

5.7 ADVERTISING OF AMENDED POLICY - POLICY NO. 7.5.3 - EDUCATION AND CARE SERVICES

- Attachments:**
1. Engagement Results Report
 2. Draft Local Planning Policy: Education and Care Services
 3. Local Planning Policy: Education and Care Services - Tracked Changes

RECOMMENDATION:

That Council PREPARES Amendment 2 to Local Planning Policy No. 7.5.3 – Education and Care Services, included at Attachment 2, for the purpose of public advertising, pursuant to clause 4 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

PURPOSE OF REPORT:

For Council to prepare Amendment 2 to Local Planning Policy No. 7.5.3 – Education and Care Services for the purpose of public advertising.

BACKGROUND:

Council adopted Local Planning Policy No. 7.5.3 – Education and Care Services (the Policy) on 27 March 2001 and last reviewed the Policy on 12 March 2013.

Review of the Policy aligns its intent with the City's expectations for education and child care services and to help mitigate these uses' potential impacts on adjoining areas.

DETAILS:Consultation with key stakeholders

The City sought feedback from education and care service operators within the City of Vincent, applicants who had lodged a development application in 2020 and 2021, and a selection of community members who had provided a submission to the City in relation to a development application relating to an education or child care service. The purpose of this initial consultation was to understand potential improvements for the Policy. The consultation period commenced on 14 December 2021 and concluded on 30 January 2022. A follow up email was sent to all stakeholders on 17 January 2022.

Three submissions were received. The first was from a previous submitter who raised concerns with the amount of traffic generated from child care centres, and the impacts the additional traffic has on surrounding streets.

The second submission was received from a child care operator within the City of Vincent. The submission suggested operating hours should be extended from 7:30am to 6:30am to reflect demand. It also suggested improving provisions relating to appropriate locations, parking and access, outdoor shade and artificial surfaces to protect the safety of children.

The third submission raised concerns that a crèche facility would require development approval under the Policy.

A summary of the submissions and Administration's response is included as **Attachment 1**.

Proposed improvements

As a result of the desktop review and community engagement, the following improvements were identified:

1. Improved objectives

The current objective of the Policy is as follows:

“The purpose of this policy is to facilitate the establishment of Education and Care Services premises and to provide specific development, design and operating requirements for Family Day Care Service and Centre-Based Child Care Service premises.”

To accommodate situations not considered by a policy, it is good practice for objectives to provide guidance on acceptable standards and outcomes. The current objective of the Policy does not do this, and simply specifies the purpose of the policy.

New objectives are proposed that refer to appropriate locations, noise generating activities, protection of privacy, traffic impacts on local roads, parking supply and functionality, design quality and overall functionality of the site. The proposed objectives make specific references to the issues that commonly pertain to education and care service developments, and how the Policy should be applied to address these issues.

2. Updated definitions to distinguish between ‘Centre-Based Child Care Services’ and ‘Family Day Care Services’.

The existing definitions within the Policy refers to the *Education and Care Services National Regulations 2012* (Regulations), which is not a user-friendly approach. The proposed amendment includes the definitions in the Policy itself to clearly articulate the difference between the care services.

3. Delete provisions that relate to other legislation or are not planning considerations. For example, the number of baby change facilities is not a planning consideration and should not be included within the Policy.
4. Include new provisions relating to:

Building design (Clause 1.1)

The new building design requirements are to be considered in addition to those within the City’s Policy No. 7.1.1 – Built Form. They ensure buildings are designed to protect the privacy of the adjoining properties and the users of the site, while maintaining an acceptable level of interaction with the street.

Suitable locations for Centre-Based Child Care Services (Clause 3.1 and 3.2)

Child care services are to be appropriately located adjacent to other commercial development. This would reduce adverse impacts on noise sensitive land uses such as residential properties.

Child care services typically do not provide interactive frontages with the street and are not to be located on the ground floor or at grade level within Regional Centres, District Centres or Local Centres under the City’s Local Planning Scheme.

