

Mr Robert Coombs MP  
Chair  
Committee on Children and Young People  
Parliament of New South Wales  
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Dear Mr Coombs

I am pleased to enclose the Commission's responses to the Committee's questions as part of the Follow-up Inquiry into Children, Young People and the Built Environment.

I also wish to advise that I will be appearing on behalf of the Commission at the Committee's public hearing on 31 March 2010. I will be accompanied by Ms Lou-Anne Lind, the Commission's Policy Manager.

If the Committee requires any further information, please contact Ms Lind on 9286 7208 or by email at [lou-anne.lind@kids.nsw.gov.au](mailto:lou-anne.lind@kids.nsw.gov.au).

Yours sincerely



**Jan McClelland**  
**A/Commissioner**  
16 March 2010

## Responses to Questions on Notice

1. The Commission's 2008-09 Annual Report states (p11) that "the Commission will promote the use of the *built4kids* resource to local government and other relevant organisations involved in planning, designing and maintaining built environments, including working with the Department of Local Government to embed *built4kids* into the new integrated planning processes for local councils."

(a) What steps has the Commission taken, or does it plan to take, to promote the use of the *built4kids* resource, particularly to the NSW Department of Planning, planners, architects and the development industry?

In 2009, the Commission published the *built4kids* resource in both hard copy and electronic versions.

Hard copies of the resource have been distributed to stakeholders throughout NSW including:

- The Minister for Planning
- The Minister for Local Government
- Project partners including Wollongong City Council, City of Sydney Council, Griffith City Council, Port Stephens Council, Healthy Cities Illawarra and Griffith University.
- The Australian Institute of Landscape Architects
- The Australian Institute of Architects
- The Association of Professional Engineers, Scientists and Managers, Australia
- The Planning Institute of Australia
- Parks and Leisure Australia
- The Faculty of the Built Environment, University of NSW
- The Faculty of Architecture, University of Sydney

The Commission also emailed all NSW councils to notify them of the release of *built4kids*.

Articles promoting *built4kids* have featured in NSW New Planner Magazine, Planning Institute of Australia e-news and the Premier's Council for Active Living Monthly Bulletin.

The *built4kids* resource is available on the Commission's website. In the six months between September 2009 and February 2010 the electronic version of *built4kids* has been downloaded a total of 18,173 times from the Commission's website.

(b) In what ways do you consider that the indicators in *built4kids* be used by different agencies and/or departments?

*built4kids* promotes the importance of child-friendly built environments for children and young people. The indicators included in *built4kids* were intended to be used in a variety of ways by different organisations depending on their needs. These could include:

- Assessment of development proposals;

- Audit of existing built environments; and
- Development of child-friendly design guidelines.

The Commission has received feedback from a number of councils and other organisations that they are using the *built4kids* indicators in a range of ways. For example, Griffith City Council has advised that it has used the indicators in the development of a local park. Shellharbour City Council has advised that it plans to use the indicators to audit their range of child-friendly initiatives in partnership with the Shellharbour Communities for Children project.

(c) What formal and informal mechanisms are in place to monitor the use of *built4kids* by different bodies (e.g., the NSW Department of Planning, the Premier's Council for Active Living and the Planning Institute of Australia), as well as the integration of the *built4kids* resource into the new integrated planning processes for local councils?

The Commission informally monitors how *built4kids* is being used through its relationships with stakeholders and membership of interagency groups, such as the Premier's Council for Active Living and the Local Government Child-Friendly Communities Network.

The Commission keeps statistics on the number of hard copies of *built4kids* distributed and electronic copies of the resource downloaded from the Commission's website. (120 hard copies of the resource have been distributed and the resource has been downloaded 18,173 times from the Commission's website.)

In 2009, the Commission approached the Department of Local Government requesting that *built4kids* be included in its integrated planning and reporting framework. The Department of Local Government advised the Commission that the most appropriate course of action is to include *built4kids* on the Integrated Planning and Reporting page of the Department's website. The Department is in the process of a website review and update due to be completed in April 2010. *built4kids* will be included on the website as part of this update.

