIES BASED ON NSW EDUCATION AND CARE SERVICES NATIONAL REGULATIONS (2011)

REGULATION	NATIONAL LAW AND NATIONAL REGULATIONS	SITE 2 – 96 BANK STREET, NORTH SYDNEY
REG.103	Premises, furniture and equipment to be safe, clean and in good repair	The Barry street car park is a council car park with access 24 hours, 7 days a week. As such a new build for the child care centre will be required and no review against the NSW Education and Care Services National Regulations (2011) is required.
REG.105	Furniture, materials and equipment	
REG.106	Laundry and hygiene facilities	
REG.107	Space requirements—indoor $\geq 3.25 \text{ m}^2$ per child unencumbered	
REG.109	Toilet and hygiene facilities	
REG.110	Ventilation and natural light	
REG.111	Administrative space	
REG.112	Nappy change facilities	
REG.115	Premises designed to facilitate supervision	
	Storage – Internal	
REG.104	Fencing and security	
REG.108	Space requirements—outdoor space $\geq 7 \text{ m}^2$ per child unencumbered	
REG.113	Outdoor space—natural environment	
REG.114	Outdoor space—shade	
REG.115	Premises designed to facilitate supervision	
	Storage – External	

5.2 INTEGRATING EDUCATION AND CARE SERVICES WITHIN MIXED -USE DEVELOPMENTS, INCLUDING CONSIDERATIONS FOR ROOFTOP PLACEMENTS.

DESIGN CONSIDERATION	REQUIREMENT	CONSIDERATIONS	SITE – BARRY STREET CAR PARK OBSERVATIONS
STRUCTURAL AND ENGINEERING CONSIDERATIONS	Load-bearing capacity	The existing car park structure must be assessed to ensure it can support the additional weight of placing an education and care service on the existing slab. This will include heavy loads from playground equipment, landscaping, planting, water tanks, construction materials and groups of people.	The existing structure must be assessed to ensure it can support the additional weight of a child care facility, including playground equipment and occupants.
	Vibration and noise	Mechanical vibration and noise from vehicles below may require acoustic insulation or structural decoupling to meet acoustic standards for early learning environments.	Structural Assessment required
	Waterproofing and drainage	The rooftop must be thoroughly waterproofed to prevent leaks. Effective drainage systems must be implemented to handle stormwater.	Structural Assessment required
ACCESS AND CIRCULATION	Emergency egress	Clear, compliant fire exits and emergency evacuation paths are essential. Evacuation via lifts is typically prohibited in emergencies, so access to fire-isolated stairs is critical.	
	Vertical transport	Safe, secure lift or ramp access is needed for children, educators, parents, and prams. Lifts must comply with accessibility standards (AS 1428.1) and be DDA compliant.	Requires detailed input from a structural engineer and fire safety consultant to determine if this is required.
	Accessibility	The rooftop should be accessible.	
	Arrival and departure logistics	Coordinating arrival and departures in a public car park raises safety and congestion concerns, especially during peak times.	
OUTDOOR PLAY AND SAFETY	Fencing and fall prevention	High balustrades or fencing (minimum 1800 mm) with climb-resistant detailing must be installed to prevent falls.	This height is a standard minimum, with this site, the design and detailing of the boundary fencing will be of highest priority.

