

Amendment Table – Planning Policy Omnibus 2023			
Local Planning Policy 10 – Family Day Care and Child Care Premises			
Reference	Existing	Proposed	Reason
	<p>Application of Policy The primary objective of this policy are to:</p> <ul style="list-style-type: none"> a) Specify local provisions which supplement the requirements of Local Planning Scheme No.3. b) Provide for the establishment of Family Day Cares and Childcare Premises in appropriate locations; c) Endure that the operation of Family Day Cares and Childcare Premises do not impact on the amenity of the local area; and d) Provide policy guidelines in terms of development standards suitable for the City of Kalamunda for all Family Day care and Child Care Premises development within the Local Government boundaries. 	<p>Moved to new section 2 – Objectives</p> <p>Objectives The objectives of this policy are to:</p> <ul style="list-style-type: none"> a) Ensure Family Day Care and Child Care Premises are established in locations which do not have unreasonable impacts on the amenity of the locality; and b) Ensure Family Day Care and Child Care Premises are consistent with the character of the locality. 	<p>Section relocated to reflect preferred policy structure.</p> <p>Points a) and d) are not required as they duplicate the general purposes of planning policies established by the Planning and Development (Local Planning Schemes) Regulations 2015.</p> <p>Point b) revised into new a) to link the location and proposals not having an amenity impact.</p> <p>Point c) and d) revised into new b) to require consistency with the character of the area using planning clear planning terminology.</p>
	<p>Application of Policy This policy applies throughout the City of Kalamunda.</p>	<p>Application of Policy This policy applies to Family Day Care and Child Care Premises development applications within the City of Kalamunda Local Planning Scheme area.</p>	<p>Reference added to the specific type of development application to ensure the Policy is applied to the intended development and not other development.</p>

	<p>Relationship to Local Planning Scheme No.3</p> <p>This policy is a planning policy prepared, advertised and adopted pursuant to Part 2 of Local Planning Scheme No.3. (The Scheme) The policy augments and is to be read in conjunction with the provisions of the Scheme relating to development. If there is a conflict between this local planning policy and the Scheme, then the Scheme shall prevail.</p> <p>This policy has due regard to, and should be read in conjunction with state planning policies. Of particular relevance to this policy are:</p> <ol style="list-style-type: none"> i. State Planning Policy 1 – State Planning Framework. ii. State Planning Policy 3.1 – Residential Design Codes. iii. State Planning Policy 3.7 – Planning in Bushfire Prone Areas iv. State Planning Policy - Liveable Neighbourhoods v. State Planning Policy 2.2 – Residential Subdivision vi. Planning Bulletin 72/2009 – Child Care Centres 	<p>Relationship to Local Planning Scheme No.3</p> <p>This policy is a planning policy prepared, advertised and adopted pursuant to Part 2 of Local Planning Scheme No.3 (the Scheme). This policy must be read in conjunction with Scheme provisions relating to development. If there is a conflict between this local planning policy and the Scheme, the Scheme prevails.</p> <p>This policy must be read in conjunction with state planning policies and relevant state guidance documents. Of particular relevance to this policy are:</p> <ol style="list-style-type: none"> i. State Planning Policy 1 – State Planning Framework. ii. State Planning Policy 3.7 – Planning in Bushfire Prone Areas iii. State Planning Policy 7.0 – Design of the Built Environment iv. State Planning Policy 7.1 – Residential Design Codes v. Planning Bulletin 72/2009 – Child Care Centres 	<p>The existing wording can be further simplified to reflect 'plain English' as it applies to planning references.</p> <p>State Planning Policies Liveable Neighbourhoods and 2.2 removed as they are not sufficiently relevant to warrant reference in the Policy.</p> <p>SPP 3.1 updated to 7.1.</p> <p>SPP 7.0 added as it has been adopted since the most recent policy review.</p> <p>Revised to reflect numerical order.</p>
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	<p>Relationship to other Local Planning Policies This policy has due regard to and should be read in conjunction with other City of Kalamunda local planning policies. Of particular relevance to this policy are:</p> <ul style="list-style-type: none"> i. Local Planning Policy P Dev 14, Earthworks. ii. Local Planning Policy P Dev 45, Public notification of planning proposals. iii. Local Planning Policy P Dev 28, Reflective material in cladding or roofing, guidelines for assessment. 	<p>Relationship to other Local Planning Policies This policy must be read in conjunction with other City of Kalamunda local planning policies. Policies of relevance are:</p> <ul style="list-style-type: none"> i. Local Planning Policy 2 – Advertising Signage ii. Local Planning Policy 11 - Public notification of planning proposals iii. Local Planning Policy 26 – Public Art Contributions iv. Local Planning Policy 33 – Tree Retention 	<p>Description has been modified to remove reference to due regard as due regard to policies is established in cl 67 of the deemed provisions.</p> <p>Policy references have been updated to reflect current numbering practice.</p> <p>Earthworks Policy is now known as LPP 23, but does not require a reference in this Policy.</p> <p>LPP P Dev 28 no longer exists.</p> <p>LPP 26 added as most child care developments meet the estimated value provisions.</p> <p>LPP 33 added as child care premises typically involve large footprint buildings which results in the requirement for vegetation removal.</p>
	<p>Application of Policy a) The operative Local Planning Scheme provides for the assessment of</p>	<p>Deleted.</p>	<p>These provisions duplicate Scheme provisions. Point d) provides examples for interpreting appropriate</p>

