

## Castle Submission on Childcare SEPP- 6/4/17

### Personal Background

My wife and I have lived in Ku-ring-gai for over 45 years. Here we have raised three children and nine grandchildren. Our house is in a quiet suburban street of Lindfield ( ) which is currently zoned R 2 – restricted residential. Notwithstanding the origin and purpose of that zoning, we now understand that some 22 non-residential uses are permitted in that zone – including child-care centres.

This knowledge has arisen from a current application to demolish an existing Federation style house in our street, set in substantial grounds, and substitute a child-care centre. Due to overwhelming opposition by the local community (over 200 objecting submissions) the local council refused the DA, which is now before the land and environment court. Due to the widespread community opposition and the rejection of the DA by the Council, the developer has reduced the size of the centre from 68 places and 17 underground car spaces to 56 places and 14 car spaces. The amended DA is still objected to by the local community and is currently before the court.

This experience, together with the number of other child-care centre development applications in our immediate vicinity, have prompted us to strongly oppose the State government takeover of child-care centres under the proposed SEPP – in an endeavour to make it easier for applicants and to reduce the planning powers of local councils. Under the proposed SEPP, the local council could not oppose the development in our street or elsewhere **on the basis of need, proximity to other centres or area of land occupied**. The experience of ourselves and our neighbours, who have banded together to form the Loyal Henry Community Association Inc, is that it was very important for us to have access to the local council and highlight the number of council controls breached by the DA. Absent these controls and the ability of the community to interact with the Council, this totally unsuitable development would almost certainly have been approved.

Our experience and the experience of our neighbours with child-care centres and applications, being all too numerous and speculative, have prompted us to oppose a State government takeover of child-care centres on the basis of a **one size fits all approach** and a philosophy of encouraging new centres – **regardless of need, suitability and the interests of the local community**.

### Oversupply of Child-Care Centres in Ku-ring-gai

We have reason to believe that there is an **oversupply** of child-care centres in our municipality. We attach a spreadsheet recently prepared by one of our members indicating the existence of 1879 child-care places and a further 686 subject to DA approval.

The following is an extract from a submission by our council to the State Government confirming the oversupply in our municipality, except in relation to the 3-5 year age group.

*" A Children's Services Needs study undertaken by Council in 2016 identified that Ku-ring-gai LGA is well supplied with child care places for children aged 3-5 years, as well as for out of school hours care. This was identified as being the status up to 2025. Several larger centres are currently in the process of development, including a 190 place and 200 place child care centre, further underpinning the supply of child care spaces within the LGA. However, there is an emerging need over the next decade in the 0-3 year age."*

Because of this oversupply, and for other reasons detailed hereunder, we strongly oppose proposed clauses 23 (2) (a) and 24 (1) (d) of the draft Act to the effect that any new child-care centre "may be

located at any distance from an existing or proposed early childhood education and care facility". For the same reasons we also oppose proposed clause 24 (1) (c) to the effect that a consent authority cannot take into account "demonstrated need or demand for child care services". Carried to an extreme, these provisions could permit a whole street of child-care centres side-by-side – regardless of need, demand, streetscape, local amenity or the requirements of local residents.

### Child-Care Centres in R2 zones

We strongly oppose any commercial or non-residential activities in R2 low density residential zones. This zone should be restricted to low density residences only. To the extent that they are permitted in this zone, subject to consent, we believe that each local government area should be entitled to retain full planning authority – so as to take into account the local streetscape, landscape and interests of local residents. This is our only major relevant disagreement with the Ku-ring-gai Council submission, which we otherwise support.

### Retention of Local Government Planning Controls

We note the Ku-ring-gai submission of support for child-care centres in R 2 zones "on the condition that there are sufficient supporting planning and design controls in place to protect the local amenity and visual character of residential neighbourhoods". While, as above, we would prefer that child-care centres not be permitted in R 2 zones, even with consent, if this is not achievable we are prepared to support the retention of local government planning instruments to protect the rights and needs of local residents. To the extent that the proposed SEPP seeks to take away from local government the right to impose their own planning instruments and controls, we oppose the SEPP in principle as well as in detail – see below.

The Ku-ring-gai Council has submitted that "In cases like Ku-ring-gai, where Council DCP's are deemed to be compliant with the NQF, and there is adequate provision of child-care places, these councils should be granted an exemption from the application of the SEPP and/or the Child-Care Planning Guidelines".

We go further and oppose the application of the SEPP to the Ku-ring-gai local government area and all other areas with similar controls and planning instruments. Only in this way will the community have a say on childcare centre applications which do not preserve the local amenity and are inconsistent with the legitimate interests of local residents.

