

## Child Minding Centres and Family Day Care

<b>Policy Type: Local Planning Policy</b> <b>Policy Owner: Director Urban Planning</b>	<b>Policy No. LPP1.12</b> <b>Last Review Date: 20 September 2016</b>
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### Policy Objectives

To provide for the establishment of child minding centres and family day care premises within the City of Melville, whilst ensuring that their location, siting and design is compatible with, and avoids significant adverse amenity impacts.

### Policy Scope

This policy applies to the assessment of all applications for planning approval in respect of the child minding centre proposals including extensions to existing approved centres.

This policy also applies to the assessment of Home Occupation applications for family day care.

### Definitions / Abbreviations Used In Policy

LPS6	Local Planning Scheme No. 6
R-Codes	Residential Design Codes of Western Australia
Regulations	Planning and Development (Local Planning Schemes) Regulations 2015

#### Child Care Centre

LPS6 includes the definition of 'Child Minding Centre' as follows:

*Means any land or buildings used for the daily or occasional care of children in accordance with the Child Care Regulations 1968 (as amended) but does not include a Child Family Care Centre (Family Day Care).*

#### Family day care

Defined as per 'Child Family Care Centre' in LPS6 as follows:

*Means child minding conducted in a private dwelling where children are received for care but does not include a Child Minding Centre.*



## Home occupation

Defined in LPS6 as follows:

*Means an occupation carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which –*

- (a) does not employ any person not a member of the occupier's household;*
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood;*
- (c) does not occupy an area greater than 20 square metres;*
- (d) does not display a sign exceeding 0.2 square metres;*
- (e) does not involve the retail sale, display or hire of goods of any nature;*
- (f) in relation to vehicles and parking, does not result in the requirement for a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volume in the neighbourhood, does not involve the presence, use or calling of a vehicle more than 2 tonnes tare weight, and does not include provision for the fuelling, repair or maintenance of motor vehicles; and*
- (g) does not involve the use of an essential service of greater capacity than normally required in the zone.*

## Policy Statement

### Family Day Care

- 1.0 An application to commence Family Day Care will be assessed as a home occupation pursuant to LPS6 and must comply with the definition of a home occupation (outlined above) with the exception of (c) as it is acknowledged that Family Day Care businesses, by their nature, often occupy an area greater than 20m<sup>2</sup>.
- 2.0 In addition, family day care premises must meet the following criteria:
  - 2.1 No more than seven children, including the applicant's own children, shall be cared for at any one time.
  - 2.2 Access to a suitable drop off/pick up car parking space must be available in addition to the car parking bay(s) required for the dwelling in the R-Codes. This could include a designated car parking bay, unimpeded driveway parking space or embayed on-street parking. The drop off/pick up bay is to be located in a position which:
    - (a) provides easy access to the dwelling, and
    - (b) does not interfere with sightlines nor prejudice road safety.

### Child Care Centres

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### 3.0 *Locations*

- 3.1 Child Care Centres located within the Residential zone are classed as an 'A' use pursuant to LPS6, which means that they are capable of approval following advertising in accordance with Clause 64 of the Regulations. Where Child Care Centres are proposed within the Living Area Precinct the following will be taken into account in the assessment of whether the location is appropriate:

*Preferred site characteristics*

- (a) Corner sites - to improve the ability for access and to limit the impacts upon adjoining residential properties.
- (b) Located close to, or abutting shopping centres, workplaces, schools, community facilities, public open space and civic facilities.
- (c) Well served by footpaths, dual access paths and public transport.
- (d) Adequate size to provide suitable areas of play space and parking.
- (e) Located on Local Distributor and District Distributor Roads.

*Undesirable characteristics*

- (a) Sites within cul-de-sacs.
- (b) Sites with battleaxe access leg (or similar) configuration or shared access.

- 3.2 Child Care Centres within the City Centre, District Centres, Community Centres, Commercial Centre Frames, Mixed Business, Mixed Business Frame and Industry Precincts are 'P' (permitted) or 'D' (discretionary) uses pursuant to LPS6. In principle, the establishment of child minding centres in these locations is supported in land use terms given their proximity to shopping centres, workplaces and public transport, however a car parking, traffic and amenity assessment will be undertaken.

### 4.0 *Siting and Design*

- 4.1 The design of Child Care Centres should respect and be compatible with existing development within the immediate surrounding area.
- 4.2 Where a Child Care Centre is proposed within a Living Area Precinct, the design and resultant built form will be assessed against the relevant provisions of LPS6, the R-Codes (for open space, setbacks, visual privacy and overshadowing) and Local Planning Policy. This will ensure such development is compatible with the residential character of the area.
- 4.3 Fencing along the primary and secondary street (if applicable) should be of permeable design. Solid portions will be assessed on their individual merit taking into account the need for noise mitigation and security.

### 5.0 *Noise and Amenity*

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5.1 Where a Child Care Centre is located adjacent to residential property(s), an acoustic impact assessment may be requested to demonstrate that the proposal will satisfy the relevant noise regulations.

5.2 Outdoor playing spaces should be sited to minimise any adverse noise impact towards occupiers of adjoining residential properties. The use of solid masonry dividing fences can mitigate adverse noise impacts.

#### 6.0 *Landscaping*

6.1 The City may require the submission of a landscaping plan detailing all hard and soft landscaping, including shade structures.

#### 7.0 *Car Parking and Traffic Generation*

7.1 Car parking will be required in accordance with Local Planning Policy LPP1.6 Car Parking and Access (Non-Residential).

7.2 Parking areas must be designed to allow vehicles to enter and exit the property in a forward gear.

7.3 Planning applications for new Child Care Centres, and those that propose to increase numbers within existing Centres by more than 10 additional children, must be accompanied by a Transport Statement prepared by a suitably qualified and experienced traffic engineer. Proposals will not be supported if the form, function and safety of the surrounding road network is deemed to be compromised.

#### 8.0 *Hours of Operation*

8.1 Where a Child Care Centre is located adjacent to a property used for residential purposes, the hours of operation of the premises are limited to 7am to 7pm Monday to Friday and 8am to 7pm during weekends.

#### 9.0 *Signage*

9.1 The City's requirements for advertising and signage are outlined in Local Planning Policy LPP2.2 Outdoor Advertising and Signage



### References that may be applicable to this Policy

Legislative Requirements:	Planning and Development Act 2004 Planning and Development (Local Planning Schemes) Regulations 2015 Child Care Services Act 2007 Child Care Services (Child Care) Regulations 2006 Child Care Services Regulations 2007
Procedure, Process Maps, Work Instructions:	Planning Application Procedure
Other Plans, Frameworks, Documents Applicable to Policy:	Local Planning Scheme No. 6 Residential Design Codes of Western Australia Relevant Local Planning Policies
Delegated Authority No:	DA – 020: Planning and Related Matters

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### ORIGIN/AUTHORITY

Planning and Development Services Committee  
Formerly Planning Policy 27

16/7/1996

### Item No.

### REVIEWS

Special Planning and Development Services Committee  
Ordinary Meeting of Council  
Policy Review Team  
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Ordinary Meeting of Council  
Ordinary Meeting of Council

27/06/2000  
17/08/2010  
21/08/2013  
18/02/2014  
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