	<p>applications for development or use within the City.</p> <p>b) The use classification 'Child Care Premises' is a land use that is generally an 'P', 'A', or 'D' land use within some of the City's zones. 'Family Day Care' is a use that is generally a 'P' or 'D' land use within the majority of the City's zones. Land uses within 'P' categories are permitted land uses, while those within 'D' or 'A' categories are not permitted unless the Local Government has exercised discretion by granting approval. 'A' land uses are required to be the subject of public consultation.</p> <p>c) Clause 4.5 of the Scheme provides the ability for landowners to apply for additional uses. 'Child Care Premises' is an 'X' land use within Rural and Industrial zoned land and land zoned Private Clubs and Institutions, which means that it is prohibited within that zone. 'Family Day Care' is an 'X' use within Industrial and Service Station zones.</p> <p>d) Additional use:</p> <p>i. The Scheme provides an ability for an applicant to apply for a Local Planning Scheme Amendment for an Additional Use which then provides the City with the ability to assess that particular use on its own merits.</p>		<p>incidental uses. These are not required as sufficient guidance is provided by the objectives of the Policy on how to deal with potential incidental family day care and child care proposals.</p>
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	<p>ii. An additional use as a land use that is permitted on a specific portion of land in addition to the uses already permissible in that zone that applies to the land.</p> <p>e) Incidental Use:</p> <p>i. The Scheme provides an ability for an applicant to apply for a land use as an incidental use to a use that is already operating on a site or will commence operation. It is defined as follows under the Scheme:</p> <p>ii. "Incidental Use" means a use of premise which is ancillary and subordinate to the predominate use or primary use.</p> <p>iii. Some examples of when a childcare premise may be considered an appropriate incidental use are:</p> <ul style="list-style-type: none"> • As an attachment to a place of worship and operating only during periods of activity; • -s an extension of a large commercial development, operating only when the commercial development is open (e.g. childcare within an IKEA); and • As a crèche within a gym or other fitness centre. 		
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	<p>d) Some examples of when a childcare premise would not be considered as an appropriate incidental use are:</p> <ul style="list-style-type: none"> i. On an operating industrial site or in tandem with a building on that site; ii. As an attachment to a place of worship and operating at all times; and ii. As an additional development on residential zoned land where a pre-existing residential development already exists (i.e. construction of a secondary structure in addition to the dwelling. Family day cares would be expected to operate within the existing dwelling). 		
	<p>Family Day Care Where an application is seeking approval as a discretionary land use the following shall be considered in determining whether a Family Day Care is an appropriate use:</p> <ul style="list-style-type: none"> a) Family day care is encouraged to locate in close proximity to opportunities for access to public transport, preferably within residential areas, close to schools or educational establishments and with access to public open space within 400m walking distance. 	<p>Delete.</p>	<p>This section duplicates point 1(a) and (e) of the Policy Statement.</p> <p>It does provide a more detailed description, however the detail is not required to complete a planning assessment.</p> <p>This is an opportunity to simplify the Policy.</p>
	<p>Child Care Premises</p>	<p>Delete.</p>	<p>This section duplicates point 1(a), (b), and (e).</p>

	Centres are encouraged to locate near commercial, community, educational establishments, district centre, and public recreational areas, nearby to roads that have the demonstrated capacity to accommodate any potential additional traffic generated by the centre, or within walking distance to public transport routes.		It does provide a more detailed description, however the detail is not required to complete a planning assessment. This is an opportunity to simplify the Policy.
	<p>Siting Criteria The site area of the subject lot needs to be adequate for the provision of onsite car parking, pedestrian access, setbacks, play areas, and landscaping.</p> <p>a) Inappropriate Sites</p> <p>Although the land use may be permitted Although the land use may be permitted under the provisions of the Local Planning Scheme, Child Care Premises will generally not be supported in the following locations due to potential conflicts with residential amenity, traffic, safety, and parking access:</p>	<p>Siting Criteria</p> <p>Although the land use may be permitted under the provisions of the Scheme, premises may not be supported in the following locations due to inconsistency with the objectives of this Policy as summarised below:</p>	Wording amended to simplify the focus on sites which may not be appropriate and emphasise the link between the siting criteria and the objectives of the Policy.
	<p>Family Day Care</p> <p>i. Sites with sole vehicular access from a longer or undedicated Right of Way, under-width street or laneway;</p> <p>ii. Sites located on, or at intersection to, Primary or District distributor roads;</p>	<p>Family Day Care</p> <p>i. Sites with sole vehicular access from a longer or undedicated Right of Way, under-width street or laneway;</p>	Minor grammatical change, emphasised in bold.

