



Your ref: 3.009297  
 Our ref: TPS/0407  
 Enquiries:

Chris Lodge  
 Manager Strategic Planning  
 City of Kalamunda  
 PO Box 42  
 KALAMUNDA WA 6929

Dear Chris,

**VARIATIONS TO THE DEEMED-TO-COMPLY PROVISIONS OF THE RESIDENTIAL DESIGN CODES - LOCAL PLANNING POLICY 33: TREE RETENTION**

The Statutory Planning Committee at its meeting of 30 August 2022, considered the above proposal and resolved as follows:

1. *approve the amended deemed-to-comply provisions proposed by the City of Kalamunda Local Planning Policy 33 - Tree Retention, relating to clauses 5.3.2 Landscaping (C2.1 (iii) and (vi)), C2.2(iii) (including Tables 1.1 and 1.2) and 5.3.4 Design of car parking spaces (C4.3); pursuant to clause 7.3.2 of State Planning Policy 7.3 - Residential Design Codes Volume 1. These amendments are only supported for areas coded R25 or less;*
2. *require the City to delete clauses 5.3.2 Landscaping (C2.2 (i), (ii) and (iv) from the deemed-to-comply section and recommend that these be relocated to the Tree Retention - General Requirements section of the Local Planning Policy;*
3. *require the City to amend section 7(1) of Local Planning Policy 33 by deleting reference to the alternative design principles and include reference to design principles 5.3.4 - design of car parking spaces. Existing design principles 5.3.4 - design of car parking spaces to be added to Table 1.*
4. *advise the City as follows:*
  - a. *the LPP should make it clear that proposals which meet clause 61 of the Deemed Provisions of the Regulations are exempt from development approval and that the LPP does not remove these exemptions requirements;*
  - b. *in respect to subdivision requirements, make it clear that the City will make a recommendation to the WAPC on subdivision proposals and that LPP provisions that affect the WAPC's subdivision requirements will be considered on a case by case basis. The LPP should not include requirements that fetter the WAPC in determining subdivision applications;*

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- c. *recommend tree planting requirements (at a ratio of 1 per 2 trees) not apply to subdivisions; and*
- d. *it may wish to undertake further consultation, prior to determining the LPP.*

Yours sincerely



Ms Sam Fagan  
Secretary  
Western Australian Planning Commission

6 September 2022

enc. Draft Local Planning Policy 33