

Determination Advice Notes:

1. This is a development approval issued under the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme only. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/owner to obtain any other necessary approvals and to commence and carry out development in accordance with all other laws.
2. If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.
3. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.
4. If the applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.
5. This approval is not an authority to ignore any constraint to development on the land, which may exist through statute, regulation, contract or on title, such as an easement or restrictive covenant. It is the responsibility of the applicant and not the City to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the City's attention.
6. The applicant is advised that operational management measures in the Noise Management Plan (NMP) include:
 - Limitation of outdoor play:
 - Not permitted before 9am.
 - For a maximum of two hours per day.
 - Limits on the types of activities that take place.
 - Provision of contact details for the operator to neighbours.
 - Notification of and communication with parents/guardians regarding the NMP.
7. Should the Child Care Premises provide food services, a documented and audited Food Safety Program (FSP), is required under Standard 3.3.1 (Food Safety Programs for Food Service to Vulnerable Persons) of the Australia New Zealand Food Standards Code.

Refer to https://www.health.wa.gov.au/articles/n_r/regulatory-food-safety-auditing-for-food-businesses for more information.
8. Any food business must comply with the *Food Act 2008*, *Food Regulations 2009* and the Australia New Zealand Food Standards Code. The applicant must register with the City's Health Services prior to operation of the food business. Please contact Health Services on 9273 6000 to discuss the requirements further with an Environmental Health Officer.
9. Any noise created at the premises must ensure compliance with the provisions within the *Environmental Protection (Noise) Regulations 1997*.
10. For the proposal to be eligible for the microbusiness waste agreement, the proposal must adhere to the following bin standards:
 - 1x 140 litre general waste bin, collected fortnightly.
 - 1x 240 litre recycling bin, collected fortnightly.
 - 1x 240 litre FOGO bin, collected weekly.If the proposal exceeds this bin standards, a private contractor for waste removal must be engaged.

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11. The change of use from Family Day Care to a Child Care Premises will require an Occupancy Permit to be obtained under the *Building Act 2011*. The existing building has been approved as a Class 1a residential dwelling. By changing its use to a Child Care Premises, it is changing the building classification to a Class 9b building under the National Construction Code.
 - 11.1. The change of building classification will need to demonstrate compliance with the NCC performance requirements for a Class 9b building (Early Childhood Centre). The applicant/landowner will need to engage a private building surveyor to certify the change of class. The private building surveyor will need to submit a building assessment application to the Department of Fire and Emergency Services (DFES) for their review and approval as part of the certification process.
 - 11.2. To find a building surveyor, there is a Building Surveyor Register on the Department of Energy, Mines, Industry Regulation & Safety website:
<https://www.commerce.wa.gov.au/building-and-energy/find-registered-building-surveyor>

For queries relating to the Occupancy Permit process, please contact the Building Services Team on 9273 6000 or mail@vincent.wa.gov.au.

12. Signage associated with the proposal shall be provided in strict accordance with signage standards of the City's Local Planning Policy: Signs and Advertising. The applicant is encouraged to liaise with the City's Development and Design team to ensure that signs proposed through the Noise Management Plan are designed to be consistent with signage standards.