DESIGN CONSIDERATION	REQUIREMENT	CONSIDERATIONS	SITE – BARRY STREET CAR PARK OBSERVATIONS
	Sun, wind and weather protection	Roofs are typically exposed, requiring shade sails, pergolas, or enclosed verandahs to ensure sun-safe outdoor play and shelter from wind and rain.	
	Outdoor play compliance	Meeting the 7m ² per child of <i>unencumbered</i> outdoor play space may be difficult without creative design or decking extensions.	Complying with the required unencumbered area will be a top priority.
ENVIRONMENTAL AND AMENITY CONSTRAINTS	Heat island effect	Roofs can become excessively hot in summer. Mitigation measures like green roofs, reflective materials, and extensive shading will be necessary.	A green roof and natural landscaping is required for the unencumbered outdoor area and to also mitigate excessive heat.
	Air quality	Proximity to car exhaust fumes can raise health concerns. Appropriate filtration and ventilation systems may be needed.	A Green roof, vertical green walls, planter boxes and trees in large pots will help filter pollutants, reduce dust and cool the microclimate. Mechanical ventilation and filtration
	Acoustic privacy	External noise from the urban context or car park use must be managed to ensure a calm, learning-conducive environment.	High performance glazing, solid wall construction, acoustic fencing and barriers, rooftop plant / equipment shielding will support acoustic privacy.
SERVICES AND INFRASTRUCTURE	Plumbing, sewer, and waste	Extending water supply, sewer, stormwater, and waste disposal infrastructure to a rooftop level can be complex and costly.	Cost Drivers Distance and height of pipe runs (more vertical = more expensive) Ground floor grease trap connections Fire-rated and acoustic compliant shaft construction Access challenges during construction (crane or scaffold for pipework)
	Mechanical systems	HVAC systems must be designed to account for the exposed rooftop location, balancing efficiency and resilience to weather	Consultants Required Mechanical engineer Fire engineer Acoustic engineer Hydraulic engineer
	Fire safety system	Sprinklers, alarms, and emergency lighting systems must be upgraded or extended to cover the new facility	

DESIGN CONSIDERATION	REQUIREMENT	CONSIDERATIONS	SITE – BARRY STREET CAR PARK OBSERVATIONS
REGULATORY COMPLIANCE	NCC & SEPP requirements	Must comply with the National Construction Code, the <i>Education and Care Services National Regulations</i> , and <i>State Environmental Planning Policy (Educational Establishments and Child Care Facilities)</i> .	Certifier (PCA): To confirm NCC compliance
	Local DCP constraint	Rooftop development may breach height controls, overshadowing restrictions, or aesthetic requirements (especially in heritage or view-sensitive areas).	
	Separate fire exits	If the building below is used for another purpose (e.g. council facilities or shops), the child care centre must not share exits or paths of travel in ways that breach fire compartmentation rules.	Fire engineer required for further consideration
CHILD AND FAMILY EXPERIENCE	Amenity and aesthetics	A rooftop setting may limit opportunities for natural landscaping and connection to nature, which is important for child development and regulatory expectations.	Green Roof and quality landscape design will mitigate some of this concern.
CHILD AND FAMILY EXPERIENCE	Wayfinding and identity	Signage, arrival sequences, and child-friendly design elements are needed to overcome the impersonal or utilitarian nature of a car park.	Extremely important on this site due to the existing layout.

5.3 EDUCATION AND CARE SERVICE SITE SUITABILITY BASED ON NORTH SYDNEY COUNCIL DCP

This checklist is prepared to support the design and assessment of an Education and Care Service in alignment with the North Sydney Council Development Control Plan (DCP) – Section 5: Child Care Facilities. It also considers the NSW Child Care Planning Guideline, Education and Care Services National Regulations (2011), and relevant BCA requirements.

