

Development & Infrastructure Services Committee Meeting

Agenda for Monday 13 October 2014



**shire of
kalamunda**

NOTICE OF MEETING DEVELOPMENT & INFRASTRUCTURE SERVICES COMMITTEE

Dear Councillors

Notice is hereby given that the next meeting of the Development & Infrastructure Services Committee will be held in the Council Chambers, Administration Centre, 2 Railway Road, Kalamunda on **Monday 13 October 2014 at 6.30pm.**

Dinner will be served prior to the meeting at 5.30pm.



Rhonda Hardy
Chief Executive Officer
9 October 2014

Our Vision and Our Values

Our Vision

The Shire will have a diversity of lifestyle and people. It will take pride in caring for the natural, social, cultural and built environments and provide opportunities for people of all ages.

Our Core Values

Service – We deliver excellent service by actively engaging and listening to each other.

Respect – We trust and respect each other by valuing our difference, communicating openly and showing integrity in all we do.

Diversity – We challenge ourselves by keeping our minds open and looking for all possibilities and opportunities.

Ethics – We provide honest, open, equitable and responsive leadership by demonstrating high standards of ethical behavior.

Our Aspirational Values

Prosperity – We will ensure our Shire has a robust economy through a mixture of industrial and commercial development.

Harmony – We will retain our natural assets in balance with our built environment.

Courage – We take risks that are calculated to lead us to a bold new future.

Creativity – We create and innovate to improve all we do.



INFORMATION FOR THE PUBLIC ATTENDING COMMITTEE OR COUNCIL MEETINGS

Welcome to this evening's meeting. The following information is provided on the meeting and matters which may affect members of the public.

If you have any queries related to procedural matters, please contact a member of staff.

Council Chambers – Seating Layout



Standing Committee Meetings – Procedures

1. Standing Committees are open to the public, except for Confidential Items listed on the Agenda.
2. Shire of Kalamunda Standing Committees have a membership of all 12 Councillors.
3. Unless otherwise advised a Standing Committee makes recommendations only to the next scheduled Ordinary Council Meeting.
4. Members of the public who are unfamiliar with meeting proceedings are invited to seek advice prior to the meeting from a Shire Staff Member.
5. Members of the public are able to ask questions at a Standing Committee Meeting during Public Question Time. The questions should be related to the purposes of the Standing Committee.
6. Members of the public wishing to make a comment on any Agenda item may request to do so by advising staff prior to commencement of the Standing Committee Meeting.
7. Comment from members of the public on any item of the Agenda is usually limited to three minutes and should address the Recommendations at the conclusion of the report.
8. To facilitate the smooth running of the meeting, silence is to be observed in the public gallery at all times except for Public Question Time.
9. All other arrangements are in general accordance with Council's Standing Orders, the Policies and decision of person chairing the Committee Meeting.

Emergency Procedures

Please view the position of the Exits, Fire Extinguishers and Outdoor Assembly Area as displayed on the wall of Council Chambers.

In case of an emergency follow the instructions given by Council Personnel.

We ask that you do not move your vehicle as this could potentially block access for emergency services vehicles.

Please remain at the assembly point until advised it is safe to leave.

INDEX

1.0	OFFICIAL OPENING.....	2
2.0	ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED	2
3.0	PUBLIC QUESTION TIME	2
4.0	PETITIONS/DEPUTATIONS.....	2
5.0	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	2
6.0	ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION.....	2
7.0	MATTERS FOR WHICH MEETING MAY BE CLOSED.....	2
8.0	DISCLOSURE OF INTERESTS	3
9.0	REPORTS TO COUNCIL	3
	51. OFFICIAL NAMING OF YONGAR RESERVE, FORRESTFIELD.....	4
	52. LOCAL PLANNING SCHEME NO. 3 AMENDMENT – MODIFICATIONS TO SCHEME TEXT	7
	53. SEVEN MULTIPLE DWELLINGS – LOT 18 (49) BOONOOLOO ROAD, KALAMUNDA	42
	54. PROPOSED LODGING HOUSE – LOTS 5, 87 & 1127 (75) KALAMUNDA ROAD, KALAMUNDA.....	58
	55. FAST FOOD OUTLET - LOTS 25 (516) AND 26 (514) KALAMUNDA ROAD, HIGH WYCOMBE	68
	56. CONFIDENTIAL ITEM: REPORT ON THE PROVISION OF ROAD CONSTRUCTION SERVICES	84
10.0	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	85
11.0	QUESTIONS BY MEMBERS WITHOUT NOTICE.....	85
12.0	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN	85
13.0	URGENT BUSINESS APPROVED BY THE PRESIDING MEMBER OR BY DECISION	85
14.0	MEETING CLOSED TO THE PUBLIC	85
15.0	CLOSURE	85

AGENDA

1.0 OFFICIAL OPENING

2.0 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED

3.0 PUBLIC QUESTION TIME

A period of not less than 15 minutes is provided to allow questions from the gallery on matters relating to the functions of this Committee. For the purposes of Minuting, these questions and answers will be summarised.

4.0 PETITIONS/DEPUTATIONS

5.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Voting Requirements: Simple Majority

- 5.1 That the Minutes of the Development & Infrastructure Services Committee Meeting held on 8 September 2014, as published and circulated, are confirmed as a true and accurate record of the proceedings.

Moved:

Seconded:

Vote:

Statement by Presiding Member

"On the basis of the above Motion, I now sign the minutes as a true and accurate record of the meeting of 8 September 2014".

6.0 ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

7.0 MATTERS FOR WHICH MEETING MAY BE CLOSED

7.1 56. CONFIDENTIAL REPORT - Report on the Provision of Road Construction Services

Confidential Item: *Local Government Act 1995* S5.23 (d) (c) – "a contract entered into, or which may be entered into, by the local government which relates to a matter to be discussed at the meeting."

8.0 DISCLOSURE OF INTERESTS

8.1 Disclosure of Financial and Proximity Interests

- a. Members must disclose the nature of their interest in matters to be discussed at the meeting. (Section 5.65 of the *Local Government Act 1995*.)
- b. Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (Section 5.70 of the *Local Government Act 1995*.)

8.2 Disclosure of Interest Affecting Impartiality

- a. Members and staff must disclose their interest in matters to be discussed at the meeting in respect of which the member or employee had given or will give advice.

9.0 REPORTS TO COUNCIL

Please Note: declaration of financial/conflict of interests to be recorded prior to dealing with each item.

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.

51. Official Naming of Yongar Reserve, Forrestfield

Previous Items	Nil
Responsible Officer	Director of Development Services
Service Area	Development Services
File Reference	SL-07/265
Applicant	B.R Keay, Development Manager for Mr D.C Tyler
Owner	Shire of Kalamunda

PURPOSE

1. To endorse the naming of Reserve 37650 located along Crumpet Creek to be officially known as "Yongar Reserve".

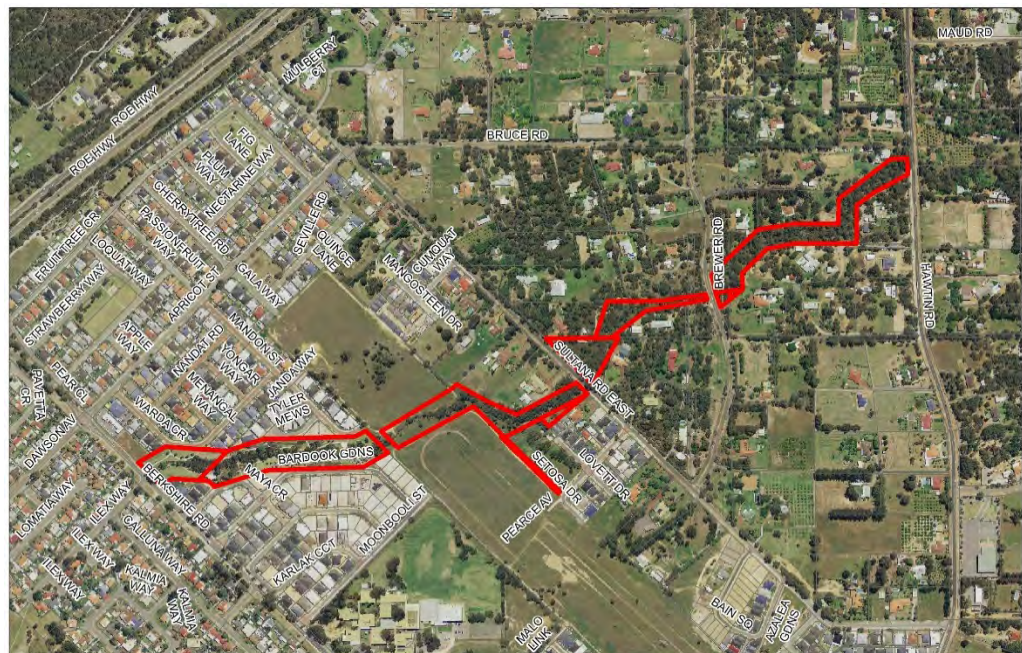
BACKGROUND

2. **Land Details:**

Land Area:	76604m ²
Local Planning Scheme Zone:	Urban Development and Public Open Space
Metropolitan Regional Scheme Zone:	Rural and Urban

Locality Plan

- 3.



DETAILS

4. Reserve 37650 comprises an area of 76604sqm and is informally known as “Yongar Reserve”. The reserve is made up of 9 lots and is located in localities of Forrestfield and Maida Vale. Crumpet Creek runs through this reserve. The main subdivision associated with the reserve is “Tyler Springs Estate”.
5. The name “Yongar” is the Noongar word meaning Kangaroo. This follows the Geographic Names Committee’s encouragement of using names from Aboriginal languages.

STATUTORY AND LEGAL CONSIDERATIONS

6. Responsibility for the naming of roads, features town sites and places in Western Australia resides with the Minister for Land Information. The *Land Administration Act 1997* in particular Clause 26 establishes the procedure for the naming of roads and areas in new subdivisions.

POLICY CONSIDERATIONS

7. The Geographic Names Committee regulates and standardises the use, collection, and registration of place names. Landgate has prepared a document titled *Principles, Guidelines and Procedures* of Geographic Names Committee to provide as a guide for the naming of Places in Western Australia.

COMMUNITY ENGAGEMENT REQUIREMENTS

8. The South West Aboriginal Land and Sea Council and Friends of “Yongar Reserve” were consulted on the proposed name and both groups had no objection.

FINANCIAL CONSIDERATIONS

9. A Shire park sign needs to be put up to display the new name which will cost approximately \$500.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

10. *Kalamunda Advancing: Strategic Community Plan to 2023*

OBJECTIVE 1.8 – Support local community groups to grow, prosper and shape the future of Kalamunda.

Strategy 1.8.3 Proactively investigate opportunities that facilitate the establishment and/or growth of local community groups.

Objective 3.1, strategy 3.1.2.

SUSTAINABILITY

Social Implications

11. The official naming of the Reserve and additional park signs may make locals more familiarised with the park and may encourage locals to take better care of it.

Economic Implications

12. Nil.

Environmental Implications

13. Nil.

RISK MANAGEMENT CONSIDERATIONS

14.

Risk	Likelihood	Consequence	Rating	Action/Strategy
Council may not resolve to support the proposal.	Possible	Insignificant	Low	Make sure Council is aware of the benefit to officially name the Reserve.

OFFICER COMMENT

15. The proposal seeks to have the name formally recognised by the Geographic Names Committee. "Yongar Reserve" has been used informally by local residents for many years, and reflects the importance of indigenous heritage in the area.

Voting Requirements: Simple Majority

OFFICER RECOMMENDATION (D&I 51/2014)

That Council:

1. Advise the Geographic Names Committee that it supports naming of Reserve 37650 as "Yongar Reserve".
2. Consider through its budgetary process funds to support a park sign near Tyler Springs Estate.

Moved:

Seconded:

Vote:

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.