Car parking and vehicle access (Clause 3.4)

Additional requirements are included for drop off/pick up locations to ensure they are suitably located and consider amenity impacts on adjoining properties. Separate pedestrian paths are also recommended to provide a safer environment for users of the site.

Traffic volumes on local roads is a common theme raised by residents during public consultation periods. Where available, dual vehicle access will reduce traffic volumes on any one street and assist with the flow of traffic.

5. Amend existing provisions relating to:

Fencing and security (Clause 1.2)

The clause was reworded to use plain English.

Hours of operation (Clause 1.5)

Additional hours may be considered in instances when there is no adverse impact on the amenity of surrounding properties.

External playing space (Clause 3.3)

To consider appropriate locations for external play spaces to avoid them being located adjacent to sensitive land uses (i.e. residential dwellings) or unsafe locations (i.e. near a major road).

To support design excellence, natural landscaping that is integrated into the overall design of the space is encouraged over artificial materials.

Submission requirements (Clause 4)

Additional detail is included in the 'Submission requirements' section of the proposed Policy to ensure all supporting information is included and assessed as part of the development application. This would assist in assessing compliance with relevant legislation and impact on surrounding areas.

The minimum submission requirements include operation management plans, development plans, traffic impact statement/assessment in accordance with the Western Australian Planning Commission's Transport Impact Assessment Guidelines, parking management plans, waste management plans, landscaping plans, noise assessment, and signage plans in accordance with the relevant local planning policies.

The draft amended Policy is included as **Attachment 2**.

CONSULTATION/ADVERTISING:

In accordance with the City's Community and Stakeholder Engagement Policy, public notice of all new and significantly amended policies must be provided for a period exceeding 21 days in the following ways:

- notice published on the City's website;
- notice posted to the City's social media;
- notice published in the local newspapers;
- notice exhibited on the notice board at the City's Administration and Library and Local History Centre; and
- letters distributed to relevant local businesses and community groups.

Public notice of the Policy would be provided from April 2022.

LEGAL/POLICY:

Schedule 2, Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015* sets out the requirements to amend a local planning policy.

The City's Policy Development and Review Policy sets out the process for the development and review of the City's policy documents.

RISK MANAGEMENT IMPLICATIONS

Low: It is low risk for Council to provide public notice of the Policy.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2018-2028*:

Sensitive Design

Our planning framework supports quality design, sustainable urban built form and is responsive to our community and local context.

Innovative and Accountable

We are open and accountable to an engaged community.

SUSTAINABILITY IMPLICATIONS:

This does not contribute to any environmental sustainability outcomes. This action/activity is environmentally neutral.

PUBLIC HEALTH IMPLICATIONS:

This does not contribute to any public health outcomes in the *City's Public Health Plan 2020-2025*.

FINANCIAL/BUDGET IMPLICATIONS:

The costs of advertising the Policy can be met by the City's existing operating budget.

POLICY NO. 7.5.3 EDUCATION AND CARE SERVICES – Feedback from key stakeholders

Overview

The City sought feedback from education and care service operators within the City of Vincent, applicants who had lodged a development application in 2020 and 2021, and a selection of community members who had provided a submission to the City in relation to a development application relating to an education or child care service.

The purpose of engagement was to identify issues and potential improvements to the existing policy.

The consultation period commenced on 14 December 2021 and concluded on 30 January 2022. A follow up email was sent to all stakeholders on 17 January 2022.

Summary of submissions

The below tables summarise the comments received during the engagement and Administration's response.

Stakeholder	Submission summarised	Theme/s	Administration Response
Previous submitter	Education and Care Services generate too much traffic and cause parking issues within local roads.	<ul style="list-style-type: none"> • Congestion • Parking issues 	<p>Several changes to the Policy are proposed:</p> <p>A new objective is included to consider the impact the traffic generated may have of the safety and function of the local road networks.</p> <p>Clause 3.4 Car parking and vehicle access includes new requirements to better manage drop off / pick up areas, and where available proposals are to distribute ingress and egress over the multiple crossovers available for use. This is to reduce traffic volumes at any one access point.</p> <p>New requirements within Clause 4 as follows:</p>

