

# Child Care Premises Policy

<b>Responsible Division</b>	Office of the CEO
<b>Responsible Business Unit</b>	Property and Economic Development
<b>Responsible Officer</b>	Manager Property and Economic Development
<b>Affected Business Units</b>	Regulatory Services
<b>ECM Document Set ID</b>	5045194

## Purpose

**Child care premises** are an essential community service that are provided by both the public and private sector. The purpose of this policy is to provide clear direction on appropriate locations for **child care premises** within the City of Bayswater. This policy seeks to ensure that **child care premises** are designed and located to ensure the health and safety of children, and to preserve the amenity of the City's neighbourhoods.

## Scope

1. This policy applies to all proposals for **child care premises** within the City of Bayswater, on zoned and reserved land.
2. Where this policy is inconsistent with City of Bayswater *Town Planning Scheme No. 24 (TPS 24)*, a structure plan or local development plan, the provisions of that planning instrument shall prevail to the extent of the inconsistency.

## Objectives

The objectives of this policy are to:

1. Encourage **child care premises** to be co-located with education facilities, or within activity centres, station precincts or urban corridors to facilitate multi-purpose trips and access to public transport.
2. Establish suitable locational criteria to ensure that **child care premises** are compatible with the established or desired context.
3. Ensure the design of **child care premises** is compatible with, and minimises adverse amenity impacts on, adjoining land uses and the locality.
4. Appropriately manage and minimise traffic, safety and amenity impacts of **child care premises** within residential areas.
5. Ensure the design of **child care premises** respects the established or desired built form, landscape and streetscape character of the locality.
6. Ensure the landscaping of all **child care premises** is provided to a standard which mitigates development impacts on the amenity of the locality, and positively contributes to the desired streetscape character.

## Definitions

For the purpose of this policy —

**child care premises** means premises –

- (a) where an education and care service as defined in the *Education and Care Services National Law (Western Australia)* section 5(1), other than a family day care service as defined in that section, is provided; or
- (b) where a child care service as defined in the *Child Care Services Act 2007* section 4 is provided; or
- (c) that is a ‘child day care centre’ as defined in TPS 24.

**family day care** means premises –

- (a) where a family day care service as defined in the *Education and Care Services National Law (Western Australia)* is provided; or
- (b) as defined in TPS 24.

## Policy Statement

### Exempted Development

1. Development Approval of the City is not required for **family day care** in the following circumstances:
  - (a) The **family day care** offers education and care for no more than seven children aged from birth to 13 years, including the educators’ own children in the educators’ own home; and
  - (b) The **family day care** offers education and care to no more than four children below pre-primary school age; and
  - (c) The **family day care** operates within the standards of the Children and Community Services Act 2004; and
  - (d) The **family day care** is located in the Centre, Residential, Medium and High Density Residential, Mixed Use or Maylands Activity Centre zone.

### Locational Requirements

1. The following characteristics are considered suitable for the location of a child care premises:
  - On, or adjacent to a school site or appropriate Public Purposes reserve; and/or
  - Abutting non-residential land uses; and/or
  - Corner sites with frontage to a local or district distributor road, or Other Regional Road reserve; and/or
  - Within or abutting an activity centre or station precinct; and/or
  - Within an urban corridor or local centre identified in the Local Planning Strategy; and/or
  - Within 200 metres of a high frequency public transport station or stop; and

- With adequate pedestrian/cycle infrastructure such as footpaths/dual use paths; and
- Where the impacts of vehicle access and traffic movements on the safety and operation of the road network and amenity of adjoining properties is minimised; and
- Where **child care premises** can be designed to prevent conflict with residential amenity.

### **Building Design Requirements**

1. Design of **child care premises** is to comply with the development standards of any local planning scheme in effect and/or any applicable structure plan, local development plan or local planning policy.
2. Design of **child care premises** is to address the design principle of State Planning Policy 7.0, including any advice of the City's Design Review Panel.
3. **Child care premises** should incorporate active street frontages at the ground and upper floors and may include unobscured window openings and outdoor play areas to encourage street activation and surveillance.
4. Parking areas should be located at the rear of the building and/or screened from the street.
5. Outdoor play areas should be located to minimise noise impacts on adjoining noise sensitive land uses.
6. Air conditioners and all other mechanical/plan equipment are to be screened from view from the street and/or located at the rear of the building, where practicable.
7. Bin storage areas to be:
  - (a) Screened from view by a wall not less than 1.8 metres in height and located behind the primary street setback; and
  - (b) Accessible to waste collection vehicles and not conflict with car parking and vehicular and pedestrian access; and
  - (c) Designed and located to not result in adverse amenity impacts to adjoining residential properties due to odour or noise.

