# Premises Requirements for long day care and kindergarten

## Overview

### Who this guidance is for

This document is for approved providers, designers and developers seeking to establish a long day care (LDC) service or kindergarten (new build or renovation). It sets out the minimum requirements of these premises under the National Quality Framework (NQF).

Compliance with the NQF is assessed by the Regulatory Authority. In particular, the premises are carefully evaluated when service approval is sought. It is an offence to operate a LDC service or kindergarten without service approval from the Regulatory Authority. Information about applying for service approval is here: [www.vic.gov.au/approval-process-early-childhood-services](http://www.vic.gov.au/approval-process-early-childhood-services).

### Aim of this guidance

The aim of this document is to support the development of safe, thoughtfully designed environments that allow delivery of quality education and care in LDC and kindergartens. Appropriate design of premises is critical to keeping children safe and maximising children’s educational and developmental opportunities. On the other hand, poor design and low-quality physical environments can have negative and detrimental impacts on children.

Ensuring premises meet the requirements set out in this document will assist those seeking service approval for those premises. This is important because a service cannot operate without service approval from the Regulatory Authority.

### Structure of this guidance

This document is divided into 6 sections. Importantly, the first section about safety and supervision applies to all aspects of a service and is to be read in conjunction with each of the other sections:

1. Fundamental requirements: safety and supervision
2. Sites and location
3. Using existing or multi-storey buildings
4. Requirements of the building
5. Outdoor requirements
6. Materials, furniture and equipment requirements

### Legislation and the Regulatory Authority

The NQF consists of the following legislation:

* *Education and Care Services National Law Act 2010* (National Law),
* Education and Care Services National Regulations (National Regulations),
* National Quality Standard and the associated assessment and quality rating process.

In Victoria, the NQF is regulated by the Regulatory Authority. The Secretary of the Victorian Department of Education is the Regulatory Authority of education and care services in Victoria and the integrated sector regulator of the Child Safe Standards under the *Child Wellbeing and Safety Act 2005.* Additionally, the Australian Children’s Education & Care Quality Authority (ACECQA) provides support and guidance for the sector with the aim of improving outcomes for children.

### Related Resources

This document only covers the requirements of the NQF. There are likely to be many other requirements to consider when building or designing premises for LDC or kindergarten. For example, the National Construction Code, local overlays or zoning laws, the Disability Discrimination Act and WorkSafe legislation may all be relevant and important to understand.

The following resources may assist with understanding and implementing the NQF:

* ACECQA [Guide to the NQF](https://www.acecqa.gov.au/nqf/about/guide) (Available at: [www.acecqa.gov.au/nqf/about/guide](http://www.acecqa.gov.au/nqf/about/guide)).
* ACECQA information sheets (available from [www.acecqa.gov.au/resources/supporting-materials/infosheet](http://www.acecqa.gov.au/resources/supporting-materials/infosheet)) such as:
* [Providing Appropriate Outdoor Space](https://www.acecqa.gov.au/media/37946)
* [Inclusive environments](https://www.acecqa.gov.au/media/33241)
* [Babies and outdoor play](https://www.acecqa.gov.au/media/27291)
* [NQF Design Considerations for Centre Based Early Childhood Education and Care Services in Multi-storey Buildings](https://www.acecqa.gov.au/media/32356)
* [Embedding the National Child Safe Principles](https://www.acecqa.gov.au/media/37551)
* [The environment as ‘The Third Teacher’](https://www.acecqa.gov.au/media/22956)

In addition, **premises to be located on Department of Education (Vic) sites** should also use the Victorian School Building Authority (VSBA) [Building Quality Standards Handbook](https://content.sdp.education.vic.gov.au/media/building-quality-standards-handbook-1068).

## Fundamental Requirements: Safety and Supervision

The NQF contains fundamental requirements regarding safety and supervision. These are crucial to understand when planning, developing and designing an education and care service, including LDC or kindergarten. Safety and supervision requirements are outcomes focused. This means they can be met in different ways, based on the circumstances of each proposed service and provided the outcome is that children are safe and adequately supervised.

Safe environments with adequate supervision are critical in order to support the learning and development that must be provided to children. The requirements for safety and supervision are explained below and apply to every aspect of an education and care service at all times, including the premises, site and location.

**Safety**

Education and care services **must** be operated in a way that complies with the Child Safe Standards and ensures the safety, health and wellbeing of children at the service.[[1]](#footnote-2) Approved providers **must** also take every reasonable precaution to protect children at the service from harm and any hazard likely to cause injury.[[2]](#footnote-3)

These safety requirements are the focus of the Regulatory Authority when assessing service approval applications. This is because the premises, site and location, significantly impact the ability of an approved provider to keep children safe. For example, emergency exits, positioning and type of equipment, fences, flooring, the shape and layout of the site/building as well as many other factors, all impact children’s safety. The premises must also be able to be maintained so it can keep children safe over time, through age, weather and use.

The Regulatory Authority **must not** grant service approval if the premises, site or location present unacceptable risk to the safety, health or wellbeing of children who would attend the service.[[3]](#footnote-4)

**Supervision**

Adequate supervision of children at the service **must** always be provided.[[4]](#footnote-5) This is a key component of ensuring children’s safety. Adequate supervision can be significantly hindered by poor premises design. The Regulatory Authority will scrutinise this during assessment of service approval applications. Where supervision cannot be adequately provided, the Regulatory Authority may find there is unacceptable risk to children’s safety, health or wellbeing.

The Regulatory Authority will consider whether premises are designed (and can be maintained) in a way that facilitates adequate supervision of children at all times.[[5]](#footnote-6) For example, ensuring children can be seen and supervised from all areas within a room or outdoor area. Narrow, L or U-shaped rooms, or wrap around outdoor spaces, can prevent adequate supervision without additional educators or other solutions. Wall and window locations, layouts and positioning of structures and accessibility of indoor/outdoor spaces are all relevant supervision considerations. These issues are discussed further throughout the remainder of this document.

## Sites and Location

The Regulatory Authority **must** consider the suitability of the site and location of premises when assessing service approval applications.[[6]](#footnote-7) Critical factors that the Regulatory Authority considers are set out below and may help guide those selecting sites for LDC or kindergartens. Service approval **must** **not** be granted if the Regulatory Authority is satisfied there is an unacceptable risk to children’s safety, health or wellbeing.[[7]](#footnote-8)

Other legislative obligations, such as environmental protection, the National Construction Code and planning and occupancy requirements **must** be complied with. However, doing so does not guarantee service approval because the Regulatory Authority is assessing premises in relation to the NQF. If the Regulatory Authority is concerned about the safety or health impact on children (including over time), applicants may need to provide independent expert assessment about the issue before a decision is made.

Please review the below information and contact the Regulatory Authority if unclear on the requirements of the NQF. Also consider contacting an early childhood or other appropriate expert if uncertain about site suitability, especially in relation to renovating old buildings or using multi-storey buildings (buildings with 3 or more storeys, including the ground level and split levels). See also section 3 for more information about using existing or multi-storey buildings.

### Minimum space requirements

The site **must** have sufficient and genuine outdoor and indoor space to be able to meet the minimum space requirements. Those requirements are set out in section 4: Requirements of the building and section 5: Outdoor requirements.

The size and layout of the site also needs to be fit for purpose and allow adequate supervision as outlined in the previous safety and supervision section. Sometimes, the shape or layout of the site or buildings can prevent space from being used safely and/or with adequate supervision. For example, long narrow areas that cannot be seen or utilised properly by children may not be able to be used as part of the service or counted in space measurements.

### Evacuation requirements

Sites and building/s **must** allow safe evacuation of children from all areas of the proposed service premises, and, to a safe location. Advice may be needed from emergency service authorities or appropriate experts about designing safe emergency exits and evacuation paths and plans.