52. Local Planning Scheme No. 3 Amendment – Modifications to Scheme Text

Previous Items	Nil
Responsible Officer	Director Development Services
Service Area	Development Services
File Reference	PG-LPS-003/
Applicant	N/A
Owner	N/A
Attachment 1	Proposed Modifications
Attachment 2	Proposed Modified Zoning Table
Attachment 3	Existing and Proposed Scheme Zoning Map – Lot 10 (30) Mundaring Weir Road, Kalamunda
Attachment 4	Existing and Proposed Scheme Zoning Map – Lot 200 (80) Dodd Road, Bickley
Attachment 5	Existing and Proposed Scheme Zoning Map – Lot 503 (105) Watsonia Road, Maida Vale
Attachment 6	Existing and Proposed Scheme Zoning Map – Lot 319 (186) Hale Road, Forrestfield
Attachment 7	Existing and Proposed Scheme Zoning Map – Lot 402 (351) Hawtin Road, Forrestfield
Attachment 8	Existing and Proposed Scheme Zoning Map – Lot 498 (2) Cypress Road, Forrestfield
Attachment 9	Existing and Proposed Scheme Zoning Map – Lot 15 (43) Canning Road, Kalamunda
Attachment 10	Existing and Proposed Scheme Zoning Map – Lot 4 (81) Canning Road, Kalamunda
Attachment 11	Existing and Proposed Scheme Zoning Map – Lot 3 (5) Heath Road and Lot 29 (14) Canning Road, Kalamunda
Attachment 12	Existing and Proposed Scheme Zoning Map – Lot 1 (345) Kalamunda Road, Maida Vale
Attachment 13	Existing and Proposed Scheme Zoning Map – Lot 29 (492) Kalamunda Road, High Wycombe
Attachment 14	Existing and Proposed Scheme Zoning Map – Lot 100 (597) Kalamunda Road, High Wycombe
Attachment 15	Existing and Proposed Scheme Zoning Map – Lot 98 (530) Kalamunda Road, High Wycombe
Attachment 16	Existing and Proposed Scheme Zoning Map – Lot 1 (31) Sanderson Road, Lesmurdie

PURPOSE

1. To consider whether to initiate an amendment to Local Planning Scheme No. 3 ("Scheme") to modify various provisions in the Scheme text.

BACKGROUND

2. Since the Scheme was gazetted in March 2007 a number of anomalies have been identified. The majority of those anomalies can be traced back to modifications made to the Scheme creating inconsistent provision numbering, inconsistency with other planning instruments, such as the Residential Design Codes and inconsistency between Table One (Zoning Table) and Schedule 1 (Land Use Definitions).

DETAILS

3. The modifications proposed to be made to the Scheme, and the reasons for them, are outlined in Attachment 1.
4. By way of summary, the following modifications to the Scheme text are proposed:
 - Single and grouped dwellings, and associated outbuildings being permitted development without the need for planning approval if compliant with an adopted Detailed Area Plan.
 - Various clause numbers being modified to reflect the correct clause number they are making reference to elsewhere in the Scheme and/or related Planning policies.
 - The uses 'Multiple Dwellings', 'Single Bedroom Dwellings' and 'Keeping of Animals' being listed under Table 1 (Zoning Table) of the Scheme. Refer to Attachment 2.
 - Renumbering provisions under Schedule 2 (Additional Uses) and Schedule 4 (Special Uses) of the Scheme being modified to be consistent with those on the Scheme Zoning Maps. Refer to Attachments 3 and 4.
 - The definition for ancillary accommodation being deleted and replaced with ancillary dwelling under Schedule 1 (Land Use Definitions) of the Scheme.
 - Delete the existing provisions under Section 5.4 (Special Applications of the Residential Design Codes) of the Scheme, and the inclusion of provisions regarding the minimum number of aged or dependent dwellings in a single development and minimum open space.
 - The inclusion of provisions allowing for development to be considered in Development Areas in the absence of a structure plan.
 - The definition for the use Home Store being modified under Schedule 1 (Land Use Definitions) of the Scheme.

STATUTORY AND LEGAL CONSIDERATIONS

5. The *Town Planning Regulations 1967* and *Planning and Development Act 2005* establish procedures relating to amendments to local planning schemes. If Council resolves to adopt the proposed amendment, then ultimately the amendment will be determined by the Minister for Planning.

POLICY CONSIDERATIONS

6. Nil.

COMMUNITY ENGAGEMENT REQUIREMENTS

7. If the amendment was initiated by Council, the Amendment would be formally advertised for 42 days in accordance with the provisions of the *Town Planning Regulations 1967* and *Planning and Development Act 2005*.
8. The amendment would be required to be advertised in the form of a notice being published in a district newspaper, being referred to applicable government agencies and Perth Airport, with details of the proposed amendments being on display at the Shire Administration Building and libraries. An "open day" is also proposed to be held at the Shire's Administration Building to assist affected residents with any queries they may have on the proposed amendment.
9. The proposed modifications to the Scheme have no direct impact on landowners other than clarifying procedural and governance aspects of the Scheme.

FINANCIAL CONSIDERATIONS

10. There will be a cost involved in advertising the proposed amendment, this is however, covered in the Development Services budget.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

11. *Kalamunda Advancing: Strategic Community Plan to 2023*
- OBJECTIVE 4.1 - To ensure the Shire's development is in accord with the Shire's statutory and legislative obligations and accepted urban design planning standards.
- Strategy 4.3.1 Provide efficient building and development approval services to the community.

SUSTAINABILITY

Social Implications

12. Nil.

Economic Implications

13. Nil.

Environmental Implications

14. Nil.

RISK MANAGEMENT CONSIDERATIONS

15.

Risk	Likelihood	Consequence	Rating	Action/Strategy
Council may resolve not to initiate the amendment.	Possible	Insignificant	Low	Ensure Council is fully aware of the rationale for the Scheme modifications.

OFFICER COMMENT

16. The proposed modifications will provide clarity and assist in the procedural and governance aspects of the Shire's development control responsibilities. Moreover, the amendment will make the Scheme more usable. A full review, and potentially, a new scheme will be considered once the outcome of the local government reform process is known.

Voting Requirements: Simple Majority

OFFICER RECOMMENDATION (D&I 52/2014)

That Council:

1. Initiates the amendment to Local Planning Scheme No. 3, in accordance with the following:

<p>PLANNING AND DEVELOPMENT ACT 2005</p> <p>RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME</p> <p>SHIRE OF KALAMUNDA</p> <p>LOCAL PLANNING SCHEME NO. 3</p> <p>AMENDMENT NO.</p> <p>Resolved that the Council in pursuance of Part 5 of the <i>Planning and Development Act 2005</i> amend the above Local Planning Scheme by:</p> <p>a) Including the uses 'Multiple Dwellings' and 'Single Bedroom Dwellings' in Table 1 (Zoning Table), as shown in Attachment 2.</p>
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- b) Modifying Table 1 (Zoning Table) of the Scheme so that the use 'Aged and Dependent Dwellings' becomes a 'D' use under the Private Clubs and Institutions zoning.
- c) Deleting the existing provisions under Section 5.3 (Special Applications of Residential Design Codes) of the Scheme and replacing with the following:
 - "5.3.1 *Consideration will be given to applications for Aged or Dependent Persons' Dwellings where less than 5 in a single development are proposed."*
 - "5.3.2 *Consideration will not be given to applications proposing a variation to the minimum open space requirement stipulated under Tables 1 and 4 of the Residential Design Codes, unless otherwise provided for in an adopted local development plan."*
- d) Delete Section 5.4 (Special Applications for the Subdivision of Land) of the Scheme and accordingly renumber the Sections and clauses which follow, and those Sections applicable in the Table of Contents.
- e) Modifying Section 5.5 (Restrictive Covenants) of the Scheme as follows:
 - "~~5.5~~ **5.4** *Restrictive Covenants*
 - ~~5.5.1~~ **5.4.1** *Subject to clause ~~5.4.2~~ **5.5.1**, a restrictive covenant affecting any land..."*
 - "~~5.5.2~~ **5.4.2** *Where clause ~~5.4.1~~ **5.5.1** operates to extinguish a vary a restrictive covenant..."*
- f) Modifying Section 5.18 (Keeping of Animals) of the Scheme as follows, and the Table of Contents be modified to reflect the change in heading:
 - "5.18 ~~Keeping of Animals~~ **Rural Pursuit**
 - 5.18.1 (iii) *Local government shall not approve the keeping of animals in the Rural Conservation, Rural Landscape Interest ~~and Residential Bushland~~ zones if clearing of remnant natural vegetation is required for this purpose."*
- g) Renumbering Section 5.23 (Unkempt Land) of the Scheme from 'iv, v, vi' to 'i, ii, iii'.
- h) Modifying clause 6.1.1 (Operation of Special Control Areas) by:

- i) Deleting points (a) and (b) and replacing with the following:
 - “(a) Areas shown on the Scheme Map as DA or Cell with a number and included in Schedule 11.”*
- ii) Deleting point (d).
- iii) The points under this clause being re-lettered accordingly.
- i) Modifying Clause 6.2.2.1 (Development Areas – Purpose) of the Scheme as follows:
 - “6.2.2.1 The local government requires a Structure Plan for a Development Area, or for any particular part or parts of a Development Area, before recommending subdivision ~~or approving development~~ of land within the Development Area.”*
- j) Including the following clause under Section 6.2 (Development Areas) of the Scheme:
 - “6.2.2.5 The local government may approve development in the absence of a Structure Plan where it is satisfied that such a proposal will not prejudice the orderly and proper future planning and development of the surrounding area.”*
- k) Modifying Section 6.2.4 (Adoption and Approval of Structure Plans) of the Scheme as follows:
 - “6.2.4.4 (a) Where the Proponent is aggrieved by a determination of the local government under clause 6.2.5.2 (a) or (b) ~~or (c)~~ of clause 6.2.5.3...”*
 - “(c) Upon receiving a Proposed Structure Plan in accordance with clause ~~6.2.5.4~~ 6.2.4.4 (b), the Commission is to make one of the following determinations...”*
 - “(e) If within 60 days of receiving a Proposed Structure Plan under clause ~~6.2.5.4~~ 6.2.4.4 (b), or such longer period as may be agreed...”*
 - “6.2.4.7 The local government is to consider all submissions received and within 60 days of the latest date specified in the notice under clause ~~6.2.5.5~~ 6.2.4.5 is to either...”*
 - “6.2.4.8 If within the 60 day period, or such further time as may be agreed in writing between the Proponent and the local government, the local government has not made one of the determinations referred to in clause ~~6.2.5.7~~ 6.2.5.2 , the local government is deemed to have refused...”*

- Shire of Kalamunda

(b) *"A ~~detailed area plan~~ **local development plan** is to relate to a particular lot or lots and may be prepared and submitted:"*

(ii) *In place of a development approval required to comply with clause ~~2.5~~ **4.1** of the Residential Design Codes..."*

(c) *"The local government is to:*

- (i) *Approve with or without conditions; or*
- (ii) *Refuse to approve*

*the ~~detailed area plan~~ **local development plan**.*

(d) *If within 60 days of receiving a ~~detailed area plan~~ **local development plan** under clause ~~6.2.7.1~~ **6.2.6.1** (a), or such longer period as may be agreed in writing between the person and the local government, the local government has not made one of the determinations referred to in clause ~~6.2.7.1~~ **6.2.6.1** (c), the local government is deemed to have refused to approve the ~~detailed area plan~~ **local development plan**.*

(e) *The local government is to forward a copy of the ~~detailed area plan~~ **local development plan** to the commission within 10 days of approving the detailed area plan **local development plan**.*

(f) *The local government's refusal to approve a ~~detailed area plan~~ **local development plan** under clause ~~6.2.7~~ **6.2.6** is not a valid reason for the local government to refuse to approve a Proposed Structure Plan under clause 6.2.5.*

6.2.6.2 *Unless clause ~~6.2.7.1~~ **6.2.6.1** (b)(ii) applies, once approved by the local government, the ~~detailed area plan~~ **local development plan** is to be used as the basis for:*

(a) *making recommendations to the Commission on subdivision applications; and*

(b) *determining development applications*

*with respect to the land subject to the ~~detailed area plan~~ **local development plan**.*

6.2.6.3 *A ~~detailed area plan~~ **local development plan** may include details as to:"*

6.2.6.4 *"The local government is to forward a copy of the modification or variation to the ~~detailed area plan~~ **local***

development plan to the Commission within 10 days of approving the modification or variation."

