

LOCAL PLANNING POLICY 206

CHILD CARE CENTRES

KEY FOCUS AREA **Liveability**



1. Citation

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This Policy may be cited as Local Planning Policy No. 206 – Child Care Centres.

2. Policy Statement

The purpose of this Policy is to guide Council on requirements relating to the location, site characteristics, environmental suitability, design, traffic, access, noise, health impacts and safety issues relating to and when considering applications for Development Approval for Child Care Centres.

3. Policy Objectives

- (a) To provide guidance on the appropriate location of Child Care Centres within the Town.
- (b) To minimise impacts on the amenity of the locality by ensuring that Child Care Centres are appropriately designed and of a scale that is consistent with the character of the immediate area.
- (c) To consider the health and safety of children attending the Child Care Centres within the confines of the planning framework.

4. Application

This Policy applies to applications for a “Day Care Centre” in accordance with the Town of Claremont Local Planning Scheme No. 3 (LPS3), and “Family Day Care” in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Section 6.1 of the Policy applies to applications for Day Centre Centres.

Section 6.2 of the Policy applies to applications for Family Day Care.

5. Definitions

Day Care Centre: *has the same meaning as is given to that term in the Child Welfare (Care Centres) Regulations 1968 as amended or re-enacted from time to time and includes a facility providing similar services for adults.*

Family Day Care: *means premises where a family day care service as defined in the Education and Care Services National Law (Western Australia) is provided.*

6. Policy Requirements

6.1 Day Care Centre

6.1.1 Location Requirements

- (a) Day Care Centres are to be:
 - (i) Distributed strategically to provide maximum benefit and appropriate levels of service to the community it serves;
 - (ii) Of sufficient size and dimension to accommodate the development without adversely impacting the amenity of the area;
 - (iii) Considered suitable from a traffic engineering/safety point of view;
 - (iv) Well served by footpaths/ dual access paths and public transport;
- (b) Day Care Centres are not to be located:
 - (i) In or adjacent to areas of soil contamination or groundwater pollution (where play areas and gardens are reticulated);
 - (ii) Sites along Stirling Highway, on roads carrying more than 30,000 vehicles per day or on cul-de-sacs;
 - (iii) Where adjoining uses/ potential uses may produce unacceptable levels of noise, fumes or emissions or pose a potential hazard by reason of activities or materials stored on site, or where noise from nearby roads and railways are likely to have an adverse impact on the site.

6.1.2 Site Requirements

- (a) Sites shall be of sufficient size, shape and dimension to accommodate the development (inclusive of buildings with required setbacks, parking, outdoor play areas and landscape buffer strips); and be level/non elevated sites to reduce impacts on access and noise transfer/mitigation.
- (b) In order to assess the impact to the local community that a proposed Day Care Centre has on the level of service of similar or approved facilities, applications are to include information on the level of existing (or proposed) services in the locality, proximity to other centres, population catchments for the proposed centre and the number of primary schools and kindergartens in the locality, together with the number of students at these facilities.

6.1.3 Building Design

- (a) Where a Day Care Centres is proposed within a Residential zone, the design and resultant built form will be assessed against the relevant provisions of LPS3 , State Planning Policy 7.3 - Residential Design Codes (for open space, setbacks, visual privacy and overshadowing) and relevant Local Planning Polices.
- (b) The visual appearance of developments be comparable with and reflect the character of the area and ideally be purpose built or adapted to be suitable/appropriate for use as a Day Care Centre.
- (c) Concrete walls that are visible from an adjoining property or public realm must be painted and provided with an articulated or detailed finish.

- (d) Building entrances must be clearly defined and easily identifiable from the street and public realm.
- (e) Where located adjacent to noise sensitive uses, all noise generating activities such as outdoor and indoor play areas, parking areas and any plant or equipment are to be located away from the noise sensitive use. Where located adjacent to noise sensitive areas amenity impacts are to be mitigated by:
 - (i) appropriate fencing;
 - (ii) non-openable and double glazing (or equivalent) windows; and/or
 - (iii) landscaping.
- (f) Outdoor play areas to be in a safe location away from high traffic areas and also away from any adjoining noise sensitive uses.
- (g) Signs attached to the buildings shall be designed to be an integrated part of the building, e.g., recessed into the facade, fascia or awning.
- (h) All lighting is to be installed in accordance with Australian Standard AS 4282 – Control of the Obtrusive Effects of Outdoor Lighting and confined to the land at all times.