CATEGORY	REQUIREMENT	COMPLIANT?	NOTES / ACTIONS
Site Suitability	Site is appropriately zoned (e.g., r2, r3, or b1/b2 with consent)	☒ Yes ☐ No ☐ N/A	SP2 Infrastructure “Car Park” Site adjoins land zoned MU1 Mixed Use. Clause 5.3 of NSLEP 2013 applies WITH CONSENT
	Located away from high-noise areas (main roads, rail)	☐ Yes ☒ No ☐ N/A	Parallel to Military road with May Gibbs place connecting Barry street
	Not subject to flooding, landslip, or contamination	☒ Yes ☐ No ☐ N/A	
Access & Traffic	Separate and safe pedestrian and vehicular entries	☐ Yes ☒ No ☐ N/A	
	Drop-off/pick-up bays comply with dcp or sepp (1/10 children or 1/4 in areas >400m from station)	☐ Yes ☒ No ☐ N/A	
	Car parking for staff and visitors as per sepp or dcp standards	☒ Yes ☐ No ☐ N/A	
	Traffic impact study provided if >40 children	☐ Yes ☐ No ☒ N/A	Required because of the nature of the site.
Built Form & Streetscape	Development responds to surrounding character	☐ Yes ☐ No ☒ N/A	
	Height, setbacks, and site coverage comply with zone and context	☐ Yes ☐ No ☒ N/A	
	Fencing is safe, attractive, and appropriate to the street character	☐ Yes ☐ No ☒ N/A	
Amenity for Neighbours	Acoustic privacy ensured; noise from outdoor areas is mitigated	☐ Yes ☐ No ☒ N/A	
	Overshadowing of adjoining properties is minimised	☐ Yes ☒ No ☐ N/A	
Indoor Environment	Minimum 3.25m ² unencumbered indoor space per child	☒ Yes ☐ No ☐ N/A	

CATEGORY	REQUIREMENT	COMPLIANT?	NOTES / ACTIONS
	Access to natural light and ventilation	☐ Yes ☐ No ☐ N/A ☒ Possible	
	Functional program (cot room, staff room, prep area, office, laundry)	☐ Yes ☐ No ☐ N/A ☒ Possible	
Outdoor Environment	Minimum 7.0m ² unencumbered outdoor space per child	☐ Yes ☐ No ☐ N/A ☒ Possible	
	Outdoor play space is safe, shaded, and directly accessible from indoor	☐ Yes ☐ No ☐ N/A ☒ Possible	
	Outdoor area located away from streets and noise where possible	☐ Yes ☒ No ☐ N/A	
Landscaping	Appropriate soft landscaping provided	☐ Yes ☐ No ☐ N/A ☒ Possible	
	Tree planting to provide shade and contribute to streetscape	☐ Yes ☐ No ☐ N/A ☒ Possible	
Sustainability & Services	Incorporates water- and energy-efficient design (rainwater reuse, insulation)	☐ Yes ☒ No ☐ N/A ☒ Possible	
	Waste storage area designed and screened appropriately	☐ Yes ☐ No ☐ N/A ☒ Possible	
Regulatory Compliance	Complies with the Education and Care Services National Regulations (2011)	☐ Yes ☐ No ☐ N/A ☒ Possible	
	Complies with the NSW Child Care Planning Guideline (2017)	☐ Yes ☐ No ☐ N/A ☒ Possible	
	Complies with the National Construction Code (BCA)	☐ Yes ☐ No ☐ N/A ☒ Possible	
Operational & Management	Hours of operation consider surrounding residential amenity	☐ Yes ☐ No ☐ N/A ☒ Possible	
	Outdoor play times and noise management plans provided	☐ Yes ☐ No ☐ N/A ☒ Possible	

6. SITE SUITABILITY STATEMENT- ADAPTIVE REUSE FOR EDUCATION AND CARE SERVICE

Overview

The rooftop of the Barry Street Car Park in Neutral Bay presents a unique opportunity for the adaptive reuse of existing public infrastructure to support an early education and care service for approximately 30 to 40 children aged 0–5 years. While the site offers a well-located footprint within a high-amenity urban setting, a number of complex constraints reduce its feasibility.

