

City of Kalamunda
Local Planning Scheme No. 3

Amendment No. 106

Rezoning the Kalamunda District Centre to enable implementation of the Kalamunda Activity Centre Plan



FORM 2A

Planning and Development Act 2005**RESOLUTION TO PREPARE AMENDMENT
TO LOCAL PLANNING SCHEME*****City of Kalamunda Local Planning Scheme No. 3
Amendment No. 106***

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

1. Rezone/~~reclassify~~ the land located within the boundary of the modified Scheme Map (at **Appendix A**) to ~~'Centre' Zone~~ as follows:
 - a) Rezone 'District Centre' area to 'Centre C1 - Kalamunda';
 - b) Rezone a portion of the 'Mixed Use' R20/R40 and R20 area to 'Centre C1 - Kalamunda';
 - c) Rezone 'Private Clubs and Institution' to 'Centre C1 - Kalamunda';
 - d) ~~Rezone-Reclassify~~ 'Public Purposes' areas identified as AC, BS, POL, CP, AM, MUS, CH, EX, to 'Centre C1 - Kalamunda';
 - e) Rezone 'Special Use 14 Car Park' to 'Centre C1 - Kalamunda'.
 - f) Rezone 'Residential' areas identified as R30/R40 to 'Centre C1 - Kalamunda';
 - g) ~~Rezone-Reclassify~~ 'Public Purposes' areas identified as CO, AQ, and K to 'Centre';
 - h) Rezone 'Residential' areas identified as R5, R20, R30, R30/R40 and R40 to 'Centre';
 - i) Rezone 'Special Use 12 – Vehicle Sales / Services' to 'Centre'.
 - j) ~~Rezone-Reclassify~~ 9 Headingly Road, Kalamunda (Crown Reserve R41268) from 'Residential R5' to 'Local Open Space'.
 - k) ~~Apply the R-AC0 R-Coding to all areas being rezoned to 'Centre' and 'Centre – C1'.~~
2. Modify section 4.2.3 Commercial Zones by inserting objectives for the 'Centre' zone as follows:

Centre

 - To designate land for future development as a town centre or activity centre.
 - To provide a basis for future detailed planning in accordance with the structure planning provisions of this Scheme or the Activity Centres State Planning Policy.

3. Modify section 4.2.5 Other Zones for Mixed Use as follows:

- *To provide for a wide variety of active uses on street level which are compatible with residential and other non-active uses on upper levels.*
- *To allow for the development of a mix of varied but compatible land uses such as housing, offices, civic uses, medical and health related uses, which do not generate nuisances detrimental to the amenity of the district or to the health, welfare and safety of its residents.*
- *To provide for business and other commercial uses, but excluding shopping.*
- *To ensure that the development in the zone is of such design, size, scale and appearance to be compatible with nearby uses or zones, particularly the Centre and Residential zones.*

4. Amending Table 1 – Zoning Table, by ~~deleting the existing~~ **inserting the following** use permissibility classifications ~~for and substituting it with the following in~~ the Centre ~~and Mixed Use~~ Zones:

Use Classes	Centre
	C1 ¹ Kalamunda
Aged/Dependant Dwellings	D
Aged Residential Care	A
Agriculture – extensive	X
Agriculture – intensive	X
Amusement Parlour	D
Ancillary Dwelling	X
Animal Establishment	X
Animal Husbandry – intensive	X
Art Gallery	P
Bed and Breakfast	D
Betting Agency	P
Bulky Goods Showroom	D
Caravan Park	X

Use Classes	Centre
	C1 ¹ Kalamunda
Caretakers Dwelling	D
Car Park	P
Chalet – Short Term Accommodation	X
Child Care Premises	P
Cinema/Theatre	P
Civic Use	P
Club Premises	P
Commercial Vehicle Parking	X
Community Purpose	P
Consulting Rooms	P
Convenience Store	D
Corrective Institution	X
Educational Establishment	D
Family Day Care	D
Fast Food Outlet	P
Fuel Depot	X
Funeral Parlour	D
Garden Centre	P
Grouped Dwelling	D
Health/Fitness Centre	P
Home Business	P
Home Occupation	P
Home Office	P
Home Store	P
Hospital	A

Use Classes	Centre
	C11 Kalamunda
Hotel	A
Industry	X
Industry - Cottage	D
Industry - Extractive	X
Industry - General	X
Industry - Light	X
Industry - Mining	X
Industry - Rural	X
Industry - Service	X
Lodging House	A
Logistics Centre	X
Lunch Bar	P
Market	A
Medical Centre	P
Motel	A
Motor Vehicle, Boat or Caravan Sales	PD
Motor Vehicle Repairs	PD
Motor Vehicle Wash	D
Motor Vehicle Wrecking	X
Museum	A
Multiple Dwelling	DP
Night Club	A
Office	P
Park Home Park	X
Place of Worship	A

Use Classes	Centre
	C1 ¹ Kalamunda
Public Utility	P
Reception Centre	P
Recreation – Private	D
Research and Technology Premises	X
Resource Recovery Centre	X
Restaurant/Café	P
Restricted Premises	X
Rural Pursuit/Hobby Farm	X
Salvage Yard	X
Service Station	D
Shop	P
Single Bedroom Dwelling	D
Single House	X
Small Bar	P
Tavern	A
Telecommunications Infrastructure	D
Trade Display	X
Transport Depot	X
Veterinary Centre	P
Warehouse/Storage	X
Winery	X

Note 1: C1 is defined as the land designated as 'Centre' in accordance with the Kalamunda Activity Centre Plan map. For land designated as Residential and Mixed Use on the Kalamunda Activity Centre Plan map, refer to the corresponding Zone for applicable land use permissibility.

5. Modify Table 2 – Site Requirements as follows:

	SETBACKS	SITE REQUIREMENTS
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ZONES	Front	Minor Street	Side	Rear	Site Coverage	Plot Ratio	Landscaping Strip (Road Frontage)
Residential¹							
Bushland Residential							
Urban Development							
District Centre							
Centre (C1 – Kalamunda)	As per approved Kalamunda Activity Centre Plan						
Forrestfield							
Commercial							
Service station							
Mixed Use¹							
Light Industry							
General Industry							
Private Clubs and Institutions							
Special Rural							
Rural Composite							
Rural Agriculture							
Rural Landscape Interest							
Rural Conservation							
Special Use							
Industrial Development							

Note 1: **Unless located in the Kalamunda Activity Centre Plan area, the requirements of the Kalamunda Activity Centre Plan shall be given due regard.**

6. Modifying Section 5.2 by as follows:

"5.2 STATE PLANNING POLICY 7.3 RESIDENTIAL DESIGN CODES

- 5.2.1 A copy of **the State Planning Policy 7.3 Residential Design Codes (Volumes 1 and 2)** is to be kept and made available for public inspection at the offices of the local government.
- 5.2.2 Unless otherwise provided for in the Scheme the development of land for any of the residential purposes dealt with by the Residential Design Codes is to conform to the provisions of those Codes.

5.2.3 The Residential Design Codes (**Volumes 1 and 2**) density applicable to land within the Scheme area is to be determined by reference to the Residential Design Codes (**Volumes 1 and 2**) density number superimposed on the particular areas shown on the Scheme Map as being contained within the broken black line borders or where such an area abuts another area having a Residential Design Codes (**Volumes 1 and 2**) density, as being contained within the area defined by the centre-line of those borders."

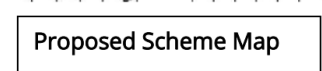
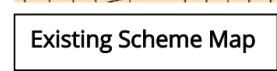
7. Delete Section 6.1.1 (c) from Part 6 Special Control Areas.
8. Delete Section 6.3 Kalamunda Town Centre Design Control Area.
9. Modify Schedule 2 Additional Uses by:
 - a) ~~Deleting Additional Use No. A 5 'Restaurant' relating to Lot 58 (35) Canning Road, Kalamunda as it will be superseded by the proposed Centre C1 rezoning.~~
 - b) ~~Deleting Additional Use No. A 6 'Arts and Crafts Centre including teaching, production, display and sales' relating to Lot 1 (55) Railway Road, Kalamunda as it will be superseded by the proposed Centre C1 rezoning.~~
 - c) ~~Deleting Additional Use No. A 14 'Offices' relating to Lots 36 and 42 (7) Mead Street, Kalamunda as it will be superseded by the proposed Centre C1 R-AC0 rezoning.~~
 - d) ~~Deleting Additional Use No. A 46 'Office' relating to Lot 16 (8) Stirk Street, Kalamunda as it will be superseded by the proposed Centre C1 R-AC0 rezoning.~~
 - e) ~~Deleting Additional Use No. A 49 (Art Gallery) relating to Lot 800 (10) Stirkchool Street, Kalamunda as it will be superseded by the proposed Centre C1 R-AC0 rezoning.~~
 - f) ~~Adding a Additional Uses 'Motor Vehicle, Boat or Caravan Sales' and 'Motor Vehicle Repairs' relating to Lot 15 (12) Burt Street, Kalamunda to replace the deleted Special Use 12 for the same address.~~
 - g) Renumbering additional uses accordingly.
10. Modify Schedule 3 Restricted Use by:
 - a) ~~Deleting Restricted Use RU 1 'Car Park and open air display and weekend market' relating to Lots 10 and 11 (1 and 3) Stirk Street, Kalamunda (Lots 10 and 11) as it will be superseded by the proposed Centre C1 R-AC0 rezoning.~~
 - b) Renumbering ~~additional-restricted~~ uses accordingly.
11. Modify Schedule 4 Special Uses by:
 - a) ~~Deleting Special Use 12 'Vehicle Sales / Services' as it relates to Lot 15 (12) 43 Canning Burt Street, Road (Corner Burt Street) Kalamunda as it will be superseded by the a proposed Additional Uses 'Motor Vehicle, Boat or Caravan Sales' and 'Motor Vehicle Repairs' and the proposed Centre C1 rezoning and associated land use permissibility.~~
 - b) ~~Deleting Special Use 14 'Car Park' as it relates to Lot 29 (14) Canning Road, and Lot 3 (5) Heath Road Canning Road and Heath Road (Lot 29) and 5 Heath Road, Kalamunda as it will be superseded by the proposed Centre C1 rezoning and associated land use permissibility.~~
 - c) Renumbering ~~additional-special~~ uses accordingly.
12. Modifying the Scheme Maps accordingly.