- n) Modifying Section 6.2.7 (Operation of Structure Plan) of the Scheme as follows:

"6.2.7.1 A Structure Plan commences operation on the date it is ~~adopted~~ endorsed by the ~~local government~~ Commission pursuant to clause ~~6.2.5-15~~ 6.2.4.15 ."

"6.2.7.2 Subject to clause ~~6.2-8-5~~ 6.2.7.5 , if a Structure Plan imposes a classification on the land included in it..."

"6.2.7.3 Without limiting the generality of clause ~~6.2-8-2~~ 6.2.7.2, under a Structure Plan..."

- o) Deleting the provisions under Section 6.3 (Kalamunda Town Centre Design Control Area) and replacing with the following:

"In considering applications for planning approval within the Kalamunda Town Centre Design Control Area, the Council shall have regard for the Kalamunda Town Centre Planning and Urban Design Guidelines and any other planning policy adopted or amended by Council over the Kalamunda Town Centre Design Control Area pursuant to clause 2.4."

- p) Deleting the definition for 'Ancillary Accommodation' under Schedule 1 (Land Use Definitions) of the Scheme, and replace with the following:

"Ancillary Dwelling" has the same meaning given to the term in the Residential Design Codes."

- q) Deleting the definition for the use 'Home Store' stipulated under Schedule 1 (Land Use Definitions) of the Scheme, and replace with the following:

"Home Store" means a shop with a NLA not exceeding 100sqm which is attached to a dwelling and is operated by a person(s) residing in the dwelling, and sells foodstuffs or goods of a similar domestic nature intended for the day to day consumption or use by persons in the locality of the shop."

- r) Modifying the definition for the use 'Rural Pursuit' stipulated under Schedule 1 (Land Use Definitions) of the Scheme to the following:

"Rural Pursuit" means any land or building used for:

- (a) The rearing or agistment or keeping of non-domesticated animals;"*

- s) Including the following definitions under Schedule 1 (Land Use Definitions) of the Scheme:

***"Multiple Dwellings"** has the same meaning given to the term in the Residential Design Codes."*

***"Grouped Dwelling"** has the same meaning given to the term in the Residential Design Codes."*

- t) Modifying the following items under Schedule 2 (Additional Uses) of the Scheme:
 - Item A16 - 30 Mundaring Weir Road, Kalamunda, change to A48.
 - Item A21 – 80 Dodd Road, Bickley, change to A49.
- u) Modifying Item A38 – 268 Kalamunda Road, Maida Vale, under Schedule 2 (Additional Uses) of the Scheme to A38 - 266 Kalamunda Road, Maida Vale.
- v) Deleting the provisions under Schedule 4 (Special Uses) of the Scheme with regard to Lots 1 (10) and 40 (20) "West Sultana Road", and Lot 20 (100) Milner Road, High Wycombe.
- w) Amending the Scheme Zoning Map so that it is consistent with items SU7 to SU18 under Schedule 4 (Special Uses) of the Scheme.
- x) Deleting reference to clause 5.6.1 under the heading "Schedule 10 – Environmental Conditions" of the Scheme, and change to clause 5.7.1.

The amendment documents being adopted by Council and the Amendment being formally advertised for 42 days in accordance with the provisions of the *Town Planning Regulations 1967*, without reference to the Western Australian Planning Commission.

Moved:

Seconded:

Vote:

Attachment 1

Local Planning Scheme No. 3 Amendment – Modifications to Scheme Text

Proposed Modifications

Proposed Modification	Reason
1.	<p>The uses 'Multiple Dwellings' and 'Single Bedroom Dwellings' be included in Table 1 (Zoning Table) of the Scheme. Refer to the proposed modified Zoning Table (Attachment 2).</p> <p>Currently Local Planning Scheme No. 3 ("Scheme") requires proposals for uses not listed under Table 1 to be advertised, even if compliant with the Planning standards and requirements. Also uses not listed are required to be determined by Council. The processing time of such proposals is unnecessarily delayed for these reasons.</p> <p>Including these uses in the Zoning Table will minimise the amount of consultation that would otherwise be required. If deemed necessary, such development will still be presented to Council for its consideration.</p>
2.	<p>The use 'Aged/Dependent Dwellings' becoming a 'D' use for the Private Clubs and Institutions zoning under Table 1 (Zoning Table) of the Scheme. Refer to the proposed modified Zoning Table (Attachment 2).</p> <p>Currently the use 'Aged/Dependent Dwellings' has the symbol 'S' under the Private Clubs and Institutions zoning in Table 1. The symbol has no meaning under the Scheme and appears to have been made in error.</p>
3.	<p>The provisions under Section 5.3 (Special Applications of Residential Design Codes) of the Scheme being deleted and replaced with the following:</p> <p><i>"5.3.1 Consideration will be given to applications for Aged or Dependent Persons' Dwellings where less than 5 in a single development are proposed."</i></p> <p><i>"5.3.2 Consideration will not be given to applications proposing a variation to the minimum open space requirement stipulated under Tables 1 and 4 of the Residential Design Codes, unless otherwise provided for in an adopted local development plan."</i></p> <p>The intended purpose of Section 5.3 of the Scheme is to allow for variations to provisions stipulated under the Residential Design Codes ("R Codes") to be considered. Currently the provisions stipulated are what the Shire is to have due regard to when considering proposals for grouped dwellings and Aged/Dependent Dwellings. Such matters are addressed under Section 10.2 (Matters to be Considered by Local Government) of the Scheme and the R Codes, and are therefore redundant.</p> <p>Clause 5.3.1 is proposed as currently the R Codes only permit a minimum of 5 Aged/Dependent Dwellings in a single development. It is well known that there is a shortage of dwellings in the Shire to accommodate aged persons. The proposed provision will assist with addressing this issue to an extent, and also allow for opportunity for more affordable housing.</p>

Proposed Modification	Reason
	Clause 5.3.2 is proposed as variations to the minimum site coverage permitted under the R Codes results in undesirable development which is out of character for an area.
4.	Delete Section 5.4 (Special Applications for the Subdivision of Land) of the Scheme and accordingly renumber the Sections and clauses which follow, and those Sections applicable in the Table of Contents.
5.	<p>Section 5.5 (Restrictive Covenants) of the Scheme be modified as follows:</p> <p>"5.5 5.4 <i>Restrictive Covenants</i></p> <p>5.5.1 5.4.1 <i>Subject to clause 5.4.2 5.5.1, a restrictive covenant affecting any land..."</i></p> <p>"5.5.2 5.4.2 <i>Where clause 5.4.1 5.5.1 operates to extinguish a vary a restrictive covenant..."</i></p>
6.	<p>Section 5.18 (Keeping of Animals) of the Scheme be modified as follows, and the Table of Contents be modified to reflect the change in heading:</p> <p>"5.18 <i>Keeping of Animals Rural Pursuit</i></p> <p>5.18.1 (iii) <i>Local government shall not approve the keeping of animals in the Rural Conservation, Rural Landscape Interest and Residential Bushland zones if clearing of remnant natural vegetation is required for this purpose."</i></p>
7.	Section 5.23 (Unkempt Land) of the Scheme be renumbered from 'iv, v, vi' to 'i, ii, iii'.

	Proposed Modification	Reason
8.	<p>Modify clause 6.1.1 (Operation of Special Control Areas) by:</p> <p>i) Deleting points (a) and (b) and replacing with the following:</p> <p><i>“(a) Areas shown on the Scheme Map as DA or Cell with a number and included in Schedule 11.”</i></p> <p>ii) Deleting point (d).</p> <p>iii) The points under this clause being re-lettered accordingly.</p>	<p>The proposed modifications will make their intent clearer, there is currently no SC2 shown on the Scheme Map, and there are two points under this clause with the same letter.</p>
9.	<p>Clause 6.2.2.1 (Development Areas – Purpose) of the Scheme be modified as follows:</p> <p><i>“6.2.2.1 The local government requires a Structure Plan for a Development Area, or for any particular part or parts of a Development Area, before recommending subdivision or approving development of land within the Development Area.”</i></p>	<p>Currently the Scheme requires a Structure Plan to exist over a Development Area prior to being able to approve development or recommend subdivision on properties within such areas. As a consequence proposals for small scale proposals, for example patios and outbuildings, are not able to be favourably considered in the absence of a Structure Plan. Such proposals would not prejudice the future planning of a Development Area therefore it is recommended that the clause be modified, and an additional clause be included allowing the Shire to consider approving development in the absence of a Structure Plan.</p>
10.	<p>The following clause be included under Section 6.2 (Development Areas) of the Scheme:</p> <p><i>“6.2.2.5 The local government may approve development, in the absence of a Structure Plan, where it is satisfied that such a proposal will not prejudice the orderly and proper future planning and development of the surrounding area.”</i></p>	<p>Refer to reason given to previous proposed modification.</p>
11.	<p>Section 6.2.4 (Adoption and Approval of Structure Plans) of the Scheme be modified as follows:</p>	<p>The clauses referred to currently do not exist in the Scheme.</p>

Proposed Modification	Reason
<p>"6.2.4.4 (a) Where the Proponent is aggrieved by a determination of the local government under clause 6.2.5.2 (a) or (b) or (c) of clause 6.2.5.3..."</p> <p>"(c) Upon receiving a Proposed Structure Plan in accordance with clause 6.2.5.4 6.2.4.4 (b), the Commission is to make one of the following determinations..."</p> <p>"(e) If within 60 days of receiving a Proposed Structure Plan under clause 6.2.5.4 6.2.4.4 (b), or such longer period as may be agreed..."</p>	
<p>"6.2.4.7 The local government is to consider all submissions received and within 60 days of the latest date specified in the notice under clause 6.2.5.5 6.2.4.5 is to either..."</p>	
<p>"6.2.4.8 If within the 60 day period, or such further time as may be agreed in writing between the Proponent and the local government, the local government has not made one of the determinations referred to in clause 6.2.5.7 6.2.5.2, the local government is deemed to have refused..."</p>	
<p>"6.2.4.9 Within 21 days of the local government making its determination under clause 6.2.5.7 6.2.4.7, or deemed refusal under clause 6.2.5.8 6.2.4.8, the local government is to forward to the Commission..."</p>	
<p>"6.2.4.11 If within 60 days of receiving the information referred to in clause 6.2.5.9 6.2.4.9, or such further time as may be agreed in writing between</p>	

	Proposed Modification	Reason
	<p><i>the Proponent and the Commission, the Commission has not made one of the determinations referred to in clause 6.2.5.10 6.2.4.10 , the Commission is deemed to have refused..."</i></p> <p><i>"6.2.4.13 If the Commission requires modifications to the Proposed Structure Plan, the Commission is to consult with the local government prior to approving the Proposed Structure Plan under clause 6.2.5.10 6.2.4.10 ."</i></p> <p><i>"6.2.4.14 ... and, thereafter, the procedures set out in clause 6.2.5.5 6.2.4.5 onwards are to apply."</i></p>	
12.	<p>Section 6.2.5 (Change or Departure from Structure Plan) of the Scheme be modified as follows:</p> <p><i>"6.2.5.2 (b) If the Commission considers that the change or departure adopted by the local government under clause 6.2.6.1 6.2.5.1 materially alters the intent of the Structure Plan..."</i></p> <p><i>"6.2.5.3 Any change to or departure from a Structure Plan that is not within clause 6.2.6.1 6.2.5.1 is to follow the procedures set out in clause 6.2.5."</i></p>	The clauses referred to are incorrect as they are with regard to Detailed Area Plans, not Structure Plans.
13.	<p>Section 6.2.6 (Detailed Area Plans) be modified as follows:</p> <p><i>"6.2.6 Detailed Area Plans Local Development Plan"</i></p> <p><i>6.2.6.1 (a) (i) The local government or the Commission may, by notice in writing, require a person to prepare and submit to the local government a</i></p>	<p>The term 'detailed area plan' is proposed to be deleted and replaced with 'local development plan' so that it is consistent with the terminology used in the Residential Design Codes.</p> <p>Currently clause 6.2.6.1 (a) (ii) implies that the Shire may not prepare a detailed area plan (local development plan). The modified clause rectifies this so that it may also prepare one.</p>