			<p>iii) A traffic impact statement is required for applications proposing ten – 100 children, and a traffic impact assessment for applications proposing more than 100 children is requirement; and</p> <p>iv) A parking management plan in accordance with the City’s Local Planning Policy relating to Non-Residential Development Parking Requirements.</p> <p>The proposed updates ensure traffic generation and parking requirements of the proposed development would satisfy state and local government requirements, respectively.</p>
Child care operator	<p><u>3.6 Hours of Operation</u> There are services within the City that open at 6.30am so this may need to be changed to reflect what is actually happening in the community.</p> <p><u>4 Planning Approval</u> We have some concerns about this section regarding the safety of children. They are:</p> <ul style="list-style-type: none"> • Proximity of some services to major roads and /or intersections • Provision of parking and safety of this • Shade/outdoor requirements • Artificial surfaces such as soft fall <p><u>Proximity of services</u> We also have concerns over the proximity of services to each other. One final remark is does the policy cover 3 plus programs, out of school hours care services and vacation care programs?</p>	<ul style="list-style-type: none"> • Hours of operation • Safety of children • Proximity of services to each other 	<p><u>Hours of operation</u> All Centre-Based Child Care Services and Family Day Care Services require a development application under the City’s Local Planning Scheme No. 2. Where a proposal could demonstrate that the extended hours would not have an impact on adjoining properties, extended hours could be approved. An example of where extended hours may be appropriate is when a service was not adjacent to any residential properties or other noise-sensitive land uses.</p> <p><u>Planning Approval</u></p> <ul style="list-style-type: none"> • Most commercial areas, which are preferred locations for child care centres, are located along transport corridors. The Policy includes the following measures to mitigate impacts: <ul style="list-style-type: none"> ○ Objectives to consider overall safety of the site, particularly for vehicles and pedestrians

			<ul style="list-style-type: none"> ○ Fencing is required to retain children within the premises ○ New parking and access requirements to protect the safety of users of the site and surrounding local road networks ○ Traffic impact statements/assessments in accordance with the Western Australian Planning Commission’s Transport Impact Assessment Guidelines. These guidelines include guidelines for pedestrian access and safety. ● The amount of outdoor area is controlled by the Act and the Regulations. The policy requires 30 percent of the external playing area to be shaded, noting landscaping is encouraged over artificial shade. <p><u>Proximity of services</u> The proximity of services to each other is not a planning consideration.</p>
<p>Previous submitter</p>	<p>The policy is ok, but there is a problem for landlords wanting to include a creche facility on their premises, like the ones typically found at IKEA or in hospitals, where the parent must be on premises whilst the child is playing under supervision, such as described here: https://www.careforkids.com.au/child-care-articles/article/145/creches. The problem is that many websites - including the building code, mention that the term creche is used interchangeably with the term day care centre or childcare education centre. This creates confusion for building consultants and landlords who want a creche. The fact that we also have family day care or home care</p>	<ul style="list-style-type: none"> ● Unclear definitions 	<p>The Department of Communities, Education and Care Regulatory Unit confirmed creches (including those within shopping centres) do not fall within the definition of ‘Education and Care Service’ due to primarily being ad hoc or casual care.</p> <p>The Policy was amended to specify care types which are included and excluded from ‘Education and Care Service’.</p>

	facilities further adds to the confusion. I think it would be great if the policy could clearly stipulate what is (and in this case) what is not a day care centre.		
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LOCAL PLANNING POLICY: CHILD CARE AND FAMILY DAY CARE

Legislation / local law requirements	This Policy has been prepared under the provisions of Schedule 2, Part 2 and 3 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .
Relevant delegations	16.1.1 Determination of various applications for development approval under the City's Local Planning Scheme.
Related policies, procedures and supporting documentation	<ul style="list-style-type: none"> • <i>Education and Care Services National Law (WA) Act 2012.</i> • <i>Child Care Services Act 2007.</i> • <i>Education and Care Services National Regulations.</i>

PRELIMINARY

INTRODUCTION

The National Quality Framework (NQF) regulates early learning and school age care in Australia and seeks to improve education and care across long day care, family day care, preschool/kindergarten, and outside school hours care services. The NQF is established through an applied laws system and consists of the *Education and Care Services National Law (WA) Act 2012* and the *Education and Care Services National Regulations 2012*.

