



PCU070302

29 March 2017

Director, Industry and Infrastructure Policy
Department of Planning and Environment
PO Box 39
SYDNEY NSW 2001

Department of Planning
Received
04 APR 2017
Scanning Room

Dear Sir/Madam

Submission on the Draft State Environmental Planning Policy (Educational Establishments and Child Care Facilities)

Campbelltown City Council has reviewed the Draft State Environmental Planning Policy (Educational Establishments and Child Care Facilities) (the Draft SEPP) and provides the following comments:

1. Reducing Complexity

Council supports the broad objective of reducing complexity in the planning system by consolidating SEPPs in order to make the planning system easier to navigate. It is therefore Council's preference for the Department to simplify the application of exempt and complying development provisions across the State by avoiding the replication of exempt and complying provisions in a new standalone policy that may otherwise be consolidated into the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (the Codes SEPP) and State Environmental Planning Policy (Infrastructure) 2007 (the Infrastructure SEPP).

Further, the following aspects of the Draft SEPP also appear to be contrary to the objective of streamlining planning policy outcomes:

- a) grouping the development of home based childcare facilities with tertiary educational institutions given the significant differences in land use characteristics and associated impacts
- b) complicating the definition of 'home based childcare' by incorporating multiple references to other statutes and introducing uncertain terminology (eg. "*who do not ordinarily attend school*")
- c) replicating planning policy for schools, universities and TAFE establishments, given the similarities in proposed planning controls and common grouping of these development types under the '*educational establishment*' definition within the Standard Instrument LEP.

For these reasons, Council considers that the proposed policy outcomes would be better implemented through the use of the Codes SEPP for Childcare Centres, and the Infrastructure SEPP for 'educational establishments'. This would reduce the complexity of the planning system

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ARABIC

للحصول على خدمة ترجمة مجانية، يرجى إحضار هذه الوثيقة إلى البلدية أو الاتصال بخدمة الترجمة الهاتفية على الرقم 131 450 واطلب منهم الاتصال بالبلدية نيابة عنك.

SPANISH

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TAGALOG

Para sa walang bayad na Serbisyo ng Pagsasalin, dalhin ang dokumentong ito sa Konseho o tawagan ang Telephone Interpreting Service sa 131 450 at pakiusapan silang tawagan ang inyong Konseho.

SAMOAN

Mo Auaunaga o Faamatalaupu e le tologiina, faamolemole aumai lenei pepa tusia i le Ofisa o le Malo (Council) poo le vili i le Auaunaga o Faamatalaupu i Telefoni i le 131 450 ma fai i ai ia latou faafesootaia lau Ofisa o le Malo.

HINDI

निम्नलिखित दुभाषिया सेवा के लिए, कृपया यह पत्र काउंसिल के पास ले जाएं या दूरभाष दुभाषिया सेवा को 131 450 पर फोन करें और कहें कि वे आपकी काउंसिल से संपर्क करें।

CHINESE

要獲得免費的傳譯服務，請攜帶本文件到市議會或致電 131 450 電話傳譯服務處，並請他們代您聯絡市議會。

LAO

ເພື່ອໃບບັນຍາຍສາໂຍບໍ່ຕ້ອງເສັຍຄ່າບໍລິການ, ກະລຸນາ ນຳໃບເອກະສານນີ້ມາຫາ ບໍລິການບັນຍາຍ ຫລື ໂທລະສັບ ຫາ ບໍລິການ ບັນຍາຍສາ ຫາງໂທລະສັບ ຕາມທີ 131 450 ແລະ ຂໍໃຫ້ພວກເຂົາຕິດຕໍ່ຫ້ອງການບັນຍາຍຂອງທ່ານ.

ITALIAN

Per avvalervi di un servizio interpreti gratuito, portate il presente documento al Comune oppure telefonate al Servizio telefonico interpreti (TIS) al numero 131 450 chiedendo che vi metta in contatto con il Comune.

GREEK

Για δωρεάν Υπηρεσία Διερμηνέων, παρακαλείσθε να φέρετε αυτό το έγγραφο στη Δημαρχία ή να τηλεφωνήσετε στην Τηλεφωνική Υπηρεσία Διερμηνέων στο 131 450 και να ζητήσετε να επικοινωνήσουν με τη Δημαρχία σας.

VIETNAMESE

Để nhận được Dịch vụ Thông dịch miễn phí, hãy đem tài liệu này đến Hội đồng Thành phố hoặc gọi đến Dịch vụ Thông dịch qua Điện thoại (TIS) số 131 450 và nhờ họ liên lạc Hội đồng Thành phố của quý vị.

CROATIAN

Za besplatne usluge tumača, molimo donesite ovaj dokument u općinu ili nazovite Telefonsku službu tumača (Telephone Interpreter Service) na 131 450 i zamolite da za Vas nazovu općinu.

POLISH

W celu otrzymania bezpłatnej pomocy ze strony Służby Tłumaczy, prosimy przynieść ten dokument do Rady Miejskiej (Council) lub zadzwonić do Telefonicznej Służby Tłumaczy na numer 131 450 i poprosić o połączenie ze swoją Radą.

FRENCH

Pour un service d'interprétariat gratuit, veuillez apporter ce document à la mairie. Vous pouvez également téléphoner au service d'interprète au 131 450 et lui demander de contacter votre mairie.