Existing Site Constraints

Despite its strategic location, the site presents a range of physical and operational challenges:

- **Traffic and Access Complexity**

Barry Street and adjacent laneways are narrow, one-way streets with limited turning capacity. While the North Sydney DCP does not require a traffic assessment for services under 40 children, the constrained road network and shared car park access necessitate a tailored Traffic Management Plan, including safe drop-off/pick-up solutions and vehicular conflict mitigation.
- **Structural and Vertical Access Requirements**

A detailed structural engineering assessment is required to determine whether the rooftop slab can support the additional loads imposed by a childcare facility and accommodate lift/stair penetrations. Fire-isolated vertical access and compliance with the National Construction Code will be essential.
- **Outdoor Play and Safety**

Sufficient unencumbered outdoor play space must be designed to meet the 7.0m² per child requirement for outdoor areas, incorporating shade, safety balustrades, and noise attenuation treatments.
- **Acoustic, Mechanical, and Environmental Systems**

The elevated, exposed setting adjacent to commercial activity and traffic may require acoustic treatment, mechanical ventilation, and solar mitigation measures to ensure compliance with licensing standards.
- **Parking and Public Interface**

The rooftop childcare use would rely on public parking infrastructure below. A formal agreement with Council may be required to allocate parking for staff and families. Community interface, surveillance, and after-hours use must also be considered.

- **Emergency Evacuation and Management**

Emergency evacuation and management would be particularly problematic in this setting. The rooftop location limits the ability to provide direct egress to ground level within acceptable travel distances, especially for young children who may require assisted evacuation. There is no readily available or suitable secondary assembly point in the immediate vicinity, and access to the car park's lower levels is constrained by narrow driveways and limited pedestrian refuge areas. These limitations raise significant concerns regarding compliance with fire safety standards and the effective implementation of emergency procedures for early childhood services.

- **Capacity and Vertical Expansion Constraints**

Preliminary spatial analysis suggests that the rooftop footprint may not be sufficient to accommodate the functional requirements of a 30–40 place childcare centre within a single level. To meet minimum regulatory space requirements for indoor and outdoor areas—particularly when accounting for circulation, storage, amenities, and separation of age groups—a multi-level structure may be required atop the existing slab. This introduces further complexity in terms of structural loading, vertical access, fire egress, and planning controls. Any proposal to extend vertically would need to be carefully assessed against height limits, overshadowing impacts, lift core integration, and NCC compliance.

- **Potential Integration of Grassed Forecourt**

If the adjacent grassed area at the front of the site can be incorporated into the approved operational footprint of the education and care service, this may significantly enhance the feasibility of the proposal. Utilising this space for outdoor play or ground-level activity areas could reduce or eliminate the need for vertical expansion, helping the service meet the 7.0 m² per child unencumbered outdoor space requirement without relying solely on the rooftop slab. However, this would be subject to confirmation of land use zoning, existing easements or community use constraints, fencing and supervision requirements, and alignment with both the Education and Care Services National Regulations and Council's planning framework. Detailed site planning and consultation with Council will be required to confirm its suitability and permissibility for regulated use.

- **Ramp Integration as a Multi-Functional Element**

Based on the design of the ATG Kindergarten by HIBINOSEKKEI + Youji no Shiro + Kids Design Labo, the ramp shown in the imagery below serves more than just a circulation function—it acts as an integrated, multi-purpose design element that enhances accessibility, play, and learning.



1. Inclusive Vertical Circulation

The ramp can provide accessible vertical movement between levels (e.g., from the rooftop entry down to the car park or to a landscaped play area) while complying with DDA and NCC accessibility standards. Unlike a standard lift or stairwell, a ramp allows all children—regardless of mobility—to move independently or with minimal assistance.

2. Play and Learning Through Movement

Much like the ATG Kindergarten, the ramp can be intentionally designed with gentle gradients, landings, and embedded learning elements (e.g., textures, signage, wayfinding graphics) to promote gross motor development, sensory exploration, spontaneous play through rolling, crawling, or cooperative games.

3. Visual and Spatial Connection

Using the ramp up to the rooftop could visually connect indoor and outdoor zones, creating a sense of journey and orientation. Transparent balustrades or mesh walls could enhance supervision while maintaining enclosure.

4. Safety and Transition Space

The ramp can double as a transitional buffer—guiding children safely between levels without relying on internal staircases. It could serve as an extended gathering point during fire drills or emergencies, particularly in a rooftop context where egress options are limited.

