



**BYRON
SHIRE
COUNCIL**

Policy

Children's Services

2023

Information about this document

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DM400926	2005	Adopted by Council (resolution 05/148)
#E2016/103818	January 2017	Minor amendments as per ET Meeting 7 December 2016
#E2016/103818	February 2017	Council resolved to place the draft policy on public exhibition for 28 days (Resolution 17-034)
#E2017/27153	April 2017	No submissions were received. Accordingly, as per Council Resolution 17-034, the policy is adopted.
#E2019/12414	6 March 2019	Minor amendment to replace: <ul style="list-style-type: none"> - Reference to Community Strategic Plan 2022 – updated to Community Strategic Plan 2028 - Reference to Local Government Act Section 8(1) – updated to Section 8A(1) - Numbers updated in Attachment A
E2022/90972	23/02/2023	Amended: Reference to Community Strategic Plan 2028 updated to reflect 2032 version and minor administrative wording changes eg changed “children” to “early and middle childhood” Removed ‘s8 Object of principles of the Local Government Act’- amended by the Local Government Amendment (Planning and Reporting) Act 2009 and has been removed s8(1) entirely.

Further Document Information and Relationships

Related Legislation	Local Government Act 1993 Children (Education and Care Services National Law Application) Act 2010 Disability Inclusion Act 2014 Anti-discrimination Act 1997 Environmental Planning and Assessment Act 1979 Privacy and Personal Information Protection Act 1998
Related Policies	Employee Development Policy Community Engagement Policy
Related Standards, Procedures, Statements, documents	Community Strategic Plan 2032 Recruitment and Selection Protocol

Note: Any reference to Legislation will be updated in the Policy as required. See website <http://www.legislation.nsw.gov.au/> for current Acts, Regulations and Environmental Planning Instruments.

CONTENTS

1. Introduction	1
1.1 Objectives	1
1.2 Scope	1
1.3 Definitions	2
2. Statement	3
2.1 Background	3
2.2. Policy Principles	3
2.3 Goals	4
2.4 Development Consent	5
3. Legislative and strategic context.....	5
3.1 Community Strategic Plan	5
4. Sustainability	6
4.1. Social	6
4.2. Economic	6
4.3. Governance	6

1. Introduction

1.1 Objectives

This policy has been developed to:

- enable Council to promote, plan and provide for the needs of early and middle childhood in an effective manner
- outline Council's commitment to support and partner with the community in response to identified needs for inclusive, quality Children's Services in the Byron Shire
- highlight considerations relevant to the planning of Children's Services in the Byron Shire and;
- specify considerations relevant to the planning of Early Childhood Education and Care services in the Byron Shire.

1.2 Scope

This policy applies to the services and support provided by Council for children and their families in the Byron Shire. It establishes the requirement to promote, plan and provide for the needs of children as being best met through a whole-of-Council approach.

This policy will be used alongside other components of the planning framework to guide the planning and delivery of Council services and support. This includes, but is not limited to, the direct delivery of Children's Services, such as those at Sandhills Early Childhood Centre and local Out of School Hours Care programs.

This policy will be referred to in the consideration of planning mechanisms and controls such as Local Environmental Plans (LEPs), Development Control Plans (DCPs) and Voluntary Planning Agreements (VPAs). It will inform the assessment of Development Applications (DAs) received by Council for future Early Childhood Education and Care or 'childcare' services in the Byron Shire (excluding Family Day Care) and will inform future possible amendments to the Byron Shire Development Control Plan (DCP) and Section 94A Development Contributions Plan in relation to Children's Services.

This Policy has been developed through consultation with families and carers as well as local service providers and staff and reflects the priorities identified in the Byron Shire.