The *Education and Care Services National Law (WA) Act 2012* and *Education and Care Services National Regulations 2012* identifies two types of childcare services. These are Family Day Care Services and Centre-Based Child Care Services.

PURPOSE

The purpose of this policy is to provide clear direction on the requirements for education and care services within the City of Vincent.

OBJECTIVE

This Policy seeks to ensure that:

- Centre-Based Child Care Services are adjacent to and complement other non-residential land uses, and are located so as to avoid non-residential development encroaching upon areas which are residential in nature and resulting in adverse impacts.
- Noise-generating activities such as outdoor play areas, vehicle access ways, car parking areas and any plant and equipment is located away from noise-sensitive land uses (such as residential dwellings).
- The privacy of adjoining properties is protected through sensitive design.
- Sites are designed to minimise the impact of traffic associated with Centre-Based Child Care premises on the function and safety of the local road network.
- Adequate parking supply is provided that is functional and protects the safety of drivers and pedestrians.
- Buildings are designed to achieve high quality design and respond to the surrounding context, while providing a safe environment that meets the needs of its users.
- Legibility, functionality, and wayfinding are considered in the overall design of the development.



LOCAL PLANNING POLICY: CHILD CARE AND FAMILY DAY CARE SCOPE

The provisions of this policy apply to all education and care service premises within the City of Vincent. Where a development application does not satisfy the policy provisions, the proposal is to be assessed against the objectives of this Policy.

This Policy prevails over all other planning policies, excluding the City's Heritage Policies.

POLICY PROVISIONS

DEFINITIONS

Centre-Based Child Care Services means an 'Education and Care Service' other than a Family Day Care Service.

Note: Child Care Premises, as defined within the City's Local Planning Scheme No. 2, has the same meaning as Centre-Based Child Care Services.

Education and Care Service means any service providing or intended to provide education and care on a regular basis to children under 13 years of age other than those services listed under Schedule – Education and Care Services National Law, Part 1, Section 5 (1) of the *Education and Care Services National Law (WA) Act 2012*.

Note 1: This term includes services such as centre-based child care and afterschool care.

Note 2: The exclusions include schools, kindergarten, personal arrangements, instructional activities (i.e., sport, dance, music, religion, etc), hospital / medical / therapeutical care services, child protection law, and disability services. Creches, which are primarily ad hoc or casual care are also excluded.

Family Day Care Service means an education and care service that —

- (a) is delivered through the use of 2 or more educators to provide education and care to children; and
- (b) operates from 2 or more residences;

Note 1: A Family Day Care Service that is an approved Family Day Care Service may provide education and care to children from a family day care residence or an approved family day care venue.

Note 2: No more than 7 children can be educated and cared for as part of a Family Day Care Service at a family day care residence or an approved family day care venue at any one time.

In addition to referring to the relevant requirements of the *Education and Care Services National Law (WA) Act 2012* and *Education and Care Services National Regulations 2012* referred to above, applicants are encouraged to refer to the Australian Children's Education and Care Quality Authority (www.acecqa.gov.au) or contact the relevant State Government regulatory authority (Department of Communities, Education and Care Regulatory Unit) for further information and licensing requirements for the establishment and operation of education and care services.

LOCAL PLANNING POLICY: CHILD CARE AND FAMILY DAY CARE POLICY



1. General Requirements For Education And Care Services

1.1 Building design

- a) The orientation and design of buildings, windows and balconies minimises direct overlooking of habitable rooms and private outdoor living areas of neighbouring properties.
- b) Buildings are designed to interact with the street and public spaces while maintaining privacy for its users.
- c) The entrance to the building shall be visible from the street and provided with clear wayfinding from all adjacent car parking areas.

1.2 Fencing and security

Any outdoor space used by children are to be enclosed by a fence or barrier that is a minimum of 1.2 metres in height and designed so that children cannot go through, over or under it.

