

Planning Bulletin 72/2009 Child Care Centres

August 2009

The child care centre guidelines have been revised as a result of submissions received following the release of planning bulletin 72 in June 2005. During the public advertising period a total of 19 submissions were received. While these submissions were generally supportive, further refinements and improvements were identified and have been incorporated, where appropriate. The planning bulletin is intended to provide a guidance document for decision-makers, developers and the community for use when planning for child care centres.

Site contamination

The commencement of the *Child Care Centres Act 2003* on 1 December 2006 has created new statutory obligations for land users and has highlighted the importance of preventing the development of child care services on land that is unsuitable for this use because of soil and groundwater contamination at or near the site.

The *Child Care Centres Act 2003*, which is administered by the DEC, requires that known or suspected

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Accordingly, the WAPC is of the view that, although a proponent does not have to demonstrate there is sufficient demand for the activity, there may be a need to show that the development will not have an adverse impact on the amenity of the area or the level of service to the community by similar existing or approved facilities.

In such instances, and depending on the scale of the proposal, the applicant may be asked to provide further information in regard to the level of existing services in the locality, proximity to other centres, population catchments for the new centre and the number of primary schools and kindergartens in the locality, in relation to the development of a new facility.

3.9 Consultation

Appropriate consultation should be undertaken to consider the likely impact a child care centre may have on the amenity of an existing residential area. A minimum requirement should be for the local government or the applicant to advise adjoining neighbours in writing and display public advertisements on the site, in accordance with the public notification procedures of the local government.

Where the location of a child care centre was predetermined in a structure plan, or similar wide-ranging site assessment completed prior to any residential development in the vicinity, comprehensive consultation on a planning application may not be necessary.

3.10 Implementation

This policy provides guidance to decision-making authorities on the location and development of the child care centres.

Development of a child care centre usually requires planning approval from the local government, or in some cases the WAPC, and a licence from the Department for Communities, pursuant to the relevant regulations for child care under the *Child Care Services Act 2007*. The regulations address a wide range of issues including indoor and outdoor space requirements, shade, fencing, some internal structural requirements and environmental health needs.

Local governments have local planning schemes or relevant local policies that address a variety of other planning matters, such as the appearance of buildings, parking requirements and the provision

of landscaping, and should be contacted for further information.

3.11 Application requirements

In addition to completion of the mandatory application form and fees, applications for child care centres should be accompanied by:

- a) a written statement outlining the number of children proposed, age group breakdown, days and hours of operation and staff requirement;
- b) a location plan depicting surrounding lots and road layout;
- c) a site contour survey plan prepared by a licensed land surveyor, indicating the location of the proposed building and existing buildings and structures on adjacent sites;
- d) a detailed site plan to a scale sufficient to identify clearly the boundaries and all proposed structures, external play areas; landscaping, refuse storage area, car parking, pedestrian and vehicle access ways, crossover/s and kerb locations, verge width and associated road infrastructure (eg light poles, traffic islands) for the full road reserve width for all roads abutting the application site;
- e) floor plans and elevations to all sides of the proposed building to a minimum scale of 1:100, or such other scale as required by the decision-making authority;
- f) a traffic impact statement/assessment, if required by the decision-making authority;
- g) a noise impact assessment, if required by the decision-making authority;
- h) a signage strategy;
- i) if the site has been used for a potentially contaminating activity the information listed in section 6 of DEC's *Child Care Services and Land Use Planning Policy* (available on the DEC website at www.dec.wa.gov.au); and
- j) any additional information relevant to the assessment of the application.

3.12 Review

If a planning application for a child care centre is refused or an applicant is aggrieved by any of the conditions of an approval, there is a right of review of the decision by the State Administrative Tribunal, in accordance with the relevant

legislation. Such applications for review must be lodged with the tribunal within the prescribed time and in accordance with the rules and regulations of the tribunal.

Applicants considering making such an application for review should consult the tribunal and, if necessary, a legal practitioner or other appropriate professional in relation to commencement and conduct of a review.

4 Comment and further information

Further information, any enquiries or correspondence on this planning bulletin should be directed to:

Director
Policy Development and
Coordination
Department of Planning
Albert Facey House
469 Wellington Street
Perth WA 6000

quoting the reference
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