1.3 Definitions

Policy acronym	Definition
Children's Services	The services provided for children and their families, some of which are provided by Byron Shire Council.
Council	Byron Shire Council or an employee of Byron Shire Council.
DA	Development Application
DCP	Development Control Plan
DoE	Department of Education
Early and Middle Childhood	The period of childhood up to the age of 12 years, commonly used to refer to the period before full-time schooling commences (early childhood) and primary school age (middle childhood).
ECEC	Early Childhood Education and Care
LEP	Local Environmental Plan
Local Government NSW	The peak industry association that represents Councils in NSW.
NQF	National Quality Framework – national initiative to improve education and care across Long Day Care, Family Day Care, preschool/kindergarten and Outside School Hours Care. The NQF includes the National Law and National Regulations, The National Quality Standard, National learning frameworks and an assessment and quality rating process for services.
OSHC	Out of School Hours Care
Sandhills Early Childhood Centre	Council-operated Long Day Care centre for children aged 6 weeks to 5 years, located in Byron Bay.
VPA	Voluntary Planning Agreement

2. Statement

2.1 Background

As referenced in the Byron Shire Community Strategic Plan 2032, Council values and works towards enhancing resilient, creative and active communities and a sustainable and diverse economy that provides innovative employment and investment opportunities.

Council acknowledges the strong evidence indicating significant social and economic benefits that accrue to individuals, families and communities from inclusive access to quality Early Childhood Education and Care (ECEC) and other services that support children.

The development that occurs between the ages of 0-5 is critical in predicting long term health, education, employment and overall wellbeing outcomes for both adults and communities. 90% of brain development happens in the first five years of life and high quality ECEC plays a vital role in development during this time, particularly for children who are vulnerable or at risk.

Research recognises benefits from quality ECEC that include, but are not limited to:

- better child wellbeing and learning outcomes as a foundation for lifelong learning;
- more equitable child outcomes and the reduction of poverty;
- increased intergenerational social mobility;
- more female labour market participation; and
- better social and economic development for society at large.

While the benefits to individual children from participating in quality ECEC are commonly acknowledged, the broader flow on effects in relation to society and economy are less commonly emphasised. As access to ECEC enables parental workforce participation, particularly for women, it contributes directly to employment, productivity and gender equality. This is similarly true for other types of Children's Services that enable workforce participation, such as OSHC.

Council recognises that Local Government is well placed to perform a range of important functions in Children's Services. Many NSW Councils have a strong and influential role in the planning, development, provision and support of infrastructure and services for children and families. This is particularly important in instances where market mechanisms fail to deliver equitable access to Children's Services in the local community.

2.2. Policy Principles

Local Government NSW has produced overarching principles to provide a consistent framework for local councils' policy responses. The principles most relevant to Children's Services are:

2.2.1 Economic

Local government promotes local and regional economic development and employment growth

2.2.2 Social and Community

Local government is committed to:

- a) Equity – fair distribution of all resources
- b) Rights – equality for all people
- c) Access – to services essential to quality of life
- d) Participation – of all people in their community
- e) Recognition – of the unique place of Aboriginal people in NSW and the right of Aboriginal people to be involved in all decisions affecting Aboriginal communities

2.2.3 Infrastructure

- Local government is best placed to plan for, deliver and manage essential local infrastructure
- Local government is best placed to lead and influence local and regional planning processes according to the needs and expectations of local communities
- Local government planning prioritises community quality of life

2.3 Goals

2.3.1 Support and promote access to quality ECEC and OSHC by:

- Delivering high quality services for families
- Producing information to promote the availability of Council-managed services

2.3.2 Plan for and support equitable access to inclusive Children's Services, including ECEC and OSHC, for all children, by:

- Supporting the development and implementation of inclusion strategies in Council-managed services, as guided by the National Quality Framework
- Ensuring that inclusion strategies address access and participation for Aboriginal and Torres Strait Islander children, children from Culturally and Linguistically diverse backgrounds, children with additional needs and children from families experiencing disadvantage
- Facilitating training opportunities for Council staff, specifically Children's Services staff, in relation to planning and implementing inclusive practices
- Identifying opportunities for employment of staff who identify as Aboriginal, Torres Strait Islander or culturally and linguistically diverse
- Identifying opportunities to collaborate with other Children's Services providers in the development and implementation of inclusion strategies, as relevant to the Byron Shire

2.3.3 Ensure continuous quality improvement of Council-managed services by:

- Providing appropriate resourcing to services in order to meet National Quality Framework specifications
- Cultivating strong connections with families, key stakeholders and community to identify strategies for improvement

2.3.4 To plan for current and future needs of children, including future development of additional ECEC and OSHC services, by:

- Monitoring changes in supply and demand for ECEC and OSHC places
- Monitoring contextual issues from local, state and national arenas as they relate to Children's Services, such as local demographic trends and national policy change implications
- Participating in local, regional and state forums that relate to Children's Services in the Byron Shire
- Advocating with state and federal government in relation to identified needs for ECEC in the Byron Shire
- Where possible, identifying sites for additional ECEC facilities, opportunities for increased service capacity and alternative models that can contribute to meeting identified needs in the Byron Shire
- Maximising revenue from available grants to Council

2.3.5 To acknowledge Council's support of Children's Services by:

- Providing appropriate signage to Council supported facilities
- Promotion in relevant information sources, including Council's webpage

2.4 Development Consent

Development Applications for ECEC services in the Byron Shire will be considered in light of identified local need and established best practice, whereby:

- ECEC facilities have a suggested maximum capacity of 90 licensed places or under; and
- 30% of licensed places are allocated to children aged 0-2.

The intent of this consideration is to establish services that are responsive to the need for ECEC for children aged 0-2 rather than to discourage or prohibit service development. This consideration is not relevant to applications regarding preschools whereby funding specifications state that only children aged 3-5 are eligible for enrolment.

3. Legislative and strategic context

3.1 Community Strategic Plan

The Policy aligns with the Community Strategic Plan 2028 across three of the five community objectives:

Objective 5: We have connected infrastructure, transport and facilities that are safe, accessible, and reliable

Objective 2: We have an inclusive and active community where diversity is embraced and everyone is valued

Objective 4: We manage growth and change responsibly

4. Sustainability

4.1. Social

The policy contributes to social sustainability by encouraging:

- Inclusive, quality service delivery of Council-managed services
- Increased supply of ECEC and OSHS in the Byron Shire
- Increased access to places for children aged 0-2

Evidence demonstrates that the outcomes of these actions, as identified above, include increased wellbeing for individuals, families and communities. Increased social justice and inclusion, as achieved through the proposed actions, are inherent aspects of contributing to social sustainability.

4.2. Economic

The policy contributes to economic sustainability by supporting access to ECEC and OSHC services that enable parents, particularly women, to increase workforce participation. This in turn contributes to local economic development.

The policy also outlines a collaborative stance to working with the sector in developing opportunities for innovative and effective service delivery. This contributes to the sustainable use of Council resources.

There is conclusive empirical evidence that spending and investment in early childhood is an extremely effective early intervention measure and provides far greater social and economic return on investment than community safety and wellbeing interventions in later stages of life.

4.3. Governance

The policy contributes to governance sustainability by outlining Council actions that contribute to compliance in the areas of services for children and families. It also demonstrates effective planning and engagement with the community to develop and act on local priorities.

The policy also provides a transparent rationale for Council's support of the Children's Services sector.

ATTACHMENT A – CURRENT INVOLVEMENT

Long Day Care

Sandhills Early Childhood Centre is situated in Gilmore Crescent, Byron Bay and was opened in August 1995. The centre was established to provide the Byron Shire community with high quality childcare for children aged 0-5 years. It is licensed to accommodate 59 children per day in a Long Day Care setting.

Out of School Hours Care

Byron Shire Council provides after school care and vacation care in collaboration with the DoE. Funding is auspiced through Council as approved providers of the services.

Local Early Childhood Education and Care Services

In addition to direct service provision, Council supports seven further ECEC providers within the Shire through the provision of land, buildings, management support and funding. This enables more than 249 additional licensed places to be provided to the local community each day and over 500 individual children to access education and care.

Byron Bay Preschool Coogera Centre holds 2 leases, 49 Bottlebrush Cres Suffolk Park

Byron Bay Preschool Cavanbah Centre, Marvel St Byron Bay

Federal Community Children's Centre, Binna Burra Rd Federal

Durrumbul Community Preschool, 9 Durrumbul Rd Main Arm

Bangalow Community Children's Centre, 1 Raftons Rd Bangalow

Lilly Pilly Community Preschool, 96 Kingsford Dr Brunswick Heads

Ocean Shores Preschool, 121 Shara Boulevard Ocean Shores