



16 June 2025

Property Council Submission on WAPC Revised Draft Position Statement – Child Care Premises

The Property Council welcomes the opportunity to comment on the *Revised Draft Position Statement – Child Care Premises* (April 2025). Child Care Premises (CCPs) are vital social infrastructure that support families and help build better communities. The Property Council supports consistent policy and regulatory approaches to CCP development, however, given their growing importance, these approaches should aim to reduce barriers for their development rather than impose new ones.

The Western Australian Planning Commission (WAPC) outlined its intentions to address the issues raised in the previous public consultation process, which are:

- the establishment of four size categories for CCPs, which are defined by the number of children. It supports new small and medium sized CCPs being developed in residential zones, with large and extra-large CCPs encouraged to be located within mixed use and commercial areas or integrated into schools and reserves where compatible
- revised objectives which are clearer and achieve measurable outcomes
- improved clarity around the responsibilities of the state government agencies that apply guidance and standards for CCPs, with links to the relevant legislation
- further clarity with the measures related to children's health and safety
- further guidance on mitigation and management of potential impacts on the community.

The following submission focuses on industry's priorities in relation to CCPs alongside broader implications for transit-oriented development, urban density, and strategic precincts.

The Property Council of Australia

The Property Council of Australia is the peak industry body representing the whole of the property industry.

In Australia, the Property industry employs more than 1.4 million Australians and shapes the future of our communities and cities. As industry leaders, we support smarter planning, better infrastructure, sustainability, and globally competitive investment and tax settings which underpin the contribution our members make to the economic prosperity and social well-being of Australians.

In Western Australia, the Property Council represents more than 320 member organisations including architects, urban designers, town planners, builders, investors and developers. Together, our members deliver the places that matter most to Western Australians – our homes, retirement living communities, neighbourhood retail and shopping centres, warehouses and factories, office buildings, education, research and health precincts, tourism, and hospitality venues.

This submission is informed by Property Council's membership and expert committee members.

Broad Recommendations

The Property Council supports WAPC's stated objective to ensure CCPs are appropriately located, designed and integrated with local communities. To achieve this, we recommend planning policies support consistency and a clear pathway for delivery across local government areas, particularly in areas of high demand such as residential, mixed-use and transit-oriented precincts. CCPs should be supported through planning settings that reduce unnecessary barriers, support broader state priorities around housing and urban development, while retaining local amenity considerations.

Child care premises in WA

2.1 The need for child care premises – We agree with WAPC's recognition of growing demand for these services based on population projections.

However, we have concerns that some provisions will hinder development of CCPs. The reference to "potentially greater impact on the amenity of adjoining land uses" is highly subjective and could be used to block much-needed developments across WA. As more people migrate to the state, child care demand will inevitably increase and industry needs to be enabled to respond proactively to that demand. CCPs along with other appropriate land uses are complements to residential development across the state and, while we acknowledge that local amenity matters, a more balanced approach is needed to ensure that perceived amenity impacts do not override broader social and planning objectives

2.2 Child care premises local planning guidance – The Property Council agrees with the five areas highlighted for due regard: *Location suitability; Noise and emissions; Amenity and environment; Building design, layout and carparking; Traffic and vehicle access.*

Leaving the permissibility of CCPs to local government discretion invites inconsistent outcomes and enables localised resistance to override state planning priorities, especially in highly suitable residential or mixed-use precincts. In our view, such social infrastructure deserves 'as-of-right' status in more zones.

We strongly support the stated objective of the Position Statement to facilitate and allow more CCPs to be developed across various urban policy setting. However, we would argue:

- planning rules should not create unnecessary restrictions on the delivery of CCPs particularly in residential and mixed-use areas where demand is high. 'A' use in residential zones is too stringent.¹

¹ Across East Asian cities such as Seoul and Tokyo, CCPs are more broadly permitted in residential and mixed-use zones, especially high-rise apartments, integrated as part of a compact urban form that supports high levels of workforce participation, walkability, and mixed-use development. In these planning systems, child care centres are often permitted as-of-right or via a straightforward licensing process.

- consideration should be given to allowing CCPs as 'P' (permitted) or more broadly as 'D' (discretionary) uses in appropriate locations – such as mixed-use, commercial and activity concentrated precincts across transit-oriented development areas² highlighted by the WA government – be subject to clear and standardised developmental rules to give certainty to developers.

