

# Early Childhood Centre and School Age Care Facilities Code

# 2012

Revised with amendments

February 2018

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## Version

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Version 1	Original release	June 2012
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Version 3	Re-issued with minor amendments to update references to the <i>Building Act 2016</i> and NCC provisions	February 2018

## PREFACE

Legislative technical requirements affecting the design, construction or maintenance of building work, and buildings and plumbing installations, are contained in the *Building Act 2016* and the *Building Regulations 2016*. The technical standard for building work, and buildings and plumbing installations is the National Construction Code Series (NCC). Volume 1 and the Tasmania Appendix (Class 2 to Class 9 Buildings) of the NCC, sets out additional Performance Requirements and Deemed-to-Satisfy Provisions for the construction and maintenance of Early Childhood Centres and School Age Care Facilities.

The Tasmania Appendix, Tas Part H122, Early Childhood Centres and School Age Care Facilities, specifies Performance Requirements and refers to this Code for the Deemed-to-Satisfy Provisions.

- The provisions of this Code apply as law and must be read in conjunction with the NCC.
- In this document, text in boxes marked “For Guidance Information only” is provided as explanatory material and does not apply as law.

This Code may be amended from time to time, if the need arises. It is important, therefore, that users of this Code ensure that they are in possession of the latest edition of this Code, and any amendments to that edition.

Suggestions for improvements to this Code are welcomed. Correspondence should be addressed to:

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## Section A General Provisions

### Guidance information only

The *Education and Care Services National Law (Application) Act 2011* (Tas) applies the *Education and Care Services National Law* as set out in the Schedule to the *Education and Care Services National Law Act 2010* (Vic) of Victoria, to Tasmania. This may also be referred to, as referenced in section 4 of the *Education and Care Services National Law (Application) Act 2011* (Tas), as the *Education and Care Services National Law* (Tasmania).

### AI.1 Application of this Code

This Code applies to *early childhood centres* and *school age care facilities* approved under the *Education and Care Services National Law* (Tasmania) or licensed under the *Child Care Act 2001* including:

- (a) An early childhood centre; or
- (b) A school age care facility; or
- (c) A centre-based care class 5 facility.

### AI.2 Relationship to the National Construction Code

This Code applies in addition to the National Construction Code (NCC) Volume I, including the Volume I Appendices, Variations and Additions. Where there is a difference in requirements the higher standard or the additional requirement of this Code applies. Where in this Code there is a reference to a provision or Table in the NCC, that reference is provided to assist users but does not mean that only that reference applies. Designs and construction must meet all applicable requirements.

### AI.3 Interpretation

The *Education and Care Services National Law* (Tasmania) is defined and applied to Tasmania under section 4 of the *Education and Care Services National Law (Application) Act 2011*.

Italicised words in this Code are defined in the NCC or are defined in this Code.

### Guidance information only

The following definitions are repeated from the NCC Volume I Tasmania Appendix. Tasmania has varied the definition of early childhood centre in the main part of the NCC.

**Early childhood centre** means any premises or part thereof providing or intending to provide a centre based education and care service within the meaning of the Education and Care Services National Law Act 2010 (Vic), the Education and Care Services National Regulations and centre based services that are licensed or approved under State and Territory children's services law, but excludes—

- (a) education and care primarily provided to school aged children in outside school hours settings; and
- (b) services licensed as centre based care class 4 under the Child Care Act 2001 (Tas).

**Note:** Reference to the Victorian Act comes from the NCC definition. Adoption of the Education and Care Services National Law by the Education and Care Services National Law (Application) Act 2011 (Tas) makes the legislation consistent.

**Centre-based care class 4 facility** is a facility as defined in the Centre Based Care Class 4 Standards.

The Centre Based Care Class 4 Licensing Standards are for short term care of children and is provided in conjunction with a meeting, function, or activity endorsed by the management of the service that involves the parents of the children, or a person who would otherwise have care of the children during the period that child care occurs and who are not on site for part or all of the period that child care occurs. The Centre Based Care Class 4 Licensing Standards focus on children's safety and well-being. Each organisation may set its own policy around the preferred maximum length of sessions.