BANGLA

বিনামূল্যে দোভাষী সেবা ব্যবস্থার জন্য, দয়া করে এই দলিলাদি বা কাগজপত্র পরিষদে (কাউন্সিল) নিয়ে আসুন অথবা 131 450 নম্বারে টেলিফোন দোভাষী সেবা ব্যবস্থায় ফোন করুন এবং তাদেরকে আপনার পরিষদের (কাউন্সিল) সাথে যোগাযোগ করতে কলুন।

TONGAN

Ki ha NgCue Fakatonulea ta'etotongi, kCtaki 'o 'omai e tohi ni ki he Kaunisolo pe telefoni ki he 'Ofisi Fakatonulea Telefonili 'i he 131 450 'o kole kenau fetu'utaki ki ho'o Kaunisolo.

KHMER

ដើម្បីទទួលបានសេវាបកប្រែឥតគិតថ្លៃ សូមយកឯកសារនេះទៅសាលាសង្កាត់ ឬទូរស័ព្ទទៅតំបន់បកប្រែភាសាភាសាខ្មែរលេខ 131 450 រួចស្នើសុំឱ្យគេទាក់ទងជាមួយសាលាសង្កាត់របស់លោកអ្នក។

for end users and provide greater certainty that the Department's stated aims of the Draft SEPP to facilitate the effective delivery of childcare and educational establishments will be achieved.

2. Overarching development controls for child care centres

It is understood that the demand and supply for child care centres vary greatly depending on the geographical location. While the inner and middle ring metropolitan areas have shortages in the supply of this service, South Western Sydney and Western Sydney (Campbelltown Blacktown, Parramatta, etc) have an oversupply. The provisions under the Draft SEPP would apply to all areas within NSW regardless of their location.

Campbelltown City Council operates eight Long Day services and has recently undertaken measures in response to low utilisation of its service including:

- closing down Parklands Early Learning Centre in Minto - was closed December 2015
- reducing the operating capacity for its Long Day Care services that are Licensed to operate at 40 places each day, to 29 places each
- reducing staff numbers.

The proposed development standards under the Draft SEPP would facilitate the provision of child care centres on sites that would be otherwise considered unsuitable under Council's existing development control plans. It would also make child care centres permissible within land that is primary zoned for light industrial uses, contrary to Council's current policy of not allowing child care centres to occur in industrial areas.

It is acknowledged that the overriding of Councils' local policies would potentially result in the number of child care centres in areas that are facing shortages.

In light of the above, the following points are presented for your consideration:

- it is not considered appropriate to override all Councils' local development standards through a SEPP that aims to respond to issues that may only be relevant to certain geographical locations
- Council objects to expanding Complying Development for Childcare centres into zones prohibited by Council's LEP
- the draft SEPP may result in the closure of existing childcare centres, by providing an unfair commercial advantage for new centres that commence on cheaper land within industrial zones.

a) **Permissibility - Light Industry Zone**

The proposed permissibility of Child care centres within IN2 Light Industry Zone is not supported because of health and safety risks to the children. In addition permitting child care centres in this zone would:

- create land use conflicts
- limit industrial land uses on adjacent sites
- consume employment land for land uses that may be accommodated somewhere else within the LGA.

b) **Development Controls**

The proposed 'no development controls' for the site area, site coverage and site dimensions are considered inappropriate and would potentially adversely impact on the residential amenity of adjoining properties. The intention to encourage the supply of child care centres should not dispense with appropriate site criteria to ensure suitable design outcomes are achieved. For example, sites should have sufficient widths to enable an 'off street' drop off and pick up service for the children. Site coverage should also be controlled to ensure an appropriate level of amenity is achieved, including solar access, landscaping, and buffers between the proposed child care centre and adjoining properties.

In this regard, it is strongly recommended that the 'no development controls' requirement for site area, site coverage and site dimension be revised and include numerical controls to ensure that child care centres occur only on suitable sites.

c) **Colour of building materials and shade structure**

It is not clear why child care centres should be allowed to be of any colour, particularly for child care centres located within residential neighbourhoods. Buildings within residential areas, regardless of their use, should not impact on the design quality of the residential streetscape.

d) **Design Excellence**

Rather than just meeting minimum standards of the Regulations and National Quality Framework, services should be seeking, to exceed the relevant standards or excellence.

e) **Neighbourhood Context**

Greater consideration should be made of the physical characteristics of the area (built form and general amenity) where a child care service is proposed to operate, in order to promote a safe and attractive child care development for users, neighbours and the community.

f) **Community Consultation**

Allowing for the appropriate involvement of all stakeholders in the decision making process to ensure all parties with an interest are appropriately involved and not just a 'tick-a-box' consultation.

g) **Need for Services**

The geographic distribution of existing services should be reviewed and considered prior to approval in order to achieve the best possible outcomes for planning of child care services.

h) **Benchmarking**

Issues for specific localities on the provision of childcare such as new employment areas, urban centres, district centres are benchmarked and address the requirements for different age groups of children to be catered for and identified. This would need to include the need for services that cater specifically for children under two years, preschool aged children and school aged children, based on labour force participation trends, particularly the participation rate of women with young children.

Thank you for the opportunity to make this submission and if you require any further information or explanation please contact Jeff Burton, Senior Strategic Planner on (02) 4645 4842.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'JB' or similar initials, written over a dashed line.

Jim Baldwin
Director City Development