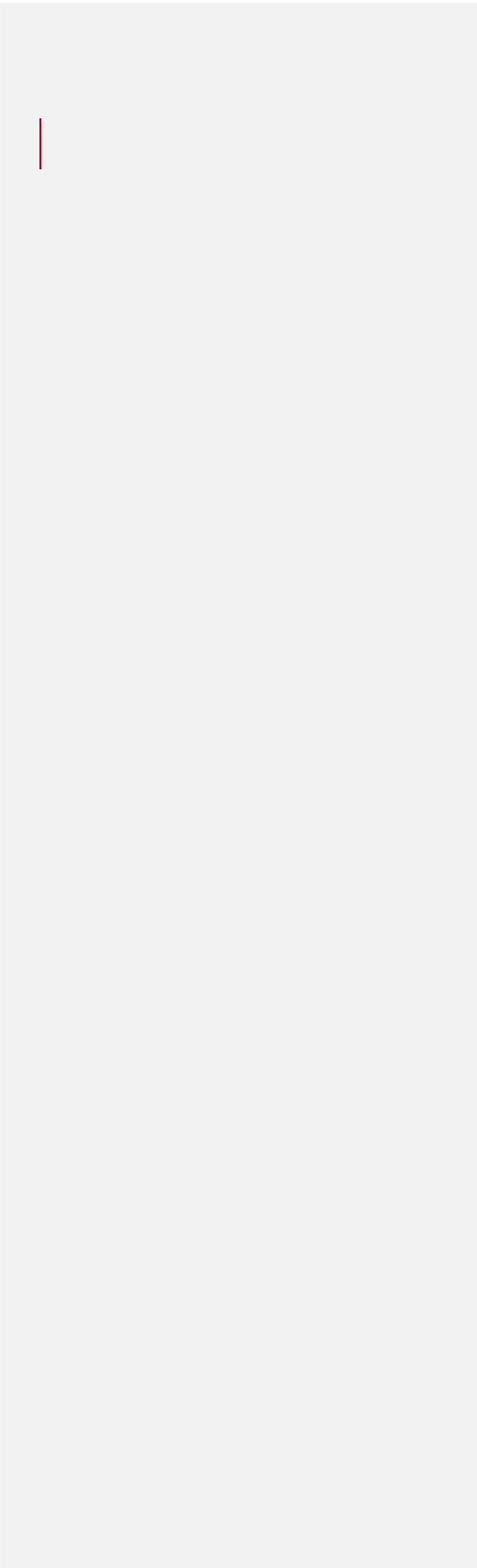
The amendment is complex under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):

- ~~1. The Amendment is not consistent with a local planning strategy~~
- ~~2. The amendment relates to development that is of a scale or will have an impact, that is significant relative to development in the locality~~
- ~~1. The Amendment is not specifically addressed as a strategy or action in the City of Kalamunda Local Planning Strategy for the Scheme that has been endorsed by the WAPC;~~
- ~~2. The amendment relates to an Activity Centre Plan that is currently being considered for approval by the WAPC; and~~
- ~~3. The amendment relates to development that is of a scale, or will have an impact, that is significant relative to development in the locality.~~

Dated this _____ day of _____ 20__

Chief Executive Officer
City of Kalamunda





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Appendix A Proposed Scheme Map

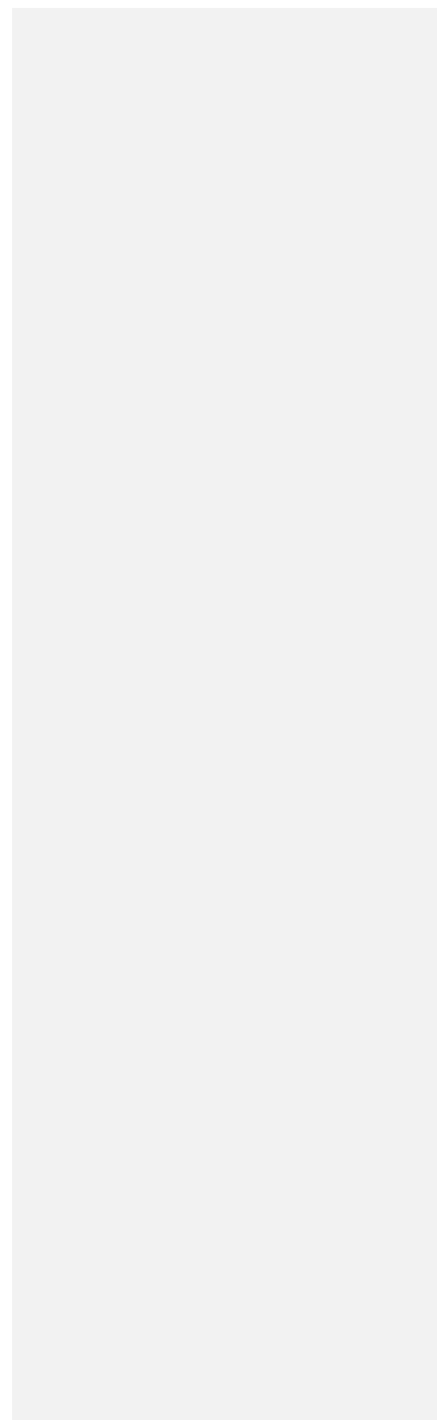
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1. INTRODUCTION

The City of Kalamunda is initiating an amendment to its Local Planning Scheme No. 3 (LPS 3) to facilitate the Kalamunda Activity Centre Plan over the Kalamunda District Centre. The purpose of the Kalamunda Activity Centre Plan is to facilitate the development of a district activity centre in Kalamunda, Western Australia, as contemplated and planned for in a variety of state and local planning documents.

This activity centre plan will provide the greatest opportunity to date to deliver a robust planning framework that can facilitate this coordination and much needed activation to key parts of the town centre. LPS 3 requires modification to various provision to reflect the zoning, land use intent and development requirements contained in the Kalamunda Activity Centre Plan.

This report discusses various details relating to the proposal including:

- Explanation of the proposed Scheme Amendment
- Site Detail
- Statutory and strategic planning framework
- Overview of the Kalamunda Activity Centre Plan
- Justification in support of the Scheme Amendment

1.1. RELATIONSHIP TO PLANNING REGULATIONS

This report has been prepared in accordance with the principles of the Western Australian Planning Commission's (WAPC) key State Planning Policies which guide residential subdivision and development.

Under Clause 35 of the *Planning and Development (Local Planning Schemes) Regulations 2015* ('the Regulations') when undertaking a scheme amendment, a local government must specify and justify whether the proposed amendment is basic, standard or complex.

The proposed amendment is considered to be a 'complex amendment' given the following considerations:

1. The Amendment is not specifically addressed as a strategy or action in the City of Kalamunda Local Planning Strategy for the Scheme that has been endorsed by the WAPC;
 2. The amendment relates to an Activity Centre Plan that is currently being considered for approval by the WAPC; and
 3. The amendment relates to development that is of a scale, or will have an impact, that is significant relative to development in the locality.
1. The Amendment is not consistent with a local planning strategy
 2. The amendment relates to development that is of a scale or will have an impact, this is significant relative to development in the locality

Commented [CL1]: New para – basic description of difference btw complex and standard. Insert public interest element.

2. SITE DESCRIPTION

2.1. LOCATION AND CONTEXT

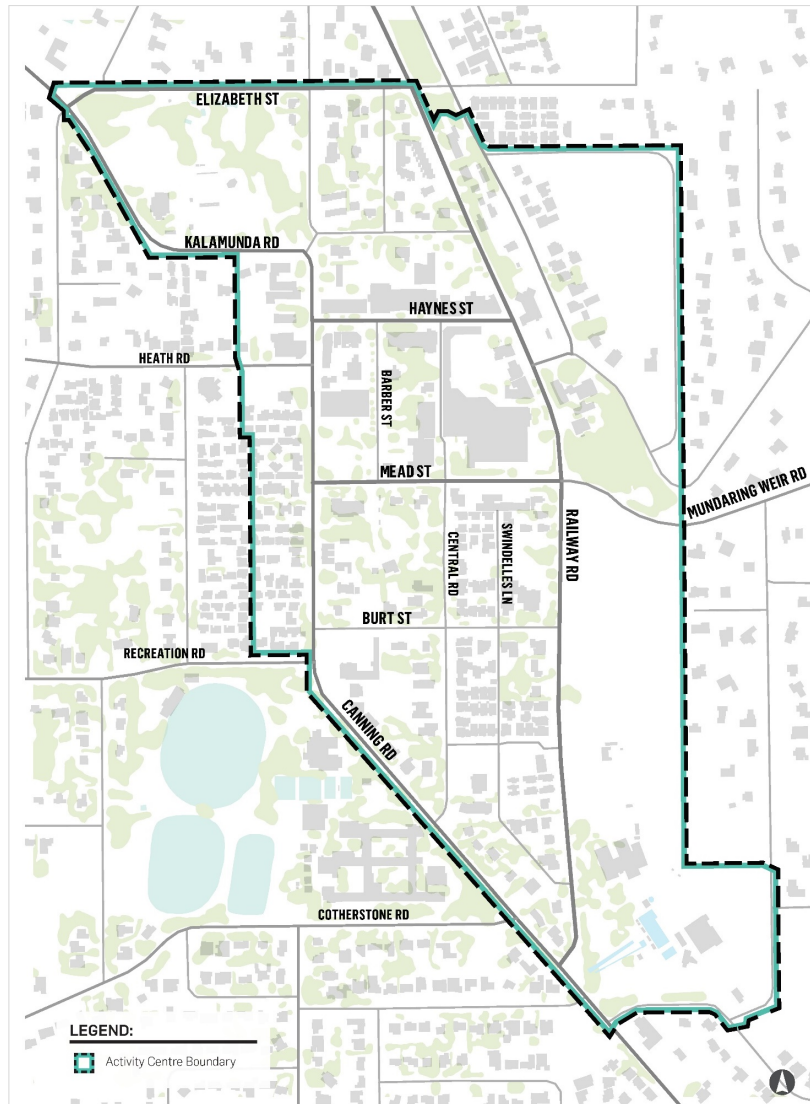
Kalamunda is located approximately 25 kilometres from Perth CBD in the growing hills area and has an estimated population of 25,190 by 2050 (refer **Figure 1**).