The Regulatory Authority **expects** that:

* there are clear, site-specific plans that allow for safe evacuation of children (which may include children with mobility/developmental/medical needs).
* exit points are safe (for example, not leading directly onto busy roads or other hazards) and there are suitable assembly points.
* there are multiple exit points from buildings and outdoor areas to ensure safe evacuation in various situations (often 2 exits are sufficient depending on the particulars of the premises and the number of children, and the National Construction Code may also have requirements).
* evacuation routes do not involve going back inside the building. This does not mean that an educator cannot go back inside to evacuate a child, however the planning should be to ensure timely evacuation that does not add risks to children or staff. The Regulatory Authority may require expert reports about emergency evacuation, including evacuation routes, especially in higher risk locations like multi-storey buildings.
* there are mechanisms for the safe evacuation of infants and non-ambulatory children, for example evacuation cots can be quickly moved through evacuation pathways.
* ramps are used for emergency exit pathways where possible. If stairs have to be used, there **must** be safe and timely ways for non-ambulant children and babies to be exited and the stairs **must** be free from hazards relevant to the particular premises/site. For example, a low handrail may be necessary in some settings while in others it may create a climbing hazard.
* evacuation floor plan and instructions are displayed in a prominent position near each exit.[[8]](#footnote-9)
* evacuation rehearsal requirements are complied with.[[9]](#footnote-10)

In addition, the Regulatory Authority **expects** that there has been adequate risk analysis of relevant emergencies and subsequent planning/design to allow for safe evacuation of children as necessary for that particular premises, site and location. This may involve consultation with local organisations to ensure an understanding of the environment and risks. Relevant emergencies that **should** be considered include lockdowns, extreme weather events, natural disasters and local risks (like fire, snakes etc.). Planning **should** also consider all relevant factors for that location. For example, minimising the need to evacuate children in areas that involve interactions with the public, or, if unavoidable, how those additional risks will be managed.

Further information see: [www.vic.gov.au/emergency-management-early-childhood-services](http://www.vic.gov.au/emergency-management-early-childhood-services) and [www.vic.gov.au/managing-bushfire-grassfire-risks-early-childhood-services](http://www.vic.gov.au/managing-bushfire-grassfire-risks-early-childhood-services).

*NOTE: multi-storey buildings present additional evacuation challenges: see Multi-storey section.*

### Accessing the site and building/s

Building and site access and security **must** allow authorised people in and out of the premises whilst protecting children’s safety, health and wellbeing. This includes minimising risks of children being able to exit independently and unsupervised, as well as protecting children from potential hazards or threats from unauthorised visitors or general public access.

The Regulatory Authority **expects** that:

* entrance/exits are designed to avoid clusters of people who may obscure views,
* entrance/exits enable appropriate monitoring by staff,
* exits do not lead directly to unsafe areas (such as roads or car parks) without adequate safety measures in place,
* automated doors have sufficient safety mechanisms to reduce risk of children exiting unsupervised.
* multi-use sites that have other entities in close proximity have addressed associated risks,
* the premises uses appropriate strategies to mitigate access/exit risks that are relevant and suitable for that site and premises. Strategies may include natural and passive surveillance and technology. For example, some strategies to consider, that may be useful depending on the particular premises and site, include:
	+ individual coded keypads or access points for parents that are well managed and safely used (e.g. changing pincodes sufficiently regularly and securely),
	+ using staffed reception areas for scrutiny of who is entering and exiting, which may include gated waiting areas or a foyer that is walled off from the rest of the service,
	+ gated/fenced areas as a secondary barrier outside of main access points to assist with safe entry/exit so children aren’t exposed immediately to public areas or roads on exiting (or alternately, in some sites such as those with lifts, there may be benefit from gated areas inside the building depending on the design and layout of the building/s).
	+ premises with shared spaces, entry from basements and general use carparks and where lifts are used, may require more rigorous security. Consider coded access points, heights of lift buttons or installing pin codes or capture gates to prevent children using lifts alone, and, ensure no openings or mechanisms present traps for body parts.
	+ CCTV cameras, supported by strong child safety systems and culture, may be helpful for monitoring persons entering and exiting the service.[[10]](#footnote-11)

Consideration of issues such as cultural heritage, as well as inclusive environments and accessibility, are also likely to be relevant when designing suitable entry/exit to a proposed LDC or kindergarten. See for example, ACECQA’s [Guide to the NQF](https://www.acecqa.gov.au/nqf/about/guide) for information about access, participation and inclusive environments.

### Vehicles, roads and parking

The Regulatory Authority **expects** that sites **do not** have the following features, unless there are effective risk minimisation and safety measures to protect children:

* busy roads to be crossed in order to enter/exit that do not have safety crossings or similar,
* emergency exits leading directly onto roads or other hazards,
* uncontrolled public access (such as the ability for members of the public to enter the site or premises without being easily seen/identified), or
* unprotected vehicle access (such as the potential for accidental vehicle access from adjoining roads or parking/drop-off areas).

The Regulatory Authority will examine whether carparks and access roads can be safely used near the site and that traffic management devices are appropriate. For example, car park design near entrances that require reversing vehicles (rather than circular movement patterns) create additional safety risks. Similarly, car parks located adjacent to outdoor play areas create a risk of vehicles accidentally driving into a space where children are located.

In some cases, risks from vehicles may be adequately controlled through physical protections such as bollards, gardens, signage, planned communications with families and labelled systems/directions. At times though, there may not be a way to sufficiently control such risks and the site may be unsuitable and will not receive service approval. Given the seriousness of vehicles entering spaces where children are situated, the Regulatory Authority **expects** to see safe design and appropriate strategies for the particular site and premises to significantly minimise this risk.

### Noise

Sites **must** **not** place children at risk of harm from excessive or prolonged noise. This includes inside and outside of buildings and noting that noise levels may change at different times of the day/year. The Regulatory Authority **expects** that, when inside the premises, noise levels allow staff and children to speak and be heard without strain. This may require design or planning to reduce exposure to noise, such as thoughtful positioning of rooms and appropriately sizing the rooms for the particular circumstances and/or utilising smaller group sizes or room allocations to reflect the needs of the children and program at that particular location. In all cases, design should promote children’s learning and development.

Outdoor spaces should not be excessively noisy either as this can disrupt things like children’s language development or engagement in the program. Overly noisy premises may also prevent children having the required opportunities to interact and develop respectful and positive relationships with each other and staff.[[11]](#footnote-12) Babies and toddlers who are intensely learning language, children with English as a second language and those with hearing, language or learning difficulties or disabilities are more susceptible to the impact of high noise levels.

The Regulatory Authority may require reports from appropriately qualified specialist/s if concerned about noise levels and the impact on children at those premises. Some sites may ultimately be unsuitable due to high noise levels. In other cases, planning and design may adequately limit noise, for example through use of insulation, soft finishes and furnishings as well as thoughtful planning around size and positioning of rooms and their activities.

### Environmental contamination or hazards

Sites **must** **not** pose a risk to the short or long term health of children due to air, soil or building contamination, chemicals or industrial waste. Similarly, exposed building debris or facilities that may cause injury **must not** form part of the premises. The Regulatory Authority will scrutinise these factors and may require expert safety reports if concerned about the environmental contaminants or hazards. Note that at a minimum, a soil assessment or statement **must** be provided with a service approval application.[[12]](#footnote-13)

### Water hazards

Safety measures **must** be in place for water hazards including swimming pools, ponds, dams, creeks or rivers. Water hazards on the site **must** be adequately fenced or covered to prevent children’s access, including through changing seasons and weather events (which may create new hazards). Water hazards in close proximity of the site also need to be considered. It may be necessary to have additional height on fences or other barriers to prevent children’s access. The Regulatory Authority will consider if fences/covers will prevent children going through, over or under, as well as whether additional supervision would be required to ensure children’s safety.