	<ul style="list-style-type: none"> iii. Sole access abut traffic lights, roundabout or traffic calming device; iv. Sites with swimming pools, unless demonstrated compliance with AS1926; and v. Sites adjacent to industrial areas. 	<ul style="list-style-type: none"> ii. Sites located on, or at intersection to, Primary or District distributor roads; iii. Sole access abuts traffic lights, roundabout or traffic calming device; iv. Sites with swimming pools, unless demonstrated compliance with AS1926; and v. Sites adjacent to industrial areas. 	
	<p>Built Form and Streetscape In relation to built form and streetscape, all childcare centres should be of a “residential scale”, with height, form and setback being sympathetic to the local character of the streetscape. This should take into account adjoining buildings and prevailing existing setbacks, as well as the relevant setbacks as noted in the Residential Design Codes or City of Kalamunda Local Planning Scheme No.3. Development must be sited to avoid overshadowing, overlooking and buildings built to the boundary. The design must cater for the existing level of residential amenity and minimize the potential for nuisance in terms of:</p> <ul style="list-style-type: none"> a) Visual impact; and b) Noise associated with operation of the child care facility and car park. 	<p>Built Form and Streetscape Child care premises must be of a “residential scale”, with height, form and setbacks being consistent with the character of the locality and existing or planned future streetscape. Development must be designed to minimise overshadowing, overlooking; and buildings being built to the boundary, unless consistent with surrounding development. . The design must have regard to the existing residential amenity and minimise the potential for visual and noise nuisance.</p>	<p>Wording amended to simplify the focus on built form which may not be appropriate and emphasise the link between the preferred built form and the objectives of the Policy.</p> <p>Terminology changed to plain planning english.</p>

	<p>Generally, play areas will be located behind the front building setback line and away from noise sensitive areas such as adjacent to neighbouring property bedrooms or primary outdoor living areas.</p>	<p>Play areas must be located behind the front building setback line and away from noise sensitive receptors.</p>	
	<p>Parking and Traffic Assessment Parking areas should preferably be designed to allow traffic to move easily within the area so that the risk of congestion is minimised. Vehicles will be required to enter and exit the site in forward gear. All parking related to the Family Day Care or Child Care Premises will be contained on the subject site. Parking bays for child care premises shall be provided in accordance with the requirements as laid out in the Scheme's 'Table 3 – Parking Requirements (Child Care Centre/Day Care)', as follows: "1 bay per staff member, plus 1 bay for every 10 children allowed under the approval." In addition to this, applications for new Child care Premises and those that propose to increase the numbers within existing premises by more than 10 additional children must be accompanied by a Traffic Impact Assessment Study prepared by a suitably qualified traffic engineer. The study must address the following:</p>	<p>Parking and Traffic Assessment Parking areas must be designed for traffic to move easily within the site to ensure the risk of congestion is minimised. Vehicles must enter and exit the site in forward gear. All parking must be contained on the subject site. New Child care premises and proposals to increase numbers within an existing premises by more than 10 additional children must be accompanied by a Traffic Impact Assessment (TIA) prepared by a suitably qualified traffic engineer. The TIA must address the following: a) Site description including naming of roads and nearest intersections; b) Adjoining land uses; c) Existing traffic conditions or Structure Plan indications (where applicable);</p>	<p>Wording amended to simplify the focus on car parking design to ensure good traffic outcomes.</p> <p>Terminology changed to plain planning english.</p> <p>Provisions with overlapping content consolidated or deleted.</p>

	<ul style="list-style-type: none"> a) Site description including naming of roads and nearest intersections; b) Adjoining land uses; c) Existing traffic conditions or Structure Plan indications (where applicable); d) Traffic flows, daily and peak hour flows, number of heavy vehicles; e) Speed as measured at the 85th percentile; f) Trip generation g) Queuing at intersections and entry/egress to parking facilities; h) Road safety for all road users, including pedestrian and cyclists; i) Crash history; j) Parking provisions and requirements, pick-up and drop-off facilities; k) Public transport routes; l) Dual use path locations surrounding the site, internal pedestrian pathways, suitable crossing locations for the pedestrians and provisions of pram ramps; and m) Other matters considered necessary having regards to the pertinent characteristics of the site. <p>Proposals will not be supported if the form, function, and safety of the surrounding road network is deemed to be compromised.</p>	<ul style="list-style-type: none"> d) Traffic flows, daily and peak hour flows, number of heavy vehicles; e) Speed as measured at the 85th percentile; f) Trip generation g) Queuing at intersections and entry/egress to parking facilities; h) Road safety for all road users, including pedestrian and cyclists; i) Crash history; j) Parking provisions and requirements, pick-up and drop-off facilities; k) Public transport routes l) Dual use path locations surrounding the site, internal pedestrian pathways, suitable crossing locations for the pedestrians and provisions of pram ramps; and m) Other relevant matters having regard to the characteristics of the site. <p>Proposals for family day care centres must include a drop-off bay located on the subject property</p>	
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	<p>Proposals for family day care centres are to include the provision of a drop-off bay located on the subject property and able to allow for forward in, forward out, movement. This bay is to be appropriately constructed to the satisfaction of the City and is not to be located on the verge or public road.</p>	<p>which facilitates entry and exit in forward gear.</p>	
	<p>Landscaping 1. Verges</p> <p>Under no circumstances will approval be granted to fully pave and seal the verge area. In all instances the verge is required to be suitably landscaped and maintained at all times, to the satisfaction of the City. This will serve the dual purpose of preserving the amenity of the area and ensuring that patrons of the site do not park on the verge.</p> <p>2. Child Care Premises within Residential Areas</p> <p>Within residential areas the primary street frontage and corner truncation, where applicable, shall be appropriately landscaped and reticulated to a distance of three (3) metres into the property to assist in preserving the character of the residential area. Outside of residential areas, landscaping is to be provided in line with the</p>	<p>Landscaping</p> <p>a. Verge areas must be landscaped and maintained for the duration of the development to the satisfaction of the City of Kalamunda. Landscaping design must discourage visitors from informally parking on verge areas. Paving of verge areas is not considered consistent with the objectives of the Policy.</p> <p>b. In Residential zones primary street frontages and corner truncations must be landscaped and reticulated a minimum three (3) metres into the property to ensure development is consistent with the objectives of the Policy.</p>	<p>Structure amended to fit within section heading.</p> <p>Provisions amended to emphasise the relationship with the objectives of the Policy.</p>