The surrounding environment has been more generally described in **Table 1**.

Table 1 – Surrounding Environment

Surrounding Environment	Immediate Area	Wider Area
North	<ul style="list-style-type: none"> Stirk Park is at the edge of the town centre in the north-west Areas of residential are located north of Stirk Street Core of the town centre from Stirk Street to the southern side of Mead Street 	<ul style="list-style-type: none"> Predominantly residential area Kalamunda Community Garden Service Station Zig Zag Scenic Drive (Gooseberry Hill)
East	<ul style="list-style-type: none"> The Kalamunda History Village Zig Zag Cultural Centre Kalamunda Library Local public open space Tennis Courts and Kalamunda Water Park City of Kalamunda administration building 	<ul style="list-style-type: none"> Predominantly low density residential and rural-residential area Department of Housing development Parks and Recreation Reserve / Jorgensen Park, Kalamunda National Park, Greenmount State Forest Mundaring Weir
South	<ul style="list-style-type: none"> Mixed use area comprising predominantly residential (R30 density) strata developments Scattered commercial, retail and community uses between Mead Street to the southern side of Burt Street 	<ul style="list-style-type: none"> Kalamunda Performing Arts Centre Kalamunda Senior High School Kalamunda Sporting Precinct Predominantly residential (R10 – R20 density) single dwelling and strata developments Carmel and Pickering Brook Rural areas Kalamunda Skate Park Bickley Valley Wine Region
West	<ul style="list-style-type: none"> Commercial/retail uses forming part of the town centre core along Headingly Street. Predominantly residential (R20, R30 density) strata developments. 	<ul style="list-style-type: none"> Predominantly residential (R10 – R30 density) single dwelling and strata developments. Escarpment and Swan Coastal Plain

Figure 1 – Location Plan



2.2. SITE PARTICULARS

The landownership for the activity centre plan area is broadly illustrated in **Figure 2**. The core of the town centre and surrounding area is predominantly within private ownership, with the City of Kalamunda having scattered landholdings in the central and northern areas.

Along the eastern boundary is a large 'Local Open Space' reserve running north-south along the old railway alignment. There are also a number of 'Public Purpose' reserves including the railway museum, St John's ambulance, aged facilities, bus station, community purposes and churches.

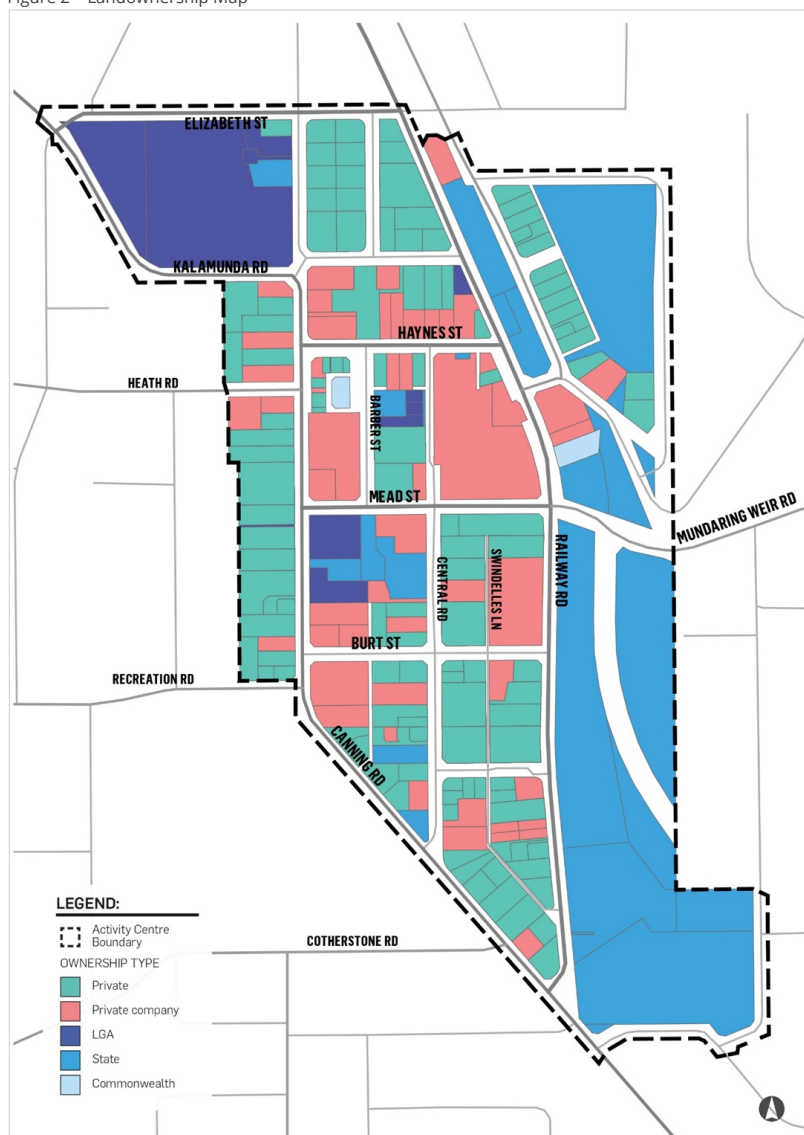
A summary of the study area landownership data is provided in **Table 2**. A complete list of properties and their proposed rezoning is provided at **Appendix A**.

Table 2 – Land Ownership

Type	Area (sqm) ¹	Percent (area)	# of proprietors	# of lots	Percent of lots
Commonwealth	1,051.63	0%	1	1	1%
Company (Private)	88,499.99	29%	65	42	23%
LGA	9,081.50	3%	8	8	4%
Private	200,370.44	65%	449	130	70%
State	8,610.30	3%	4	4	2%
Grand Total	307,613.86	100%	527	185	100%

¹Area relates to lot parcels only and excludes areas such as roads and other reserves.

Figure 2 – Landownership Map



3. AMENDMENT PROPOSAL

Amendment No. 106 proposes to amend a number of the provisions of LPS 3 to facilitate the implementation of the Kalamunda Activity Centre Plan. This amendment should be read in conjunction with the draft Kalamunda Activity Centre Plan for context and completeness.

A summary of the key modification proposed within Amendment No. 106 are outlined in the following sections.

3.1. ACTIVITY CENTRE PLAN BOUNDARY

The activity centre boundary was reviewed in consultation with the local community, business owners and in conjunction with the project team involved in the preparation of the draft Kalamunda Activity Centre Plan.

The current boundary of the Kalamunda District Centre does not reflect the physical 'town centre' with many traditional town centres uses extending beyond the core town centre boundary.

For this reason, the boundary has been reviewed to incorporate the existing 'District Centre' area in addition to a 'frame' to support the core activities in the town centre. The considerations in forming the boundary included:

- Extending the town centre to include uses such as the former IGA, ALDI, Jack Healey Centre, Kalamunda Bus Terminus and the Zig Zag Cultural Centre.
- Reviewing the District Centre zone to create a consolidated but well-connected town centre core with a clear role.
- Reinforcing gateways and entries statements to the town centre. There are relatively clear gateway points but little legibility beyond the threshold as to where the town centre is.
- Incorporating clear connections (physical or otherwise) to the surrounding natural features including Jorgensen Park, Bibbulmun Track, Stirk Park, walk and bike trails and wine trails etc.
- Connecting the town centre to its past by strengthening the physical connections to the adjacent History Village and Stirk Park.
- Creating a town square/focal point for the town centre.
- Including the City's administration building and aquatic centre to allow for future redevelopment opportunities (if the opportunity arises).

The revised boundary reflects a well contemplated activity centre plan boundary within which the Kalamunda Activity Centre Plan provides detailed guidance on land use and built form outcomes.

3.2. ZONING CHANGES

The proposed rezoning of the Kalamunda Activity Centre Plan area to 'Centre C1' is based on the following rationale:

- The 'Centre' zoning is consistent with the model provisions of the Regulations
- The 'Centre' zone objectives (consistent with the model provisions of the Regulations) is clear in its intent for future detailed planning to be undertaken in accordance with the Kalamunda Activity Centre Plan
- The 'Centre' zone allows for the density and built form provisions to be guided by the Kalamunda Activity Centre Plan and the Kalamunda BFDGs which will be adopted as a local planning policy.
- The land use permissibility for the 'Centre C1 - Kalamunda' core as identified on the Kalamunda Activity Centre Plan Map is guided by ~~new~~ permissibilities in Table 1 with the remaining land uses to accord with existing zoning (i.e Mixed Use zone, Residential zone).

This approach is considered the 'cleanest' and most closely aligned with contemporary local planning schemes and activity centre plans in WA.

Part of the rezoning includes rezone 9 Headingly Road, Kalamunda (Crown Reserve R41268) from 'Residential R5' to 'Local Open Space'. This reflects the current use of the land being for a war memorial.

3.3. LAND USE PERMISSIBILITY

This scheme amendment proposes to introduce a new zone 'Centre' zone with a 'C1 - Kalamunda' subcategory for the core of the activity centre.

The proposed land use permissibility for 'Centre C1 - Kalamunda' in Table 1 Zoning table of LSP 3 relates to the land identified as 'C1 - Kalamunda' on LPS 3 Zoning Map and 'Centre' on the Kalamunda Activity Centre Plan Map.

All other areas outside of the C1 - Kalamunda designation shall be in accordance with the equivalent zone in LPS 3 as identified on the Activity Centre Plan Map as identified in **Table 3**.

Table 3 - Land Use

Activity Centre Plan Map Land Use category	Equivalent Zone/Reserve in accordance with LPS 3
Centre	Centre (C1) Zone
Residential	Residential Zone
Mixed Use	Mixed Use Zone
Public Purpose	Public Purpose reserve
Local Open Space	Local Open Space Reserve

This approach is consistent with contemporary planning practice which relies on existing zones and land use permissibility (where possible) rather than creating bespoke zones and land use permissibility that is inconsistent with the Regulations.

