

ATTACHMENT 7

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 Assessment

Requirement	Yes/No	Comments								
Part 3 Early education and care facilities—specific development controls										
<p>22 Centre-based child care facility—concurrence of Regulatory Authority required for certain development</p> <p>(1) This clause applies to development for the purpose of a centre-based child care facility if:</p> <p>(a) the floor area of the building or place does not comply with regulation 107 (indoor unencumbered space requirements) of the <u>Education and Care Services National Regulations</u>, or</p> <p>(b) the outdoor space requirements for the building or place do not comply with regulation 108 (outdoor unencumbered space requirements) of those Regulations.</p>	Yes	<p>The proposal complies with regulation 107 and 108 of the Education and Care Services National Regulations and therefore does not require concurrence from the Regulatory Authority.</p> <p>Complies. The proposal is consistent with these clauses as follows:</p> <p><u>Indoor</u></p> <table><tr><th>Required per child</th><th>Proposed</th></tr><tr><td>100 x 3.25 = 325m²</td><td>329.9m² (Across 3 Activity Rooms – 114.4m², 67.8m² & 147.7m²)</td></tr></table> <p><u>Outdoor</u></p> <table><tr><th>Required 7m² per child</th><th>Proposed</th></tr><tr><td>100 x 7 = 700m²</td><td>713.75m²</td></tr></table> <p>Indoor and outdoor space has been calculated in accordance with the requirements, i.e. only unencumbered space has been included towards the area calculations.</p>	Required per child	Proposed	100 x 3.25 = 325m ²	329.9m ² (Across 3 Activity Rooms – 114.4m ² , 67.8m ² & 147.7m ²)	Required 7m ² per child	Proposed	100 x 7 = 700m ²	713.75m ²
Required per child	Proposed									
100 x 3.25 = 325m ²	329.9m ² (Across 3 Activity Rooms – 114.4m ² , 67.8m ² & 147.7m ²)									
Required 7m ² per child	Proposed									
100 x 7 = 700m ²	713.75m ²									
<p>23 Centre-based child care facility—matters for</p>	Yes	<p>An assessment of the development against the provisions of the Child Care</p>								

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<p>consideration by consent authorities</p> <p>Before determining a development application for development for the purpose of a centre-based child care facility, the consent authority must take into consideration any applicable provisions of the <u>Child Care Planning Guideline</u>, in relation to the proposed development.</p>		<p>Planning Guideline is provided at Attachment 8 to this Report.</p>
<p>24 Centre-based child care facility in Zone IN1 or IN2—additional matters for consideration by consent authorities</p>	N/A	<p>Subject site is not located in these zones.</p>
<p>25 Centre-based child care facility—non-discretionary development standards</p> <p>(1) The object of this clause is to identify development standards for particular matters relating to a centre-based child care facility that, if complied with, prevent the consent authority from requiring more onerous standards for those matters.</p> <p>(2) The following are non-discretionary development standards for the purposes of section 4.15 (2) and (3) of the Act in relation to the carrying out of development for the purposes of a centre-based child care facility:</p> <p>(a) location—the development may be located at any distance</p>	Noted	

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from an existing or proposed early education and care facility,		
(b) indoor or outdoor space	Noted	
(i) for development to which regulation 107 (indoor unencumbered space requirements) or 108 (outdoor unencumbered space requirements) of the Education and Care Services National Regulations applies—the unencumbered area of indoor space and the unencumbered area of outdoor space for the development complies with the requirements of those regulations, or (ii) for development to which clause 28 (unencumbered indoor space and useable outdoor play space) of the Children (Education and Care Services) Supplementary Provisions Regulation 2012 applies—the development complies with the indoor space requirements or the useable outdoor play space requirements in that clause,	Yes	Complies as discussed above.
	N/A	N/A
(c) site area and site dimensions—the development may be located on a site of any size and have any length of street frontage or any allotment depth,		

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<p>(d) colour of building materials or shade structures—the development may be of any colour or colour scheme unless it is a State or local heritage item or in a heritage conservation area.</p>	Yes	The site is considered to be of a suitable area and width to accommodate the proposed child care centre.
<p>(3) To remove doubt, this clause does not prevent a consent authority from:</p>	Noted	
<p>(a) refusing a development application in relation to a matter not specified in subclause (2), or</p> <p>(b) granting development consent even though any standard specified in subclause (2) is not complied with.</p>	Noted	
<p>26 Centre-based child care facility—development control plans</p> <p>(1) A provision of a development control plan that specifies a requirement, standard or control in relation to any of the following matters (including by reference to ages, age ratios, groupings,</p>	Noted	Conditions of consent have been recommended to manage the operational aspects of the use of the premises for a child care centre.

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<p>numbers or the like, of children) does not apply to development for the purpose of a centre-based child care facility:</p> <p>(a) operational or management plans or arrangements (including hours of operation),</p> <p>(b) demonstrated need or demand for child care services,</p> <p>(c) proximity of facility to other early education and care facilities,</p> <p>(d) any matter relating to development for the purpose of a centre-based child care facility contained in:</p> <p style="padding-left: 40px;">(i) the design principles set out in Part 2 of the Child Care Planning Guideline, or</p> <p style="padding-left: 40px;">(ii) the matters for consideration set out in Part 3 or the regulatory requirements set out in Part 4 of that Guideline (other than those concerning building height, side and rear setbacks or car parking rates).</p> <p>(2) This clause applies regardless of when the development control plan was made.</p>		