	provisions of the Local Planning Scheme No.3.		
	<p>Signage</p> <p>a) Family Day Care The day care will display a sign no greater than 0.2sqm in size.</p> <p>b) Child Care Premises All signage associated with the child care premises is to be compliant with the City's Local Planning Policy 2 Signage (LPP2).</p>	<p>Signage</p> <p>a. Family day care signage must not exceed one sign of maximum 0.2m² in size.</p>	Structure amended to fit within section heading. Provision for Child care premises deleted as it is deferring to a different LPP already covered by the 'relationship to other LPP' section of the Policy.
	<p>Hours of operation</p> <p>a) Family Day Care Unless otherwise approved by Council, with due regard on residential amenity, the hours of operation of Family Day Cares shall be between 7:00am and 6:00pm on weekdays and 8:00am and 6:00pm on Saturdays. Family Day Care will not be permitted to operate on Sundays and Public Holidays.</p> <p>b) Child Care Premises Hours of operation for Child Care Premises shall be restricted to Monday to Friday between 7.00am and 7.00pm and Saturday between</p>	<p>Hours of operation</p> <p>a) Family Day Care Unless otherwise approved having regard to the residential amenity of the locality, , the hours of operation of Family Day Cares must be between 7:00am and 6:00pm on weekdays and 8:00am and 6:00pm on Saturdays. Family Day Care may not be permitted to operate on Sundays and Public Holidays.</p> <p>b) Child Care Premises Unless otherwise approved having regard to the amenity of</p>	Wording simplified to reflect normal wording of planning conditions which restrict operating hours.

	<p>8.00am and 4.00pm, unless otherwise approved by Council.</p>	<p>the locality, the hours of operation of Child Care Premises must be between 7.00am and 7.00pm from Monday to Friday and between 8.00am and 4.00pm on Saturdays.</p>	
	<p>Maximum Number of Children</p> <p>a) Family Day Care The maximum number of children permitted shall be in accordance with the Education and Care Services National Regulations 2012 (as amended).</p> <p>b) Child Care Premises In accordance with the Education and Care Services National Regulations 2012 the number of children present at the childcare premises must not exceed the maximum number of children specified in the license or permit to operate. The proposed number of children will be considered having regard to the locational criteria identified in Clause 1 of the Policy.</p>	<p>Maximum Number of Children</p> <p>a) Family Day Care The maximum number of children permitted must be in accordance with the Education and Care Services National Regulations 2012 (as amended).</p> <p>b) Child Care Premises In accordance with the Education and Care Services National Regulations 2012 the number of children present at the childcare premises must not exceed the maximum number of children specified in the license or permit to operate. The proposed number of children will be considered having regard to the location criteria of the Policy.</p>	<p>Minor wording amendment to first sentence to reflect plain English.</p> <p>Minor wording amendment to last sentence to increase link to other part of the Policy.</p>

	<p>Preparation of Food Prior to commencement of operation the applicant must book a food premises inspection with the City's Health Services Department. The premises must meet all requirements and pass the inspection without requiring any corrective actions before it will be allowed to trade. In addition to this the applicant will be required to submit an Application for Registration of Food Business in line with the provisions of the Food Act 2008. This application, must be accompanied with the appropriate registration fee, and a complainant food safety plan must be provided a minimum of two weeks prior to commencement of operation.</p>	<p>Delete.</p>	<p>This is a standard health requirement, but does not relate to a development application standard and is not required.</p> <p>This is typically dealt with by advice notes added to development approvals.</p>
	<p>Outdoor Play Areas Any proposed outdoor play area shall be setback a minimum of 1 metre from lot boundaries to ensure that the potential for noise impact upon surrounding properties is minimised. Play areas may be required to be separated from the boundary by a physical barrier. Outdoor play areas are to be provided with adequate shading, to the satisfaction of the City of Kalamunda. This may include shade sails, patio areas or dense vegetation.</p>	<p>3. Outdoor Play Areas a) Outdoor play areas must be setback a minimum of one (1) metre from lot boundaries to ensure that the potential for noise impact upon surrounding properties is minimised. b) Outdoor play areas must be provided with adequate shade to the satisfaction of the City of Kalamunda. This may include</p>	<p>Minor amendments to wording to simplify provisions. Structure changed to increase legibility.</p>