The Regulatory Authority will also scrutinise service policies as these **must** demonstrate adequate risk analysis and planning for keeping children safe around water. Additionally, if water is to be used as part of the program this **must** be identified and sufficiently risk assessed, planned and covered by a policy. For further information see ACECQA’s Policy Guidelines on water safety: [www.acecqa.gov.au/sites/default/files/2023-08/PolicyGuidelines\_WaterSafety.pdf](http://www.acecqa.gov.au/sites/default/files/2023-08/PolicyGuidelines_WaterSafety.pdf).

## Using Existing Buildings or Multi-storey Buildings

### Existing buildings

Existing buildings can be difficult, or at times impossible, to renovate in order to meet the NQF. A thorough building inspection is recommended in order to confirm building condition, it’s suitability for use for LDC or kindergarten and restrictions on changing the building (e.g. overlays). Also consider building codes and perhaps speak with a building surveyor. The Victorian Building Authority’s information on the [Building regulatory framework](https://aus01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.vba.vic.gov.au%2Fbuilding%2Fregulatory-framework&data=05%7C02%7CEmma.Bradford%40education.vic.gov.au%7C5d59dc2b5b3b426baa3d08dc76362352%7Cd96cb3371a8744cfb69b3cec334a4c1f%7C0%7C0%7C638515222089738848%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=%2BGcoflYyo3dv2RPMkAC2RQzYeXdB7cx3LuAnlATZeck%3D&reserved=0) may be useful.

In addition, the Regulatory Authority recommends checking the list of factors below to help determine suitability of an existing building/site. This is not an exhaustive list, but a guide to help identify limitations of existing buildings and inform site selection. The Regulatory Authority can also be contacted to discuss potential issues or questions before committing to a building/site.

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| **Factors to help determine the suitability of an existing building** |
| Is there sufficient genuine outdoor space to meet outdoor space requirements and natural environment requirements (these requirements are explained below in the outdoor requirements section)? For example, are there long narrow outdoor areas that cannot be altered, that make the space unsuitable for the children’s program, play and development and/or that cannot be adequately supervised? |
| Is the existing layout suitable, and the existing rooms sufficient in size, to meet indoor space requirements and allow for the proposed number of children (or alterable within budget)? |
| Can the building and site be safely evacuated and provides more than one emergency exit?  |
| Are there layout or other impediments to adequate supervision in the building or outside?  |
| Is the site able to be inclusive and accessible as required by the NQF and other legislation such as the *Disability Discrimination Act 1992 (Cth)* and National Construction Code?  |
| Is there direct access between indoor spaces, outdoor spaces and toilets? If not, will it be possible to meet supervision and space requirements across the service at all times and meet the NQF (for example being inclusive and engaging and enabling children to make choices and decisions)? Can alterations be made, or would doing so be too costly or introduce hazards? Would the site require ongoing costs such as additional educators in order to meet safety and supervision requirements? |
| Does the positioning of the building on the site provide sufficient areas for adequate ventilation and natural light? For example:* can the building be safely altered to allow adequate ventilation and/or to address dark or damp rooms/areas (noting that high ceilings, particular building materials or roof space restrictions may prevent this or add cost)?
* are there small windows preventing sufficient natural light that cannot be easily changed?
 |
| Is the site, location and environment safe for children? For example:* Is the air, soil and building free of contamination or meets environmental legislation?
* Are door openings sufficiently wide for evacuation purposes including evacuating non-ambulant children or those with mobility aids?
* Does the layout or immovable items/structures prevent adequate supervision in spaces that cannot be restricted from children’s use (for example secluded areas or large support beams that create areas that children cannot be easily seen)?
* Can toilet, hygiene and nappy change facilities that meet the requirements of the NQF be incorporated within budget including being accessible safely for children (these requirements are set out later in this document)?
 |
| Are there any restrictions or limitations on the building (such as heritage overlay) that will prevent identified problems being rectified?  |

### Multi-storey buildings

Multi-storey buildings under the NQF are those with 3 or more storeys, including the ground level. Each level of a split-level storey (or a mezzanine) is also counted as one storey.

There are usually additional challenges for multi-storey buildings to meet the NQF. These challenges are described in the table below. Consultation with the Regulatory Authority and other early childhood experts is recommended before settling on a multi-storey site. There is also an optional *approval in principle* process in relation to multi-storey buildings that can assist those seeking assurances about use of such buildings; see approval in principle section below.

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| **Challenges in multi-storey: Ensuring safe emergency evacuation** |
| It can be more difficult to meet evacuation requirements in multi-storey buildings. These requirements are set out in the evacuation section above and should be read in conjunction with this section as those requirements **must** be complied with. Services proposed to be located above ground level or those who intend to cater for babies and non-ambulant children face additional challenges to ensuring safe evacuation. The Regulatory Authority **expects** that babies and non-ambulant children will only be located on ground level as this provides direct egress and is the safest location for those children in a multi-storey building.Children rely completely on the preparedness, knowledge and ability of staff, coupled with the building safety features and emergency response equipment to keep them safe in an emergency. Buildings shared with other occupants will also have relevant emergency procedures for the whole building and add risks for children due to the presence of people not associated with the service during evacuations. In all cases, the Regulatory Authority **expects** adequate risk assessment, planning and design to allow for safe evacuation of all children from all storeys of the premises. This may need to include things like multiple exit points, fire isolated stair wells and/or smoke rooms depending on the particulars of the premises. Expert review and report of evacuation safety may be necessary before service approval is granted. The following resources from ACECQA provide further information on this topic:* [Fact Sheet Multi-storey Evacuations](https://www.acecqa.gov.au/sites/default/files/2023-08/Info_FactSheet_Multi-storeyBuildingsEvacuationsAndApprovals.pdf),
* [Evacuation Policy Guideline](https://app.vision6.com.au/ch/106088/18srm/412/N2AQUaYl0lxejhazh2i5B1lUb4egdT1E6TQrvTr5.pdf),
* [NQF Design Considerations for Centre Based Services in Multi-storey Buildings](https://app.vision6.com.au/ch/106088/18srm/414/N2AQUaYl0lxejhazh2i5Ut3wjeHdA8YqRhE0nMg..pdf).