5. Design Continuity with the Forecourt

If the grassed area at the front of Barry Street Car Park is used as part of the licensed outdoor space, a ramp can gracefully connect this area to the rooftop or main entry, making the shift from street level to rooftop feel natural and child-friendly.

7. SITE ASSESSMENT CONCLUSION

The rooftop of the Barry Street Rooftop Car Park presents an innovative yet highly complex opportunity for the adaptive reuse of existing public infrastructure to accommodate an early LEARNING education and care service. While the site's urban location offers strong proximity to local amenities, public transport, and community activity, its suitability is significantly impacted by physical, operational, and regulatory challenges.

The current rooftop slab may not provide sufficient area to support a compliant 30–40 place service within a single storey. Preliminary spatial assessment indicates that multi-level construction may be required to meet the Education and Care Services National Regulations for indoor and outdoor areas, unless adjacent open space—such as the grassed forecourt—can be incorporated into the licensed area. Should this be achievable, it may reduce the need for vertical expansion and enhance ground-level outdoor opportunities.

The site's access and circulation network is constrained by tight, one-way laneways and shared-use vehicle zones, which would make safe drop-off and pick-up operations highly challenging. Although the North Sydney DCP does not require a Traffic Impact Assessment for services under 40 children, the unique configuration of the site demands detailed traffic and pedestrian management planning. Emergency evacuation provisions are further limited by the absence of a suitable secondary assembly area and restricted egress options from the rooftop.

Should vertical expansion be pursued, slab penetrations for fire-isolated stairs, lifts, and service risers will require structural analysis and waterproofing resolution, alongside acoustic and mechanical engineering coordination. Furthermore, the site will need to resolve complexities around public–private interface, noise control, access to dedicated parking, and compatibility with the surrounding uses.

Importantly, the site features an existing vehicular ramp that provides access from Barry Street to the rooftop. This ramp, originally designed for cars, could be creatively repurposed or partially adapted as a multi-functional circulation spine, allowing for:

- Safe, accessible staff access
- Emergency egress with passive surveillance
- Potential integration with a future fire-isolated stair or enclosed lift core

The integration of a circulation ramp, as demonstrated in international best-practice precedents like the ATG Kindergarten in Japan, could offer an elegant solution to vertical access, combining inclusive movement with opportunities for play and learning. However, this approach would still require careful design to ensure compliance, safety, and supervision.

In summary, the Barry Street Car Par site may be suitable for a boutique-scale early learning service if:

- Structural engineering confirms slab capacity and vertical integration feasibility

- The forecourt can be secured for exclusive licensed outdoor use
- A tailored traffic and emergency access strategy is implemented
- Council is willing to support modification of a public asset for partial childcare use

Due to its significant site constraints, complex approvals pathway, and construction risk, this site is not recommended as a first-preference location when compared to more conventional development options. However, it may be considered feasible with strong architectural resolution and cross-disciplinary consultant input.

Indicative costs for 30 places are \$3.3-4.5 million. Further design and costings are required. For 40 places is \$4.2-5.7 million.

8. DISCLAIMER

This Site Suitability Assessment has been prepared for general informational purposes only and is not a substitute for detailed planning, compliance analysis, or design documentation. All spatial measurements, assumptions, and data contained within are indicative and must be verified through detailed site investigation and professional consultancy.

Final design parameters must be confirmed in consultation with a qualified team of specialist consultants, including but not limited to:

- Architect / Early Learning Design Specialist
- Accredited Certifier or Registered Building Surveyor
- Fire Safety Engineer
- Hydraulic Engineer
- Mechanical Engineer (HVAC and Ventilation)
- Structural Engineer
- Acoustic Engineer
- Access Consultant
- Town Planner
- Traffic Engineer
- Landscape Architect (for outdoor play design)

These professionals are essential to assess the site's compliance with the Education and Care Services National Regulations, National Construction Code (NCC), Child Care Planning Guideline 2017, State Environmental Planning Policies (SEPP), and relevant local government planning controls.

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