		shade sails, patio areas or dense vegetation.	
	<p>Noise Management As part of the application for a child care premises a Noise Management Plan and Acoustic Impact Assessment shall be prepared by a suitably qualified professional, submitted to, and approved by the City of Kalamunda prior to any approval being granted. The documents should demonstrate either compliance with the <i>Environmental Protection (Noise) Regulations 1997</i> or design/specification measures that will be incorporated to reach compliance.</p>	<p>Noise Management a) As part of the application for a child care premises a Noise Management Plan and Acoustic Impact Assessment prepared by a suitably qualified professional must be submitted to the satisfaction of the City of Kalamunda. The documents should demonstrate either compliance with the <i>Environmental Protection (Noise) Regulations 1997</i> or design/specification measures that will be incorporated to reach compliance.</p>	<p>Minor amendments to wording to simplify provisions. Structure changed to increase legibility.</p>
	<p>Public Consultation Advertising of a proposal for a childcare premises or family day care will occur if the proposal is located in a zone where the use is classified as a "D" or "A" use in accordance with Table 1 of Local Planning Scheme No. 3. The application shall be assessed as a standard application in accordance with Local Planning Policy 11 – Public Notification of Planning Proposals.</p>	<p>Advertising of a proposal for a childcare premises or family day care must be in accordance with the Scheme and Local Planning Policy 11 – Public Notification of Planning Proposals.</p>	<p>The provision duplicates normal planning requirements for advertising. A more concise approach is to refer the reader directly to the Scheme and Policy.</p>

	<p>Variations to the Policy Any variation to development requirements will require the applicant to provide additional justification demonstrating how the proposal will not adversely affect adjoining property owners, the streetscape or the amenity of the locality, with particular reference to Clause 10 – ‘Matters to be Considered’ of this policy. The City may undertake consultation with adjoining affected property owners/occupiers during assessment.</p>		Deleted.		The provision duplicates elements of section 7 (matters to be considered) and section 8 (public consultation). Rather than repeating elements of the Policy, a more concise approach is to remove duplication.
	A Family Day Care is defined as the following under the LPS No.3:		A Family Day Care is defined as the following under the Scheme:		The existing wording can be further simplified to refer to ‘the Scheme’.
	A Child Care Premises is defined as the following under LPS No.3:		A Child Care Premises is defined as the following under the Scheme:		The existing wording can be further simplified to refer to ‘the Scheme’.
	Adopted	16 December 2013, OCM 220/2017, OCM 76/2020	Adopted	16 December 2013, OCM 220/2017, OCM 76/2020, OCM TBC/2023	Revised to reflect this review.
	Reviewed	26 May 2020	Reviewed	(TBC) 2023	Revised to reflect this review.
	Next Review Date	May 2022	Next Review Date	2025	Revised to reflect two years from 2023 review. Two-year timeframe is appropriate as the planning framework related to child care premises if often subject to change.

	General numbering	Updated	Numbering updated to reflect the changes summarised in this table.
Local Planning Policy 12 – Places of Worship			
Reference	Existing	Proposed	Reason
	<p>Application of Policy</p> <p>Local Planning Policy 12 – Place of Worship is operative throughout the City of Kalamunda</p>	<p>Application of Policy</p> <p>This policy applies to Place of Worship development applications within the City of Kalamunda Local Planning Scheme area.</p>	<p>Reference added to the specific type of development application to ensure the Policy is applied to the intended development and not other development.</p>
	<p>Policy objectives</p> <p>a) To specify local provisions which supplement the requirements of Local Planning Scheme No.3</p> <p>b) To ensure that the operation of Place of Worship activities do not affect or impinge on the prevailing amenity of the local area.</p> <p>c) To facilitate and to provide guidance in terms of appropriate locations within the City of Kalamunda for places of worship and associated land uses.</p> <p>d) Providing policy guidelines in terms of development standards suitable for the City of Kalamunda for all Place of Worship development within the judicial area of Local Planning Scheme No.3.</p> <p>e) To provide guidance and an assessment framework in relation to the appropriate</p>	<p>Objectives</p> <p>The objectives of this policy are to:</p> <p>a) Ensure Places of Worship are established in locations which do not have unreasonable impacts on the amenity of the locality; and</p> <p>b) Ensure Places of Worship are consistent with the character of the locality.</p>	<p>Section relocated to reflect preferred policy structure.</p> <p>Points a) and d) are not required as they duplicate the general purposes of planning policies established by the Planning and Development (Local Planning Schemes) Regulations 2015.</p> <p>Point b) revised into new a) to link the location and proposals not having an amenity impact.</p> <p>Point c) and d) revised into new b) to require consistency with the character of the area</p>

	<p>location of Places of Worship as well as guidance towards appropriate built form outcomes.</p> <p>f) To provide guidance in respect to the advertising of applications for place of worship.</p>		<p>using planning clear planning terminology.</p>
	<p>Relationship to Local Planning Scheme No.3</p> <p>This policy is a planning policy prepared, advertised and adopted pursuant to Part 2 of (Local Planning Scheme) Regulations 2015. The policy augments and is to be read in conjunction with the provisions of Local Planning Scheme No.3 relating to development.</p> <p>If there is a conflict between this local planning policy and the Scheme, then the Scheme shall prevail.</p> <p>Relationship to other state planning/ development control policies.</p> <p>a) This policy has due regard to, and should be read in conjunction with state planning policies. Of particular relevance to this policy are:</p> <ul style="list-style-type: none"> i. State Planning Policy 1 – State Planning Framework. 	<p>Relationship to Local Planning Scheme No.3</p> <p>This policy is a planning policy prepared, advertised and adopted pursuant to Part 2 of (Local Planning Scheme) Regulations 2015. The policy must be read in conjunction with the Scheme.</p> <p>If there is a conflict between this local planning policy and the Scheme, the Scheme prevails.</p> <p>This policy must be read in conjunction with state planning policies and relevant state guidance documents. Of particular relevance to this policy are:</p> <ul style="list-style-type: none"> i. State Planning Policy 1 – State Planning Framework. 	<p>The existing wording can be further simplified to reflect 'plain English' as it applies to planning references.</p> <p>SPP 7.0 added as it has been adopted since the most recent policy review.</p> <p>Updates to numerical order.</p>