It is noted that the use permissibility for the 'Centre - C1' zone in Table 1 is consistent with the permissibility currently provided in the District Centre zone, except for:

- Motor Vehicle, Boat or Caravan Sales - proposed to be reclassified from a 'P' to a 'D' use;
- Motor Vehicle Repairs - proposed to be reclassified from a 'P' to a 'D' use; and
- Multiple Dwelling - proposed to be reclassified from a 'D' to a 'P' use.

Motor Vehicle, Boat or Caravan Sales and Motor Vehicle Repairs Are uses that could be established without a works component and it is considered that the potential impact of these uses on the amenity and character of a District Centre should be managed. Accordingly, a 'D' use is considered more appropriate. The multiple dwelling land use is appropriate in a district centre and should be permitted.

No changes are proposed to the use permissibility for the Residential or Mixed Use zones under Table 1.

The District Centre zone will be retained in Table 1 for the purposes of maintaining consistent scheme provisions of the Forrestfield District Centre. It is anticipated that an Activity Centre Plan for Forrestfield will occur in 2021 or 2022 and the scheme provisions will be reviewed at that time.

3.4. REMOVAL OF SPECIAL CONTROL AREA

This amendment proposes to remove the Special Control Area 'KDCA - Kalamunda Town Centre Design Control Area'. the Special Control Area provisions are no longer required to implement the Kalamunda Town Centre Planning and Urban Design Guidelines (2011).

The activity centre plan and associated Built Form Design Guidelines (to be adopted as a local planning policy) will supersede the existing Kalamunda Town Centre Planning and Urban Design Guidelines (2011), hence the Special Control Area provisions are redundant.

3.5. MODIFICATIONS TO ADDITIONAL USES, RESTRICTED USES AND SPECIAL USES

There are a number of additional uses, restricted uses and special uses that have been adopted to respond to ad-hoc development proposals within the town centre that were not contemplated by LPS 3. With the review of zoning, land use permissibility and the preparation of the Kalamunda Activity Centre Plan, a number of these land use provisions will be superseded by the proposed Centre C1 rezoning and associated land use permissibility. The changes are summarised and justified below.

Deleting the following Additional Uses -

- Additional Use No. A 5 (Restaurant) relating to Lot 58 (35) Canning Road, Kalamunda
- Additional Use No. A 6 (Arts and Crafts Centre including teaching, production, display and sales) relating to Lot 1 (55) Railway Road, Kalamunda
- Additional Use No. A 14 (Offices) relating to Lot 3 (7) s-36 and 42-Mead Street, Kalamunda
- Additional Use No. A 46 (Office) relating to Lot 16 (8) Stirk Street, Kalamunda
- Additional Use No. A 49 (Art Gallery) relating to Lot 800 (10) Schooltirk Street, Kalamunda

Justification: All of the above uses can be contemplated by the respective zoning and land use permissibility.

Adding the following Additional Use

- Additional Uses 'Motor Vehicle, Boat or Caravan Sales' and 'Motor Vehicle Repairs' relating to Lot 15 (12) Burt Street, Kalamunda

Justification: These uses will replace the deleted Special Use 12 relating to the same address and will facilitate the ongoing operation of vehicle sales and services, while allowing for other land use permissibility consistent with the Mixed Use zone under the Kalamunda Activity Centre Plan.

Deleting the following Restricted Uses -

- Restricted Use RU 1(Car Park and open air display and weekend market) relating to Lots 10 and 11 (1 and 3) Stirk Street, Kalamunda ~~(Lots 10 and 11)~~

Justification: There is an opportunity to allow a broad range of land uses and remove the current restrictions to promote future redevelopment opportunities provided by the respective zoning and land use permissibility.

Deleting the following Special Uses -

- Special Use 12 'Vehicle Sales / Services' as it relates to ~~Lot 15 (12) Burt Street, 43 Canning Road (Corner Burt Street)~~ Kalamunda
- ~~Deleting~~ Special Use 14 'Car Park' as it relates to Canning ~~Lot 29 (14) Canning Road, and Lot 3 (5) Heath Road Road and Health Road (Lot 29) and 5 Heath Road~~, Kalamunda

Justification: ~~SU 12 will be replaced with Additional Uses to facilitate the ongoing operation of vehicle sales and services. SU 14 'Car Park' is a permitted use under the new Centre C1 zone.~~

There is an opportunity to allow a broad range of land uses and remove the current Special Use provisions to promote future redevelopment opportunities provided by the respective zoning and land use permissibility.

~~The existing uses can continue to operate under the existing valid planning approvals, however t~~The removal of the Special Use provisions will align the zoning and land use permissibility with the Kalamunda Activity Centre vision and land use intent.

4. PLANNING FRAMEWORK

The following section provides an overview of the relevant planning framework as it relates to the Activity Centre Plan area.

4.1. KEY PLANNING DOCUMENTS

Document	Zones, Controls and Relevant Provisions
REGIONAL FRAMEWORK	
Metropolitan Region Scheme	<p>All of the site is zoned Urban under the MRS, with the exception of the portion of Kalamunda Road and Canning Road that is within the activity centre plan boundary. This portion of the road is reserved Other Regional Road.</p> <p>This activity centre plan is consistent with the Urban MRS zone.</p>
Perth and Peel @ 3.5 million, including North-East Sub-Regional Planning Framework	<p>Providing a spatial and policy framework for Perth reaching a population of 3.5 million, this document seeks to provide for a more compact Perth, including better planned outer area.</p> <p>Kalamunda is identified with an urban infill dwelling target of 11,452 dwellings and an estimated population of 25,190 people.</p> <p>Scheme Amendment No. 106 is consistent with the strategies contemplated by Perth and Peel @ 3.5 million as it will facilitate the implementation of the Kalamunda Activity Centre Plan which will provide the following:</p> <ul style="list-style-type: none"> • The centre will encourage local employment opportunities aligning with its District Centre designation. • Consolidation of employment generating land uses including larger format commercial, retail and civil uses. • Increasing density in appropriate locations to support a mix of uses in the centre. • A 'frame' to the town centre core that supports predominantly residential and mixed use development that contributes to the walkable catchment of the town centre. • Celebration of cultural features by create synergies between Stirk Park including Stirk Cottage, Zig Zag Cultural Centre and Bibbulmun Track. • Reinforcement of Haynes Street as the traditional 'main street' with highly active edges, a mix of uses, pleasant pedestrian environment and a built form outcome that reflects the character of Kalamunda. • Creation of a new 'town square' on Railway Parade at the top end of Haynes Street creating a focal point for the community. • Consolidated parking areas in appropriate locations.
STATE PLANNING POLICIES	

Document	Zones, Controls and Relevant Provisions
SPP 2.7 Public Drinking Water Source	<p>The policy addresses land use and development in public drinking water supply areas. A portion of the town centre along the eastern edge is identified within a Priority 3 (P3) Public Drinking Water Source area.</p> <p>P3 protection areas are defined to manage the risk of pollution of the water source. P3 areas are declared over land where water supply sources need to co-exist with other land uses such as residential, commercial and light industrial developments, although there is some restriction on potentially highly polluting land uses.</p> <p>Land use compatibility in this area will be a due consideration in the preparation of the activity centre plan to ensure potential risk of on quantity and quality is minimised. No additional high risk land uses are proposed as part of the activity centre plan beyond that currently envisaged within the existing LPS 3.</p>
SPP 3 Urban Growth and Settlement	<p>Key considerations of SPP3 include:</p> <ul style="list-style-type: none"> • Housing should have good access to employment, commercial, recreation and other facilities. • Housing options should be diverse to suit various household sizes, ages and incomes. • Higher density development should be close to commercial facilities and near transport options. • Clustering retail, employment, recreation and other activities in existing activity centres and transport nodes to create attractive, high amenity mixed use urban centres. • Urban development should foster a sense of identity and community. • Vacant and underutilised land should be utilised for urban growth. <p>Scheme Amendment No. 106 will rezone the land identified on the scheme map to 'Centre' which allows for development to occur in accordance with the Kalamunda Activity Centre Plan. The Kalamunda Activity Centre Plan reflect the key principles for successful urban growth allowing for –</p> <ul style="list-style-type: none"> • Increased densities in appropriate locations to support the town centre core • Cluster retail, employment and urban development within close proximity to the Kalamunda bus depot as a key transport destination. • Provide opportunities for the redevelopment of underutilised land within the town centre. • Encouraging a range of densities and opportunity for a range of housing options to support future generations.
SPP 7.0 – Design for the Built Environment	<p>The WAPC has released Design WA Stage 1 to the public, including State Planning Policy No. 7.3 Residential Design Codes Volume 2 - Apartments.</p>

Document	Zones, Controls and Relevant Provisions
	<p>As of 24 May 2019, SPP3.1 R-Codes has been renamed State Planning Policy 7.3 Residential Design Codes Volume 1, with all existing context except for Part 6 to remain.</p> <p>The new State Planning Policy 7.3 Residential Design Codes Volume 2 – Apartments will replace the content of Part 6 of the R-Codes, focusing on improved design outcomes for apartments (multiple dwellings).</p> <p>Work is also underway to include policies on Precinct Design, Neighbourhood Design and House Design. Design WA has been used as the performance based assessment tool for new development in the town centre. The BFDGs focus only on the site-specific elements and/or elements that would need to be modified in response to local considerations.</p>
SPP 3.5 Historic Heritage Conservation	<p>This policy sets out the principles of sound and responsible planning for the conservation and protection of Western Australia's historic heritage.</p> <p>The study area contains a number of European and Indigenous heritage sites. A Heritage Impact Assessment will be required where development involves a place on the State Register and the Kalamunda Municipal Inventory.</p>
SPP 3.6 Development Contributions for Infrastructure	<p>This policy sets out the principles and considerations that apply to development contributions for the provision of infrastructure in new and established urban areas, and the form, content and process to be followed. The funding mechanisms for future infrastructure requirements will be a consideration for the City of Kalamunda and landowners.</p>
SPP 3.7 Planning in Bushfire Prone Areas	<p>SPP 3.7 directs how land use should address bushfire risk management in Western Australia. It applies to all land which has been designated as bushfire prone.</p> <p>SPP 3.7 seeks to guide the implementation of effective risk-based land use planning and development to preserve life and reduce the impact of bushfire on property and infrastructure. It applies to all higher order strategic planning documents, strategic planning proposals, subdivision and development applications located in designated bushfire prone areas (unless exemptions apply).</p> <p>The entire suburb of Kalamunda is identified as bushfire prone according to the Department of Fire and Emergency Services mapping (published 31 May 2017). Development and subdivision will need to comply with the requirements of SPP 3.7 and the Bushfire Management Plan prepared for the Kalamunda Activity Centre Plan.</p>
DRAFT STATE PLANNING POLICIES	
Draft SPP 5.4 Road and Rail Noise (September 2017)	<p>The purpose of the Policy is to minimise the adverse impact of road and rail noise on noise-sensitive land use and/or development within the specified trigger distance of major transport corridors.</p>

Document	Zones, Controls and Relevant Provisions
	<p>The current version of SPP 5.4 does not impact on the study area. Kalamunda Road and Canning Road which run north-south in the east of the town centre are currently designated as 'Other Regional Road' (ORR) under the MRS.</p> <p>In accordance with this Policy, a trigger distance of 200m applies along this road corridor. Future development application may require an acoustic assessment to be undertaken at the subdivision/development stage to mitigate potential noise impact from nearby roads.</p>

4.1.1. SPP4.2

State Planning Policy 4.2 – Activity Centres for Perth and Peel (SPP4.2) is the primary document guides the hierarchy and distribution of activity centres in the Perth and Peel regions.