Premises in multi-storey buildings also need to meet National Construction Code requirements for emergency evacuation from education and care services.[[13]](#footnote-14)The Regulatory Authority can be contacted for further information or consult appropriate experts for specific advice or reports about a site/building. Emergency evacuation is critical to children’s safety and service approvals will be refused if it is not clear that the building can facilitate safe evacuation. |
| **Challenges in multi-storey: Ensuring adequate outdoor space and natural environments**  |
| Meeting outdoor space and natural environment requirements can be difficult in multi-storey buildings (those requirements are set out in this document at section 5: outdoor requirements). Elevated areas, roof-tops, outdoor mezzanine/platforms or simulated outdoor space may not be able to meet the NQF requirements and so careful consideration, design and planning is required in multi-storey buildings. Outdoor space for multi-storey premises is likely to be impacted by factors such as weight restrictions, significant fencing needs, challenges in relation to noise/natural light/shade/pollution as well as weather related factors such as glare, heat and wind. It may also be difficult to maintain outdoor spaces over time due to things like dark or windy environments or drainage challenges. Fall risks must also be carefully scrutinised and addressed such as through appropriate fencing and safe placement of objects so that barriers/fencing cannot be scaled.Some services have been able to achieve quality outdoor spaces and natural environments in multi-storey premises through thoughtful design. For example, a service in Melbourne located on the first floor of a multi-storey building utilises mature trees, digging patches, water tanks and pumps, thickly vegetated spaces, rocky outcrops and climbing slopes and caters for the learning and development of multiple-aged children.When assessing a service approval application, the Regulatory Authority **expects** there is enough genuine outdoor space on each storey of the premises to accommodate the number of places for children on that storey of the premises. Where there are challenges in doing so, early consultation with the Regulatory Authority is recommended. Approval depends on each situation and all related issues (including children’s ages/development, the sizes and proportions of spaces, supervision and safety issues and whether the premises can support service delivery that meets the National Quality Standard). See also the information in section 5 about simulated outdoor space.  |
| **Challenges in multi-storey: Ensuring the supervision, safety and quality standards can be met**  |
| Multi-storey buildings may present supervision and safety problems or prevent the National Quality Standard being met by virtue of their design or layout. In particular, buildings with the following features are likely to be unsuitable:* no direct access between indoor and outdoor spaces (of sufficient size) and to toilet and nappy changing facilities (on all or some levels),
* insufficient visibility and communication systems to allow educators to safely communicate and share information and resources whilst maintaining adequate supervision,
* stairs or lifts as the ordinary means of enabling children to move between different levels, or between indoor and outdoor areas (creating risks of unsupervised use by children and impractical day-to-day movement requirements that add safety and development risks),
* areas that are secluded or have insufficient visibility due to their size, shape or obstruction (such as long, narrow spaces or large support beams that obscure views).

There may be additional systems or mechanisms that can be implemented to address the above features in some settings. For example, there may be areas that can be excluded and blocked from use, or engaging additional educators may allow adequate supervision to be maintained. The Regulatory Authority will also **expect** to see policies and procedures address the issues listed above (such as the movement of children between levels) and how the procedures will ensure that the NQF will be met.  |
| **Approval in principle process** |
| Approval in principle (AIP) can be sought from the Regulatory Authority in relation to a multi-storey building that is intended to be the premises for a centre-based service (such as LDC or kindergarten). This includes new or existing multi-storey buildings. The AIP process is optional in Victoria. It facilitates consideration by the Regulatory Authority during early stages of building or renovating a multi-storey building (before a building permit is issued under the *Building Act 1993*[[14]](#footnote-15)*).* If AIP is granted, it provides assurance that the multi-storey building will meet certain requirements of the NQF and is valid for 3 years. This is intended to support appropriate design of buildings during construction/renovation and identify problems early and with more time to address them. In particular, AIP focuses on whether the building can facilitate safe evacuation of children and adequate supervision of children. It also considers requirements in relation to toilets, hygiene and nappy change facilities as well as ventilation, natural light and temperature control.AIP does not replace the requirement to obtain service approval. Service approval **must** still be held before operating a service. However, if AIP is held by an approved provider when applying for service approval, then service approval cannot be denied on the basis of any of the AIP criteria (provided construction/alteration occurred in accordance with the AIP). More information, including how to apply, at: <https://www.vic.gov.au/approval-principle>. |

## Requirements of the Building

The following requirements apply to all LDC and kindergarten premises. The Regulatory Authority checks that these requirements are met when assessing service approval applications.

Additional information to support well-designed and compliant indoor space is available in [ACECQA’s Guide to the NQF](https://www.acecqa.gov.au/sites/default/files/2023-08/Guide-to-the-NQF-230701d.pdf), for example:

* Standard 3.1 Design (pages 188-197)
* Element 3.2.1 Inclusive Environment (pages 201-203)
* Indoor Space Requirements (page 411)
* Using a verandah (page 84-85).

### Indoor space measurements

Premises **must** have at least **3.25sqm** of unencumbered indoor space per child being educated and cared for.[[15]](#footnote-16) The following areas are excluded from this calculation:

* any passageway or thoroughfare (including door swings)
* any toilet and hygiene facilities
* any nappy changing area or area for preparing bottles
* any area permanently set aside for the use or storage of cots
* any area permanently set aside for storage
* any area or room for staff or administration
* the area of a kitchen (unless the kitchen is primarily to be used by children[[16]](#footnote-17))
* any other space that is not suitable for children.[[17]](#footnote-18)

Furniture that is integral to children’s play areas and moveable, is not considered to encumber space (such as mobile open shelving with children’s equipment and children’s tables/chairs).[[18]](#footnote-19)

To be included in indoor space calculations, the space **must**:

* be set up as indoor space and meet the requirements for indoor space at all times,
* be exclusively available while the service is operating (not shared with others), and
* have appropriate temperature control to ensure accessibility at all operating times.

Those with questions about what can constitute indoor space may wish to contact the Regulatory Authority to discuss the specific circumstances. Genuine indoor space will always be preferable and the Regulatory Authority will not approve premises that cannot provide the required space.

Additionally, it is important to consider room sizes, layout and configuration when designing premises. Consider these issues in relation to the children who will attend the service and their needs, ages and development. The premises should allow grouping of children in ways that promote learning and development and minimise risk of injury, conflict and excess noise.

*Note: unencumbered space is the primary factor used by the Regulatory Authority when determining the maximum number of children who can attend the service. Both outdoor and indoor unencumbered space is considered; the smaller of these spaces is used in the determination.*

### Sleep and rest

The approved provider **must** take reasonable steps to ensure children/babies at the proposed service will have their needs for sleep and rest met.[[19]](#footnote-20) Policies and procedures about sleep and rest are also required and **must** include supervision and monitoring of sleep and protecting children from potential hazards.[[20]](#footnote-21)

Risks associated with sleeping children can be very serious. Risk assessments **must** be conducted at least annually, reflecting the importance of ensuring ongoing safe sleep practices.[[21]](#footnote-22) Note also that bassinets are prohibited from being at the premises.[[22]](#footnote-23)

[Red Nose](https://rednose.org.au/), can be used as an authoritative source in relation to sleep (or an equivalent authority) and **should** inform policies and procedures. Red Nose suggests educators should be in sight and hearing of sleeping children at all times. The Regulatory Authority **expects**:

* it is clear from the premises, policies and procedures how safety and supervision requirements will be met while children are asleep and this is tailored to the specific environment,
* if sleeping children/babies will not be monitored at the bedside by an educator (as recommended by Red Nose[[23]](#footnote-24)), there are suitable strategies in place, documented and enforced, that address how sleeping children/babies will be heard and observed and that safe sleep practices and regular physical checks are implemented,
* where sleep windows are used, these are kept clear and transparent and, if necessary depending on the design of the premises, in order to ensure children can be heard and safe temperature maintained, they may also need to allow sound and air through,
* enclosed cot or sleep rooms are only utilised where educator/s will be positioned in that room to provide adequate supervision and monitoring of sleeping children (and without impacting adequate supervision elsewhere).

For more sleep related information see ACECQA’s [Sleep and Rest for Children Policy Guidelines](https://www.acecqa.gov.au/sites/default/files/2023-08/PolicyGuidelines_Sleep%26RestForChildren_August.pdf).

### Ventilation, temperature and natural light

Indoor spaces used by children at the premises **must**:

* be well ventilated,
* have adequate natural light, and
* be maintained at a temperature that ensures the safety and wellbeing of children.[[24]](#footnote-25)

Natural ventilation can be provided by open windows and doors.[[25]](#footnote-26) If sufficient natural ventilation is not possible, indoor space may be ventilated with an appropriate air ventilation system. Always consider smaller rooms and spaces that may have restricted airflow and require additional mechanisms to ensure sufficient ventilation as well as temperature control.