	<ul style="list-style-type: none"> ii. State Planning Policy 3.7 Planning in Bushfire Prone Areas 	<ul style="list-style-type: none"> ii. State Planning Policy 3.7 Planning in Bushfire Prone Areas iii. State Planning Policy 7.0 – Design of the Built Environment 	
	<p>Relationship to other local planning policies</p> <p>This policy has due regard to, and should be read in conjunction with the City of Kalamunda's other local planning policies. Of particular relevance to this policy are:</p> <ul style="list-style-type: none"> i. Local Planning Policy P Dev. 57, Street Fencing, Walls and Gates. ii. Local Planning Policy P Dev. 45, Public notification of planning proposals. 	<p>Relationship to other local planning policies</p> <p>This policy must be read in conjunction with other City of Kalamunda local planning policies. Policies of relevance are:</p> <ul style="list-style-type: none"> i. Local Planning Policy 2 – Advertising Signage ii. Local Planning Policy 11 – Public Notification of Planning Proposals iii. Local Planning Policy 26 – Public Art Contributions iv. Local Planning Policy 33 – Tree Retention 	<p>Description has been modified to remove reference to due regard as due regard to policies is established in cl 67 of the deemed provisions.</p> <p>Policy references have been updated to reflect current numbering practice.</p> <p>LPP 26 added as most Place of Worship developments meet the estimated value provisions.</p> <p>LPP 33 added as Place of Worship typically involve large footprint buildings and parking areas which results in the requirement for vegetation removal.</p>

<p>3. Policy Measures</p> <p>a) The operative Local Planning Scheme (LPS3) provides for the assessment of applications for development or use within the City.</p> <p>b) The use classification “Place of Worship” is described as a land use that is an “A” land use or a “D” land use in many of the City’s zones. Land uses within the above categories are not permitted unless the Local Government has exercised its discretion by granting planning approval. (“A” land uses are required by LPS 3 to be the subject of public consultation).</p> <p>c) The Scheme provides the ability for landowners to apply for additional uses. In many cases, in particular in Rural Zones, “Place of Worship” is an “X” land use which means that it is prohibited within that zone. LPS 3 provides an ability for an applicant to apply for a Local Planning Scheme Amendment for an Additional or Special Use which provides the City with the ability to assess the merits of that particular use.</p> <p><i>An additional use is a land use that is permitted on a specific portion of land in addition to the uses already permissible in that zone that applies to the land. A Special Use Zone applies to specific categories of land use</i></p>	<p>Delete.</p>	<p>These provisions duplicate Scheme provisions.</p> <p>These are not required as sufficient guidance is provided by the Scheme.</p> <p>This is an opportunity to simplify the Policy.</p>
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	<p><i>which do not comfortably sit within any other zone within the Scheme.</i></p>		
	<p>Objectives of the Zone</p> <p>Proposals should be in keeping with the objectives of the Zone as set in LPS3 and complement predominant activities in the Zone.</p> <p>Where an applicant seeks to apply for an Additional Use, the additional uses that are applied for where they appear as an “X” use in that particular Zone shall be assessed on their own merits. Those additional uses should not be approved unless the applicant has demonstrated that the objectives of that Zone will not be compromised.</p> <p>An applicant may where a number of uses are proposed to apply for a Scheme Amendment to “Special Use” which encapsulates all of the required uses but also extinguishes the previous land use. This allows the applicant to coordinate all desired uses and to provide the City with an overall master plan and vision for the</p>	<p>Delete.</p>	<p>These provisions duplicate Scheme provisions.</p> <p>These are not required as sufficient guidance is provided by the Scheme and Planning and Development (Local Planning Schemes) Regulations.</p> <p>This is an opportunity to simplify the Policy.</p>

	site, allowing for development to take place in stages over time in accordance with the master plan.		
	i. Applications for Additional or Special Use will be subject to referral to the City's Development Advisory Committee for comment.	i. Applications for Additional or Special Use will be subject to referral to the City's Design Review Panel for consideration.	Updated reference to Design Review Panel (DRP) which was formerly the Design Advisory Committee (DAC).
	The scale of an incidental use to a Place of Worship shall not: Substantially increase the number of people visiting the site at any given time.	The scale of an incidental use to a Place of Worship must not substantially increase the number of people visiting the site at any given time.	Minor wording amendment to plain planning english emphasised in bold.
	a) Capacity Where a discrepancy exists between the stated capacity of a building and the assessed capacity (as a ratio of floor space per person measured from plans of the proposal) the occupancy will be assessed on the higher figure, unless occupancy numbers are restricted by the effluent disposal capacity of the site.	Deleted.	Sufficient guidance is provided within the existing framework to consider the genuine impact of site capacity. Not required.
	Intended Catchment Applications will be considered on the basis of the scale and likely catchment	Intended Catchment The local governments assessment must consider the	Wording updated to refer to 'the local government' rather than Council, as applications are not always assessed and