Proposed Modification	Reason
<p>detailed area plan <i>local development plan</i> within the time specified in the notice.</p> <p>(ii) — A person may prepare and submit to the local government a detailed area plan.</p> <p><i>(ii) Where it is considered desirable to enhance, elaborate or expand the details or provisions contained in a structure plan or in other circumstances for a particular lot or lots, a local development plan may be prepared by either the Council or landowner.</i></p> <p>(b) “A detailed area plan <i>local development plan</i> is to relate to a particular lot or lots and may be prepared and submitted:”</p> <p><i>(ii) In place of a development approval required to comply with clause 2.5 4.1 of the Residential Design Codes...”</i></p> <p>(c) “The local government is to:</p> <p><i>(iii) Approve with or without conditions; or</i></p> <p><i>(iv) Refuse to approve</i></p> <p><i>the detailed area plan local development plan.</i></p> <p>(d) If within 60 days of receiving a detailed area plan <i>local development plan</i> under clause 6.2.7.1 <i>6.2.6.1</i> (a), or such longer period as may be agreed in writing between the person and the local government, the local government has not made one of the determinations referred to in clause 6.2.7.1 <i>6.2.6.1</i> (c), the local government is</p>	<p>Clause 6.2.6.1 (b) (ii) refers to a clause number which existed in the 2002 edition of the R Codes and therefore needs to be modified to be consistent with the current edition.</p> <p>The other clauses referred to either do not exist in the Scheme, or are incorrect as they are with regard to Structure Plans, not Detailed Area Plans.</p>

	Proposed Modification	Reason
	<p><i>deemed to have refused to approve the detailed area plan local development plan.</i></p> <p>(e) <i>The local government is to forward a copy of the detailed area plan local development plan to the commission within 10 days of approving the detailed area plan local development plan.</i></p> <p>(f) <i>The local government's refusal to approve a detailed area plan local development plan under clause 6.2.7 6.2.6 is not a valid reason for the local government to refuse to approve a Proposed Structure Plan under clause 6.2.5.</i></p> <p>6.2.6.2 <i>Unless clause 6.2.7.1 6.2.6.1 (b)(ii) applies, once approved by the local government, the detailed area plan local development plan is to be used as the basis for:</i></p> <p>(a) <i>making recommendations to the Commission on subdivision applications; and</i></p> <p>(b) <i>determining development applications</i></p> <p><i>with respect to the land subject to the detailed area plan local development plan.</i></p> <p>6.2.6.3 <i>A detailed area plan local development plan may include details as to:"</i></p> <p>6.2.6.4 <i>"The local government is to forward a copy of the modification or variation to the detailed area plan local development plan to the Commission within 10 days of approving the modification or variation."</i></p>	

	Proposed Modification	Reason
14.	<p>Section 6.2.7 (Operation of Structure Plan) of the Scheme be modified as follows:</p> <p><i>"6.2.7.1 A Structure Plan commences operation on the date it is adopted endorsed by the local government Commission pursuant to clause 6.2.5.15 6.2.4.15 ."</i></p> <p><i>"6.2.7.2 Subject to clause 6.2.8.5 6.2.7.5 , if a Structure Plan imposes a classification on the land included in it..."</i></p> <p><i>"6.2.7.3 Without limiting the generality of clause 6.2.8.2 6.2.7.2, under a Structure Plan..."</i></p>	<p>The clauses referred to currently do not exist in the Scheme.</p> <p>Clause 6.2.7.3 refers to clause 6.2.8.2 which is with regard to appeals, not Structure Plans.</p> <p>Once a structure plan has been adopted by Council it still needs to be endorsed by the Commission prior to taking affect.</p>
15.	<p>The provisions under Section 6.3 (Kalamunda Town Centre Design Control Area) being deleted and replaced with the following:</p> <p><i>"In considering applications for planning approval within the Kalamunda Town Centre Design Control Area, the Council shall have regard for the Kalamunda Town Centre Planning and Urban Design Guidelines and any other planning policy adopted or amended by Council over the Kalamunda Town Centre Design Control Area pursuant to clause 2.4."</i></p>	<p>The current provisions are either inconsistent with, or stipulate what is already stated in, the Kalamunda Town Centre Planning and Urban Design Guidelines.</p>
16.	<p>Section 8.2 (Permitted Development) of the Scheme being modified as follows:</p> <p><i>"(b) there erection on a lot of a single house including any extension, ancillary outbuildings and swimming pools, except where:</i></p>	<p>Clause 6.2.6 (Detailed Area Plans) of the Scheme stipulates that detailed area plans may be prepared and submitted in place of a development approval required under the Residential Design Codes. The proposed modification to this clause would mean that where development complies fully with an adopted detailed area plan (local development plan) planning consent will not be required to be obtained from the Shire.</p>

Proposed Modification		Reason
	(i) <i>The proposal requires the exercise of a discretion by the local government under the Scheme to vary the provisions of the Residential Design Codes or an adopted local development plan."</i>	
17.	Under Schedule 1 (Land Use Definitions) of the Scheme, the definition for 'Ancillary Accommodation' be deleted and replaced with the following: <i>"Ancillary Dwelling" has the same meaning given to the term in the Residential Design Codes."</i>	The use 'Ancillary Accommodation' and its definition existed in the 2002 edition of the R Codes and therefore needs to be modified to be consistent with the current edition.
18.	The definition for the use 'Home Store' stipulated under Schedule 1 (Land Use Definitions) of the Scheme be modified to the following: <i>"Home Store" means a shop with a NLA not exceeding 100sqm which is attached to a dwelling and is operated by a person(s) residing in the dwelling, and sells foodstuffs or goods of a similar domestic nature intended for the day to day consumption or use by persons in the locality of the shop."</i>	The intent of a home store is to operate as a corner/deli shop within a residential area, however the current definition allows for any type of shop which could potentially result in loss of amenity for residents. Therefore the definition is proposed to be modified so that the intent of the use is clearer.
19.	The definition for the use 'Rural Pursuit' stipulated under Schedule 1 (Land Use Definitions) of the Scheme be modified to the following: <i>"Rural Pursuit" means any land or building used for:</i> (a) <i>The rearing or agistment or keeping of non-domesticated animals;"</i>	These modifications are proposed so as to be consistent with the provisions of Section 5.18 of the Scheme.
20.	The following definitions be included under Schedule 1 (Land Use Definitions) of the Scheme: <i>"Multiple Dwellings" has the same meaning given to the term in the Residential Design Codes."</i>	The inclusion of these land uses are proposed as they are uses listed under Table 1 (Zoning Table) of the Scheme which are currently not defined.

Proposed Modification		Reason
	<i>"Grouped Dwelling" has the same meaning given to the term in the Residential Design Codes."</i>	
21.	<p>Under Schedule 2 (Additional Uses) of the Scheme and subsequently on the Scheme Zoning Maps, the following is to be modified:</p> <ul style="list-style-type: none"> Item A16 - 30 Mundaring Weir Road, Kalamunda, be changed to A48. Item A21 – 80 Dodd Road, Bickley, be changed to A49. <p>Refer to the existing and proposed Scheme Zoning Maps (Attachments 3 and 4).</p>	Items A16 and A21 are duplicated under Schedule 2 of the Scheme and therefore need to be renumbered in the Scheme text and on the Scheme Zoning Maps.
22.	Under Schedule 2 (Additional Uses) of the Scheme Item A38 – 268 Kalamunda Road, Maida Vale, be changed to A38 - 266 Kalamunda Road, Maida Vale.	Item A38 refers to an incorrect property address. The property 268 Kalamunda Road, Maida Vale, relates to Item A37 under the Scheme.
23.	Under Schedule 4 (Special Uses) of the Scheme delete the provisions with regard to Lots 1 (10) and 40 (20) "West Sultana Road", and Lot 20 (100) Milner Road, High Wycombe.	These were deleted from the Scheme as part of Amendment No. 38 which was Gazetted on 23/12/11.
24.	Amend the Scheme Zoning Map so that it is consistent with items SU7 to SU18 under Schedule 4 (Special Uses) of the Scheme. Refer to the existing and proposed Scheme Zoning Maps (Attachments 5 to 16).	When Amendment No. 38 to the Scheme was Gazetted the Scheme Zoning Map was not amended so as to be consistent with Schedule 4 (Special Uses) of the Scheme Text.
25.	Under the heading "Schedule 10 – Environmental Conditions" of the Scheme, reference to clause 5.6.1 be changed to clause 5.7.1.	The clause currently referred to is incorrect as it is with regard to variations to site and development standards and requirements, not environment conditions.

Attachment 2

Local Planning Scheme No. 3 Amendment – Modifications to Scheme Text

Proposed Modified Zoning Table

Use Classes	District Centre	Commercial	Mixed Use	Residential	Residential Bushland	Light Industry	General Industry	Service Station	Private Clubs & Inst.	Special Rural	Rural Composite	Rural Agriculture	Rural Landscape Interest	Rural Conservation	Industrial Development
Aged/Dependent Dwellings	D	D	P	P	A	X	X	X	D	X	X	X	X	X	X
Multiple Dwellings	D	D	D	D	D	X	X	X	X	X	X	X	X	X	X
Single Bedroom Dwellings	D	D	D	D	D	X	X	X	X	X	X	X	X	X	X

Attachment 3

Local Planning Scheme No. 3 Amendment – Modifications to Scheme Text

Existing and Proposed Scheme Zoning Map – Lot 10 (30) Mundaring Weir Road, Kalamunda



Existing Zoning: Additional Use A16



New Zoning: Additional Use A48

LEGEND

METROPOLITAN REGION SCHEME RESERVES

PARKS AND RECREATION	PRIMARY REGIONAL ROADS
RESTRICTED PUBLIC ACCESS	OTHER REGIONAL ROADS
RAILWAYS	PUBLIC PURPOSES - DENOTED AS FOLLOWS:
PORT INSTALLATIONS	HOSPITAL
STATE FORESTS	HIGH SCHOOL
WATER CATCHMENTS	TECHNICAL SCHOOL
CIVIC AND CULTURAL	CAR PARK
WATERWAYS	UNIVERSITY
	COMMONWEALTH GOVERNMENT
	STATE ENERGY COMMISSION
	SPECIAL USES
	WATER AUTHORITY OF WA
	PRISON

LOCAL SCHEME RESERVES

LOCAL OPEN SPACE
PUBLIC PURPOSES
PUBLIC PURPOSES - DENOTED AS FOLLOWS:
AC - AGED CARE
AG - AGRICULTURE PROTECTION BOARD & CONSERVATION
AM - ST JOHN AMBULANCE
AQ - AQUATIC CENTRE
BS - BUS STATION
CH - CHURCH
CO - COUNCIL OFFICES
CP - COMMUNITY PURPOSE
EL - ELECTRICAL SUB STATION
EX - TELEPHONE EXCHANGE
H - HALL / COMMUNITY CENTRE
HOS - HOSPITAL
K - KINDERGARTEN
LIB - LIBRARY
MUS - MUSEUM
PB - PUBLIC BUILDING
POL - POLICE STATION
PS - PRIMARY SCHOOL
WA - WATER TANK

ZONES

RESIDENTIAL	GENERAL INDUSTRY
RESIDENTIAL BUSHLAND	LIGHT INDUSTRY
URBAN DEVELOPMENT	RURAL AGRICULTURE
COMMERCIAL	RURAL COMPOSITE
DISTRICT CENTRE	RURAL CONSERVATION
MIXED USE	RURAL LANDSCAPE INTEREST
SERVICE STATION	SPECIAL RURAL
SPECIAL USE	INDUSTRIAL DEVELOPMENT
PRIVATE CLUBS & INSTITUTIONS	

OTHER

R20 - R CODES	SCA KALAMUNDA TOWN CENTRE
A1 - ADDITIONAL USES	DESIGN CONTROL AREA (SEE SCHEME TEXT)
R1 - RESTRICTED USES	SPECIAL USE AREA (SEE SCHEME TEXT)
SCHEME BOUNDARY	ENVIRONMENTAL CONDITIONS (SEE SCHEME TEXT)
LOCAL GOVERNMENT BOUNDARY	SC3 - SCA 20ANEF
DEVELOPMENT AREA (SEE SCHEME TEXT)	SC4 - SCA 300M POULTRY FARM BUFFER
	NO ZONE

VERSION No 1

SHIRE OF KALAMUNDA

LOCAL PLANNING SCHEME NO. 3
(DISTRICT SCHEME)

