

8.19 – FAMILY DAY CARE FACILITIES

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1. POLICY PURPOSE

To eliminate duplication of controls, improve the efficiency of approvals and preserve the residential amenity of the district.

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2. POLICY SCOPE

Thise Ppolicy applies to any personsperson wishing to undertake a Family Day Care development within the Shire of Merredin.

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This pPolicy is only related to the land use approval. Additional approval requirements for a Family Day Care Service can only be provided by the Department of Communities.

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3. LEGISLATIVE REQUIREMENTS

Child Care Services Act 2007 [WA]

Child Care Services (Child Care) Regulations 2006 [WA]

Education and Care Services National Law (WA) Act 2012

Environmental Protection (Noise) Regulations 1997 [WA]

4. POLICY STATEMENT

4.1 Circumstance for Development Assessment

To provide guidance on when Family Day Care Services require approval.

Guidelines

If the children are in the care of their guardian(s) no approval is needed as this is a permitted use of a residential dwelling. If the children are being cared for by individuals who are not their guardian(s), approval is required.

Family Day Care is declared a 'D' class use in residential, commercial, rural residential and town centre zones. Family Day Care also is a class 'A' use in Town Sites; in all other zones Family Day Care is prohibited. Family Day Care will be assessed by the Environmental Health Officer and the Development Services Officer, for safety and permissibility, before being assessed by the Council.

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4.2 Planning requirements

To provide guidance for the requirements of a Family Day Care Service building.

Guidelines

Design

1. Family Day Care should preferentially be provided from a Single House, as the site of the Family Day Care Facilities requires sufficient size and shape to provide:
 - a. Outdoor play space or other facilities required under the Acts and Regulations;
 - b. Adequate security and privacy;
 - c. Minimal potential of adverse impacts on adjoining residential properties; and
 - d. Adequate on-site parking for children drop-off and collection.

2. If alterations or additions are required to accommodate the Family Day Care service, the dwelling must comply with the Residential Design Codes, the Shire of Merredin Local Planning Scheme No. 6, and relevant Local Planning Policies.
3. All fencing must be of appropriate height to meet safety requirements and the Residential Design Codes.
4. A single sign may be included, if it does not exceed a maximum area of 0.6m and is not illuminated, must be positioned on private property, affixed to a wall.

Car Parking

- a. All vehicles associated with Family Day Care should be parked on the lot, and the number of vehicles should not exceed the number of parking facilities required for a single dwelling, unless specified otherwise.
- b. The volume of traffic should not be increased with the approval of this land use.
- c. If located at a dwelling situated at the rear of a battleaxe lot, the use should be avoided due to parking restraints.

Noise Impacts

- a. Hours of Operation are restricted from 7am to 7pm.
- a. Sound levels associated with a Family Day Care service are required to comply with the provisions of the *Environmental Protection (Noise) Regulations 1997*, at all times.
- b.

5. KEY POLICY DEFINITIONS

Family Day Care is a premises where a family day care service is provided.

Family Day Care Service, as defined in Sch. 1 cl. 5(1) of the *Education and Care Services National Law (WA) Act 2012*, is an education and care service that is delivered by 2 or more educators to provide education and care to ~~children, and~~ children and operates from 2 or more residences.

6. ROLES AND RESPONSIBILITIES

The Environmental Health Officer, Development Services Officer and Executive Manager of Infrastructure Services are responsible for the implementation of this Policy.

7. MONITOR AND REVIEW

This Policy will be reviewed by the Governance Officer every 2 years.

The review will be undertaken by Executives and presented to Council biennially.

Document Control Box				
Document Responsibilities:				
Owner:	CEO	Decision Maker:	Council	
Reviewer:	Governance Officer			
Compliance Requirements				
Legislation	<u><i>Child Care Services Act 2007 [WA]</i></u>			
	<u><i>Child Care Services (Child Care) Regulations 2006 [WA]</i></u>			
	<u><i>Education and Care Services National Law (WA) Act 2012</i></u>			
	<u><i>Environmental Protection (Noise) Regulations 1997 [WA]</i></u>			
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