

# **Ku-ring-gai Council**

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**Submission on:**

## **The Parliamentary Inquiry on Children, Young People and the Built Environment**

**To: Children and Young People  
Committee**

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## **Introduction**

The following comments contain issues concerning the built environment which have been identified by Ku-ring-gai Council's children's services officers. Comments focus on the policy and design of child care centres and are based on the issues experienced by Ku-ring-gai Council officers through their involvement in the child care centre development process in the Ku-ring-gai Council Local Government Area.

The comments address the Terms of Reference, point one, "1. Trends, changes and issues for children and young people in the development, implementation and coordination of policy, design and planning for the built environment".

This submission aims to portray how child care centres are planned, assessed and built in local council areas. Issues mentioned all contribute to affect the quality of the child care centres constructed.

## **Child Care Centres definition**

For the purpose of this submission to the Parliamentary Inquiry on Children, Young people and the Built Environment, child care centre facilities will be defined to include buildings for Long Day Care centres, Pre-schools and Occasional Care centres. These buildings provide a centre-based child care services for children between the ages of 0-6 years of age in a formal, non-parental care setting. Child care centres have the capacity to accommodate more than 5 but less than 91 children in one centre and are subject to conditions set in the NSW Children's Services Regulation 2004. Some children aged 0-6 years may spend approximately 10 hours per day, 5 days per week, in a child care centre.

## **Consultation of children**

Young children aged 0-6 years or 6-12 years are not groups actively sought by Ku-ring-gai Council on child care centre planning issues. Parents of children 0-12 years may be asked to attend general consultations that are open to the general public however limited responses to consultations on child care matters occur. Child care centre staff and child care centre developers are usually the people who respond to draft planning documents on child care centres. Also in current Development Applications (DA)s received by Ku-ring-gai Council, there is no evidence from developers to suggest that children or families have been consulted about the proposed child care centre.

## **Child Care Centre Policy**

The establishment or alteration of a child care centres in the Ku-ring-gai Local Government Area is guided by the council document, Child Care Centres Development Control Plan No. 57 (DCP57). This document is based on Best Practice Guidelines in Early Childhood Physical Environments, the Children's Services Regulation 2004 plus other Ku-ring-gai Council requirements.

Although Ku-ring-gai Council has a specific planning document for child care centres this is not the case for all councils in New South Wales (NSW) as many councils use generic planning documents to assess child care centre proposals.

The absence or presence DCPs on child care centres in council areas and the content contained in the DCP will determine the quality of the child care centre design. The quality of the child care centre design also differs as some DCPs aim for Best Practice Guidelines whereas other plans may sit on the minimal conditions stated in the NSW Children's Services Regulations 2004 and other DCPs are located somewhere between this range.

Although the design requirements of the child care centre cannot fall below the minimal conditions specified in the Children's Services Regulation 2004, minimal standards should not be condoned as acceptable environments for young children to spend their formative years.

Therefore the design and eventual child care centre constructed can vary greatly from one local government area to another in NSW.

### **Scrutiny of Child Care Centre Plans**

In Ku-ring-gai Council, proposals for new child care centres or alterations to child care centres are assessed under the framework of the Child Care Centre Development Control Plan No. 57. Child care centre plans are usually viewed by the Community Development Officer: Children's Services position and other specialist officers including Landscape or Traffic officers. After various specialist council officers have provided feedback on the plans, the Development Control Officers of Ku-ring-gai Council would make a determination or recommendation on the proposal.

However the Development Application (DA) assessment processes of Ku-ring-gai Council are not replicated by all local government areas and child care centre plans may not be automatically viewed by specialist children's services staff in the course of the DA assessment procedure at councils outside of the Ku-ring-gai Local Government Area. This is because procedures for assessing DAs differ from one local government area to another. Discussions with Sydney metropolitan children's services staff employed at other councils have revealed only a minority of the children's services officers are involved in providing comments for child care centres plans.

If other councils have a comprehensive DCP on child care centres, the lack of the specialist children's services comment may be guided by the requirements in the DCP. However when no DCP for child care centres exist, or where the DCP only deal with general building requirements and not detailed child care design features, then little or no children's services input may occur in the assessment process.

So although Ku-ring-gai Council involve children's services specialist and the use of a DCP in the DA assessment process for child care centre plans, it is possible for other councils to provide approval for a child care centre proposals, without scrutinising any child care centre design issues during their council DA assessment processes.

### **Changes in to Children's Services Regulations**

In the Ku-ring-gai Council area, prior to the adoption of the Children's Services Regulation 2004 (Regulation), the NSW Department of Community Services (DoCS), Children's Services Advisors (CSA) were involved with viewing new child care centre plans prior to the Council Development Application (DA) stage and as a result often little or no design changes were necessary when the plans were presented to Ku-ring-gai Council, as DoCS had already initially assessed the plans for indoor and outdoor space and general design issues.