Attachment 5

Local Planning Scheme No. 3 Amendment – Modifications to Scheme Text

Existing and Proposed Scheme Zoning Map – Lot 503 (105) Watsonia Road, Maida Vale



Existing Zoning: Special Use SU8



New Zoning: Special Use SU7

LEGEND

METROPOLITAN REGION SCHEME RESERVES

PARKS AND RECREATION	PRIMARY REGIONAL ROADS
RESTRICTED PUBLIC ACCESS	OTHER REGIONAL ROADS
RAILWAYS	PUBLIC PURPOSES - IDENTIFIED AS FOLLOWS:
PORT INSTALLATIONS	HOSPITAL
STATE FORESTS	HIGH SCHOOL
WATER CATCHMENTS	TECHNICAL SCHOOL
CIVIC AND CULTURAL	CAR PARK
WATERWAYS	UNIVERSITY
	COMMONWEALTH GOVERNMENT
	STATE TARIFF COMMISSION
	SPECIAL USES
	WATER AUTHORITY OF WA
	PRISON

LOCAL SCHEME RESERVES

LOCAL OPEN SPACE
PUBLIC PURPOSES
PUBLIC PURPOSES IDENTIFIED AS FOLLOWS:
AGED CARE
AGRICULTURE PROTECTION BOARD & CONSERVATION
ST. JOHN AMBULANCE
AQUATIC CENTRE
BUS STATION
CHURCH
COUNCIL OFFICES
COMMUNITY PURPOSE
ELECTRICAL SUBSTATION
TELEPHONE EXCHANGE
HALL - COMMUNITY CENTRE
HOSPITAL
KINDERGARTEN
LIBRARY
MUSEUM
PUBLIC BUILDING
POLICE STATION
PRIMARY SCHOOL
WATER TANK

ZONES

RESIDENTIAL	GENERAL INDUSTRY
RESIDENTIAL BUSHLAND	LIGHT INDUSTRY
URBAN DEVELOPMENT	RURAL AGRICULTURE
COMMERCIAL	RURAL COMPOSITE
DISTRICT CENTRE	RURAL CONSERVATION
MIXED USE	RURAL LANDSCAPE INTEREST
SERVICE STATION	SPECIAL RURAL
SPECIAL USE	INDUSTRIAL DEVELOPMENT
PRIVATE CLUBS & INSTITUTIONS	

OTHER

R20 CODES	SCA KALAMUNDA TOWN CENTRE
ADDITIONAL USES	DESIGN CONTROL AREA (SEE SCHEME TEXT)
RESTRICTED USES	SPECIAL USE AREA (SEE SCHEME TEXT)
SCB CODES	ENVIRONMENTAL CONDITIONS (SEE SCHEME TEXT)
SCB CODES	SC3 SCA 20ADEF
SCB CODES	SC4 SCA 300M POULTRY FARM BUFFER
SCB CODES	NO ZONE

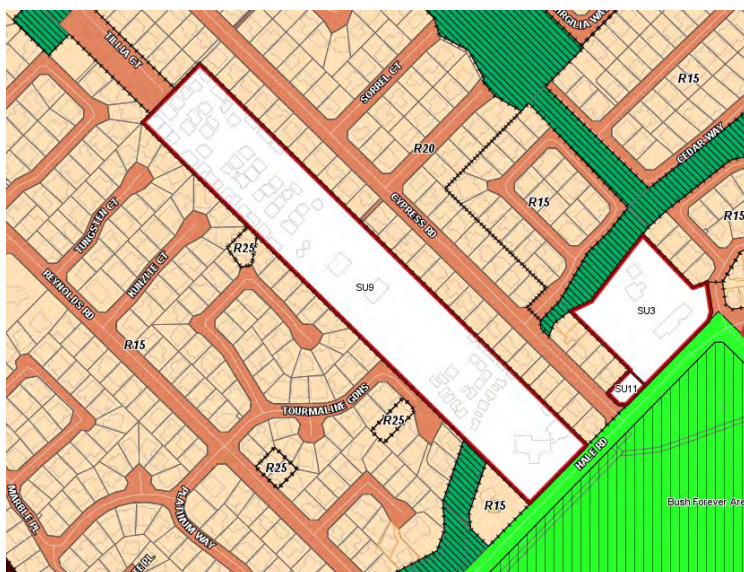
VERSION No 1

SHIRE OF KALAMUNDA
LOCAL PLANNING SCHEME NO. 3
(DISTRICT SCHEME)

Attachment 6

Local Planning Scheme No. 3 Amendment – Modifications to Scheme Text

Existing and Proposed Scheme Zoning Map – Lot 319 (186) Hale Road, Forrestfield



Existing Zoning: Special Use SU9



New Zoning: Special Use SU8

LEGEND

METROPOLITAN REGION SCHEME RESERVES

PARKS AND RECREATION	PRIMARY REGIONAL ROADS
RESTRICTED PUBLIC ACCESS	OTHER REGIONAL ROADS
RAILWAYS	PUBLIC PURPOSES - DENOTED AS FOLLOWS:
PORT INSTALLATIONS	HOSPITAL
STATE FORESTS	HIGH SCHOOL
WATER CATCHMENTS	TECHNICAL SCHOOLS
CIVIC AND CULTURAL	CAR PARK
WATERWAYS	UNIVERSITY
	COMMONWEALTH GOVERNMENT
	STATE ENERGY COMMISSION
	SPECIAL USES
	WATER AUTHORITY OF WA
	PRISON

LOCAL SCHEME RESERVES

LOCAL OPEN SPACE	
PUBLIC PURPOSES	
PUBLIC PURPOSES - DENOTED AS FOLLOWS:	
AGED CARE	
AGRICULTURE PROTECTION BOARD & CONSERVATION	
ST. JOHN AMBULANCE	
AQUATIC CENTRE	
BUS STATION	
CHURCH	
COUNCIL OFFICES	
COMMUNITY PURPOSE	
ELECTRICAL SUB STATION	
TELEPHONE EXCHANGE	
HALL - COMMUNITY CENTRE	
HOSPITAL	
KINDERGARTEN	
LIBRARY	
RAILWAY MUSEUM	
PUBLIC BUILDING	
POLICE STATION	
PRIMARY SCHOOL	
WATER TANK	

ZONES

RESIDENTIAL	GENERAL INDUSTRY
RESIDENTIAL BUSHLAND	LIGHT INDUSTRY
URBAN DEVELOPMENT	RURAL AGRICULTURE
COMMERCIAL	RURAL COMPOSITE
DISTRICT CENTRE	RURAL CONSERVATION
MIXED USE	RURAL LANDSCAPE INTEREST
SERVICE STATION	SPECIAL RURAL
SPECIAL USE	INDUSTRIAL DEVELOPMENT
PRIVATE CLUBS & INSTITUTIONS	

OTHER

R CODES	SCA KALAMUNDA TOWN CENTRE
ADDITIONAL USES	SCA DESIGN CONTROL AREA (SEE SCHEME TEXT)
RESTRICTED USES	SPECIAL USE AREA (SEE SCHEME TEXT)
SCHEME BOUNDARY	ENVIRONMENTAL CONDITIONS (SEE SCHEME TEXT)
LOCAL GOVERNMENT BOUNDARY	SCA - SCA 20M BUFFER
DEVELOPMENT AREA (SEE SCHEME TEXT)	SCA - SCA 300M POULTRY FARM BUFFER
	NO ZONE

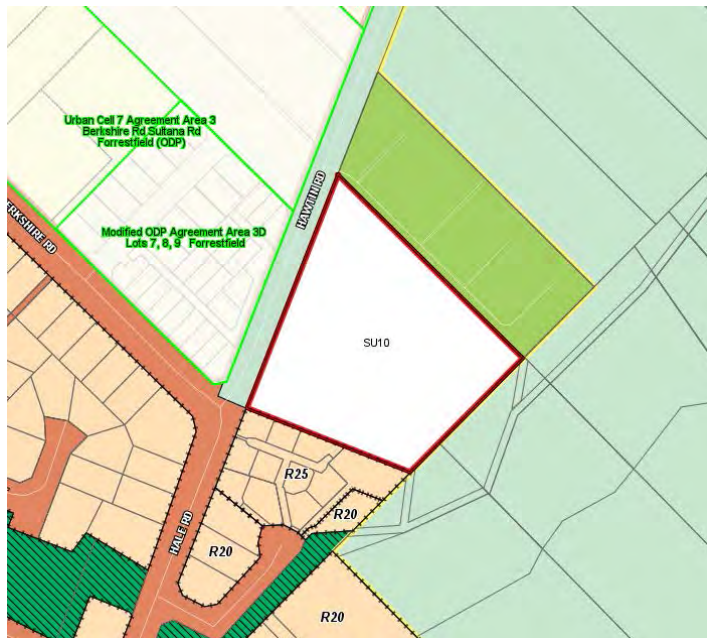
VERSION No 1

SHIRE OF KALAMUNDA
LOCAL PLANNING SCHEME NO. 3
(DISTRICT SCHEME)

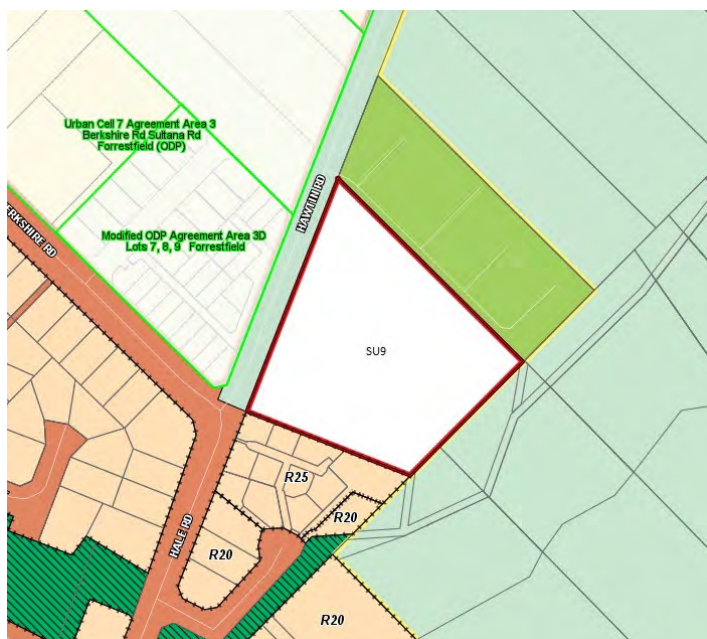
Attachment 7

Local Planning Scheme No. 3 Amendment – Modifications to Scheme Text

Existing and Proposed Scheme Zoning Map – Lot 402 (351) Hawtin Road, Forrestfield



Existing Zoning: Special Use SU10



New Zoning: Special Use SU9

LEGEND

METROPOLITAN REGION SCHEME RESERVES

PARKS AND RECREATION	PRIMARY REGIONAL ROADS
RESTRICTED PUBLIC ACCESS	OTHER REGIONAL ROADS
RAILWAYS	PUBLIC PURPOSES -
PORT INSTALLATIONS	DENOTED AS FOLLOWS
STATE FORESTS	HOSPITAL
WATER CATCHMENTS	HIGH SCHOOL
CIVIC AND CULTURAL	TECHNICAL SCHOOL
WATERWAYS	CATHAM
	UNIVERSITY
	COMMONWEALTH GOVERNMENT
	STATE GOVERNMENT
	SPECIAL LIVES
	WATER AUTHORITY OF WA
	PRISON

LOCAL SCHEME RESERVES

LOCAL OPEN SPACE	
PUBLIC PURPOSES	
PUBLIC PURPOSES	
DENOTED AS FOLLOWS	
AGED CARE	
AGRICULTURE PROTECTION BOARD & CONSERVATION	
ST. JOHN AMBULANCE	
AQUATIC CENTRE	
BUS STATION	
CHURCH	
COUNCIL OFFICES	
COMMUNITY PURPOSE	
ELECTRICAL SUB STATION	
TELEPHONE EXCHANGE	
HALL / COMMUNITY CENTRE	
HOSPITAL	
KINDERGARTEN	
LIBRARY	
MUSEUM	
PUBLIC BUILDING	
POLICE STATION	
PRIMARY SCHOOL	
WATER TANK	

