

# Planning Application Child Care Facility - Checklist

one city diverse places



## What land uses does this Planning Application Checklist & Questionnaire apply to?

The Child Care Facility Checklist & Questionnaire applies to the following Local Planning Scheme No. 17 land uses.

“Child Care Premises”

Has the same meaning as a “Child Care Service” in the Child Care Services Act 2007.

“Family Day Care”

Means premises used to provide family day care within the meaning of the Child Care Services Act 2007.

The Child Care Services Act 2007 definition of each of the above terms is over the page for your information.

## When is a planning application required for a Child Care Premises or a Family Day Care?

A planning application is required in all instances for a ‘Child Care Premises’.

A planning application is only required in the following instances for a ‘Family Day Care’.

- The development area on the property is affected by floodway &/or flood fringe;
- The property is within designated Aircraft Noise Contour area; or
- The property is located within a Heritage Area or it contains a place on a Local &/or State Heritage List.

A planning application for a ‘Family Day Care’ that is **located within** a Heritage Area or contains a place on a Local &/or State Heritage List is required in the following instances:

- Involves changes to the external appearance of the building; or
- Involves any type of construction work; or
- Involves the care of more than 4 children, excluding the occupants children; or
- The development area on the property is affected by floodway &/or flood fringe; or
- The property is within designated Aircraft Noise Contour area.

Property Address of land subject to this Planning Application:

Prior to submitting your application, please ensure that you have included all of the following information to assist with the timely lodgement of the application.

- |   | Applicant Use only       | Council Use Only         |
|---|--------------------------|--------------------------|
| 1. Completed City of Swan Planning Application Form; OR MRS Form 1 where the application is to be determined by the Western Australian Planning Commission                          | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Company Extract from the Australian Securities & Investment Commission (ASIC) maybe required where the subject property is owned by a company and will be determined by Council. | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Current copy of the property’s Certificate of Title  | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Three (3) copies of a Site Plan drawn to an appropriate scale which includes the proposed additional car parking bays  | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Three (3) copies of a Floor Plan drawn to an appropriate scale   | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Three (3) copies of an Elevation Plan drawn to an appropriate scale  | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. Three (3) copies of a Stormwater Drainage Layout Plan  | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. Written submission detailing the opening hours, maximum number of employees and maximum number of children located on the premises at any one time.                              | <input type="checkbox"/> | <input type="checkbox"/> |

**This is excerpt from the *Child Care Services Act 2007* and therefore may be incorrect.**

**Please refer to the State Law Publishers website for a copy of the complete Act.**

The *Child Care Services Act 2007* defines the above terms as follows:

*"Child care service"*

(1) *For the purposes of this Act a child care service is a service for the casual, part-time or day-to-day care of a child or children under 13 years of age (or such other age as may be prescribed for the purposes of this subsection) that is provided —*

- (a) *for payment or reward, whether directly or indirectly through payment or reward for some other service; or*
- (b) *as a benefit of employment; or*
- (c) *as an ancillary service to a commercial or recreational activity.*

(2) *The term "child care service" does not include —*

- (a) *care provided to a child by a parent, relative or carer of the child; or*
- (b) *care provided to a child by a person in accordance with a parenting order under the Family Law Act 1975 of the Commonwealth or the Family Court Act 1997; or*
- (c) *care provided to a child in accordance with an approval under the Children and Community Services Act 2004 section 104(3); or*
- (d) *care provided to a child —*
  - (i) *at the place where the child lives; or*
  - (ii) *substantially at that place; or*
- (e) *care provided to a child enrolled at a school if — (i) the child has reached 3 years of age; and (ii) the care is provided in the course of the child's participation in an educational programme under the School Education Act 1999; or*
- (f) *care provided to a child at a hospital or similar place while the child is a patient at that hospital or place; or*
- (g) *care of a kind that is excluded by the regulations from the application of subsection (1).*

*"Family day care service"*

*means a child care service provided at a place where —*

- (a) *the person providing the service lives; and*
- (b) *none of the children to whom the service is provided live;*

#### **Further Information**

If you need further information about planning in Swan:

**Visit our website:** [www.swan.wa.gov.au/Planning, Building, & Engineering/Planning](http://www.swan.wa.gov.au/Planning_Building_&Engineering/Planning)

**Call us:** 9267 9267 (between 8:00am and 5:00pm, Monday to Friday)

**Visit us:** 2 Morrison Rd, Midland (between 8:00am and 4:30pm, Monday to Friday)