In accordance with the Commission's monitoring function under Section 11 of the Children and Young People's Act, the Commission will formally contact councils and other organisations and agencies that have received a copy of *built4kids* to determine how the resource is currently being used. This will be an important project in the Commission's policy and research program for 2010-11.

2. The Report of the *Inquiry into Children, Young People and the Built Environment* (the Built Environment Report) recommended that the Commission develop a proposal for a seminar series on children, young people and the built environment (Recommendation 2). Has the seminar series been conducted? If not, would it still be relevant to conduct a seminar series to promote the use of the *built4kids* resource to representatives of local government, planners, architects and the development industry?

In 2006 the Commission sponsored the two day *Creating Child Friendly Cities Conference*, which was conducted jointly at NSW Parliament House by the Urban Research Program, Griffith University and the Australian Research Alliance for Children and Youth (ARACY). The conference was attended by academics, representatives from local and state government, planners and architects from across Australia.

The conference provided an opportunity to promote the concept of children and young people's participation in planning of the built environment and share experiences of how this is occurring in practice. One of the outcomes of the Conference was the direct call for improved assessment of child-friendly communities, which complements the Committee's own recommendation on creating a set of indicators, and from which the indicators in *built4kids* were developed.

To date the Commission has not conducted a seminar series on the built environment. The Commission will seek feedback from key stakeholders about strategies to promote the use of *built4kids* including the possibility of a seminar series.

3. The Built Environment Report recommends that the Minister for Planning consider the desirability of amending the NSW planning legislation or instruments to incorporate child-friendly planning principles, where appropriate, in consultation with the Commission. (Recommendation 5).

Are you aware of the planning instruments or legislation in New South Wales or in other jurisdictions that have in fact been amended to incorporate child-friendly planning principles?

The Department of Local Government has amended its Local Government Playground Grants program guidelines so that applicants are now required to provide details of how children and young people have been consulted as part of the request for funding. This is a positive outcome for government and children.

The Commission is seeking advice from the NSW Department of Planning and the Urban Research Program at Griffith University on the incorporation of child-friendly planning principles in planning instruments and legislation in NSW or other jurisdictions.

4. Two of the recommendations of the Built Environment Report related to the possible re-publication of *Urban design guidelines with young people in mind* and *Child-friendly environments*. To what extent, if any, do you consider the re-publication of these publications to be relevant in light of the publication of *built4kids*.

*Urban design guidelines with young people in mind*, *Child-friendly environments* and *built4kids* complement one another in promoting the importance of creating built environments that support the spatial and infrastructure needs of children and young people.

*built4kids* includes real life case studies, which were sourced from a range of councils and organisations. The child-friendly indicators, which provide a way to evaluate policies, practices and designs, make it a resource that has a broader application than only the planning sector.

The *Urban Design Guidelines with Young People in Mind* were developed by the then Urban Design Advisory Service, a business unit of the then Planning NSW. They were developed as a "planning for youth" guide as part of *Focus on Young People*, the State Government's Youth Policy released by then Premier in 1998. The *Urban Design Guidelines with Young People in Mind* core principle of creating youth friendly public spaces is consistent with *built4kids*. The age group for the guidelines is young people 12 to 18 whereas *built4kids* is relevant to children and young people of all ages.

*Child-friendly environments* was first published in 1999. It focuses on children aged 5 to 12 and illustrates how they perceive and use their environment and why their

environment does not always meet their needs. The document also complements *built4kids*.

As both these publications were developed by the NSW Department of Planning more than a decade ago, the Commission will consult with the department about the benefits of reviewing and re-publishing the *Urban Design Guidelines with Young People in Mind* and *Child-friendly environments*.

5. The Built Environment Report recommended consulting with the Royal Australian Institute of Architects and the Planning Institute of Australia on the production of a new publication to promote children and young people's participation in the development of their environments (Recommendation 3 (f)). To what extent do you consider such a publication may still be relevant?