Natural light is light from a natural source (not artificial) and **must** be adequate for the premises. Natural light comes through windows, doors or skylights and may vary at different times of the days/ seasons.[[26]](#footnote-27) For example, adequate natural light will usually mean lights are not necessary on a bright sunny day. Well-designed use of glass is often the best way to achieve this and it is also important to consider that safety and supervision, as well as ventilation and temperature, may all be impacted by the use of glass.

Temperatures should keep children visibly comfortable (noting that children’s bodies are more likely to show signs of distress at high temperatures rather than low ones).[[27]](#footnote-28) Ambient temperature within indoor space can vary during the day/season and in different areas of the building. The Regulatory Authority **expects** these issues have been considered and adequately addressed at the premises. There is also information about safety and maintenance of heating/cooling/electrical equipment later in this document.

### Toilet and hygiene facilities

The premises **must** have toilet, washing and drying facilities for children that are:

* + - adequate,
		- developmentally and age-appropriate,
		- located and designed to enable safe use and convenient access by children,[[28]](#footnote-29)
		- designed and maintained in a way that facilitates supervision of children at all times,[[29]](#footnote-30) and has regard to the rights and dignity of the children using the facilities.[[30]](#footnote-31)

In determining whether these requirements have been met, the Regulatory Authority will consider the needs of the children who will attend those premises and any particulars of that environment (for example some premises may need privacy protection from neighbouring properties). The Regulatory Authority **expects** that toilet and hygiene facilities:

* allow children to use them comfortably (taps, soaps and hand dryers are not positioned too high for example),
* include enough toilets so children do not need to wait, more than occasionally, to use the toilet,
* facilitate supervision and respect children’s dignity (for example, windows do not allow direct view of children using toilets),
* can be adequately maintained to ensure safety of children throughout the day,
* can be accessed by children reasonably quickly from both inside and outside spaces,[[31]](#footnote-32)
* are not visible from outside the service.

Toilets and hygiene facilities are **expected** to be adjacent to both children’s rooms and outdoor space to allow for adequate supervision and safety of children. If this is not the case, the premises may present unacceptable risk to children and may not be approved. In some instances, these risks may be managed through mechanisms designed for the particular premises, such as additional staff for supervising toilets supported by policies and procedures establishing how toilets will be safely utilised.

### Nappy change facilities

If children who wear nappies will attend the service, then the premises **must** have adequate and appropriate hygienic facilities for nappy changing.[[32]](#footnote-33) In addition, these facilities **must** be designed, located and maintained in a way that prevents unsupervised access by children.[[33]](#footnote-34) It is important to remember that it is not only babies who may be wearing nappies in a service.

Determining what is adequate and appropriate will depend on factors such as the size and space of the proposed service, the characteristics and numbers of children who will attend and the service program. The Regulatory Authority will consider the number of children wearing nappies and the need to ensure their needs are met in a respectful, appropriate and timely manner.[[34]](#footnote-35) At a minimum, if there will be children under the age of 3 at the proposed service, the premises **must** have:

* at least 1 properly constructed nappy changing bench (not a portable one); and
* hand cleansing facilities for adults in the immediate vicinity of the nappy change area.

Staff using these facilities **must** be able to reach necessary items (such as nappies, tissues, wipes, clothing and bins) without leaving children unattended or unsafe, especially if it is a raised surface.[[35]](#footnote-36) Additionally, the design **should** consider the need for adequate supervision of all children at the service at all times, and allow for educators to communicate easily about support or action needed. Hygienic disposal or storage of soiled nappies also needs to be suitably addressed at the premises.

Where children’s steps to walk up to change tables are used (which may be important for some children depending on size and development), the Regulatory Authority **expects** that steps:

* are located in a way that prevents children gaining unsupervised access to the change table,
* do not create a hazard to children or educators (including those who may be carrying small children) such as easily causing trips or access difficulties.

There may also be relevant occupational health and safety (OHS) considerations in relation to accessing change tables and associated activities/actions. Contact [WorkSafe Victoria](https://www.worksafe.vic.gov.au/) for OHS information.

### Laundry and hygiene facilities

The premises **must** have adequate and appropriate laundry facilities or access to laundry facilities. Alternately, adequate and appropriate other arrangements for dealing with soiled clothing, nappies and linen, including hygienic facilities for storage prior to disposal or laundering, must be in place.[[36]](#footnote-37)

These facilities **must** be located and maintained in a way that does not pose a risk to children.[[37]](#footnote-38) For example, there must be adequate and child-proof storage for dirty laundry and nappies as well as cleaning products. The National Health and Medical Research Council is a recognised authority for health information and has expert advice in relation to hygiene practices: [www.nhmrc.gov.au](http://www.nhmrc.gov.au).

The integration of sustainable practices, such as outdoor clothes lines and recycling storage, may have numerous benefits for a service including in relation to programming and service quality.

### Administrative space

The premises **must** have adequate area/s for conducting the administrative functions of the service including consulting with parents and conducting private conversations.[[38]](#footnote-39) Administrative functions include keeping records safe and secure and having certain documents and information available. Well-designed administrative space will also consider the needs of staff at the service and have safety and supervision benefits as well. For example, designing areas for staff to do planning and documentation as well as having breaks and storing personal items is likely to be highly beneficial.

The premises may incorporate a dedicated administration room in the premises or well-designed areas capable of fulfilling the necessary administrative functions.

### General safety in indoor spaces

|  |  |
| --- | --- |
| **Topic and requirement:**  | **Advice to help meet the requirement:** |
| ***Flooring Surfaces***Flooring surfaces are **expected** to be appropriate for the purpose and planned activities. Flooring surfaces **must** also be safe. The Regulatory Authority will consider the safety risks of the surface (indoor and outdoor) in relation to the purpose and benefits it provides.  | * Where water is likely to be regularly present, flooring **must** be non-slip or adequately controlled in another way.
* If there are uneven flooring surfaces this **must** be carefully utilised or controlled as needed depending on their purpose and who will use them (for example, consider risks to children learning to walk versus benefits of varied physical experiences for older children).
* Choose easily cleanable, hard-wearing and purposeful flooring so it can cope with messy activities in relevant areas and be soft, comfortable or noise-reducing in others.
 |
| ***Doors and Windows***Doors and windows **must** be safe, fit for purpose and adequately prevent children accessing unsupervised areas or exiting independently. Doors and windows **must** also allow for:* emergency evacuation of children
* adequate supervision throughout the service
* maintaining rights and dignity of children
* light and ventilation
* access between indoor and outdoor space as set out in section 5 under the heading ‘Accessing outdoor space’.
 | * Avoid doors that easily allow children to independently exit premises or enter areas without supervision, like a stairwell. Alarm activated doors or other mechanisms may minimise risks.
* Select appropriate windows, for example sliding windows may create a fall hazard in some settings.
* Doors with large areas of clear glass or vision panels can allow supervision and visual connection. Often this is useful, provided it does not introduce safety or dignity/privacy issues. For example, doors that are difficult to see may be unsafe in some areas and toilets may need some privacy whilst maintaining adequate supervision.
* Hinge protectors, over door jambs, finger guards and/or other protections **must** be in place where needed for children’s safety.
* Doors into outdoor play spaces **should** be able to be opened and latched against a wall to prevent accidental closing or presenting injury risks or inhibiting supervision.
* Door handle height **should** be purposefully designed depending on the door purpose.
* Slow closing mechanisms on doors are often useful and also require plans for regular maintenance to ensure they remain safe.
 |
| ***Kitchens and food/bottle preparation***Kitchen and/or food preparation areas must be safe, and, dangerous equipment inaccessible to children. | These areas **should** be secured from children’s access (e.g. doors/gates) unless part of the program and designed accordingly to be safe and supervised. For example, heating appliances or cutting equipment must be well stored and inaccessible to children. |
| ***Electrical and heating/cooling*** Electrical outlets and heating/cooling systems **must** be safely installed, utilised and accessed. They **must** meet all electrical safety requirements and standards. | * Cords and outlets **must** be safely located and guarded and **should** not hang, stretch or travel through areas used by children.
* Electrical and heating equipment **must** be inaccessible or properly guarded from children.
* Maintain installation and maintenance records from authorised professionals.
 |
| ***Edges and corners***Exposed edges and corners **must** be sufficiently safe for children (such as edges of columns, beams, joinery, bookcases, equipment). | * Using rounded corners or guards that are fixed or can be secured to avoid injuries.
* Gaps between joinery, fixtures or guarding that can trap or injure fingers **should** be avoided.
 |
| ***Guards, rails, barriers and other safety fittings***Barriers, guardrails, handrails and other safety fittings **must** be installed, positioned and maintained as required throughout the particular premises. | * Fall hazards **must** be controlled (e.g. railings at children’s height and barriers appropriate to risk).
* Guarding **must** protect things like hinges and doors from injuring children.
* Guarding, rails and barriers **should** not inadvertently add risks (such as providing a foothold or handhold for climbing).
 |
| ***Dangerous products and sharp equipment*** Materials should be fit for purpose and the environment, including use by young children or secured from their access, and with a tailored maintenance plan if needed. | * Items that tend to splinter or have sharp parts **should** be avoided unless there is a special need and associated plan/action to address risks.
* Dangerous products such as chemicals or sharp equipment like knives **must** be securely stored in a way that is inaccessible to children.
 |

