

Mr Chiang Lim
19 Fennell Street
PARRAMATTA NSW 2150
chiang.lim@childcarealliance.org.au

RML19/1553

Dear Mr Lim

Thank you for your letter of 24 April 2019, to the Hon Sarah Mitchell MLC, Minister for Education and Early Childhood Learning, regarding the department's approach to assessing education and care services. The Minister has asked me to respond on her behalf.

The Department of Education, Early Childhood Directorate has responsibility for approving early childhood education and care services to operate under the National Law and the National Quality Framework.

When assessing a service approval application, the department must conduct a number of checks to ensure the health, safety and wellbeing of children and ensure quality education for the children in care. A part of this process includes conducting a risk assessment on new and existing providers, which includes individuals and entities.

The department also considers the suitability of a service premises. This includes ensuring it meets the relevant requirements of the Education and Care Services National Regulations under part 4.3, regarding the physical environment of the site.

Matters relating to zoning permissions, site suitability (beyond meeting the requirements of the National Law and Regulations), and permissible land use are managed by the relevant Council under the planning and zoning laws. As these matters are addressed by Council, it is not the policy of the department to consider them again.

It is also noted that within the Council requirements in approving a development application, approved providers may be required to notify parents of certain surroundings, in particular, the existence of other buildings which may impact on their decision to choose that child care service.

In relation to your concerns about reduced regulatory power, the introduction of the State Environmental Planning Policy (Educational Establishment and Child Care Facilities) (SEPP) has strengthened regulation within the industry as prospective applicants are guided on building services that meet the requirements of the National Law. However, as detailed above, issues relating to the service's proximity to other businesses are matters addressed by the relevant Council.

If you need any further information or assistance, feel free to contact the Early Childhood Education Directorate's Information and Enquiries team on 1800 619 113 or ececd@det.nsw.edu.au.

Yours sincerely



Tracy Mackey
Executive Director
Early Childhood Education
14 May 2019