The expression '**short term**' may refer to either the length of time per session, or to the total number of times the child will be in care dependent on the nature of the meeting/function/activity the parent is involved in. For example, an irregular arrangement such as the participation of the parent in a first aid course that is held for 6 hours a day across two days.

**Centre-based care class 5 facility** is a facility as defined in the Centre Based Care Class 5 Standards.

Note: Centre-based care class 5 services are Occasional Care Services and services funded through the Australian Government Budget Based funding program.

**Occasional Care'** comprises services providing education and care for 0-12 year olds on a sessional basis for short periods, that is, less than 8 hours a day, 5 days a week, 48 weeks a year. These services may enable parents to attend appointments, take care of personal matters, undertake casual or part-time employment, study or have temporary respite from full time parenting. These services may be provided by community based or private providers and may be funded by the Australian or State Governments or operate without funding.

**Budget Based Funded (BBF)** early childhood services are funded by the Australian Government where the market would otherwise fail to deliver services. BBF services are predominately in rural, remote and Indigenous communities and are also operationally known as non-mainstream services.

School age care facility is a facility providing care for children (primarily) 5 years or older in an outside of school hours setting, either approved or licensed under Education and Care Services National Law (Tasmania) or the Child Care Act 2001 (Tas).

School means a school as defined in the Education Act 1994 (Tas).

Kindergartens in a government school or kindergartens that are registered as a school are excluded from the provisions of the Education and Care Services National Law but are included in Education Act 1994 (Tas).

Kindergartens are included in the definition of a school, and the provisions of the NCC apply, as for all schools.

## Section B – Technical Requirements

### BI.1 Indoor play space

- (a) *Early childhood centre* premises and *school age care facilities* are to provide at least 3.25m<sup>2</sup> of unencumbered indoor space that is suitable for each child being educated and cared for by the service.
- (b) In calculating the area of unencumbered indoor space the following areas are to be excluded-
  - (i) any passageway or thoroughfare (including door swings);
  - (ii) any toilet and hygiene facilities;
  - (iii) any nappy changing area or area for preparing bottles;
  - (iv) any area permanently set aside for the use or storage of cots;
  - (v) any area permanently set aside for storage;
  - (vi) any area or room for staff or administration;
  - (vii) any other space that is not suitable for children; and
  - (viii) the area of a kitchen, unless the kitchen is primarily to be used by children as part of an education program provided by the service.
- (c) A veranda must not be included when calculating the area of unencumbered indoor play space.

### BI.2 Outdoor play space

- (a) *Early childhood centre* premises and *school age care facilities* are to provide at least 7m<sup>2</sup> of unencumbered outdoor space that is suitable for each child being educated and cared for by the service.
- (b) In calculating the area of unencumbered outdoor space required, the following areas are to be excluded-
  - (i) any pathway or thoroughfare, except where used by children as part of the education and care program;
  - (ii) any car parking area;
  - (iii) any storage shed or other storage area; and
  - (iv) any other space that is not suitable for children.
- (c) An area of unencumbered indoor space may, in a school age care facility, with written approval of the Education and Care Unit, Department of Education, be included in calculating the outdoor space, if not previously included in calculating the indoor play space.

### **B1.3 Sleep space**

- (a) A *centre-based care class 5 facility* is to provide an area of at least 2m<sup>2</sup> of unencumbered sleep space, in addition to the play space, for
  - (i) each child up to the age of 12 months educated and cared for by the service; and
  - (ii) half the number of children aged one year educated and cared for by the service.
- (b) The provisions of (a)(ii) are not required where children over 12 months and under 2 years attend a service where education and care is only provided for a maximum of four hours per day for any individual child.
- (c) Where the sleep area requirements of (a) are contained in a separate room a viewing panel is to be provided into the room to allow direct and easy monitoring of the children sleeping.