## Outdoor Requirements

The minimum requirements for outdoor space in LDC settings are set out below. Compliance is verified by the Regulatory Authority when service approval applications are made. Information about what to submit with a service approval application, and an area measurement form, is available at [www.vic.gov.au/space-requirements-early-childhood-service](http://www.vic.gov.au/space-requirements-early-childhood-service).

The importance and positive impact of outdoor space on children’s healthy development is well established. See for example, ACECQA information about designing quality outdoor environments:

* The Guide to the National Quality Framework: National Quality Standard 3.1 (page 188), National Quality Standard 3.2.1 (page 201), Regulation 108 (page 406), and Regulation 113 (page 408).
* [Information Sheet – Providing Appropriate Outdoor Space](https://www.acecqa.gov.au/sites/default/files/2023-08/InfoSheet_Providing_Appropriate_Outdoor_Space.pdf)
* [Information Sheet – Babies and Outdoor Play](https://www.acecqa.gov.au/sites/default/files/2020-10/QA3_InfoSheetBabiesAndOutdoorPlay.pdf).

### Outdoor space measurements

Premises **must** have at least 7 square metres of unencumbered outdoor space per child.[[39]](#footnote-40) The following areas are excluded from unencumbered outdoor space:

* any pathway or thoroughfare, except where used by children as part of the program,
* any car parking area,
* any storage shed or other storage area,
* any other space that is not suitable for children,
* verandah space that has been included in indoor space calculations.[[40]](#footnote-41)

The Regulatory Authority **expects** that area included as unencumbered outdoor space:

* + - * is suitable for children’s use, including to develop gross motor skills
			* can meet the natural environment requirement,
			* does not pose unacceptable risk of harm to children,
			* can be adequately supervised,
			* does not include hazardous items or their protective barriers (for example, hot water systems or air conditioning units including space within protective barriers is not included in space calculations),
			* usually has no dimension smaller than 4 metres, especially in premises where outdoor space is limited (thereby reducing opportunities for use of the space such as developing gross motor skills) or where the shape or hazards in the space hinder children’s usage or prevent supervision. If seeking to use a small area, the Regulatory Authority will expect it can be demonstrated how the space can be used in practice for the children’s program whilst maintaining adequate supervision.

*Note: unencumbered space is the primary factor used by the Regulatory Authority when determining maximum number of children who can attend a service. Both outdoor and indoor unencumbered space is considered; the smaller of these spaces is used in the determination.*

### Meaning of ‘outdoor space’

The Regulatory Authority **expects** ‘outdoor space’ to be area outside exterior walls of the built structure and open to the sky for children to experience the outdoors. These are spaces where:

* the sky can be seen directly above,
* weather elements, such as rain or full sun, will be able to be felt,
* children can challenge and activate their senses through experiences of uniquely outdoor elements such as space, sounds, fresh air and the natural world.

Enclosed areas that have fresh air (such as a landing or verandah in a multi-level or multi-storey building) and/or covered areas attached to, or part of, built structures (often found when refurbishing existing buildings) are often not genuine outdoor space. Those seeking to use covered or partially covered areas are recommended to discuss the specific circumstances with the Regulatory Authority as early as possible during selection or development of sites and buildings.

### Accessing outdoor space

When designing premises, the Regulatory Authority **expects** that outdoor space be directly accessible from indoor space. Similarly, toilet and hygiene facilities **are expected** to be equally accessible by being adjacent to children’s indoor and outdoor spaces. The Regulatory Authority will consider how the premises:

* fulfil and utilise the outdoor space and natural environment requirements,
* meet adequate supervision at all times (unless operating adjustments are made such as having additional educators),
* provide education and care that meets the National Quality Standard, in particular:
	+ providing facilities that are appropriate for the operation of a service including an inclusive environment that supports exploration and play-based learning,
	+ providing outdoor and indoor spaces that are organised and adapted to support every child’s participation and to engage every child in quality experiences in both built and natural environments,
	+ ensuring each child’s agency is promoted, enabling them to make choices and decisions that influence events and their world,
	+ ensuring physical activity is promoted and appropriate for each child.[[41]](#footnote-42)

If premises cannot provide the expected direct access between spaces and toilets, the Regulatory Authority **expects** the provider can demonstrate how the above requirements will be met.

*Note that thoroughfares or pathways are usually excluded from space measurement calculations (whether defined/marked out or not). Critically, if the pathway forms part of an evacuation route then it* ***must*** *be free from obstruction and is less likely to be genuinely part of programmed activity.*

### Natural environments

The outdoor space at the premises **must** allow children to explore and experience the natural environment.[[42]](#footnote-43) For example, the use of natural features such as trees, sand and natural vegetation, is required.[[43]](#footnote-44) Incorporating natural environments into the program is also a major feature of the National Quality Standard (such as in relation to children’s play, sense of belonging, inclusivity and caring for the environment).

Natural environments have living and non-living, naturally occurring elements. Artificial features or materials may also be used however it is crucial that children have ample opportunity to engage with the natural environment.[[44]](#footnote-45) Using natural building materials is often beneficial and recommended for many reasons, but doesn’t contribute to the natural environment requirement. The Regulatory Authority **expects** that premises provide children with meaningful opportunities to interact with and explore nature in their surroundings.

For example, incorporating things such as water play, gardens, sandpits, dirt patches, edible plants, shady trees, compost, worm farms, logs/stumps, rocks and hay bales will contribute to allowing children to explore and experience the natural environment. It is also important to consider potential allergies when selecting natural elements like plans and trees.

ACECQA’s [Guide to the National Quality Framework](https://www.acecqa.gov.au/nqf/about/guide) provides further information about natural environments in relation to the National Quality Standard and service ratings.[[45]](#footnote-46)

### Shade

Outdoor spaces of the premises **must** include adequate shaded areas to protect children from overexposure to ultraviolet radiation from the sun.[[46]](#footnote-47)

The Regulatory Authority **expects** that:

* the shade is adequate any time children are to be present at the premises, including during different times of the day and/or seasons.
* areas where children may be seated for extended periods (such as sandpits) are adequately shaded at least during high UV times of the day/year.
* the shade is adequate for the total number of children who will be in attendance to engage comfortably in outdoor play during hot weather.

