

LOCAL PLANNING POLICY No. 4 – Child Care Premises & Family Day Care

1. CITATION

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

This Policy may be cited as LPP No. 4 - Child Care Premises & Family Day Care.

2. CRITERIA

- a) To protect the amenity of the locality in which the Child Care Premises & Family Day Care is proposed.
- b) To set standards in respect to Child Care Premises & Family Day Care throughout the Shire.
- c) To create consistent and uniform guidelines for the development of Child Care Premises & Family Day Cares across the Shire.

3. INTRODUCTION

A framework and guidelines for the development of child care facilities in the Shire is required, which is consistent with Local Planning Scheme No.5 (LPS5) and considers local needs, and to provide uniform development of Child Care Premises & Family Day Cares across the Shire.

4. DEFINITIONS

Words and expression used in this policy have the same meaning as they have in the Local Planning Scheme and other relevant legislation.

- Child Care Premises- means a place where a child care service as defined in the *Child Care Services Act 2007* section 4 is provided.
- Child Care Service- means –
 - a. any education and care service as defined in the *Education and Care Services National Law (Western Australia)* section 5(1); or
 - b. any child care service as defined in the *Child Care Services Act 2007* section 4
- Family Day Care Service- means a type of child care service prescribed as a family day care service for the purposes of the *Child Care Services Act 2007*

5. DEVELOPMENT REQUIREMENTS

Child Care Premises are strongly encouraged to be located adjacent to schools, public open space, or other community or recreational uses including non-residential land uses such as appropriate commercial uses.

5.1 Child Care Premises

The following criteria will be considered in determining applications for Child Care Premises:

5.1.1 Location and Residential Amenity

- a. The built form of the development should be consistent with the scale and character of the locality and should lend itself to domestic (residential) architecture if located in a residential setting.
- b. The proposed materials, colours and finishes should be sympathetic to surrounding development.
- c. The layout and design of Child Care Premises shall include noise attenuation measures to ameliorate the impact of the use on adjoining and surrounding properties (if applicable). Noise-generating activities such as play areas, vehicle access ways, car parking areas and any plant and equipment are to be located away from noise-sensitive land uses, such as residential dwellings wherever possible.
- d. In order to maintain the visual amenity of the locality, landscape screening to car parking areas from the street and adjoining premises is required. Existing and proposed major plantings must be detailed on site plans, with proposed landscaping incorporating dense shrubs and trees. Wherever possible, retention of existing mature vegetation will be encouraged by the Shire (providing on-site safety is not compromised).
- e. Child Care Premises will not be supported within cul-de-sacs or on lots with a battle-axe access leg.

5.1.2 Site Design

- a. The site is to have a regular shape, with a minimum lot area of 1,000m² and an effective frontage of 20m to provide the opportunity for design aimed at minimising the impact on surrounding residential properties.
- b. Site coverage is required to be a maximum of fifty per cent (50%) to allow for adequate open space, residential character and car parking areas.

5.1.3 Landscaping

- a. The first 2m from the front boundary of the lot shall be landscaped as a minimum.
- b. Secondary street frontages shall have a minimum 1m landscaping strip.

5.1.4 Outdoor Play Areas

- a. Outdoor play areas should be located so as to minimise their impact on the amenity of the adjoining properties whilst taking advantage of solar orientation where possible. Outdoor play areas should be screened from sources of pollution, such as car parking areas and roads, by appropriate fencing and/or dense vegetation.

- b. A portion of the outdoor play area is required to be covered with a shade structure for sun protection. The colours and materials of this shade structure should be sympathetic to surrounding development.
- c. Where the play area is located in the front setback area, fencing of this area shall be predominantly open. Fencing should not appear solid, adversely affecting in particular residential Streetscape or cast shadows over the play area. These same requirements also generally apply to secondary street frontages (recognising some sections of screen fencing will be necessary).