1.3 Swimming pools

Swimming pools or outdoor spas are not permitted.

1.4 Signage

All signage requirements are to be in accordance with the City's Local Planning Policy - Signs and Advertising.

1.5 Hours of operation

Unless otherwise approved by the local government, with due regard to impact on amenity of surrounding properties, the hours of operation are restricted to between 7.00am to 7.00pm on weekdays and 7.00am to 6.00pm on Saturdays. Premises are not permitted to be operational on Sundays.

2. Family Day Care Services

2.1 Suitable types of dwellings

Family Day Care Services may be considered from a single house or grouped dwelling. Multiple dwellings for the purpose of a Family Day Care Service is not permitted.

2.2 External playing space

Family Day Care Services are to have a minimum external 'playing space' of 40 square metres, with a minimum dimension of 6 metres.

LOCAL PLANNING POLICY: CHILD CARE AND FAMILY DAY CARE



2.3 Car parking

Family Day Care Services are not required to provide any additional car parking bays, other than what is required under the Residential Design Codes.

3. Centre-Based Child Care Services

3.1 Suitable locations

- a) Centre-Based Child Care Services are to be located with a Mixed Use, Local Centre, District Centre, Regional Centre, Centre or Commercial zone as identified by the City's Local Planning Scheme.
- b) Centre-Based Child Care Services are not permitted on ground floors or at grade level within Regional Centres, District Centres and Local Centres under the City's Local Planning Scheme.

3.2 Suitable locations in Residential zones

Centre-Based Child Care Services will be considered within a Residential zone under the City Local Planning Scheme where it is adjacent to other commercial premises.

3.3 External playing space

- a) Centre-Based Child Care Services are to have a minimum external playing space area in accordance with the *Education and Care Services National Regulations* (as amended).
- b) The external playing space is required to provide a shaded area that is at least 30 percent of the size of the minimum required external playing space.
- c) Landscaping is encouraged over artificial materials and should be integrated into the overall design of the space.
- d) External playing spaces shall be on a safe location of the site (e.g. away from a major road), and away from any adjoining noise-sensitive land uses (e.g. residential dwellings).

3.4 Car parking and vehicle access

- a) All car parking and vehicular access requirements is to be in accordance with the City's Local Planning Policy – Non-Residential Development Parking Requirements.
- b) A drop off/ pickup area is required in accordance with the City's Local Planning Policy - Parking and Access and shall:
 - have convenient access to the entrance of the building
 - be located away from any adjoining noise-sensitive land uses

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- be time limited to encourage turnover of vehicles during peak periods

The management of the drop off/ pick up area shall be demonstrated within the parking management plan (see Clause 4 - Submission Requirements).

- c) Dedicated and clearly defined pedestrian paths shall be provided from the street and onsite parking areas to the entrance of the building.
- d) Where dual access to a site is available, ingress to the site and egress from the site shall be provided from different streets to distribute the traffic volume over multiple streets.

Where it can be demonstrated that the amount of traffic would not affect the amenity of surrounding properties, vehicle access shall be from the secondary street.

Note: Advice from the Department of Planning, Lands and Heritage or Main Roads WA may prevail.

4. Submission Requirements

In addition to submission of the development application form, fees, and mandatory information detailed on the application checklist, applications for a Family Day Care Service or Centre-Based Child Care Services must also be accompanied by:

- a) a management plan outlining the number of children proposed, age group breakdown, days and hours of operation, staff requirement, and explanation of why the use is appropriate for its location;
- b) 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 (e.g. light poles, traffic islands) for the full road reserve width for all roads abutting the application site;
- c) a traffic impact statement is required for applications proposing 10 – 100 children, and traffic impact assessment is required for applications proposing more than 100 children, in accordance with the Western Australian Planning Commission's *Transport Impact Assessment Guidelines*;
- d) a parking management plan in accordance with the City's Local Planning Policy relating to Non-Residential Development Parking Requirements;
- e) a noise impact assessment in accordance with the City's Local Planning Policy relating to Sound Attenuation, demonstrating the internal and external play spaces, car parking and access ways would not cause an adverse impact on adjoining properties, nor be adversely affected by surrounding land uses
- f) a waste management plan in accordance with the City's Waste Guidelines for New Developments;

LOCAL PLANNING POLICY: CHILD CARE AND FAMILY DAY CARE



- g) a detailed landscaping plan, including indicative design of external playing spaces;
- h) signage details or a signage strategy in accordance with the City's Local Planning Policy relating to Signs and Advertising; and
- i) any additional information or written justification relevant to the assessment of the application.

