

Building newsflash

Queensland Development Code MP5.4—Child care centres P8 personal washing facilities

Purpose

To provide direction to building certifiers when assessing compliance of child care centres with the personal washing facilities requirements of MP5.4—Child care centres of the Queensland Development Code (MP5.4 of the QDC) for the purposes of licensing in accordance with the *Child Care Act 2002* (CCA).

Background

Under the CCA, child care services must demonstrate compliance with the *Building Act 1975* which includes the building standards contained within MP5.4 of the QDC.

Compliance with MP5.4 can be achieved by complying with the acceptable solutions of the QDC or by formulating an alternative solution which complies with the performance requirements of the QDC.

Early childhood officers of the Office for Early Childhood Education and Care (OECEC) assessing child care services for the purposes of licensing and monitoring requirements, consider whether a premise is safe and suitable for the ages and number of children being provided with care.

To assist a licensee in demonstrating the premise complies with the requirements of the CCA, building certifiers may be asked to issue a written document evidencing compliance of the premise with MP5.4 of the QDC.

There is currently an inconsistency between the requirements of F2.3 (g) (ii) of Volume 1 of the Building Code of Australia (BCA) and A8 (b) of MP5.4 of the QDC with regard to the provision of personal washing facilities.

Legislation

MP5.4—Child care centres of the Queensland Development Code
Child Care Act 2002
Child Care Regulation 2003
Building Act 1975 (BA)—section 35

Interpretation

Under section 35 of the BA, if there is an inconsistency between the BCA and the QDC, the QDC will prevail.

A8 (b) of MP5.4 sets out the requirements for personal washing facilities in licensed child care centres. This criterion requires that a service provides a built in bath or shower with a hand held shower rose, located within the area accommodating the youngest age group above 15 months. This facility is required in addition to the bath required in A6(e)(i).



F2.3 of the BCA however, imposes a different requirement that a 9b—Early childhood centre must provide one bath or a shower-bath. This means that any service proposing just a shower will comply with the MP5.4 of the QDC but will not comply with the BCA.

In practice, the OECEC is aware that installing only a shower is the preferred option for many early childhood education and care providers in addition to the built in bath required under A6(e)(i). The OECEC considers that while not strictly satisfying F2.3(g) (ii) of the BCA, a bath or a shower provided in accordance with A8(b) will provide adequate facilities for the children being provided with child care and will therefore prevail over the requirements of the BCA.

Contact officer

Please contact an early childhood officer with the OECEC for further information regarding this issue. Assistance to locate your nearest OECEC Service Centre may be obtained by contacting the Child Care Information Service on 1800 637 711 (24 hours).

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