5.1.5 Parking and Traffic

- a. Car parking areas should be purposely located on-site so as to be visible from the street to encourage patrons to park on-site instead of on road verges. Car parking bays that are the least visible or accessible should be allocated for staff use.
- b. Car parking areas are required to be landscaped with the objective of providing shade and softening the impact of car parking and the development on the streetscape.
- c. On-site parking provision is to be in accordance with the following requirements: 1 bay: 1 employee, PLUS 1 bay: 10 children
- d. Parking for larger vehicles (buses and service vehicles) should be considered in the design and layout of parking areas.
- e. Traffic associated with a Child Care Premises is not to unreasonably reduce the function and safety of the local road network. Vehicle access to and from the site must be available in forward gear, achieved through adequate on-site manoeuvring.
- f. Pedestrian movement across and/or through parking provided for a Child Care Premises is to take place on dedicated pedestrian paths (for parent/child safety).

5.1.6 Hours of Operation

Days and times of operation shall generally be restricted from Monday to Friday, from 6.00am to 7.00pm and Saturday, from 8.00am to 4.00pm, unless otherwise approved by the Shire.

5.1.7 Signage

All signage associated with the Child Care Premises shall be consistent with the Shire's Signage Policy, in addition to addressing the following:

- a. Be compatible and sympathetic to adjoining development to ensure the amenity of the surrounding area is maintained;
- b. Not be placed in a location that detrimentally interferes with the visibility of traffic and pedestrians entering and leaving the lot, adjacent property or roadway;
- c. Not display signs exceeding 1m² in aggregate;
- d. Not include Pylon signs.

5.1.8 Bin Storage Areas

Bin stores should generally be screened behind fencing or dense vegetation out of immediate street and public view.

5.1.9 Bushfire Management Plan

A Bushfire Management Plan is required to accompany an application development (planning) approval for lots within a designated Bushfire Prone Area in accordance with State Planning Policy 3.7 – Planning in Bushfire Prone Areas and the associated Guidelines for Planning in Bushfire Prone Areas.

5.2 Family Day Care Services

The following criteria are intended to ensure that premises approved for Family Day Care are of a suitable size and configuration, and are operated in a manner that will not impact neighbours' residential amenity.

5.2.1 Suitable Types of Dwellings

- a) A dwelling proposed to be used for Family Day Care shall have a minimum external 'playing space' of 40m², with a minimum dimension of 6m, located adjacent to the dwelling and within an area set aside for the exclusive use of the occupants of the dwelling.
- b) The use of a Multiple Dwelling for Family Day Care is not permitted.

5.2.2 Car Parking

- a) An on-site carparking area for pick up and drop off shall be provided, in addition to meeting the carparking requirements of the dwelling under the State Planning Policy 7.3- Residential Design Codes.
- b) On-street carparking and other forms of carparking within the public realm will not be considered part of any application, these are to be reserved for public use, not for commercial benefit.

5.2.3 Operational Criteria

- a) Operating hours shall be restricted to 7am to 7pm Monday to Friday, as operations outside those hours have the potential to impact adjoining landowner residential amenity. Proposals involving hours outside this standard will be considered carefully and in detail, dependent on scale. It is recommended that such events be limited to 'by appointment only'.
- b) An Operational Management Plan should be provided with a development application for Family Day Care

6. INFORMATION REQUIRED ON APPLICATIONS

The Shire requires applications for Child Care Premises to be submitted with adequate information to enable a detailed assessment of the development to be conducted, in line with the Shire's Development Application Checklist, and should also include the following:

- a) An Operational Management Plan incorporating the following:
 - i. Numbers of adult and non-adult staff to be employed days and hours of operation
 - ii. Number and age of children proposed to attend the centre
 - iii. Operating hours
 - iv. Daily Routine
 - v. Any other information deemed relevant
- b) A schedule of materials, colours and finishes
- c) Existing and/or proposed landscaping including major plant species intended front and side fencing
- d) Number, location and size of any proposed signage
- e) The Shire may require noise and traffic impact assessments to be submitted prior to determination of the application.

7. OTHER APPROVALS

In addition to seeking Development Approval from the Shire, applicants are encouraged to discuss their proposal with the relevant government licensing and regulatory agencies. The outcomes of these discussions should be presented to the Shire as part of any application in order to facilitate the assessment process.

8. PERMISSIBILITY

Compliance with this policy does not negate the requirement of a Building Permit and any other associated approvals.

Adopted on 28 November 2023 in accordance with part 2 clauses 3 and 4, and Part 12 clause 87 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.