Some of the key requirements and provisions of SPP4.2 are outlined and addressed below.

Table 4 – SPP4.2 Provisions and Compliance

Provision/s	Note
The Kalamunda Town Centre is identified as a 'District Centre'.	<p>Scheme Amendment No. 106 proposes to rezone the land identified on the scheme map (refer Appendix A) to Centre which allows for development to occur in accordance with the Kalamunda Activity Centre Plan.</p> <p>The boundary of the activity centre plan area goes beyond the existing District Centre zone (refer to rationale in section 3.1).</p> <p>This scheme amendment will facilitates the delivery of an activity centre plan for Kalamunda, and fulfils the requirement for an activity centre plan for district centres prior to major development.</p>
<p>District centres have the following typical characteristics:</p> <ul style="list-style-type: none"> Are to have a greater focus on servicing the daily and weekly needs of residents. They are to have a greater focus local community focus, and provide services, facilities and jobs that reflect the needs of their catchment. Contain discount department stores, supermarkets, comparison shopping, personal services, speciality shops. Should be a focal point for bus network. 	<p>Scheme Amendment No. 106 has been prepared to facilitate the implementation of the Kalamunda Activity Centre Plan which has been prepared in accordance with the requirements of SPP 4.2 and Structure Plan Preparation Guidelines.</p> <p>The activity centre plan will facilitate the delivery of a district centre in line with the typical characteristics of a district centre:</p> <ul style="list-style-type: none"> The activity centre plan will accommodate a convenience based centre with retail,

<ul style="list-style-type: none"> • Should have district level office development and local professional services. • Should cater for 20,000-50,000 persons. • Should accommodate a minimum 20 dwellings per gross hectare residential density within a 400m walkable catchment, and a desirable 30 dwellings per gross hectare. • Should accommodate 30% mix of land uses where there is more than 20,000sq.m of shop retail floorspace. 	<p>community and service offerings targeted as the local community.</p> <ul style="list-style-type: none"> • The centre concentrates activities within the retail core of Haynes Street, Central Mall, Mead Street, Barber Street, Railway Road and Stirk Street. • The Centre is connected to the bus depot providing transport and potential bus stop relocation opportunities identified for further investigation. • The activity centre plan allows for a range of land uses from retail, commercial, residential, mixed use, entertainment and the like. • The accompanying Employment and Retail Analysis outlines that the trade area for the centre is already at approximately 18,850 persons, and is set to grow just over 1,090 persons over the life of the activity centre plan. • The activity centre is allows for increased density in appropriate locations to support a mix of uses in the centre. This is outlined in further detail in other sections.
Retail sustainability/needs assessments are required prior to major development in activity centres.	This activity centre plan will facilitate an additional 1,500-2,500sq.m of shop retail floorspace based on business as usual with a potential increase to 2,800-3,800sq.m based on an improvement share and productivity in the centre.
SPP4.2 outlines a range of matters that are to be addressed in activity centre plans, under the headings of centre context, movement, activity, urban form, resource conservation and implementation.	All of these matters are addressed throughout the Kalamunda Activity Centre Plan.

4.2. CITY OF KALAMUNDA LOCAL PLANNING SCHEME NO.3 (LPS 3)

The City of Kalamunda LPS 3 provides the planning framework for the study area. The study area is primarily zoned 'District Centre', 'Mixed Use', 'Residential' and 'Public Purpose', allowing for a variety of land uses. Further south is the Kalamunda Senior High School and a number of recreational facilities such as the Kalamunda Sporting Precinct within the Public Purpose reserves.

The residential areas are generally confined to both the north, south and west of the town centre core with densities ranging from R5 to R40 (including dual density codings).

The town centre core is also identified within the 'Special Control Area (SCA) – Kalamunda Town Centre Design Control Area' (Section 6.3 of the LPS 3). The SCA imposes specific design guidelines to any development within the town centre area, and primarily seeks to ensure that any new developments.

This activity centre plan proposes to amend the existing zonings and density codings for the centre, along with some minor textual updates to LPS 3 including:

- Rezoning land within the Activity Centre Plan boundary to 'Centre' with a sub-category of 'C1 – Kalamunda' relating to the 'Centre' core as identified on the Kalamunda Activity Centre Plan Map
- Including new 'Centre' zone objectives aligned with the Regulations.
- Inserting new land use permissibility for the 'Centre C1 – Kalamunda' zone with all other land uses identified on the Kalamunda Activity Centre Map to revert to equivalent zoning of LPS 3 (e.g. Residential, Mixed Use).
- Removing the Special Control Area and associated provision which are no longer required due to the implementation of the Kalamunda Activity Centre Plan and Kalamunda Built Form Design Guidelines (which will be adopted as a local planning policy).
- Rationalising some of the additional uses, restricted uses and special uses in the activity centre plan area which are no longer required as they will benefit from the rezoning and consequential land use changes.

Refer to **Figure 4** – Existing Local Planning Scheme Map and **Figure 5** – Proposed Local Planning Scheme Map.

A review of the key local planning documents is outlined below.

Table 5 – Local Planning Documents

Document	Comment
City of Kalamunda Local Planning Strategy 2010	<p>City of Kalamunda Local Planning Strategy 2010 was officially endorsed by the WAPC in 2013 and incorporates the overall objectives and desirable outcomes of several key high-level documents which have been adopted by the City of Kalamunda.</p> <p>The overall intent of the Strategy seeks to facilitate sustainable and equitable growth within and around the Kalamunda town centre and provide high levels of connectivity whilst preserving the natural environment. A review of LPS 3 is currently underway by the City of Kalamunda.</p>
Kalamunda Town Centre Planning and	The guidelines were adopted in June 2011 and seek to specifically address urban design issues for new developments and establish a series of design

Urban Design Guidelines (in effect as of 20 June 2011)	<p>principles and objectives which seek to represent the desired outcomes for developments within the current Kalamunda 'District Centre' area.</p> <p>The existing design guidelines have provided a level of guidance to date, however there is a need to comprehensively plan for the private and public realm to support the town centre based on a sound and implementable activity centre plan.</p> <p>This activity centre plan and associated Built Form Design Guidelines (BFDG) will supersede the existing Kalamunda Town Centre Planning and Urban Design Guidelines (2011).</p>
Stirk Park Master Plan	<p>The City of Kalamunda has prepared a Master Plan for Stirk Park which intends to guide its development into the future. In preparation of the Master Plan extensive consultation with over 650 residents was conducted to determine the communities desired outcomes for the area and a preferred master plan concept.</p> <p>Stirk Park is located in the identified north-west corner of the identified study area bounded by Elizabeth Street to the north and Kalamunda Road to the west. Whilst on the periphery of the town centre core, Stirk Park has an important role as a place of gathering, events and community activities.</p> <p>Stirk Park is located at a key entry point to the town centre and has a role to play in setting the character, feel and sense of place for the town centre and surrounding residential areas.</p> <p>Whilst Stirk Park is included within the activity centre plan area it does not substitute the Stirk Park Master Plan which will continue to provide an overarching framework for the development of Stirk Park.</p>