### Specific Objections

For the above reasons, we are opposed to the following specific provisions of the proposed SEPP, which would prevent important local planning controls being taken into account in relation to: –

- 1) distance from any other child-care facility (23 (2) (a))
- 2) site area, coverage or dimension (23 (2) (c))
- 3) colour (23 (2) (d))
- 4) need (24 (1) (c)) and
- 5) proximity to any other child-care facility (24 (1) (d))

These controls (particularly including zone and DCP objectives) are a vital means of preserving the safety, peace and amenity of communities such as ours by taking into account local and site specific concerns. Only at the local government level can the community have a voice and can its concerns be taken into account. We therefore strongly oppose the SEPP in relation to local government areas such as Ku-ring-gai, which already have proper and appropriate planning instruments which comply with all national, state and local requirements.

We also support and endorse all other provisions of the Ku-ring-gai Council submission, except its continued support for child-care centres in R 2 zones (as discussed above).

We will be happy to elaborate or amplify on these submissions if so required.

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<b>KU-RING-GAI - CHILD CARE CENTRES</b>				
<b>Centre</b>	<b>Location</b>	<b>Suburb</b>	<b>No Places</b>	
A Bright Beginning Child Care Centre	2 Addison Ave, Roseville	Roseville	24	
Acre Woods Childcare Roseville	Cnr Archbold and 81 Clanville Rds, Roseville.	Roseville	90	
Beaumont Road Child Care Centre	17 Beaumont Rd, Killara	Killara	80	
Camp Australia - Holly Family Primary School	2 - 4 Highfield Rd, Lindfield	Lindfield	60	
Camp Australia - Newington Lindfield	26 Northcote Rd, Lindfield	Lindfield	30	
Camp Australia - Roseville College	27 Bancroft Ave, Roseville	Roseville	34	
East Lindfield Community Pre School	110 Tryon Rd, East Lindfield	East Lindfield	56	
Goodstart Early Learning West Pymble	Yanko Road. 3 Boundaries.	West Pymble	34	
Gordon Community Pre School	2A Park Ave, Gordon	Gordon	74	
HeadStart Early Learning Centre Roseville	Unit 51/28 Barcoo Street, Roseville	Roseville	100	
Highfields	18 Highfields Rd, Lindfield	Lindfield	30	
HandPrints Killara	1 Ridgeland Ave, Killara	Killara	58	
Inspire Roseville	28 Lord St, Roseville	Roseville	47	
Kendall Street Kindergarten	Kendall St West Pymble.	West Pymble	40	
Killara Beehive Child Care Centre	1 Ridgeland Ave Killara	Killara	61	
Killara Childcare Centre	18 Fiddens Wharf Road	Killara	43	
Killara Kids Incorporated	1 Ridgeland Ave Killara	Killara	90	
KU Bradfield Park Children's Centre	51/53 Bradfield Rd Lindfield	West Lindfield	53	
KU- Killara Park Pre School	72A Springdale Rd, Killara	Killara	40	
KU-East Killara Pre School	24 Fairbairn Ave, Killara	Killara	42	
Ku-ring-gai Family Day Care	818 Pacific Highway, Gordon	Gordon	N/A	
Lady Game Community Kindergarten	Cnr Moore Ave and Bradfield Rd, Lindfield	West Lindfield	40	
Lindfield Activity Centre	218 Pacific Highway, Lindfield	Lindfield	155	
East Lindfield Before & After School Care	90 Tryon Rd, Lindfield	Lindfield	85	
Lindfield Montessori Per School	9 - 11 Moore Ave, Lindfield	West Lindfield	40	
Little Zak's Academy Killara	5 Manning Rd, Killara	Killara	78	
Pinjarra Early Years Pre-School	68 St Johns Avenue Gordon.	Gordon	70	
Pymble Turramurra Kindergarten	Cul-de-sac.	Pymble	45	
Reddam House Early Learning School	15A Treatts Road. Lindfield	Lindfield	72	

Roseville Pre School Kindergarten	15 Shirley Road.	Roseville	40	
Roseville P & C Kids Care Association	19a Archbold Rd, Roseville	Roseville	75	
St Ives Chase Kindergarten	Through road. 3 boundaries.	St Ives	40	
Thomas Carlyle Child Care Centre	2c Carlyle Rd East Lindfield	East Lindfield	53	
			1879	
<b>Proposed with DA submitted</b>				
24 Bayswater Rd Lindfield			68	
6 Eastern Rd St Ives			122	
2-8 Eleham Rd Lindfield			200	
101 Fiddens Wharf Rd Killara			60	
29 Grosvenor Rd Lindfield			80	
22 Highfields Rd Lindfield			76	
1 Lumeah Rd Lindfield			80	
			686	
<b>New Centres Proposed by Council</b>				
UTS			N/A	
Lindfield Hub			N/A	
<b>Reference documents:</b> Information collected				
by Loyal Henry members and Spot a Childcare				
<a href="http://www.spotachildcare.com.au/home">www.spotachildcare.com.au/home</a>				
<b>CONCLUSION:</b>				
No of existing child care facilities which have been identified in Roseville,				
Lindfield and Killara 26 providing 1,616 places				
Add 6 proposed facilities providing 564 place = TOTAL places 2,180 (excl those new centres				
being proposed by Council )				
Prepared: 28/02/17				

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