	<p>of the facility (being regional, district, or local). It is recommended that the scale of amenities proposed on site would match those as required for that associated catchment.</p> <p>Where an organisation caters for a wide geographic area, it is assumed that larger scale amenities may be required. Council will not generally support major facilities unless they are sited in such a way as to be serviced without adversely impacting the amenity of other land uses.</p>	<p>scale and likely catchment of the facility (being regional, district, or local). It is recommended that the scale of amenities proposed on site would match those as required for that associated catchment.</p> <p>Where an organisation caters for a wide geographic area, it is acknowledged that larger scale amenities may be required. The local government may not support major facilities unless they are sited in such a way as to be serviced without adversely impacting the amenity of other land uses.</p>	<p>considered by Council (delegated decisions, JDAP, WAPC dual approvals etc).</p>
	<p>Surveillance, Streetscape & Fencing</p> <p>The City may allow and or require development to be screened from view from the street or from neighbouring properties through the provision of landscaping or fencing.</p> <p>The applicant shall provide the following detail to demonstrate adequate surveillance and visual</p>	<p>Surveillance, Streetscape & Fencing</p> <p>The City may allow or require development to be screened from view from the street or from neighbouring properties through the provision of landscaping or fencing.</p> <p>The applicant shall provide the following detail to</p>	<p>(v) deleted as it refers to a separate planning policy which applies regardless of the reference in this policy.</p> <p>It is not required.</p>

	<p>amenity as part of their application to commence development:</p> <ul style="list-style-type: none"> i. CPTED (Crime Prevention through Environmental Design Guidelines). Visual sight lines and areas of passive surveillance will be considered for proposals in order to facilitate the creation of safe and welcoming facilities. Blank walls to the street or to Public Open Space adjacent to a subject site will not be considered acceptable. ii. External lighting strategy and location. Flood lights shall not create light spill amenity impacts to adjoining properties iii. Detail of front and side fencing. iv. A landscaping plan will be required as part of all development applications for Place of Worship. v. Fencing, Street walls and gates to comply with the City's Street Wall, Fence and Gate Policy. 	<p>demonstrate adequate surveillance and visual amenity as part of their application to commence development:</p> <ul style="list-style-type: none"> i. CPTED (Crime Prevention through Environmental Design Guidelines). Visual sight lines and areas of passive surveillance will be considered for proposals in order to facilitate the creation of safe and welcoming facilities. Blank walls to the street or to Public Open Space adjacent to a subject site will not be considered acceptable. ii. External lighting strategy and location. Flood lights shall not create light spill amenity impacts to adjoining properties iii. Detail of front and side fencing. 	
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		iv. A landscaping plan will be required as part of all development applications for Place of Worship.	
	a) Alternative transport option Proposals may be favoured in cases where multiple modes of transport to facilities are available and are to be utilised in the conduct of the proposal.	a) Alternative transport option Proposals where multiple modes of transport to facilities are available are consistent with the objectives of the Policy.	Terminology updated to remove 'favour' and relate back to the objectives of the Policy.
	On site Parking & Facilities Proposals need to have provision for adequate parking as determined by Table 3 of the Scheme - Parking Requirements. Where numerous activities or uses are proposed to be undertaken, a schedule of proposed events including timing and attendance numbers is to be provided. The City may consider reducing the gross parking requirement where it is satisfied that a proposal facilitates a reciprocal use arrangement, where parking demand is	On site Parking & Facilities Where numerous activities or uses are proposed to be undertaken, a schedule of proposed events including timing and attendance numbers must be provided. The City may consider reducing the parking if a proposal facilitates a reciprocal use arrangement, where parking demand is spread by virtue of the planned timing of events or activities.	Deleted reference to Scheme parking requires as this duplicates the Scheme. Wording amendment using more concise language.

	<p>spread by virtue of the planned timing of events or activities.</p> <p>Applicants may be required to include provision for special parking facilities for buses, or other vehicles where a proposal includes these components as a part of the proposed operation of the premises.</p> <p>Proposals shall also provide in addition to the Scheme requirements, provision for bicycle parking and end of trip facilities including dedicated change room and shower.</p>	<p>Applicants may be required to include provision for special parking facilities for buses, or other vehicles where a proposal includes these components as a part of the proposed operation of the premises.</p> <p>Proposals shall also provide in addition to the Scheme requirements, provision for bicycle parking and end of trip facilities including dedicated change room and shower.</p>	
	<p>Public Consultation</p> <p>Advertising of a proposal for a Place of Worship in a zone where the use is considered as 'D' or 'A' use under Table 1 of the Scheme shall be assessed as a significant application in accordance with P-DEV 45 – Public Notification of Planning Proposals.</p>	<p>Public Consultation</p> <p>Advertising of a Place of Worship must be in accordance with the Scheme and Local Planning Policy 11 – Public Notification of Planning Proposals.</p>	<p>Wording amended to delete duplicated Scheme references and update Policy reference to current title and number.</p>
		<p>Deleted.</p>	<p>The provision duplicates elements of section 10</p>