### **B1.4 Sanitary facilities**

- (a) Sanitary facilities in an *early childhood centre* that primarily provides education and care to children aged 4 years or older:
  - (i) must be accessible from both the indoor and outdoor play areas; and
  - (ii) notwithstanding F2.5(c), do not have to meet the requirements in regard to the restrictions to the maximum height of opaque partitions.
- (b) Sanitary facilities in *school age care facilities*, operating within *school buildings*:
  - (i) must be provided in accordance with Table F2.3 Class 9b – schools, for male and female students; and
  - (ii) must be accessible from both indoor and outdoor play areas.
- (c) Sanitary facilities in *school age care facilities*, not operating within *school buildings*:
  - (i) must be provided in accordance with Table F2.3 Class 9b – early childhood centre; and
  - (ii) must be accessible from both indoor and outdoor play areas; and
  - (iii) notwithstanding F2.5(c), do not have to meet the requirements in regard to the restrictions to the maximum height of opaque partitions; and
  - (iv) may be provided with a minimum 1 pan and 1 washbasin only per 15 children or part thereof.

**Guidance information only**

The Note in Table F2.3 is amended by Tas Table F2.3

**BI.5 Nappy changing facilities**

In addition to Clause F2.3(h)(iii)(B)&(C) the nappy change facilities of an *early childhood centre* (excluding *centre based care class 5 facility*) must be designed and located to prevent unsupervised access to the facilities by children.

**BI.6 Reception and Administration**

An *early childhood centre* and *school age care facility*, operating for more than 4 continuous hours per day, must provide an area at the premises for the purposes of-

- (a) conducting the administrative functions of the service; and
- (b) conducting private conversations (including parent consultations).

**BI.7 Storage facilities**

- (a) An *early childhood centre* and *school age care facility* must provide space for the storage of -
  - (i) resources, materials and equipment;
  - (ii) children's personal belongings;
  - (iii) records and other documents securely; and
  - (iv) cleaning equipment and materials safely, including those items identified as a hazards or potential risk.
- (b) Storage areas in a *centre-based care class 5 facility* are to be located to prevent children under three years of age from having unsupervised access to bags.

**BI.8 Light**

- (a) Where a *centre-based care class 5 facility* caters for school age children and the indoor play space is used by school age children exclusively, the facility is not required to meet Clause F4.2 (d) of the NCC.

**BI.9 Fire safety**

An *early childhood centre* and *school age care facilities* are to be provided with-

- (a) An automatic fire detection system in accordance with Tas EPI.7, Tas EI.0 and Tas EI.101; or
- (b) a smoke alarm system in accordance with Clause 3 of Specification E2.2a where the premises is -

- (i) only one storey; and
- (ii) the floor area of the storey is not more than 500 m<sup>2</sup>; and
- (c) required exits in accordance with D1.2; and
- (d) portable fire extinguishers in accordance with E1.6.

### **BI.10 Glazing and Windows**

In an early childhood centre where it is possible for a child to fall through an openable window 600mm or more above the ground surface, a lock which limits the extent of the opening to a maximum of 125mm, or a secure screen, or other device, is to be fitted to the window.

#### **Guidance information only**

If the height is more than 2m, D2.24(a)(ii) applies.

### **BI.11 Heating and Cooling**

- (a) An *early childhood centre* premises and a *school age care facility* must be provided with heating and cooling to the indoor spaces used by children to maintain a temperature that ensures the safety and wellbeing of children, and takes into consideration the activity of the children at the time.
- (b) Heating and cooling units, including fans, must be safely situated or adequately shielded to prevent access and injury to children.

### **BI.12 Fences and barriers**

- (a) In an *early childhood centre* where there is child access to a deck, patio, landing or the like or to a stair or ramp, and there is a difference in level of 600mm or more, a barrier is to be provided in accordance with D2.16(a) and Table D2.16(a), and if applicable Tables D2.16b, D2.16c, and D2.16d.

#### **Guidance information only**

The prescribed distance between levels that a person could fall is 400mm less than the usual (1m) requirement of the NCC for safe movement and access.

- (b) Any swimming pool associated with an *early childhood centre* and *school age care facility* is to have a suitable barrier to restrict access by children to the immediate pool surrounds in accordance with AS 1926.1

- (c) Where a *centre-based care class 5 facility* caters for school age children and the outdoor play space is exclusively used by school aged children, the service premises is not required to meet G1.3(a) of the NCC.

**Guidance information only**

The exemption provided is intended to exempt a wall which forms part of an early childhood centre from the requirements of G1.3(a) which calls up the swimming pool barrier standard (AS 1926). This is because access is required by children from the play area into the centre for their general movement and for use of toilet facilities.