*built4kids* contains case studies and practical steps for improving children and young people's participation in the development of their environments. The resource has been promoted to both the Royal Australian Institute of Architects and the Planning Institute of Australia. The Commission will consult with these organisations about the most appropriate strategies to promote the young people's participation principles outlined in *built4kids*.

6. What attempts have previously been made by agencies to influence the planning and development of Sydney's new growth areas to take into account the needs of children and young people (Recommendation 3 (g))? Are there still opportunities to influence the planning and development of Sydney's new growth areas?

Yes. The Commission has promoted *built4kids* to the NSW Department of Planning, the agency responsible for policy concerning Sydney's new growth areas. The Commission will consult with the department to identify opportunities to influence the planning and development of new growth areas in Sydney.

7. The Department of Community Services has been in the process of reviewing the *Children's Services Regulation 2004*. In relation to this review, what types of issues are important regarding the design of the physical environment of children's services? Does the Commission have any concerns about the physical layout and design of childcare premises?

In December 2008, the Commission provided a submission to the review of the Children's Services Regulation 2004, which is available on the Commission's website.

The Commission's view is that the design and physical layout of children's services has an impact on how both children and staff in the service behave and interact, and therefore on how children develop. The types of issues that arise in the context of design of the physical environment of children's services include safety of spaces, accessibility of facilities and having sufficient multipurpose spaces both indoors and outdoors for children to engage in a range of activities.

Many of these issues are addressed in the Children's Services Regulation 2004, which contains minimum space requirements both indoors and outdoors, as well as the provision of specific facilities that are safe and appropriate for children such as toileting, craft, sleeping and food preparation facilities.

8. The Built Environment Report identified concerns about risk and fear of litigation in relation to play spaces and equipment for children. What do you consider is required

to further encourage the development of suitable playgrounds and recreational facilities in this context? (Recommendation 3 (j)).

In May 2008, the Commission in partnership with NSW Injury Risk Management Research Centre and the University of New South Wales, hosted a one-day seminar titled *Cotton Wool or Plaster of Paris: Perspectives on Injury Prevention and Child Play*. The aim of the seminar was to present the range of opinions about child safety and child's play.

It is the Commission's view that what is needed is a greater understanding of the importance of play and physical activity for children and young people, balanced with the need for a coordinated and systematic approach to injury prevention. In relation to the first point, the Commission's research into the well-being of children and young people has highlighted the importance of play and physical activity and of being challenged as they grow. Children play because it's fun and it provides them with the opportunity to make sense of their world.

Play also helps children to develop their sensory and motor skills, where they learn and practice language, maths and sciences and where they experiment with their relationships. Children also like to take some risks as part of their play. For children and young people it is not only fun to be a bit daring and push the boundaries, it is also another important factor for their learning.

As children grow older, developing a sense of agency becomes important. Children and young people have told us that they need to have the power and opportunity to take independent action which is important for achieving goals, negotiating and solving problems, developing moral orientation and a sense of self.

The NSW Government currently provides funding to children's injury prevention groups such as Kidsafe NSW. Through a variety of strategies, Kidsafe promote the importance of child safety. In relation to playground safety, Kidsafe have produced some very useful resources. The first is a *Playground Safety Resource Kit* which contains information sheets on all aspects of playground safety including injury statistics, legal responsibilities, safety surfaces, hazard identification, maintenance, planning, shade and plants, playground injury, backyard play, some rules for the playground and the benefits of play.

The second is *Planning for Safer Playgrounds: an Industry Guide* which provides more detailed planning information than that contained in the Kit for playground owners, operators, or committee members who have been given the task of installing a new playground, or perhaps upgrading an existing playground.

The Commission currently works with Kidsafe and the University of New South Wales Injury Risk Management Research Centre to promote a coordinated approach to children's injury. Further information is provided in our response to question 11.

**9. At this time of the Committee's Inquiry there was concern about a possible trend in the establishment of child-free housing developments. Are you aware of any such developments?**

The Commission has not been made aware of any trend in the establishment of child-free housing developments in NSW. However, the Commission will seek further advice from the NSW Department of Planning about this issue.