ZONES

RESIDENTIAL	GENERAL INDUSTRY
RESIDENTIAL BUSHLAND	LIGHT INDUSTRY
URBAN DEVELOPMENT	RURAL AGRICULTURE
COMMERCIAL	RURAL COMPOSITE
DISTRICT CENTRE	RURAL CONSERVATION
MIXED USE	RURAL LANDSCAPE INTEREST
SERVICE STATION	SPECIAL RURAL
SPECIAL USE	INDUSTRIAL DEVELOPMENT
PRIVATE CLUBS & INSTITUTIONS	

OTHER

R CODES	SCA KALAMUNDA TOWN CENTRE
ADDITIONAL USES	DESIGN CONTROL AREA (SEE SCHEME TEXT)
RESTRICTED USES	SPECIAL USE AREA (SEE SCHEME TEXT)
SCHEME BOUNDARY	ENVIRONMENTAL CONDITIONS (SEE SCHEME TEXT)
LOCAL GOVERNMENT BOUNDARY	SC3 - SCA 30ANEF
DEVELOPMENT AREA (SEE SCHEME TEXT)	SC4 - SCA 303M POULTRY FARM BUFFER
	NO ZONE

VERSION No 1

SHIRE OF KALAMUNDA
LOCAL PLANNING SCHEME NO. 3
(DISTRICT SCHEME)

Local Planning Scheme No. 3 Amendment – Modifications to Scheme Text
Existing and Proposed Scheme Zoning Map – Lot 498 (2) Cypress Road, Forrestfield



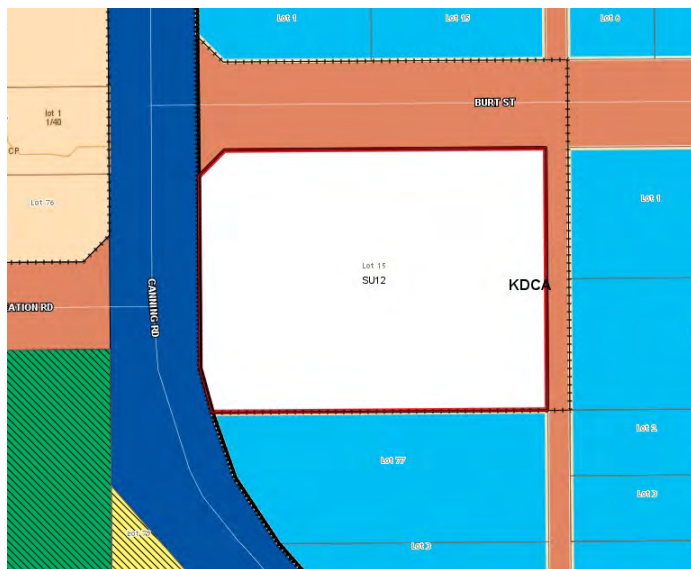
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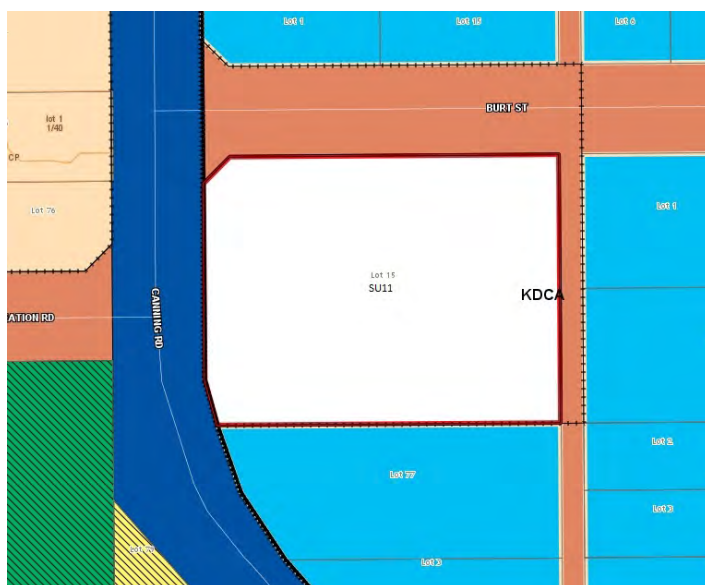
Attachment 9

Local Planning Scheme No. 3 Amendment – Modifications to Scheme Text

Existing and Proposed Scheme Zoning Map – Lot 15 (43) Canning Road, Kalamunda



Existing Zoning: Special Use SU12



New Zoning: Special Use SU11

LEGEND

METROPOLITAN REGION SCHEME RESERVES

PARKS AND RECREATION	PRIMARY REGIONAL ROADS
RESTRICTED PUBLIC ACCESS	OTHER REGIONAL ROADS
RAILWAYS	PUBLIC PURPOSES - DENOTED AS FOLLOWS:
PORT INSTALLATIONS	HOSPITAL
STATE FORESTS	HIGH SCHOOL
WATER CATCHMENTS	TECHNICAL SCHOOL
CIVIC AND CULTURAL	CAMPUS
WATERWAYS	UNIVERSITY
	COMMONWEALTH GOVERNMENT
	STATE ENERGY COMMISSION
	SPECIAL USES
	WATER AUTHORITY OF WA
	PRISON

LOCAL SCHEME RESERVES

LOCAL OPEN SPACE
PUBLIC PURPOSES
PUBLIC PURPOSES DENOTED AS FOLLOWS:
AGED CARE
AGRICULTURE PROTECTION BOARD & CONSERVATION
AMUSEMENT
AQUATIC CENTRE
BUS STATION
CHURCH
COUNCIL OFFICES
COMMUNITY PURPOSE
ELECTRICAL SUB-STATION
TELEPHONE EXCHANGE
HALL - COMMUNITY CENTRE
HOSPITAL
KINDERGARTEN
LIBRARY
MUSEUM
PUBLIC BUILDING
POLICE STATION
PRIMARY SCHOOL
WATER TANK

ZONES

RESIDENTIAL	GENERAL INDUSTRY
RESIDENTIAL BUSHLAND	LIGHT INDUSTRY
URBAN DEVELOPMENT	RURAL AGRICULTURE
COMMERCIAL	RURAL COMPOSITE
DISTRICT CENTRE	RURAL CONSERVATION
MIXED USE	RURAL LANDSCAPE INTEREST
SERVICE STATION	SPECIAL RURAL
SPECIAL USE	INDUSTRIAL DEVELOPMENT
PRIVATE CLUBS & INSTITUTIONS	

OTHER

R CODES	SCA KALAMUNDA TOWN CENTRE
ADDITIONAL USES	DESIGN CONTROL AREA (SEE SCHEME TEXT)
RESTRICTED USES	SPECIAL USE AREA (SEE SCHEME TEXT)
SCHEME BOUNDARY	ENVIRONMENTAL CONDITIONS (SEE SCHEME TEXT)
LOCAL GOVERNMENT BOUNDARY	SC3 - SCA 20ANEF
DEVELOPMENT AREA (SEE SCHEME TEXT)	SC4 - SCA 300M POULTRY FARM BUFFER
	NO ZONE

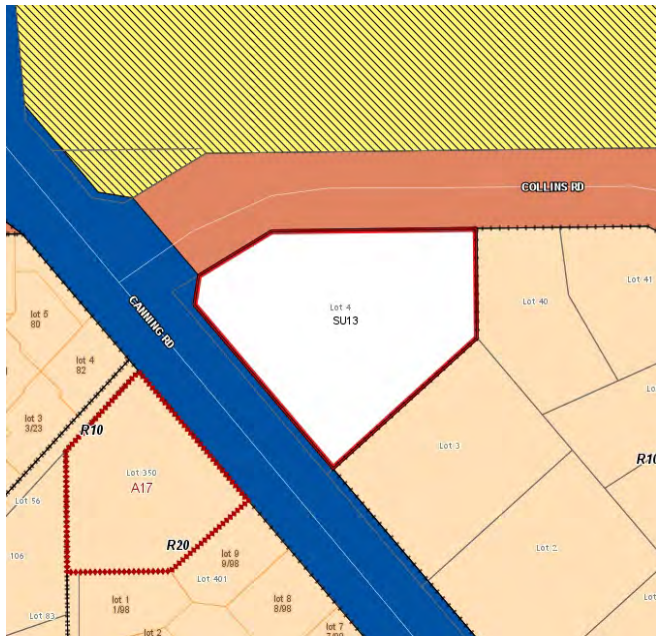
VERSION No 1

SHIRE OF KALAMUNDA
LOCAL PLANNING SCHEME NO. 3
(DISTRICT SCHEME)

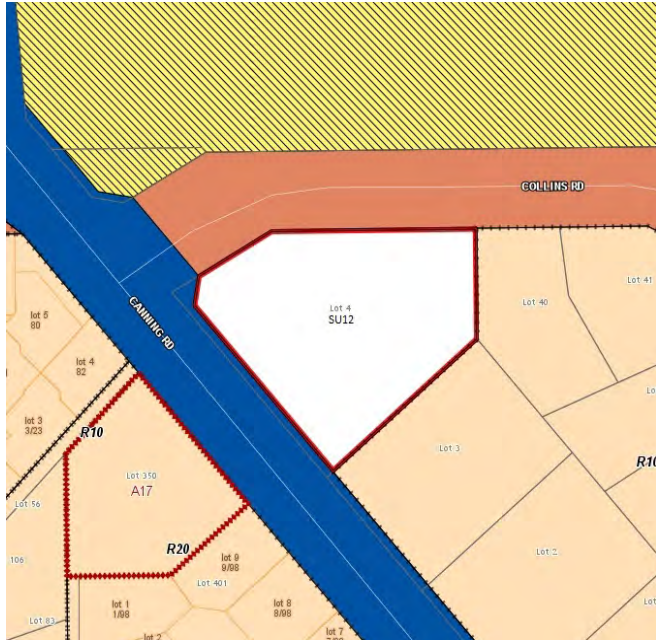
Attachment 10

Local Planning Scheme No. 3 Amendment – Modifications to Scheme Text

Existing and Proposed Scheme Zoning Map – Lot 4 (81) Canning Road, Kalamunda



Existing Zoning: Special Use SU13



New Zoning: Special Use SU12

LEGEND

METROPOLITAN REGION SCHEME RESERVES

PARKS AND RECREATION	PRIMARY REGIONAL ROADS
RESTRICTED PUBLIC ACCESS	OTHER REGIONAL ROADS
RAILWAYS	PUBLIC PURPOSES -
PORT INSTALLATIONS	AS FOLLOWS:
STATE FORESTS	H HOSPITAL
WATER CATCHMENTS	HS HIGH SCHOOL
CIVIC AND CULTURAL	TS TECHNICAL SCHOOLS
WATERWAYS	CP CAN FARM
	U UNIVERSITY
	CO COMMONWEALTH GOVERNMENT
	SEC STATE ENERGY COMMISSION
	SU SPECIAL USES
	WWS WATER AUTHORITY SERVICE
	PRW PRIORITY

LOCAL SCHEME RESERVES

LOCAL OPEN SPACE
PUBLIC PURPOSES
PUBLIC PURPOSES -
AS FOLLOWS:
AC AGED CARE
AG AGRICULTURE PROTECTION BOARD & CONSERVATION FARM
AM ST. JOHN AMBULANCES
AD ADULT CENTRE
BS BUS STATION
CH CHURCH
CO COUNCIL OFFICES
CP COMMUNITY PURPOSES
EL ELECTRICAL SUBSTATION
EX TELEPHONE EXCHANGE
H HALL / COMMUNITY CENTRE
HOS HOSPITAL
K KIOSK/BAR
LIB LIBRARY
MUS MUSEUM
PB PUBLIC BUILDING
PS POLICE STATION
PS PRIMARY SCHOOL
WA WATER TANK

ZONES

RESIDENTIAL	GENERAL INDUSTRY
RESIDENTIAL BUSINESS	LIGHT INDUSTRY
URBAN DEVELOPMENT	RURAL AGRICULTURE
COMMERCIAL	RURAL COMPOSITE
DISTRICT CENTRE	RURAL CONSERVATION
MAKED USE	RURAL LANDSCAPE INTEREST
SERVICE STATION	SPECIAL RURAL
SPECIAL USE	INDUSTRIAL DEVELOPMENT
PRIVATE CLUBS & INSTITUTIONS	