5. NATIONAL CARE SERVICES LAW AND REGULATIONS

In addition to the requirements listed in this policy, the applicant is to ensure that the proposed Education and Care Service premises are compliant with the *National Education and Care Services Regulations 2012*. These requirements will not form part of the City's assessment. For further information, please contact the Department of Communities, Education and Care Regulatory Unit.

OFFICE USE ONLY	
Responsible Officer	Manager Policy & Place
Initial Council Adoption	27 March 2001
Previous Title	Local Planning Policy 7.5.3 Education and Care Services
Reviewed / Amended	12 March 2013
Next Review Date	2027

POLICY NO: 7.5.3 EDUCATION AND CARE SERVICES**INTRODUCTION**

~~On 1 January 2012, the National Quality Framework was introduced into the National Legislative Framework and aims to raise high quality and drive continuous improvement and consistency in education and care services. The national legislative framework is established through an applied laws system and consists of the Education and Care Services National Law and the Education and Care Services National Regulations.~~

The Education and Care Services National Law identifies two types of child care services. These are Family Day Care Services and Centre Based Child Care Services.

OBJECTIVES

The purpose of this policy is to facilitate the establishment of Education and Care Services premises and to provide specific development, design and operating requirements for Family Day Care Service and Centre Based Child Care Service premises.

POLICY STATEMENT**1. FAMILY DAY CARE SERVICES****1.1 Definition**

~~A Family Day Care Service has the same meaning as is given to it in, and for the purposes of, the Education and Care Services National Regulations 2012.~~

~~A Family Day Care Service offers education and care in the private homes of registered carers through a family day care scheme.~~

1.2 Suitable Types of Dwellings

A Family Day Care Service may be considered from a single house or grouped dwelling. The use of a multiple dwelling for the purpose of a Family Day Care Service is not permitted.

1.3 External Playing Space

A dwelling proposed to be used for a Family Day Care Service is to have a minimum external 'playing space' of 40 square metres, with a minimum dimension of 6 metres.

1.4 Car Parking

A dwelling proposed to be used for a Family Day Care Service is not required to provide any additional car parking bays, other than what is required under the Residential Design Codes.

2. CENTRE-BASED CHILD CARE SERVICES**2.1 Definition**

~~A Centre Based Child Care Service has the same meaning as is given to it in, and for the purposes of, the Education and Care Services National Regulations 2012.~~

~~A Centre Based Child Care Service offers education and care in from a premises used exclusively for this purpose and includes long day care, out of school hours care and occasional care.~~

2.2 Internal Playing Space

A proposed Centre Based Child Care Service premises is to have a minimum unencumbered internal playing space of 3.25 square metres per child.

In calculating the area of unencumbered internal playing space, the following areas are to be excluded;

- i) any passageway or thoroughfare (including door swings);
 - a. any toilet or hygiene facilities;
 - b. any nappy changing area or area for preparing bottles;
 - c. any area permanently set aside for storage;
 - d. any area or room for staff administration;
 - e. any other space that is not suitable for children; and
- ii) the area of a kitchen is to be excluded, unless the kitchen is primarily to be used by children as part of an education program provided by the service.

2.3.2.2 External Playing Space

2.3.1 A proposed Centre Based Child Care Service premises is to have a minimum unencumbered external playing space of 7 square metres per child.

In calculating the area of unencumbered external playing space, the following areas are to be excluded;

- i) any pathway or thoroughfare, except where used by children as part of the education and care program;
- ii) any car parking area;
- iii) any storage shed or other storage area; and
- iv) any other space that is not suitable for children.