The Property Council agrees with the intent that CCPs “located on a region and/or local planning scheme reserve may be considered as incidental to a predominant land use on a suitable scheme reserve depending upon the purpose of the reserve.” Such cases should be permissible for areas such as schools and universities.

2.2 Child care premise service approval assessment – We acknowledge that service approval for CCPs is governed separately under the *Education and Care Services National Law Act 2012*, and it is appropriate for proponents to be aware of these operational requirements early in the design process.

Policy Measures

4.1 Location guidance for child care premises – The Property Council strongly supports the principle that CCPs can be successfully integrated across a wide range of urban settings, including residential, commercial, mixed-use, and strategic precincts. In areas where CCPs are co-located with public transport, schools, or activity centres, we recommend a reduced emphasis on car parking standards and traffic assessments. These well-integrated sites often involve trip-chaining – combining multiple errands or activities into one trip – behaviour that limits the need for dedicated parking or additional traffic management measures.

This section of the Position Statement mentions that CCPs located on public reserves must be “incidental” to the reserve’s purpose. We suggest this requirement should be interpreted pragmatically, particularly on community purpose reserves, where a CCP could complement other local infrastructure.

4.2 Noise and emissions – The statement, “Child care premises should minimise any noise impacts on adjoining properties” is far too broad and should instead focus on ‘unreasonable’ noise impacts. The current wording may be misinterpreted by opponents of local development as justification for imposing unreasonable noise attenuation requirements on CCPs – particularly when activities occur during standard operating hours. Local governments should adopt a more balanced and informed approach to concerns regarding noise, such as waiving noise assessments below a defined threshold. Overemphasising these foreseeable and typical suburban impacts can potentially undermine the broader social and economic benefits of accessible child care.

4.3 Amenity and Environment – We support the emphasis on amenity, landscaping, and environmental considerations, provided these expectations are applied flexibly and proportionately, and don’t impose excessive cost or design constraints that would discourage investment in, or supply of, CCPs.

² The Property Council’s report, “*Transit Precincts: Perth Get Onboard*” suggested key strategic areas for TODs.

4.4 Building design, layout and car parking – We support the risk and safety-related considerations in the design of the CCPs and including compliance on minimum space per child. The provisions on flood and bushfire risk are also in full agreement.

We are concerned, however, by the subjective provisions on areas such as the visual appeal of the buildings and “character of the streetscape.” Similarly, the statement that “child care premises proposed in a residential area should enhance the amenity with the external appearance of child care premises to be complementary to the residential streetscape” is overly broad and open to subjective interpretation. The Property Council believes that projects should deliver good design outcomes in line with the State Planning Policy 7.0.

Overall, we oppose prescriptive measures relating to aesthetics and streetscape compatibility that could discourage commercially viable proposals.

On the provisions on sufficient ventilation and hygiene, we believe this is a building compliance issue rather than a planning issue within the legislative remit of the WAPC. These regulations should not replicate other building requirements.

As previously stated, in areas where trip-chaining occurs – such as parents combining school drop-offs with commuting to work – we suggest strengthening the recommendation around reduced parking requirements.

4.5 Traffic and vehicle access – No specific comments. Traffic and vehicle access provisions align with the state-level guidelines which reflect standard development assessment practice.

4.8 Child care premises supporting information – We note that the suggested supporting information requirements would add additional costs and steps to CCP developers. Furthermore, the rationale for requiring “a description of maintenance activities” is unclear – this level of detail is not typically required for comparable land uses.

Concluding Remarks

The Property Council welcomes the WAPC’s revised Position Statement on CCPs as a constructive step toward ensuring the delivery of high-quality, well-located childcare infrastructure across Western Australia. We commend the intent to provide greater policy clarity, alignment with state priorities, and a more consistent framework for assessing childcare facility development proposals.

CCPs are not only critical for social and community outcomes but are increasingly recognised by federal and state governments as essential productivity infrastructure, supporting higher workforce participation and economic growth. Therefore, the development of CCPs must be supported through a planning system that is clear, proportionate, and responsive to the needs of a growing population.

We encourage the WAPC to:

- focus on enabling CCP supply, particularly in residential, mixed-use and transit-oriented precincts where demand is growing



- avoid overly prescriptive or subjective design expectations that may impede development or introduce unnecessary risk for developers.
- promote clear, standardised rules to streamline delivery and reduce inconsistency at the local government level.

If you require further information or clarification on this submission, please contact me at danderson@propertycouncil.com.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Daevid Anderson".

Daevid Anderson

WA Deputy Executive Director
Property Council of Australia