OTHER

R20 R CODES	SCA KALAMUNDA TOWN CENTRE
ADDITIONAL USES	DESIGN CONTROL AREA
RESTRICTED USES	SPECIAL USE AREA
SCHEME BOUNDARY	SEE SCHEME TEXT
LOCAL GOVERNMENT BOUNDARY	ENVIRONMENTAL CONDITIONS
DEVELOPMENT AREA	SEE SCHEME TEXT
	SC3 - SCA 200M
	SC4 - SCA 200M POLYTRY FARM (BUFFER)
	NO ZONE

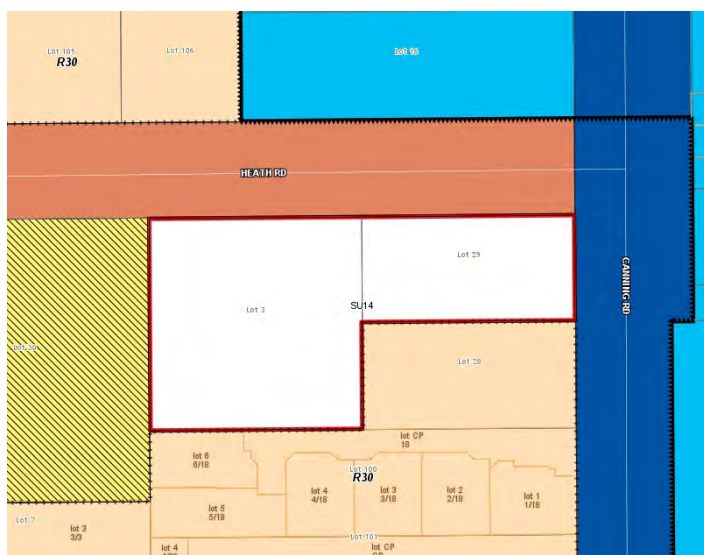
VERSION No 1

SHIRE OF KALAMUNDA
LOCAL PLANNING SCHEME NO. 3
(DISTRICT SCHEME)

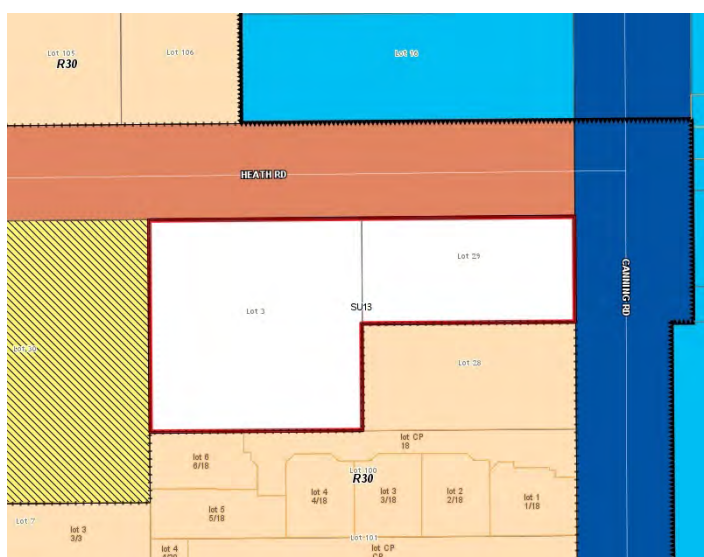
Attachment 11

Local Planning Scheme No. 3 Amendment – Modifications to Scheme Text

Existing and Proposed Scheme Zoning Map – Lot 3 (5) Heath Road and Lot 29 (14) Canning Road, Kalamunda



Existing Zoning: Special Use SU14



New Zoning: Special Use SU13

LEGEND

METROPOLITAN REGION SCHEME RESERVES

PARKS AND RECREATION	PRIMARY REGIONAL ROADS
RESTRICTED PUBLIC ACCESS	OTHER REGIONAL ROADS
RAILWAYS	PUBLIC PURPOSES – DENOTED AS FOLLOWS:
PORT INSTALLATIONS	HOSPITAL
STATE FORESTS	HIGH SCHOOL
WATER CATCHMENTS	TECHNICAL SCHOOL
CIVIC AND CULTURAL	CAR PARK
WATERWAYS	UNIVERSITY
	COMMONWEALTH GOVERNMENT
	STATE ENERGY COMMISSION
	SPECIAL USES
	WATER AUTHORITY OF WA
	PRISON

LOCAL SCHEME RESERVES

LOCAL OPEN SPACE
PUBLIC PURPOSES
PUBLIC PURPOSES – DENOTED AS FOLLOWS:
AC – ASHD CARE
AG – AGRICULTURE PROTECTION BOARD & CONSERVATION
AM – ST. JOHN AMBULANCE
AQ – AQUATIC CENTRE
BS – BUS STATION
CH – CHURCH
CO – COUNCIL OFFICES
CP – COMMUNITY PURPOSE
EL – ELECTRICAL SUB STATION
EX – TELEPHONE EXCHANGE
H – HALL / COMMUNITY CENTRE
HOS – HOSPITAL
K – KIDSGARDEN
LB – LIBRARY
MUS – MUSEUM
PB – PUBLIC BUILDING
POL – POLICE STATION
PS – PRIMARY SCHOOL
WA – WATER TANK

ZONES

RESIDENTIAL	GENERAL INDUSTRY
RESIDENTIAL BUSHLAND	LIGHT INDUSTRY
URBAN DEVELOPMENT	RURAL AGRICULTURE
COMMERCIAL	RURAL COMPOSITE
DISTRICT CENTRE	RURAL CONSERVATION
MIXED USE	RURAL LANDSCAPE INTEREST
SERVICE STATION	SPECIAL RURAL
SPECIAL USE	INDUSTRIAL DEVELOPMENT
PRIVATE CLUBS & INSTITUTIONS	

OTHER

R CODES	SCA – KALAMUNDA TOWN CENTRE
ADDITIONAL USES	SCA – DESIGN CONTROL AREA (SEE SCHEME TEXT)
RESTRICTED USES	SCA – SPECIAL USE AREA (SEE SCHEME TEXT)
SCHEME BOUNDARY	SCA – ENVIRONMENTAL CONDITIONS (SEE SCHEME TEXT)
LOCAL GOVERNMENT BOUNDARY	SCA – SCA 20M DEF
DEVELOPMENT AREA (SEE SCHEME TEXT)	SCA – SCA 300M POULTRY FARM BUFFER
	NO ZONE

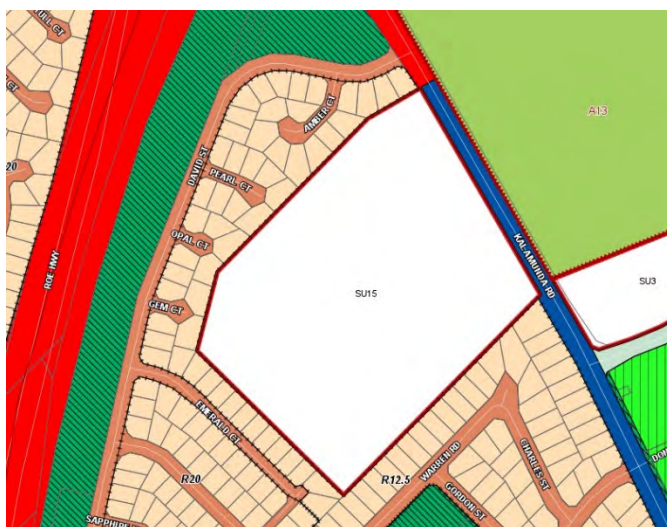
VERSION No 1

SHIRE OF KALAMUNDA
LOCAL PLANNING SCHEME NO. 3
(DISTRICT SCHEME)

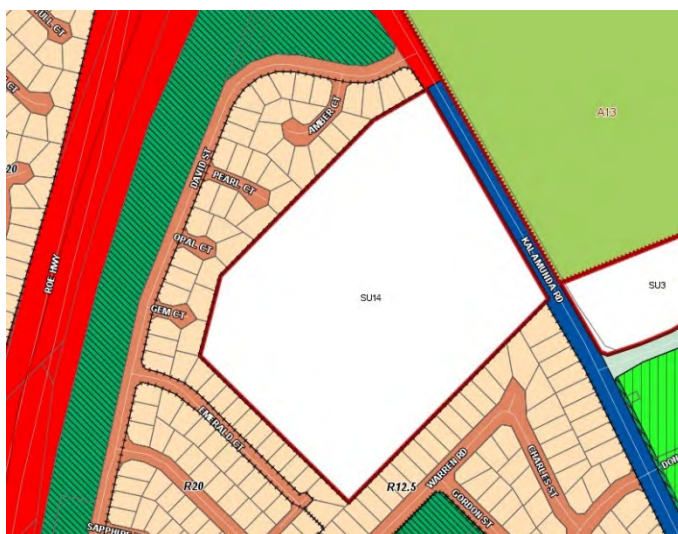
Attachment 12

Local Planning Scheme No. 3 Amendment – Modifications to Scheme Text

Existing and Proposed Scheme Zoning Map – Lot 1 (345) Kalamunda Road, Maida Vale



Existing Zoning: Special Use SU15



New Zoning: Special Use SU14

LEGEND

METROPOLITAN REGION SCHEME RESERVES

PARKS AND RECREATION	PRIMARY REGIONAL ROADS
RESTRICTED PUBLIC ACCESS	OTHER REGIONAL ROADS
RAILWAYS	PUBLIC PURPOSES -
PORT INSTALLATIONS	DEVOTED AS FOLLOWS:
STATE FORESTS	HS - HIGH SCHOOL
WATERCATCHMENTS	TS - TECHNICAL SCHOOL
CIVIC AND CULTURAL	CP - CAR PARK
WATERWAYS	U - UNIVERSITY
	SG - COMMERCIAL/GOVERNMENT
	SEC - STATE ENERGY COMMISSION
	SU - SPECIAL USES
	WSD - WATER AUTHORITY OF WA
	P - PRISON

LOCAL SCHEME RESERVES

LOCAL OPEN SPACE
PUBLIC PURPOSES
PUBLIC PURPOSES
DEVOTED AS FOLLOWS:
AC - AGRI. CUM
AG - AGRICULTURE PROTECTION BOARD & COMBINATION
AM - ST. JOHN AMBULANCE
AQ - AQUATIC CENTRE
BS - BUS STATION
CH - CHURCH
CO - COUNCIL OFFICE
CP - COMMUNITY PURPOSE
EL - ELECTRICAL SUB STATION
EX - TELEPHONE EXCHANGE
H - HALL - COMMUNITY CENTRE
HOS - HOSPITAL
K - KIDSGARDEN
LB - LIBRARY
M - MUSEUM
MB - MUSEUM
PB - PUBLIC BUILDING
PS - POLICE STATION
PS - PRIMARY SCHOOL
WA - WATER TANK

ZONES

RESIDENTIAL	GENERAL INDUSTRY
RESIDENTIAL BUSHLAND	LIGHT INDUSTRY
URBAN DEVELOPMENT	RURAL AGRICULTURE
COMMERCIAL	RURAL COMPOSITE
DISTRICT CENTRE	RURAL CONSERVATION
MIXED USE	RURAL LANDSCAPE INTEREST
SERVICE STATION	SPECIAL RURAL
SPECIAL USE	INDUSTRIAL DEVELOPMENT
PRIVATE CLUBS & INSTITUTIONS	

OTHER

R20	R CODES
A1	ADDITIONAL USES
R1	RESTRICTED USES
SCHEME BOUNDARY	SCHEME BOUNDARY
LOCAL GOVERNMENT BOUNDARY	LOCAL GOVERNMENT BOUNDARY
DEVELOPMENT AREA	DEVELOPMENT AREA
SC4 - SCA 200M	SC4 - SCA 200M
SC4 - SCA 300M	SC4 - SCA 300M
NO ZONE	NO ZONE