2.3.2.2.1 The external playing space is required to provide a shaded area that is at least 30 percent of the size of the minimum required external playing space.

2.4.2.3 Car Parking and Vehicular Access

2.4.12.3.1 All car parking and vehicular access requirements is to be in accordance with the City's Policy relating to Parking and Access.

2.4.22.3.2 A drop off/pick up area is required in accordance with the City's Policy relating to Parking and Access.

2.5 Administrative Space

A Centre Based Child Care Service premises is required to have an adequate area or areas at the premises for the purposes of:

- i) conducting the administrative functions of the service;
- ii) consulting with parents of children;
- iii) conducting private conversations; and
- iv) providing facilities for relief for the nominated supervisor, staff members and volunteers.

2.6 Nappy Change Facilities

- 2.6.1 If a Centre Based Child Care Service premises educates and cares for children who wear nappies, the premises is required to provide the following facilities:
- 2.6.1.1 One stable nappy changing surface for every 8 children who wear nappies, together with a nappy change mat or other mat with a washable, waterproof surface; and
- 2.6.1.2 Hand washing facilities' in the immediate vicinity of the nappy changing area.
- 2.6.2 The nappy changing facilities are required to be designed and maintained in a way that prevents unsupervised access by children.

3. GENERAL REQUIREMENTS FOR EDUCATION AND CARE SERVICES**3.1. Toilet and Hygiene Facilities**

All Education and Care Services is to provide:

- 3.1.1.1 Adequate, developmentally and age appropriate toilet, hand washing, bathing and drying facilities;
- 3.1.1.2 The location and design of the toilet, hand washing, bathing and drying facilities enable safe use by the children; and
- 3.1.1.3 There is convenient access to the toilet, hand washing, bathing and drying facilities from the indoor and outdoor playing spaces.

3.2. Laundry and Hygiene Facilities

All Education and Care Services is to provide:

- 3.2.1 A laundry facility or access to laundry facilities; or
- 3.2.2 Other facilities' for dealing with soiled clothing, nappies and linen; and
- 3.2.3 The laundry or other facilities' are located and maintained in a way that prevents unsupervised access by children.

3.3.3.1. Fencing and Security

- 3.3.1 Any outdoor space at an Education and Care Service premises is required to be enclosed by a fence or barrier that is 1.2 metres in height.
- 3.3.2 The Education and Care Service premises is sufficiently secure:
- i) to prevent exist by unsupervised children;
- ii) to prevent persons without a legitimate reason to be on the premises.
- 3.3.3 The Education and Care Service premises is to ensure that the side of any internal or external stairway, ramp, corridor, hallway or balcony that does not abut a wall, is enclosed so as to prevent a child being trapped or falling through or climbing over it.

3.4.3.2. Swimming Pools

A swimming pool or outdoor spa is not permitted on a premises that contains an Education and Care Service.

3.5.3.3. Signage

All signage requirements is to be in accordance with the City's Policy relating to Signs and Advertising.

3.6.3.4. Hours of Operation

The hours of operation for an Education and Care Service Premises shall be limited to 7:00am to 7:00pm, Monday to Friday and 7:00am to 6:00pm on Saturday.

The City may consider an increase to the above hours of operation for, provided that the amenity of the surrounding area is not unduly affected.

4. PLANNING APPROVAL

When applying for Planning Approval to operate an Education and Care Service premises the following information is required to be submitted to the City in the form of a written submission:

- Information on the type of Education and Care Service including what services will be provided;
- The maximum number of children that will be cared for at any one time;
- The age group/range of the children that will be cared for;
- The maximum number of staff/educators/carers that will be working at the premises at any one time;
- The proposed hours and days of operation; and
- Information on the equipment that will be used.

5. NATIONAL CARE SERVICES LAW AND REGULATIONS

In addition to the requirements listed in this policy, the applicant is to ensure that the proposed Education and Care Service premises are compliant with the National Education and Care Services Regulations 2012.