	Variations to the Policy Where a variation is applied consideration to Clause 15 ‘Matters to be considered’ shall be referenced. Any variation to development requirements of this policy or items contained in Clause 4 will require the applicant to provide additional justification demonstrating how the proposal will not adversely affect adjoining property owners, the streetscape or the amenity of the locality, with particular reference to Clause 15 – ‘Matters to be Considered’ of this policy. The City may undertake consultation with adjoining affected property owners/occupiers during assessment.			(matters to be considered) and section 9 (public consultation). Rather than repeating elements of the Policy, a more concise approach is to remove duplication.	
	Reviewed		Reviewed	TBA 2023	Revised to reflect this review.
	Next Review Date		Next Review Date	2025	Revised to reflect this review.
	General numbering		Updated		Numbering updated to reflect the changes summarised in this table.
Local Planning Policy 17 – Planning Administration					
Reference	Existing		Proposed		Reason
	Policy Objectives		Policy Objectives The objectives of this policy are to:		Moved to point 2 to reflect policy template.

	<p>The primary objectives of this policy are to:</p> <ul style="list-style-type: none"> a) Provide guidance on situations where the City may consider a reduction in development application fees; and b) Provide guidance on situations where the City may consider the extension of a development approval previously granted by the City of Kalamunda. 	<ul style="list-style-type: none"> a) Provide guidance on situations where the City may consider a reduction in development application fees; and b) Provide guidance on situations where the City may consider the extension of a development approval previously granted by the City of Kalamunda. 	<p>Deleted reference to primary objectives to be more precise.</p>
	<p>Application of Policy</p> <p>This policy applies throughout the City of Kalamunda</p>	<p>Application of Policy</p> <p>This policy applies requests relating to fee's and dealing with requests to vary development approvals in the Scheme area.</p>	<p>Reference added to the specific type of request to ensure the Policy is applied to the intended requests and not other requests.</p>
	<p>Relationship to Local Planning Scheme No.3</p> <p>This policy is a planning policy prepared, advertised and adopted pursuant to Part 2 of Local Planning Scheme No.3. (The Scheme) The policy augments and is to be read in conjunction with the provisions of the Scheme relating to development.</p> <p>If there is a conflict between this local planning policy and the Scheme, then the Scheme shall prevail.</p>	<p>Relationship to Local Planning Scheme No.3</p> <p>This policy is a planning policy prepared, advertised and adopted pursuant to Part 2 of Local Planning Scheme No.3. (The Scheme) The policy must be read in conjunction with the Scheme.</p> <p>If there is a conflict between this local planning policy and the Scheme, the Scheme prevails.</p>	<p>The existing wording can be further simplified to reflect 'plain English' as it applies to planning references.</p>

	<p>Where assessment work has been commenced by the City, a refund of 50% of the application fee may be approved where:</p> <ul style="list-style-type: none"> i. The application has not been advertised; and ii. The application is withdrawn in writing by the applicant within twenty-one (21) days of the lodgment of the application. 	<p>Delete</p>	<p>Due to the introduction of fee's for a 'deemed to comply check' for single residential development, the 50% refund is not consistent with the deemed provisions. Often applications are submitted seeking scheme or policy variations and through assessment the development is often redesigned to be compliant. Where assessment has occurred a refund does not reflect the cost to the City.</p>
	<p>Where, in the opinion of the Manager Approval Services, there is no requirement for the issue of an approval to commence development, 100% of the application may be refunded.</p>	<p>Where initial review determines the development is exempt from requiring development approval, 100% of the fee may be refunded, unless the development is eligible for a deemed to comply check. If the development is eligible for a deemed to comply check, one will be issued in place of development approval and the fee amount above the fee for a deemed to comply check is eligible for refund.</p>	<p>Wording amended to reflect exempt development requirements.</p> <p>Wording added to ensure applications are not submitted which comply are subject to an assessment confirming that, and then also eligible for a refund.</p>

	In accordance with the Planning and Development Regulations 2009 the fee to amend an approved development application shall be 50% of the original application fee, with a minimum fee of \$100 and a maximum fee of \$295.		Delete.		Duplicates the fee schedule which is subject to regular change.
	Reviewed	18 December 2018	Reviewed	18 December 2018, TBC 2023	Revised to reflect this review.
	Next Review Date		Next Review Date	2025	Revised to reflect this review.
Local Planning Policy 25 – Infrastructure Cost Sharing Arrangements					
Reference	Existing		Proposed		Reason
	N/A - new clause proposed.		13. Variation to this Policy If, after having regard to the financial, infrastructure, and administrative characteristics and risks associated with the proposed DCP, it is established to the satisfaction of the City that a particular standard or provision contained within this Policy is unnecessary, unreasonable, or undesirable in the circumstances of the case, the City may at its discretion, vary the standard or provision.		To provide delegation to the City to vary the requirements and need for an ICSEA where a proponent is in credit and having considered the risks of such a decision. This will support recent decisions made by the Council to vary the requirement for an ICSEA in the Maddington Kenwick Strategic Employment Area (MKSEA)

	General numbering	Updated	Numbering updated to reflect the changes summarised in this table.
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