At Ku-ring-gai, the CSA and the Council's children's services officer would often closely consult on the child care centre plans prior to or during the DA process. This process has now been eliminated by DoCS.

In the current Children's Services Regulation 2004, in Section 7 (3), DoCS no longer views plans prior to the council's DA process and has stated that development consent (Council approval) is required from Council before the DoCS licensing process can commence.

Therefore Ku-ring-gai Council is viewing the child care centre plans first. DoCS will not comment on plans, as the onus is now placed on the developer to adhere to the Regulation's design requirements by providing a written statement to DoCS confirming adherence. As a result, Ku-ring-gai Council is now receiving plans that contain poor design features and lack fundamental facilities required under the Regulations. This is due to the developers' incorrect perception that only preliminary plans are necessary for the DA process, the lack of consultation between the developer and DoCS about design features and the current non-assessment of plans by DoCS, a role previously provided by DoCS.

Ku-ring-gai Council officers are now in the unenviable position of not only assessing the child care centre according to the DCP57 but also sending back plans because the plans do not adhere to the minimal requirements of the Children's Services Regulation 2004. This change of process has handed a DoCS responsibility area onto local government, however this abdication of roles by DoCS has been transferred to local councils without consultation, resources or support.

Theoretically, if all local councils also adopted the DoCS approach and did not inspect plans for Regulation requirements (by placing the onus on the Applicant to provide a written statement of adherence), then it is possible for a set of child care centre plans not to be assessed for Regulation requirements until after construction of the building is completed. Regulation requirements would then be assessed when DoCS conducts a licensing visit to the finished building.

The above scenario is possible if (a) council has no DCP for child care centres, (b) the DCP does not include Children's Services Regulations 2004 requirements, (c) if council child care officers do not view DAs or (d) if the council assessment process also do not assess DoCS Regulation areas and rely solely on the written statement of adherence from the developer.

The above process will result in 'below minimal requirement' child care centre plans being constructed into child care centre buildings that breach the Children's Services

Regulation 2004. These buildings will then inspected by DoCS who will not licence the building until design alterations are made to adhere to Regulations. Any alteration at this stage of construction will probably be very costly and the finished buildings may be legally be consistent with the Regulations after late-stage alterations have been made but may be less functional in design elements.

The above process may produce low quality and inferior child care centre designs that may have negative impacts on the children and staff using the centre.

Currently assistance in the interpretation of the Regulations is also difficult to obtain from the Office of Child Care by councils, even when councils are prepared to assess DAs for Regulation requirements.

### **Emergence of 90 place child care centres**

In 2005, Ku-ring-gai Council experienced a rise in the number of proposals for large child care centres to be built in the area. Whereas the size of long day care centres tended to range in the 40-50 children per day number, now developers are applying to construct centres that will house 90 children per day. 90 children is the maximum number of children permissible under the Children's Services Regulation 2004 without Ministerial approval.

Council children's services officers do not encourage this large number of children for the following reasons. Large numbers of children in a child care centre creates an institutionalised environment for the service due to the sheer numbers of children present in indoor and outdoor play areas. The intimate home-like environment for learning activities will be harder to create in a larger centre designs. Implementation and management of quality learning opportunities are also harder to achieve and requires more effort and innovation to work in a large 90 place centre.

Developers may find larger centres more profitable to run however the large child care centre experience may not be beneficial for children using the centre.

### **Poorly designed child care centres**

The following include some implications that may arise from poorly designed child care centres:

- Limited indoor and outdoor space to conduct learning experiences
- Decrease in children's gross motor skills development due to the lack of outdoor play space for such activities
- Increased need for staff use of behaviour management techniques
- Increase stress levels of children
- Increased stress levels of staff
- Lack of clear visual supervision of children's spaces
- Long and inefficient access routes to travel to the playground, children's toilets and other backup facilities
- Difficulty of access for people with mobility difficulties
- Limited number of play areas for a variety of play activities
- Increased noise levels of children

- Less use of natural grass for outdoor play areas
- Insufficient storage areas for children's resources
- Absence of transition area spaces

Poorly designed child care centres are permanent and will continually affect the care and education opportunities of generations of children using the building in future years.

### **Conclusion**

This submission has highlighted some issues that impact on the quality of child care centre designs in the Ku-ring-gai Local Government Area and in local council's outside of Ku-ring-gai. Also planning documents (DCPs) or Regulations to guide a minimal quality of child care centre designs may not be utilised by all council areas in the state. The absence of DoCS children's services input into plans has seen a reduction in the quality of plans received in the Ku-ring-gai area. The changing role of DoCS responsibility in regards to assessments of child care centre plans will also greatly impact on the quality of the design and construction of future child care centres in NSW. Overall there is a varied quality of child care centre design and child care centres built in NSW according to assessment processes the plans have undergone at local council and DoCS level.

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