Often trees provide useful shade and contribute to other requirements too, like natural elements and can be incorporated in programs. Many other shade options, including portable ones, exist and can be utilised to ensure adequate shade for children. When assessing adequate shade, the Regulatory Authority considers the numbers of children as well as the different outdoor play spaces and equipment including areas for active and quiet play and how these can be utilised without crowding in various weather conditions.

### Fences

Any outdoor space to be used by children at the premises **must** be enclosed by a fence or barrier that is of a height and design that children preschool age or under cannot go through, over or under it.[[47]](#footnote-48) This does not apply if the service will primarily cater for children over preschool age.[[48]](#footnote-49)

The Regulatory Authority will assess the suitability of the fence/barrier as well as its impact on supervision and safety. For example, the fencing **must** not impede emergency evacuation nor the ability for educators to supervise children. The proximity of the fence to things such as buildings, trees, fixed or moveable items like play equipment or garden beds, will be examined to ensure that children cannot go through, over or under the fence. The fence (or anything near the fence) **should** not present a climbing risk and should be free from hand or footholds.

The Regulatory Authority **expects** fencing to reflect the needs of the particular premises and the severity of risk to a child on the other side of that fence. For example, higher and more robust fences will be required on multi-storey boundaries, or to protect from hazards like water.

There will be some premises, or area of the premises, where fencing may also be used for privacy. However, it will usually be more important for children to access views to the distance and connect to the surrounds/community. The Regulatory Authority **expects** providers to consider all the circumstances at those premises and design fencing accordingly, which may include different fences is different places.

### Using indoor space as outdoor space/simulated outdoor space

Applicants seeking to only have children over preschool age in attendance can apply to the Regulatory Authority to use an area of unencumbered indoor space in outdoor space calculations (provided the space has not been used in indoor space calculations).[[49]](#footnote-50) These applications must be in writing and can be made with an application for service approval or at a later time.

In addition, approved providers can apply for a waiver from space requirements in certain situations. However, genuine outdoor space and the importance of outdoor learning environments is embedded within the requirements of the NQF and play a critical role in a child’s development. The Regulatory Authority **expects** waivers are only sought in exceptional circumstances and even so, may not be approved without adequate outdoor options.

The Regulatory Authority is sometimes asked to approve simulated outdoor space. However, often it cannot substitute for the benefits of outdoor space and is not approved, even when the space is large. Requirements and criteria for outdoor space waivers, including criterion for the Melbourne CBD, are at: <https://www.vic.gov.au/waivers-early-childhood-services#waiver-types-and-supporting-information>.

## Materials, Furniture and Equipment Requirements

### Safe, clean and good repair

The premises and all equipment and furniture used in providing the education and care service must be safe, clean and in good repair.[[50]](#footnote-51) This applies at all times the service is providing education and care and must be maintained so it stays safe, clean and in good repair over time.

The Regulatory Authority **expects** that the furniture and equipment (inside and outside):

* is compliant with relevant Australian standards and clearly identifies this,
* is installed and operated in accordance with manufacturers guidelines and instructions and records can show this (maintaining records of installation is recommended),
* can continue to be safe, clean and in good repair over time with regular use by children,
* is suitable for the purpose (including the age and development of the children using it),
* is suitable for the environment/weather,
* incorporates appropriate fall zones and impact-absorbing surfaces where needed,
* minimises UV reflection and heat retention where needed (for example play equipment and ground surfaces in direct sunlight do not cause heat or glare hazards),
* equipment and furniture, including posts and poles, are secured and positioned in a manner that isn’t a hazard for children. That is, the risks of furniture and equipment being run into or causing injury if fallen on, has been minimised and, the furniture and equipment can withstand it’s intended use and cannot fall.
* is utilised in way that adequately minimises slip and trip hazards (for example, consider whether uneven surfaces, steps and equipment edging is sufficiently safe and suitable).
* if synthetic turf and/or rubber surfaces or rubberock are used, it is ensured that:
	+ they do not become slippery when wet nor become dangerously hot (for example choose types that are designed to stay cool and position in shade if needed),
	+ there is no additional fire risk from their use and/or positioning,
	+ they do not dominate space and prevent the natural environment requirement being met.
	+ if used for impact absorption that the absorption qualities can be maintained over time.
	+ any chemical odor can be adequately controlled and not cause harm to children.

The Regulatory Authority also expects there is a plan for the cleaning and maintenance of the premises, furniture and equipment to ensure it all remains safe, clean and in good repair at all times. The plan should reflect regularity of cleaning and maintenance activities as well as how unexpected work is identified and carried out (for example, equipment risk assessment schedule).

### Sufficient and appropriate furniture, materials and equipment

Each child **must** have access to sufficient furniture, materials and developmentally appropriate equipment.[[51]](#footnote-52) This requires consideration of the ages, interests, strengths and abilities of any child who may attend the service.

The Regulatory Authority **expects** that, without overcrowding, ‘sufficient’ means that the range of children’s interests, ages and abilities are catered for and children will not have to wait long periods to participate.[[52]](#footnote-53) For example, the number of cots, bedding, play mats, soft toys and change tables supports and reflect the ages, abilities and numbers of children who will attend the service.

The ability to adapt materials and equipment for many purposes, as well as items that support open-ended and play-based learning, may be beneficial in meeting this requirement. For example, furniture, materials and equipment that allow for children to access and choose, and for educators to easily set-up and vary additional resources or rearrange and adjust the environment. This may be especially important in settings where children are in attendance for long periods of time so that there can be varied experiences for children (indoors and outdoors) that are determined by children’s interests at the time.

### Communication equipment

The premises **must** have readily accessible operating telephone/s, or other similar means of communication, to enable immediate communication to and from parents and emergency services.[[53]](#footnote-54) This includes when transporting children and during an excursion or regular outing. Communications equipment **should** remain viable during an emergency such as bushfires and other disruptive events. As with all aspects of the premises, the Regulatory Authority will check that the design of communication equipment does not impede the overarching requirements of safety and supervision. For example, when an educator uses communication equipment (even in an emergency) it should not disrupt adequate supervision of children.

### Storage

LDC and kindergarten services are likely to have extensive storage needs. Safe storage **must** exist for equipment, cleaning and maintenance products as well as soiled clothing/nappies. There are also certain documents that **must** be kept at the premises.[[54]](#footnote-55) ACECQA’s [Guide to the National Quality Framework](https://www.acecqa.gov.au/nqf/about/guide) sets out the required records, where they must be kept as well as timeframes and confidentiality requirements.[[55]](#footnote-56)

When inspecting premises, the Regulatory Authority **expects** there is adequate, safe and appropriate storage for the proposed service. For example, ensure there is storage for:

* children’s play equipment (preferably directly accessible for the space it will be used in),
* sleeping materials (cots, mattresses, and linen),
* rubbish and recycling as well as soiled clothing and nappies,
* children’s personal belongings (hats, bags, jackets, change of clothing),
* prams and any other relevant travel equipment including for evacuation purposes,
* perishable and non-perishable food items (often as bulk purchase items),
* cleaning and maintenance equipment including chemicals and relevant outdoor materials,
* portable shade if used,
* administrative records including sign-in system, required documents and reference materials.

Occupational health and safety may also impact storage design, see: worksafe.vic.gov.au.