Figure 3 – Existing Local Planning Scheme Map

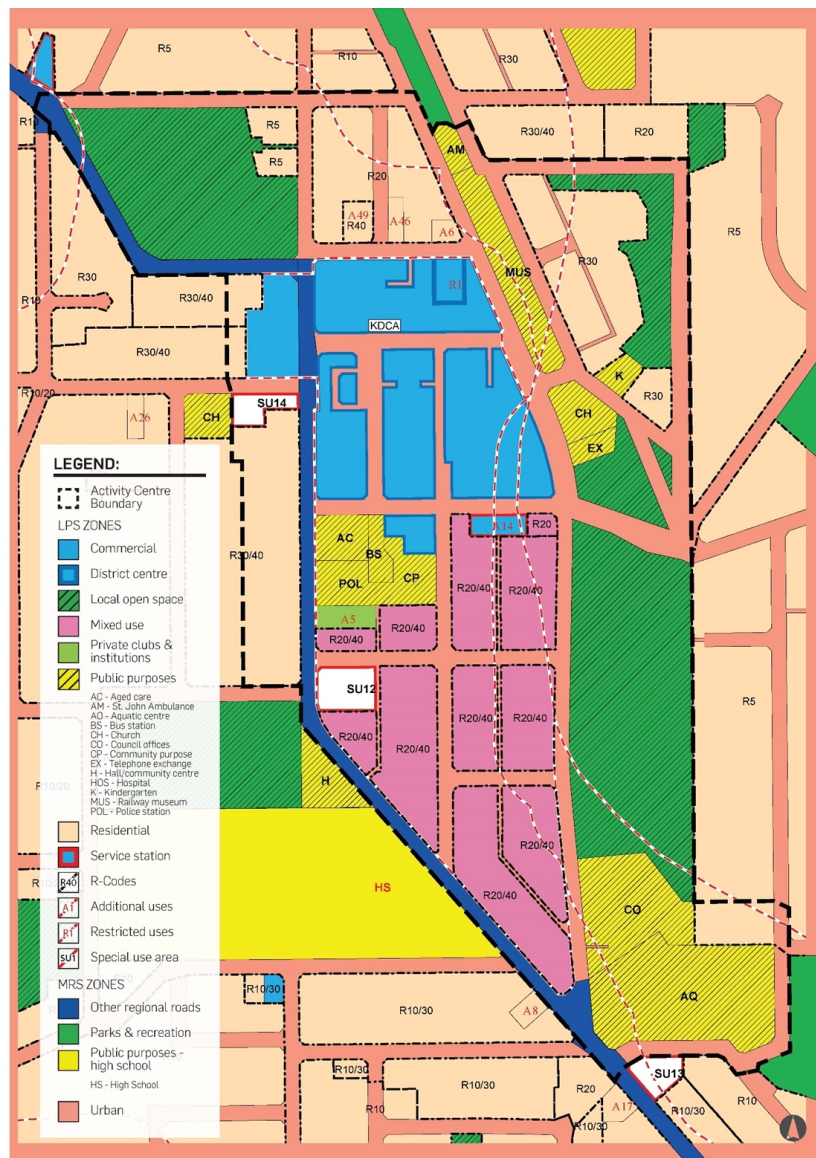
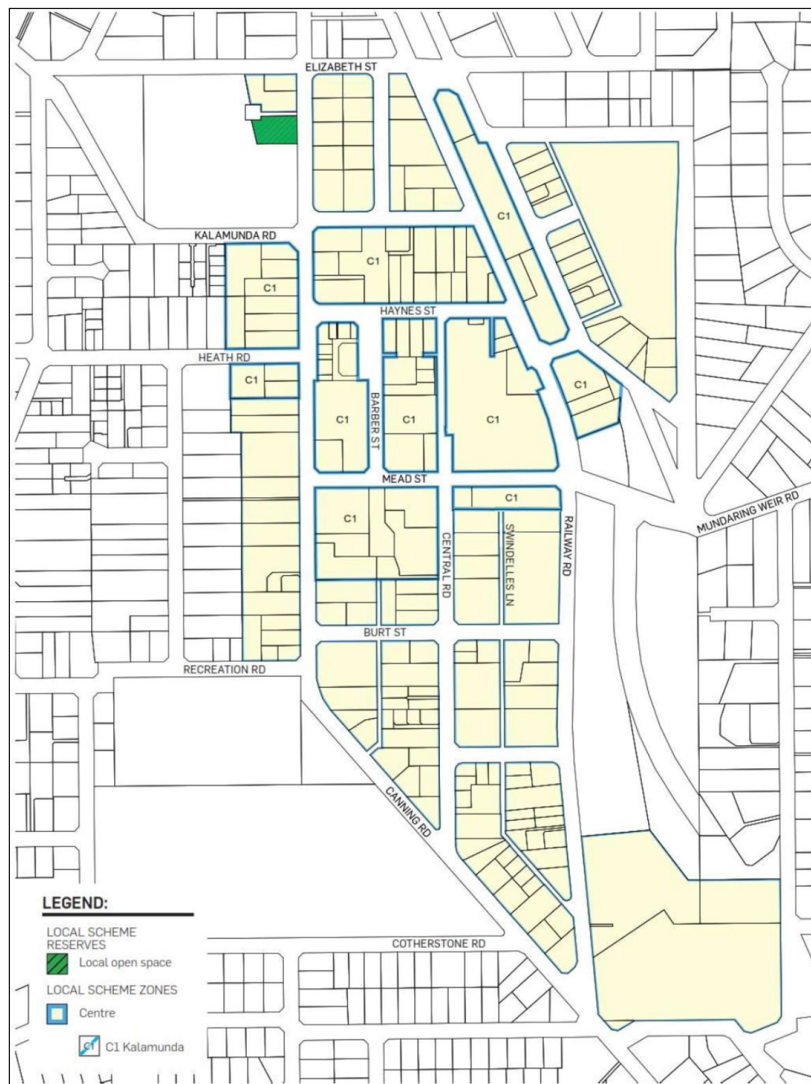


Figure 4 – Proposed Local Planning Scheme Map



4.3. DRAFT KALAMUNDA ACTIVITY CENTRE PLAN

The purpose of the Kalamunda Activity Centre Plan is to facilitate the development of a district activity centre in Kalamunda, Western Australia, as contemplated and planned for in a variety of state and local planning documents. The Kalamunda Activity Centre Map is provided a **Figure 4**.

This activity centre plan will facilitate the ongoing development of the Kalamunda town centre, shaping its future positioning as a contemporary, attractive and functional centre for residents and visitors. The town centre is at a crossroad, whereby its future and function need an effective combination of vision and practical implementation to enable its ongoing relevance and commerciality whilst retaining key of its character and identity.

The current town centre is diverse in nature, land use and design. Heritage, topography and an active and engaged local community provide great opportunities to leverage from. Critically, the Kalamunda town centre contains some of the trade-marks of a well-performing district centre but not all and lacks any real cohesion. This activity centre plan will provide the greatest opportunity to date to deliver a robust planning framework that can facilitate this coordination and much needed activation to key parts of the town centre.

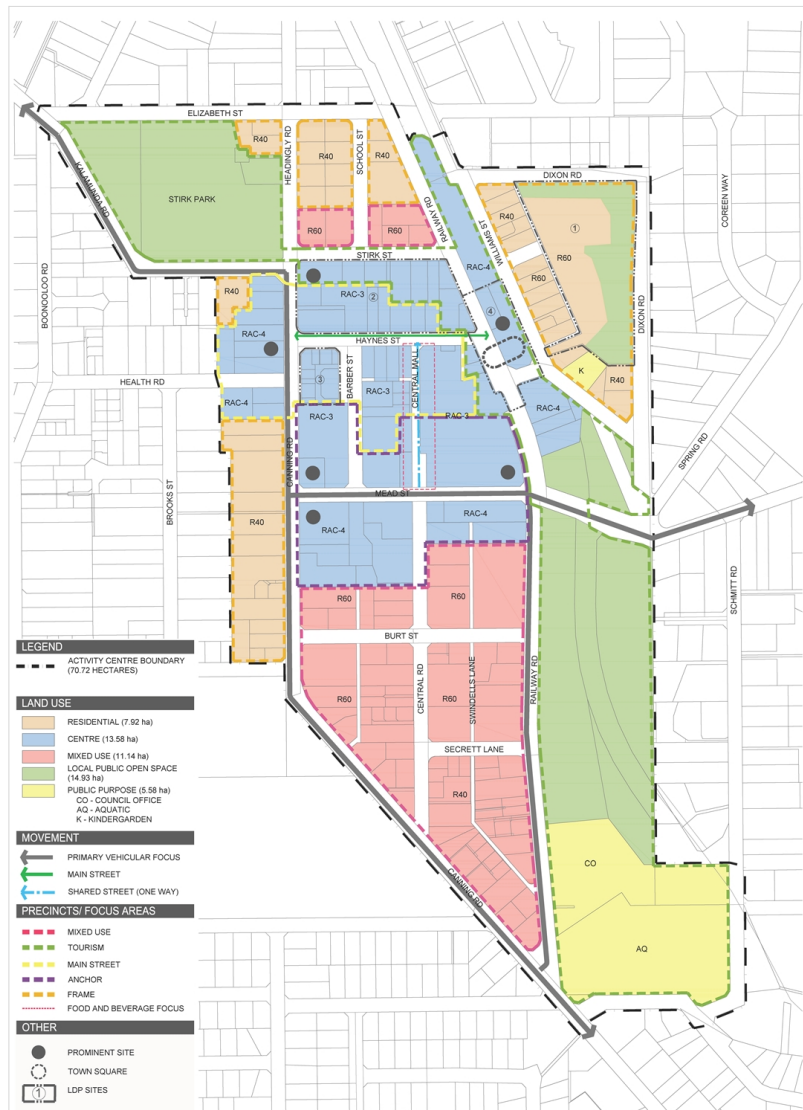
This activity centre plan is made pursuant to LPS 3, including the deemed provisions of the Regulations. The activity centre is planned to provide:

- Reinforcement of Haynes Street as the traditional 'main street' with highly active edges, a mix of uses, pleasant pedestrian environment and a built form outcome that reflects the character of Kalamunda.
- Central mall becoming a food and beverage focus supported by a one-way shared vehicle/pedestrian street.
- A consolidation of retail and commercial activity within the town centre core expanding from its current approximately 20,000sq.m shop/retail and other retail floor space to an additional 2,800 – 3,800sq.m.
- Creation of a new 'town square' on Railway Parade at the top end of Haynes Street as a multi-use public space creating a focal point for the town centre.
- Consolidation of employment generating land uses including larger format commercial, retail and civil uses around Mead Street leveraging off Kalamunda Central shopping centre.
- Celebration of cultural features by creating synergies between Stirk Park including Stirk Cottage, Zig Zag Cultural Centre and Bibbulmun Track.
- A 'frame' to the town centre core that supports predominantly residential and mixed use development that contributes to the walkable catchment of the town centre
- Consolidated parking areas in appropriate locations.
- Highly legible, safe and well-designed pedestrian linkages to connect all parts of the activity centre as well as important community focal points beyond.

This activity centre plan, as required by the relevant clauses of the deemed provisions, provides the primary land use, built form and strategic planning controls for the Kalamunda activity centre, and is to be given due regard in the consideration of development and subdivision applications by the relevant determining authority.

The Kalamunda activity centre plan will facilitate the provision of a district centre to service the future of Kalamunda in a manner and form consistent higher level planning documents, and the direction of the City and the DPLH/WAPC.

Figure 5 – Kalamunda Activity Centre Plan Map*



*Note the KACP map is correct as at 5 October 2020 and may be subject to WAPC Modifications prior to final approval.