6.1.4 Access and Car Parking

- (a) A traffic impact statement shall be provided which addresses:
 - (i) the site and its location;
 - (ii) the expected trip generation;
 - (iii) parking requirements and parking area design (including access located in accordance with LPS3 requirements);
 - (iv) existing and future traffic conditions, including the expected impact on future traffic conditions;
 - (v) current road safety conditions including crash history in the immediate locality; and
 - (vi) available public transport within the vicinity of the proposed development.
- (b) No access is permitted directly from a Primary or Regional Distributor Road, a Right of Way or short Access Road such as a cul-de-sac or no through roads.
- (c) Vehicle access points shall be designed to minimise:
 - (i) traffic or pedestrian hazards;
 - (ii) conflict with pedestrian/cyclist pathways and public transport facilities;
 - (iii) the impact on nearby residential uses; and
 - (iv) traffic congestion.
- (d) Parking for staff and children is to be at a rate of one space per five children and 0.5 bays per staff member.
- (e) The design of car parking facilities is to be in accordance with AS 2890.1-1993 - Parking Facilities - Off-street Car Parking and AS 2890.5-1993 - Parking facilities - On-street parking. The design of parking for people with disability is to be in accordance with AS 2890.6 Parking Facilities - Off-street parking for people with disabilities and AS 1428.4.1:2009 – Design for

access and mobility – Part 4.1: Means to assist the orientation of people with vision impairment - tactile ground surface indicators.

- (f) Tandem parking will not generally be supported unless it is provided for staff car parking only and it can be demonstrated that it can be appropriately controlled and managed.
- (g) The development is to incorporate clear pedestrian paths that are separate to areas for vehicle access and car parking.
- (h) Vehicle parking, manoeuvring and circulation areas, including crossovers, must be designed, constructed, sealed, drained, kerbed, marked and landscaped to the specifications and satisfaction of Town.

6.1.5 Fencing and Landscaping

- (a) 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.
- (b) On any land which adjoins land zoned for residential purposes, the development shall be screened from the abutting residential land by a masonry or similarly constructed wall or fence not less than 1.8 metres in height and by trees and shrubs to the satisfaction of the Town.
- (c) Provision shall be made for a minimum area of landscaping as follows:
 - (i) A minimum width of 2.0 metres abutting the primary street and 1.5 metres abutting the secondary street;
 - (ii) Landscaped areas and the street verge are to be landscaped, irrigated and maintained to the satisfaction of the Town, including the provision of appropriate shade trees; and
 - (iii) Shade trees in car parking areas shall be provided at a ratio of 1 per 3 car parking bays.

6.1.6 Servicing

- (a) All servicing and deliveries to the site are to take place during the operational hours and not during peak morning drop-off or peak afternoon pick-up periods of the Day Care Centre.
- (b) Refuse storage areas shall be:
 - (i) Accessible to service vehicles;
 - (ii) Screened from view from any public street and enclosed by a wall of masonry or other approved building material being of not less than 1.8 metres in height;
 - (iii) Provided with 75mm minimum thickness concrete floors grading to a 100mm industrial floor waste, with a hose cock to enable both bins and the bin storage area to be washed out; and
- (c) All service areas and service-related hardware (including antennae, satellite dishes and air-conditioning units), must be designed to be located away from public view and/or screened.

6.1.7 Operation

- (a) Hours of operation should be limited to between the hours of 7.00am and 7.00pm weekdays and Saturdays unless it can be demonstrated that the use will not impact on the amenity of surrounding properties.
- (b) A noise impact assessment shall be provided demonstrating compliance with the *Environmental Protection (Noise) Regulations 1997*, mitigation measures to limit the impact of the Child Care Centre on adjacent residential properties and mitigation measures for external noise sources to the Child Care Centre.

6.2 Family Day Care

- (a) Hours of operation shall be limited to between the hours of 7.00am and 7.00pm weekdays and Saturdays unless it can be demonstrated that the use will not impact on the amenity of surrounding properties.
- (b) An on-site carparking facility for pick up and set down shall be provided, in addition to meeting the carparking requirements of the dwelling under State Planning Policy 7.3 - Residential Design Codes.
- (c) A Family Day Care must operate within the standards of the *Children and Community Services Act 2004*.

Document Control Box			
Legislation:	<i>Planning and Development Act 2005</i> <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> <i>Children and Community Services Act 2004</i> <i>Education and Care Services National Regulations Act 2012</i> <i>Environmental Protection (Noise) Regulations 1997</i>		
Organisational:	LPS3 parking, access, landscaping and setback provisions		
Version #	Decision:	OCM Date:	Resolution Number:
1.	Adopted	18 June 2019	69/19
2.	Amended	25 October 2022	142/22