**10. The Built Environment Report recommended that consideration be given to developing a set of indicators to be used by the Commissioner for Children and Young people to**



demonstrate the impact of the built environment on children and young people in NSW over time. What steps would be required for this to take place? How difficult do you consider it would be to measure the impact of the built environment on children and young people in New South Wales over time?

The development of a set of indicators to demonstrate the impact of the built environment on children and young people is a complex task. The Commission would first need to seek the services of an expert in child-friendly communities and planning as well as academics and researchers to develop a workable set of indicators. The Commission would then need to undertake extensive and on-going consultation with children and young people as well as with the relevant parts of the government and non-government sectors.

The Commission will include in its policy and research program for 2010-11, a scoping exercise to determine what would be required to measure the impact of the built environment on children and young people. This will be done in partnership with relevant experts and stakeholders. The aim of the scoping exercise will be to make a recommendation about the feasibility of developing a set of indicators around the impact of the built environment and the development of a pilot project.

**11. The Commission is leading a project around the injury prevention that includes falls from a building or structure, including windows. What initiatives have been undertaken recently in this area and what initiatives are planned?**

The Commission's Child Injury Prevention Reference Group is currently considering three priorities including: falls from a building or structure including windows; off-road use of motorcycles; and safe alternative transport options for young people.

In relation to the first priority, the focus has been narrowed to address falls from residential windows in light of injuries and deaths that occurred in 2009. The Commission has been working with the NSW Department of Health to support the NSW Government's Child Safety Campaign to prevent injury and death as a result of falls from residential windows. The campaign was announced at the end of October 2009 by the then Premier.

In November 2009, the Children's Hospital Westmead (CHW) Working Party on falls, chaired by Professor Danny Cass, hosted a symposium on the issues around preventing children falling from residential windows. The Symposium was titled *Kids can't fly*. The Hospital's Working Party will present its findings and outcomes from this work to the Commission's Reference Group in the first half of 2010.

In 2010 the Commission and its Reference Group intend to develop policy recommendations that will be presented to relevant NSW Government agencies about short and long-term strategies needed to prevent injury from occurring in children. The policy recommendations will promote the importance of a coordinated inter-agency approach as no single government agency has sole responsibility for injury prevention.

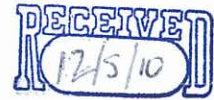
The Commission's Child Injury Prevention Reference Group is made up of the following government and non-government agencies: NSW Department of Health; NSW Motor Accidents Authority; NSW Office of Fair Trading; NSW Roads and Traffic Authority; University of NSW Injury Risk Management Research Centre; NRMA; Youthsafe; Kidsafe and the Australian Centre for Agricultural Health and Safety.

**12. It is four years since the publication of the Built Environment Report. Are there recent developments in relation to the built environment that you consider would be important for the Committee to consider in its review of the Built Environment Report?**

While its focus is not on the built environment, the introduction of the Integrated Planning and Reporting Framework for councils under the *Local Government Amendment (Planning and Reporting) Act 2009* has a significant impact on how strategic planning is conducted at a local government level. This impacts on children, young people and the built environment as it is at the local government strategic planning stage that decisions about how resources are allocated and what priorities councils will take on are made.



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children & young people

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Mr Mel Keenan  
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Dear Mr Keenan

I am pleased to provide permission for the Committee to publish the Commission's response to the questions on notice received on 26 March 2010.

I look forward to the upcoming Roundtable in Parliament House on 4 June 2010. I have been advised that preparations for the Roundtable are progressing well.

If you require further information, please contact the Commission's Policy Manager Ms Lou-Anne Lind on 9286 7205 or by email at [lou-anne.lind@kids.nsw.gov.au](mailto:lou-anne.lind@kids.nsw.gov.au).

Yours sincerely

  
**Jan McClelland**  
**A/Commissioner**  
**12 May 2010**