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1. Section 51 of the National Law. [↑](#footnote-ref-2)
2. Section 167 of the National Law. [↑](#footnote-ref-3)
3. Section 49 of the National Law. [↑](#footnote-ref-4)
4. Section 165 of the National Law. [↑](#footnote-ref-5)
5. Regulation 115 of the National Regulations. [↑](#footnote-ref-6)
6. Section 47 of the National Law [↑](#footnote-ref-7)
7. Section 49 of the National Law. [↑](#footnote-ref-8)
8. Regulation 97(4) of the National Regulations. [↑](#footnote-ref-9)
9. Regulation 97(3) of the National Regulations. [↑](#footnote-ref-10)
10. Using CCTV may present additional considerations in relation to child safety as well as issues outside of the NQF, such as privacy legislation. Consider seeking advice from relevant experts if thinking of using CCTV and also ensure strong policies, training and culture in relation to Child Safe Standards. Also note that services operated by the Department of Education are directed not to install CCTV except in limited circumstances as set out in the VSBA Building Quality Standards Handbook. [↑](#footnote-ref-11)
11. Regulation 156 of the National Regulations. [↑](#footnote-ref-12)
12. Regulation 25(1)(d) of the National Regulations. [↑](#footnote-ref-13)
13. Information about the National Construction Code can be found at <https://ncc.abcb.gov.au>. For a summary of emergency evacuation requirements for services in multi-storey buildings see: [www.abcb.gov.au/news/2022/new-requirements-early-childhood-centres-and-primary-schools-multi-storey-buildings](http://www.abcb.gov.au/news/2022/new-requirements-early-childhood-centres-and-primary-schools-multi-storey-buildings). [↑](#footnote-ref-14)
14. Section 107(2) and 15A of the National Law [↑](#footnote-ref-15)
15. Regulation 107 of the National Regulations. [↑](#footnote-ref-16)
16. For guidance about determining whether a kitchen is primarily used by children see ACECQA’s Guide to the National Quality Framework, page 411. Available: [www.acecqa.gov.au/nqf/about/guide](http://www.acecqa.gov.au/nqf/about/guide). [↑](#footnote-ref-17)
17. Regulation 107 of the National Regulations. [↑](#footnote-ref-18)
18. Further information in ACECQA’s Guide to the National Quality Framework, page 411. Available: [www.acecqa.gov.au/nqf/about/guide](http://www.acecqa.gov.au/nqf/about/guide). [↑](#footnote-ref-19)
19. Regulation 84A of the National Regulations. [↑](#footnote-ref-20)
20. Regulation 84B of the National Regulations. [↑](#footnote-ref-21)
21. Regulation 84C of the National Regulations [↑](#footnote-ref-22)
22. Regulation 84D of the National Regulations. [↑](#footnote-ref-23)
23. Red Nose (2021). *Questions to ask when choosing a childcare centre*. Available: <https://rednose.org.au/article/questions-to-ask-when-choosing-a-childcare-centre>. [↑](#footnote-ref-24)
24. Regulation 110 of the National Regulations. [↑](#footnote-ref-25)
25. ACECQA’s Guide to the National Quality Framework, page 412. Available: [www.acecqa.gov.au/nqf/about/guide](http://www.acecqa.gov.au/nqf/about/guide). [↑](#footnote-ref-26)
26. ACECQA’s Guide to the National Quality Framework, page 412. Available: [www.acecqa.gov.au/nqf/about/guide](http://www.acecqa.gov.au/nqf/about/guide). [↑](#footnote-ref-27)
27. ACECQA’s Guide to the National Quality Framework, page 412. Available: [www.acecqa.gov.au/nqf/about/guide](http://www.acecqa.gov.au/nqf/about/guide). [↑](#footnote-ref-28)
28. Regulation 109 of the National Regulations. [↑](#footnote-ref-29)
29. Regulation 115 of the National Regulations Regulation 155 of the National Regulations requires reasonable steps to be taken by the provider to ensure the service maintains the dignity and rights of each child at all times [↑](#footnote-ref-30)
30. Regulation 155 of the National Regulations requires reasonable steps to be taken by the provider to ensure the service maintains the dignity and rights of each child at all times. [↑](#footnote-ref-31)
31. ACECQA’s Guide to the National Quality Framework, page 413. Available: [www.acecqa.gov.au/nqf/about/guide](http://www.acecqa.gov.au/nqf/about/guide). [↑](#footnote-ref-32)
32. Regulation 112 (2) of the National Regulations. [↑](#footnote-ref-33)
33. Regulation 112 (4) of the National Regulations. [↑](#footnote-ref-34)
34. ACECQA’s Guide to the National Quality Framework, page 414. Available: [www.acecqa.gov.au/nqf/about/guide](http://www.acecqa.gov.au/nqf/about/guide). [↑](#footnote-ref-35)
35. Worksafe Victoria also provides guidance about nappy change tables to minimise staff bending, reaching and twisting which may also be useful when designing facilities: [www.worksafe.vic.gov.au/using-cots-highchairs-and-change-tables-early-learning-workplaces](http://www.worksafe.vic.gov.au/using-cots-highchairs-and-change-tables-early-learning-workplaces). [↑](#footnote-ref-36)
36. Regulation 106(1) of the National Regulations. [↑](#footnote-ref-37)
37. Regulation 106(2) of the National Regulations. [↑](#footnote-ref-38)
38. Regulation 111 of the National Regulations. [↑](#footnote-ref-39)
39. Regulation 108 (2) of the National Regulations. Note that this requirement does not apply to children in attendance in an emergency or exceptional circumstances as specified in regulation 108(6) of the National Regulations. [↑](#footnote-ref-40)
40. Regulation 108(3) and 108(4) of the National Regulations. [↑](#footnote-ref-41)
41. Standard 3.1 and 3.2 and Elements 1.2.3 and 2.1.3 of the National Quality Standard. [↑](#footnote-ref-42)
42. Regulation 113 of the National Regulations. [↑](#footnote-ref-43)
43. Regulation 113 of the National Regulations. [↑](#footnote-ref-44)
44. ACECQA’s Guide to the National Quality Framework, page 408. Available: [www.acecqa.gov.au/nqf/about/guide](http://www.acecqa.gov.au/nqf/about/guide). [↑](#footnote-ref-45)
45. ACECQA’s Guide to the National Quality Framework, for example on pages 188, 201 and 408. Available: [www.acecqa.gov.au/nqf/about/guide](http://www.acecqa.gov.au/nqf/about/guide). [↑](#footnote-ref-46)
46. Regulation 114 of the National Regulations. [↑](#footnote-ref-47)
47. Regulation 104 of the National Regulations and see page 407 of ACECQA’s Guide to the National Quality Framework for information on how ‘primarily’ is determined: [www.acecqa.gov.au/nqf/about/guide](http://www.acecqa.gov.au/nqf/about/guide). [↑](#footnote-ref-48)
48. Regulation 104(2) of the National Regulations. [↑](#footnote-ref-49)
49. Regulation 108(5) of the National Regulations. See page 83-84 of ACECQA’s Guide to the National Quality Framework for more information about how such an application is assessed: [www.acecqa.gov.au/nqf/about/guide](http://www.acecqa.gov.au/nqf/about/guide). [↑](#footnote-ref-50)
50. Regulation 103(1) of the National Regulations. [↑](#footnote-ref-51)
51. Regulation 105 of the National Regulations. [↑](#footnote-ref-52)
52. ACECQA’s Guide to the National Quality Framework, page 415. Available: [www.acecqa.gov.au/nqf/about/guide](http://www.acecqa.gov.au/nqf/about/guide). [↑](#footnote-ref-53)
53. Regulation 98 of the National Regulations. [↑](#footnote-ref-54)
54. Section 175 of the National Law and regulation 177 of the National Regulations specify these details. Copies of the National Law and National Regulations and the service’s policies and procedures must also be accessible at the premises (regulation 171 and 185). [↑](#footnote-ref-55)
55. ACECQA’s Guide to the National Quality Framework, page 487-497. Available: [www.acecqa.gov.au/nqf/about/guide](http://www.acecqa.gov.au/nqf/about/guide). [↑](#footnote-ref-56)