5. JUSTIFICATION FOR PROPOSAL

Scheme Amendment No. 106 is supported based on the following planning grounds:

- The amendment will facilitate the Kalamunda Activity Centre Plan for the Kalamunda District Centre, as contemplated and planned for in a variety of state and local planning documents.
- LPS 3 requires modification to various provision to reflect the zoning, land use intent and development requirements contained in the Kalamunda Activity Centre Plan.
- The current boundary of the Kalamunda District Centre does not reflect the physical 'town centre' with many traditional town centres uses extending beyond the core town centre boundary.
- There are a number of development requirements and additional/restricted/special uses that do not reflect the vision and future development opportunities for the town centre.
- The scheme amendment along with the activity centre plan will provide the greatest opportunity to date to deliver a robust planning framework that can facilitate this coordination and much needed activation to key parts of the town centre.
- This approach is considered the 'cleanest' and most closely aligned with contemporary local planning schemes and activity centre plans in WA.

6. CONCLUSION

The amendment is complex under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):

- ~~1. The Amendment is not specifically addressed as a strategy or action in the City of Kalamunda Local Planning Strategy for the Scheme that has been endorsed by the WAPC;~~
- ~~2. The amendment relates to an Activity Centre Plan that is currently being considered for approval by the WAPC; and~~
- ~~3. The amendment relates to development that is of a scale, or will have an impact, that is significant relative to development in the locality.~~
- ~~1. The Amendment is not consistent with a local planning strategy.~~
- ~~2. The amendment relates to development that is of a scale or will have an impact, this is significant relative to development in the locality.~~

The City of Kalamunda is requested to initiate the Amendment as proposed which has been prepared in conjunction with the draft Kalamunda Activity Centre Plan prepared in accordance with the Regulations and SPP4.2.

Planning and Development Act 2005
RESOLUTION TO AMEND LOCAL PLANNING SCHEME

City of Kalamunda Local Planning Scheme No.3
Amendment No.106

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

~~13.1.~~ 13.1. Rezone/reclassify the land located within the boundary of the modified Scheme Map (at **Appendix A**) as follows:

~~k)a)~~ k)a) Rezone 'District Centre' area to 'Centre C1 - Kalamunda';

~~h)b)~~ h)b) Rezone a portion of the 'Mixed Use' R20/R40 and R20 area to 'Centre C1 - Kalamunda';

~~m)c)~~ m)c) Rezone 'Private Clubs and Institution' to 'Centre C1 - Kalamunda';

~~m)d)~~ m)d) Reclassify 'Public Purposes' areas identified as AC, BS, POL, CP, AM, MUS, CH, EX, to 'Centre C1 - Kalamunda';

~~e)e)~~ e)e) Rezone 'Special Use 14 Car Park' to 'Centre C1 - Kalamunda'.

~~p)f)~~ p)f) Rezone 'Residential' areas identified as R30/R40 to 'Centre C1 - Kalamunda';

~~q)g)~~ q)g) Reclassify 'Public Purposes' areas identified as CO, AQ, and K to 'Centre';

~~r)h)~~ r)h) Rezone 'Residential' areas identified as R5, R20, R30, R30/R40 and R40 to 'Centre';

~~s)i)~~ s)i) Rezone 'Special Use 12 - Vehicle Sales / Services' to 'Centre'.

~~t)j)~~ t)j) Reclassify 9 Headingly Road, Kalamunda (Crown Reserve R41268) from 'Residential R5' to 'Local Open Space'.

~~u)k)~~ u)k) Apply the R-AC0 R-Coding to all areas being rezoned to 'Centre' and 'Centre - C1'.

~~14.2.~~ 14.2. Modify section 4.2.3 Commercial Zones by inserting objectives for the 'Centre' zone as follows:

Centre

- *To designate land for future development as a town centre or activity centre.*
- *To provide a basis for future detailed planning in accordance with the structure planning provisions of this Scheme or the Activity Centres State Planning Policy.*

15.3. Modify section 4.2.5 Other Zones for Mixed Use as follows:

- *To provide for a wide variety of active uses on street level which are compatible with residential and other non-active uses on upper levels.*
- *To allow for the development of a mix of varied but compatible land uses such as housing, offices, civic uses, medical and health related uses, which do not generate nuisances detrimental to the amenity of the district or to the health, welfare and safety of its residents.*
- *To provide for business and other commercial uses, but excluding shopping.*
- *To ensure that the development in the zone is of such design, size, scale and appearance to be compatible with nearby uses or zones, particularly the Centre and Residential zones.*

16.4. Amending Table 1 – Zoning Table, by inserting the following use permissibility classifications for the Centre Zone:

Use Classes	Centre
	C1 ¹ Kalamunda
Aged/Dependant Dwellings	D
Aged Residential Care	A
Agriculture – extensive	X
Agriculture – intensive	X
Amusement Parlour	D
Ancillary Dwelling	X
Animal Establishment	X
Animal Husbandry – intensive	X
Art Gallery	P
Bed and Breakfast	D
Betting Agency	P
Bulky Goods Showroom	D

Use Classes	Centre
	C1 ¹ Kalamunda
Caravan Park	X
Caretakers Dwelling	D
Car Park	P
Chalet – Short Term Accommodation	X
Child Care Premises	P
Cinema/Theatre	P
Civic Use	P
Club Premises	P
Commercial Vehicle Parking	X
Community Purpose	P
Consulting Rooms	P
Convenience Store	D
Corrective Institution	X
Educational Establishment	D
Family Day Care	D
Fast Food Outlet	P
Fuel Depot	X
Funeral Parlour	D
Garden Centre	P
Grouped Dwelling	D
Health/Fitness Centre	P
Home Business	P
Home Occupation	P
Home Office	P
Home Store	P

Use Classes	Centre
	C1 ¹ Kalamunda
Hospital	A
Hotel	A
Industry	X
Industry – Cottage	D
Industry – Extractive	X
Industry - General	X
Industry - Light	X
Industry – Mining	X
Industry – Rural	X
Industry – Service	X
Lodging House	A
Logistics Centre	X
Lunch Bar	P
Market	A
Medical Centre	P
Motel	A
Motor Vehicle, Boat or Caravan Sales	D
Motor Vehicle Repairs	D
Motor Vehicle Wash	D
Motor Vehicle Wrecking	X
Museum	A
Multiple Dwelling	P
Night Club	A
Office	P
Park Home Park	X

Use Classes	Centre
	C1 ¹ Kalamunda
Place of Worship	A
Public Utility	P
Reception Centre	P
Recreation – Private	D
Research and Technology Premises	X
Resource Recovery Centre	X
Restaurant/Café	P
Restricted Premises	X
Rural Pursuit/Hobby Farm	X
Salvage Yard	X
Service Station	D
Shop	P
Single Bedroom Dwelling	D
Single House	X
Small Bar	P
Tavern	A
Telecommunications Infrastructure	D
Trade Display	X
Transport Depot	X
Veterinary Centre	P
Warehouse/Storage	X
Winery	X

Note 1: C1 is defined as the land designated as 'Centre' in accordance with the Kalamunda Activity Centre Plan map. For land designated as Residential and Mixed Use on the Kalamunda Activity Centre Plan map, refer to the corresponding Zone for applicable land use permissibility.

17.5. Modify Table 2 – Site Requirements as follows:

ZONES	SETBACKS				SITE REQUIREMENTS		
	Front	Minor Street	Side	Rear	Site Coverage	Plot Ratio	Landscaping Strip (Road Frontage)
Residential¹							
Bushland Residential							
Urban Development							
District Centre							
Centre (C1 – Kalamunda)	As per approved Kalamunda Activity Centre Plan						
Forrestfield							
Commercial							
Service station							
Mixed Use¹							
Light Industry							
General Industry							
Private Clubs and Institutions							
Special Rural							
Rural Composite							
Rural Agriculture							
Rural Landscape Interest							
Rural Conservation							
Special Use							
Industrial Development							

Note 1: **Unless located in the Kalamunda Activity Centre Plan area, the requirements of the Kalamunda Activity Centre Plan shall be given due regard.**

18.6. Modifying Section 5.2 by as follows:

"5.2 STATE PLANNING POLICY 7.3 RESIDENTIAL DESIGN CODES

5.2.1 *A copy of ~~the~~ State Planning Policy 7.3 Residential Design Codes (Volumes 1 and 2) is to be kept and made available for public inspection at the offices of the local government.*

5.2.2 *Unless otherwise provided for in the Scheme the development of land for any of the residential purposes dealt with by the Residential Design Codes is to conform to the provisions of those Codes.*

5.2.3 *The Residential Design Codes (Volumes 1 and 2) density applicable to land within the Scheme area is to be determined by reference to the Residential Design Codes (Volumes 1 and 2) density number superimposed on the particular areas shown on the Scheme Map as being contained within the broken black line borders or where such an area abuts another area having a Residential Design Codes (Volumes 1 and 2) density, as being contained within the area defined by the centre-line of those borders."*

~~19.7.~~ Delete Section 6.1.1 (c) from Part 6 Special Control Areas.

~~20.8.~~ Delete Section 6.3 Kalamunda Town Centre Design Control Area.

~~21.9.~~ Modify Schedule 2 Additional Uses by:

- ~~e)h)~~ Deleting Additional Use No. A 5 'Restaurant' relating to Lot 58 (35) Canning Road, Kalamunda as it will be superseded by the proposed Centre C1 rezoning.
- ~~f)i)~~ Deleting Additional Use No. A 6 'Arts and Crafts Centre including teaching, production, display and sales' relating to Lot 1 (55) Railway Road, Kalamunda as it will be superseded by the proposed Centre C1 rezoning.
- ~~g)j)~~ Deleting Additional Use No. A 14 'Offices' relating to Lot 3 (7) Mead Street, Kalamunda as it will be superseded by the proposed Centre C1 rezoning.
- ~~h)k)~~ Deleting Additional Use No. A 46 'Office' relating to Lot 16 (8) Stirk Street, Kalamunda as it will be superseded by the proposed Centre C1 rezoning.
- ~~i)l)~~ Deleting Additional Use No. A 49 (Art Gallery) relating to Lot 800 (1) School Street, Kalamunda as it will be superseded by the proposed Centre C1 rezoning.
- ~~j)m)~~ Adding a Additional Uses 'Motor Vehicle, Boat or Caravan Sales' and 'Motor Vehicle Repairs' relating to Lot 15 (12) Burt Street, Kalamunda to replace the deleted Special Use 12 for the same address.
- ~~k)n)~~ Renumbering additional uses accordingly.