### **Traffic, Access and Car Parking Requirements**

1. Vehicle access should be provided from a local or district distributor road or other regional road.
2. Corner sites with frontage to a primary regional road (e.g. Morley Drive or Guildford Road) should provide vehicle access from the lower-order road.
3. Parking areas should be designed to enable vehicle to enter and exit in forward gear.
4. Vehicle crossovers and parking areas should be located to avoid existing street trees.
5. All vehicle movements and traffic circulation should be contained wholly within the lot.
6. Safe pedestrian pathways should be provided between car parking areas and pedestrian access points.
7. The number of car parking bays provided is to be in accordance with the requirements of TPS 24.
8. The City's *Car Parking Dispensation* Local Planning Policy may be applied to **child care premises**.

9. All required car parking bays shall be provided within the development site. The street verge shall not be relied upon and will not be supported to justify a shortfall.
10. Tandem parking or the use of car stackers or similar will generally not be supported unless it is provided for staff parking only and can be appropriately controlled and managed without amenity impacts such as noise or additional vehicle movements.
11. Bicycle parking shall be provided at a ratio of one bay per 10 staff.

### **Fencing and Landscaping**

1. Front fences within the primary street setback area shall be visually permeable above 1.2 metres of natural ground level, measured from the primary street side of the front fence.
2. Front fences shall not exceed a maximum height of 1.8 metres above natural ground level, measured from the primary street side of the front fence.
3. A sufficient dividing fence shall be provided in accordance with the City's *Fencing and Floodlighting* Local Law.
4. Landscaping is to be provided in accordance with the requirements of TPS 24, and the City's *Landscaping and Sustainability in Design* local planning policies.

### **Application Requirements**

1. The following information is required to be submitted with all applications for development approval for **child care premises**:
  - Site plan and architectural drawings including elevations and rendered streetscape images;
  - Operational Management Plan including the number of staff and children by age group;
  - Transport Impact Assessment (TIA) or Transport Impact Statement (TIS) as applicable;
  - Car Parking Management Plan;
  - Environmental Noise Acoustic Assessment;
  - Amenity Impact Assessment;
  - Transport Noise Mitigation Assessment for developments within the trigger distance of transport noise sources in accordance with *State Planning Policy 5.4 – Road and Rail Noise*;
  - Waste Management Plan;
  - Outdoor Lighting Plan; and
  - Signage Strategy
2. The Operational Management Plan shall include the following:
  - (a) Hours of operation being limited to between 7:00am and 7:00pm weekdays and Saturdays, unless it can be demonstrated that the use will not impact on the amenity of surrounding properties.

- (b) Servicing and deliveries to take place during operational hours, but not during peak morning drop-off or peak afternoon pick-up periods.
3. The TIS or TIA shall be prepared by a suitably qualified professional in accordance with the Western Australian Planning Commission *Transport Impact Assessment Guidelines (Volume 4)* to the satisfaction of the City.
4. Acoustic Assessments and Noise Management Plans shall be prepared by a suitably qualified professional to determine the noise impacts of the development and demonstrate that the proposal can adequately mitigate those impacts on adjoining noise sensitive land uses to the satisfaction of the City. Where mitigation measures are recommended, they shall be thereafter implemented and maintained to the satisfaction of the City.
5. Amenity Impact Assessments shall be prepared by a suitably qualified and/or experienced planning, architectural or urban design professional for all child care premises within or abutting residential zones or other noise sensitive land uses, and shall address the following:
  - Context analysis for the locality;
  - How the development satisfies the requirements of the applicable planning framework, including TPS 24 and any applicable structure plan, local development plan or local planning policy;
  - Design considerations which mitigate negative impacts on the amenity of adjacent properties and the locality; and
  - Measures proposed to address and mitigate adverse amenity impacts that could result from the development, including impacts to residential properties and visual amenity.

## Related Legislation

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Other related legislation includes:

- *City of Bayswater Town Planning Scheme No. 24*
- *Education and Care Services National Law (WA) 2012*
- *Education and Care Services National Regulations (WA) 2012*
- *Environmental Protection (Noise) Regulations 1997*
- *Food Act 2008*
- *Food Regulations 2009*

## Related Documentation

- Western Australian Planning Commission - *Draft Position Statement: Child Care Premises*

**Document details**

<b>Relevant delegations</b>	TP-D01 Local Planning Schemes		
<b>Risk evaluation</b>	low		
<b>Strategic link</b>	<b>City of Bayswater Council Plan 2025-2035</b>		
	Key Result Area:	Built	
	Outcome 2.1	A Connected and Accessible City	
	Objective 2.1.2	Create liveable neighborhoods and centres that include consideration of our built heritage.	
	Key Result Area:	Economic	
	Outcome 4.1	Diverse Economic Opportunities	
	Objective 4.1.2	Support mixed-use precincts and developments	
<b>Council adoption</b>	9 December 2025	<b>Resolution</b>	Item 10.5.1.3.2
<b>Next review due</b>	December 2029		
<b>Reviewed/modified</b>	[date]	<b>Resolution</b>	[item no.]
<b>Revision details</b>	[description]		