~~22.10.~~ Modify Schedule 3 Restricted Use by:

- c) Deleting Restricted Use RU 1 'Car Park and open air display and weekend market' relating to Lots 10 and 11 (1 and 3) Stirk Street, Kalamunda as it will be superseded by the proposed Centre rezoning.
- d) Renumbering restricted uses accordingly.

~~23.11.~~ Modify Schedule 4 Special Uses by:

- d) Deleting Special Use 12 'Vehicle Sales / Services' as it relates to Lot 15 (12) Burt Street, Kalamunda as it will be superseded by a proposed Additional Uses 'Motor Vehicle, Boat or Caravan Sales' and 'Motor Vehicle Repairs' and the proposed Centre C1 rezoning and associated land use permissibility.
- e) Deleting Special Use 14 'Car Park' as it relates to Lot 29 (14) Canning Road, and Lot 3 (5) Heath Road, Kalamunda as it will be superseded by the proposed Centre C1 rezoning and associated land use permissibility.
- f) Renumbering special uses accordingly.

~~24.12.~~ Modifying the Scheme Maps accordingly.

The amendment is complex under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):

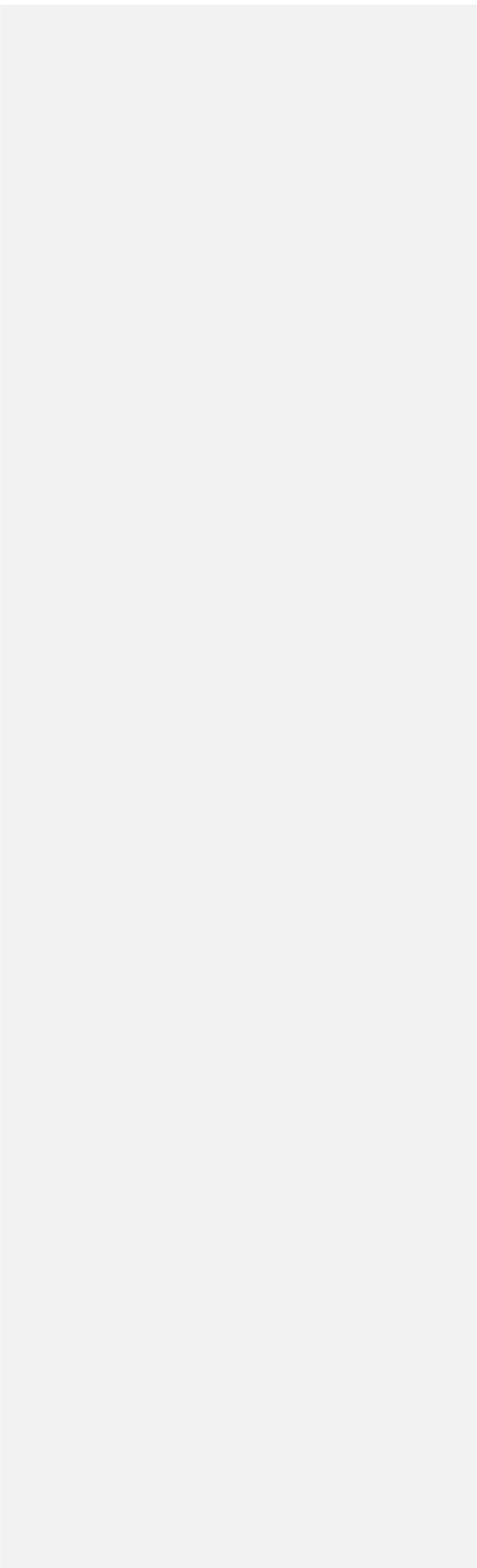
- 3.4. The Amendment is not specifically addressed as a strategy or action in the City of Kalamunda Local Planning Strategy for the Scheme that has been endorsed by the WAPC;
- 4.5. The amendment relates to an Activity Centre Plan that is currently being considered for approval by the WAPC; and
- 5.6. The amendment relates to development that is of a scale, or will have an impact, that is significant relative to development in the locality.

The map displays the C1 Kalamunda Local Scheme Area. It includes a legend with the following information:

- LOCAL SCHEME RESERVES:**
 - Local open space (indicated by a green hatched box)
- LOCAL SCHEME ZONES:**
 - Centre (indicated by a blue square)
 - C1 Kalamunda (indicated by a blue square with a 'C1' label)

The map shows various streets including Elizabeth St, Kalamunda Rd, Heath Rd, Haynes St, Barber St, Mead St, Central Rd, Spindelles Ln, Railway Rd, Mundaring Weir Rd, Recreation Rd, Burt St, Canning Rd, and Cotherstone Rd. The C1 Kalamunda zone is highlighted in yellow, and the Centre zone is highlighted in blue. Local open space is shown in green hatching.

Proposed Scheme Map



FORM 6A**COUNCIL ADOPTION**

This Complex Amendment was adopted by resolution of the Council of the City of Kalamunda at the Ordinary Meeting of the Council held on the day of, 20.....

.....
MAYOR

.....
CHIEF EXECUTIVE OFFICER

COUNCIL RESOLUTION TO ADVERTISE

by resolution of the Council of the City of Kalamunda Ordinary Meeting of the Council held on the day of, 20....., proceed to advertise this Amendment.

.....
MAYOR

.....
CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

This Amendment is recommended for support/not to be supported by resolution of the City of Kalamunda at the Ordinary Meeting of the Council held on the day of, 20..... and the Common Seal of the City of Kalamunda was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....
MAYOR

.....
CHIEF EXECUTIVE OFFICER

WAPC ENDORSEMENT (r.63)

.....

DELEGATED UNDER S.16 OF
THE P&D ACT 2005

DATE.....

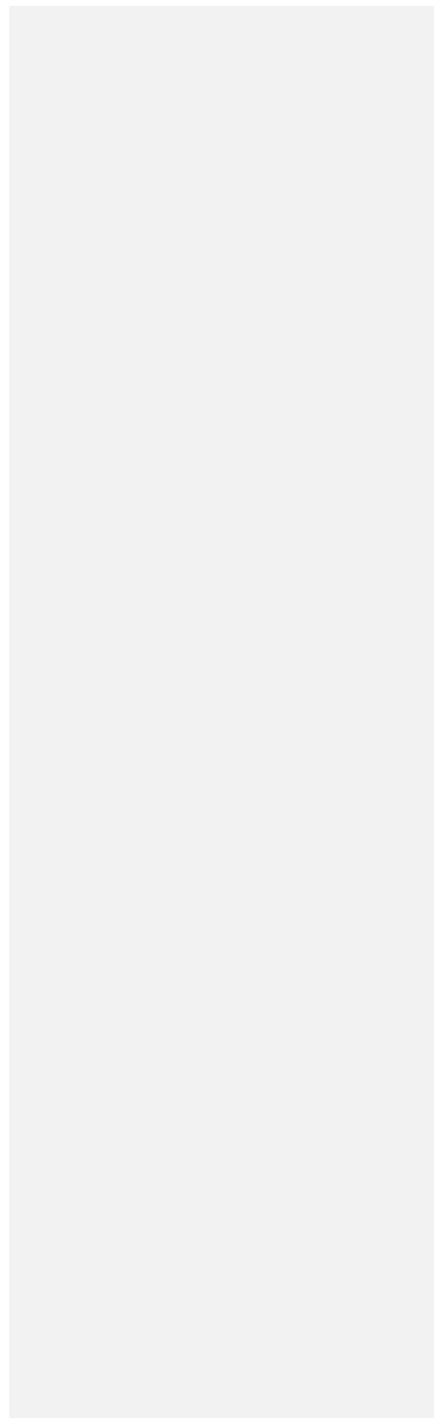
FORM 6A - CONTINUED

APPROVAL GRANTED

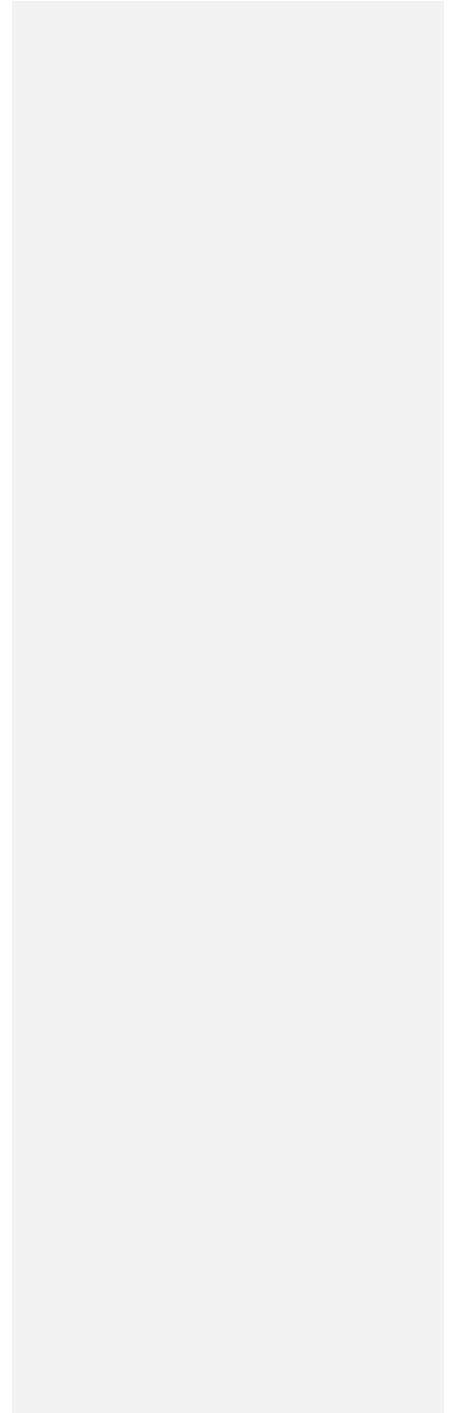
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MINISTER FOR TRANSPORT, PLANNING AND LANDS

DATE.....



APPENDIX A PROPOSED SCHEME MAP



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APPENDIX B PROPERTY REZONING LOT DETAILS