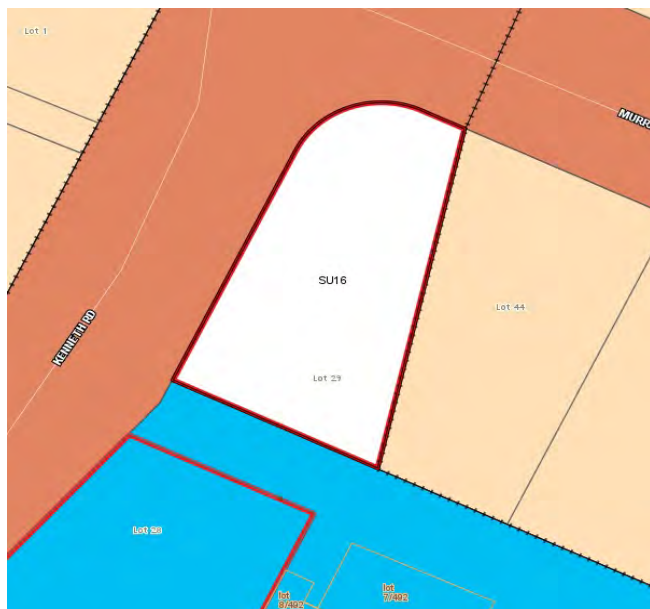
VERSION No 1

SHIRE OF KALAMUNDA
LOCAL PLANNING SCHEME NO. 3
(DISTRICT SCHEME)

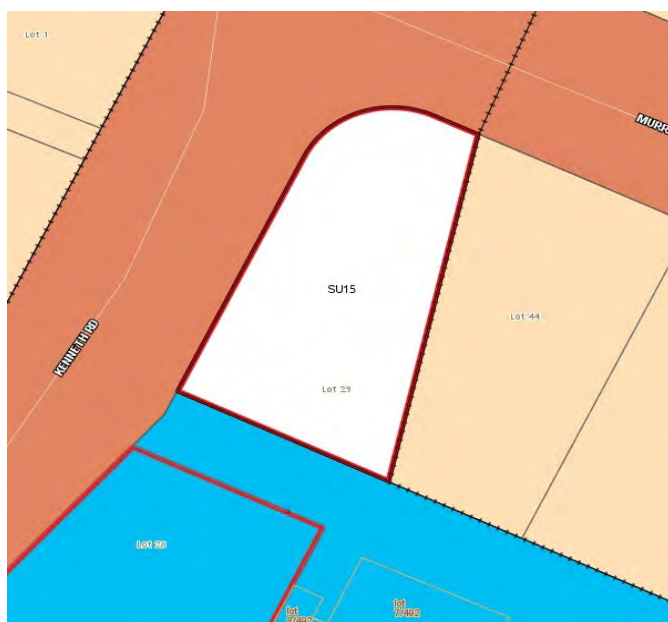
Attachment 13

Local Planning Scheme No. 3 Amendment – Modifications to Scheme Text

Existing and Proposed Scheme Zoning Map – Lot 29 (492) Kalamunda Road, High Wycombe



Existing Zoning: Special Use SU16



New Zoning: Special Use SU15

LEGEND

METROPOLITAN REGION SCHEME RESERVES

PARKS AND RECREATION	PRIMARY REGIONAL ROADS
RESTRICTED PUBLIC ACCESS	OTHER REGIONAL ROADS
RAILWAYS	PUBLIC PURPOSES - DENOTED AS FOLLOWS:
PORT INSTALLATIONS	HOSPITAL
STATE FORESTS	HIGH SCHOOL
WATER CATCHMENTS	TECHNICAL SCHOOL
CIVIC AND CULTURAL	CAR PARK
WATERWAYS	UNIVERSITY
	COMMONWEALTH GOVERNMENT
	STATE ENERGY COMMISSION
	SPECIAL USES
	WATER AUTHORITY OF WA
	REGION

LOCAL SCHEME RESERVES

LOCAL OPEN SPACE
PUBLIC PURPOSES
PUBLIC PURPOSES DENOTED AS FOLLOWS:
AGED CARE
AGRICULTURE PROTECTION BOARD & CONSERVATION
ST. JOHN AMBULANCE
AQUATIC CENTRE
BUS STATION
CHURCH
COUNCIL OFFICES
COMMUNITY PURPOSE
ELECTRICAL SUB STATION
TELEPHONE EXCHANGE
HALL / COMMUNITY CENTRE
HOSPITAL
KINDERGARTEN
LIBRARY
RAILWAY MUSEUM
PUBLIC BUILDING
POLICE STATION
PRIMARY SCHOOL
WATER TANK

ZONES

RESIDENTIAL	GENERAL INDUSTRY
RESIDENTIAL BUSHLAND	LIGHT INDUSTRY
URBAN DEVELOPMENT	RURAL AGRICULTURE
COMMERCIAL	RURAL COMPOSITE
DISTRICT CENTRE	RURAL CONSERVATION
MIXED USE	RURAL LANDSCAPE INTEREST
SERVICE STATION	SPECIAL RURAL
SPECIAL USE	INDUSTRIAL DEVELOPMENT
PRIVATE CLUBS & INSTITUTIONS	

OTHER

R CODES	SCA-KALAMUNDA TOWN CENTRE DESIGN CONTROL AREA (SEE SCHEME TEXT)
ADDITIONAL USES	SPECIAL USE AREA (SEE SCHEME TEXT)
RESTRICTED USES	ENVIRONMENTAL CONDITIONS (SEE SCHEME TEXT)
SCHEME BOUNDARY	SC3 - SCA 20M NEF
LOCAL GOVERNMENT BOUNDARY	SC4 - SCA 300M POULTRY FARM BUFFER
DEVELOPMENT AREA (SEE SCHEME TEXT)	NO ZONE

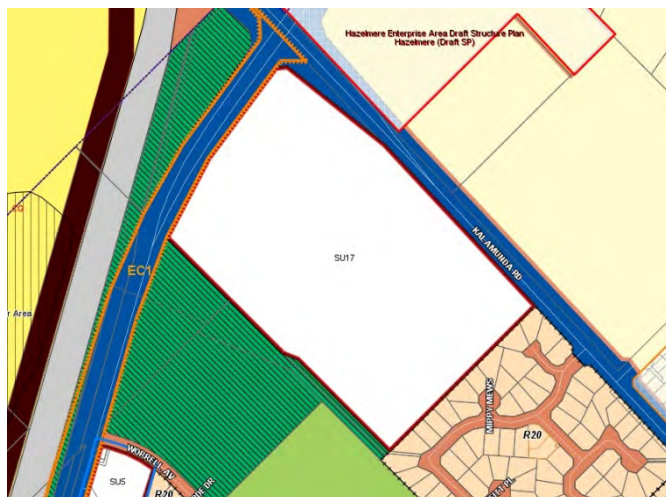
VERSION No 1

SHIRE OF KALAMUNDA
LOCAL PLANNING SCHEME NO. 3
(DISTRICT SCHEME)

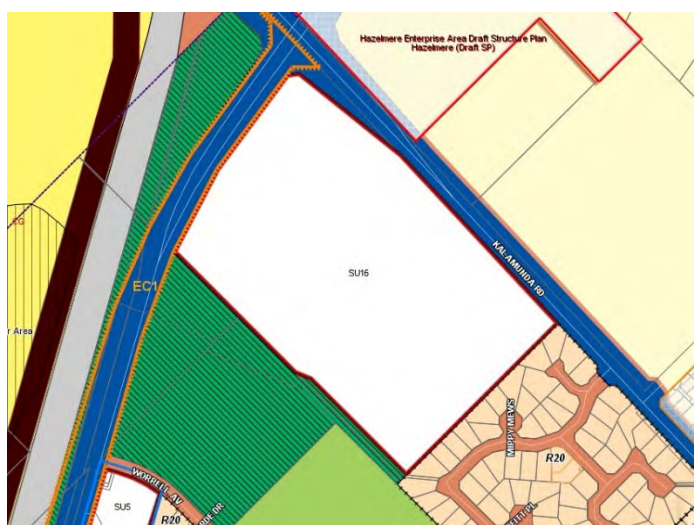
Attachment 14

Local Planning Scheme No. 3 Amendment – Modifications to Scheme Text

Existing and Proposed Scheme Zoning Map – Lot 100 (597) Kalamunda Road, High Wycombe



Existing Zoning: Special Use SU17



New Zoning: Special Use SU16

LEGEND

METROPOLITAN REGION SCHEME RESERVES

PARKS AND RECREATION	PRIMARY REGIONAL ROADS
RESTRICTED PUBLIC ACCESS	OTHER REGIONAL ROADS
RAILWAYS	PUBLIC PURPOSES - DENOTED AS FOLLOWS:
PORT INSTALLATIONS	HOSPITAL
STATE FORESTS	HIGH SCHOOL
WATER CATCHMENTS	TECHNICAL SCHOOL
CIVIC AND CULTURAL	CAR PARK
WATERWAYS	UNIVERSITY
	COMMONWEALTH GOVERNMENT
	STATE EMERGENCY COMMISSION
	SPECIAL USES
	WATER AUTHORITY OF WA
	PRISON

LOCAL SCHEME RESERVES

LOCAL OPEN SPACE
PUBLIC PURPOSES
PUBLIC PURPOSES DENOTED AS FOLLOWS:
AC AGED CARE
AG AGRICULTURE PROTECTION BOARD & CONSERVATION
AM ST. JOHN AMBULANCE
AQ AQUATIC CENTRE
BS BUS STATION
CH CHURCH
CO COUNCIL OFFICES
CP COMMUNITY PURPOSE
EL ELECTRICAL SUB STATION
EX TELEPHONE EXCHANGE
H HALL, COMMUNITY CENTRE
HOS HOSPITAL
K KINDERGARTEN
LB LIBRARY
MUS MUSEUM
PB PUBLIC BUILDING
POL POLICE STATION
PS PRIMARY SCHOOL
WA WATER TANK

ZONES

RESIDENTIAL	GENERAL INDUSTRY
RESIDENTIAL BUSHLAND	LIGHT INDUSTRY
URBAN DEVELOPMENT	RURAL AGRICULTURE
COMMERCIAL	RURAL COMPOSITE
DISTRICT CENTRE	RURAL CONSERVATION
MIXED USE	RURAL LANDSCAPE INTEREST
SERVICE STATION	SPECIAL RURAL
SPECIAL USE	INDUSTRIAL DEVELOPMENT
PRIVATE CLUBS & INSTITUTIONS	

OTHER

R20 R CODES	SCA KALAMUNDA TOWN CENTRE DESIGN CONTROL AREA (SEE SCHEME TEXT)
AI ADDITIONAL USES	SU16 SPECIAL USE AREA (SEE SCHEME TEXT)
RI RESTRICTED USES	EC1 ENVIRONMENTAL CONDITIONS (SEE SCHEME TEXT)
SB SCHEME BOUNDARY	SC3 - SCA 20ANEF
LGB LOCAL GOVERNMENT BOUNDARY	SC4 - SCA 300M POULTRY FARM BUFFER
DA DEVELOPMENT AREA (SEE SCHEME TEXT)	NO ZONE

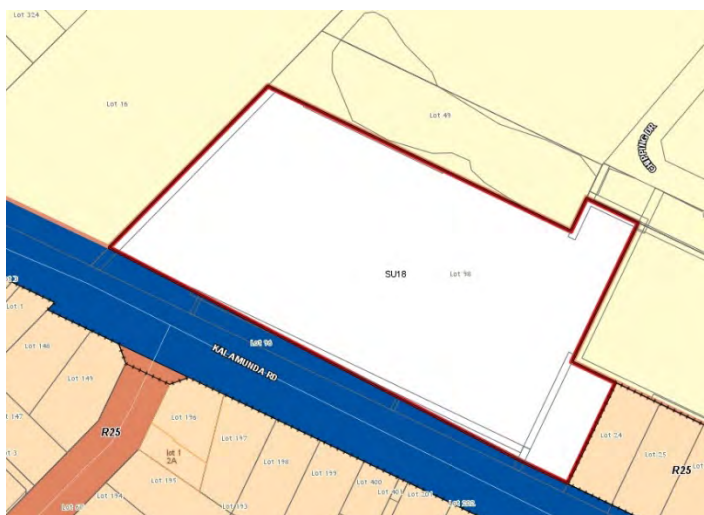
VERSION No 1

SHIRE OF KALAMUNDA
LOCAL PLANNING SCHEME NO. 3
(DISTRICT SCHEME)

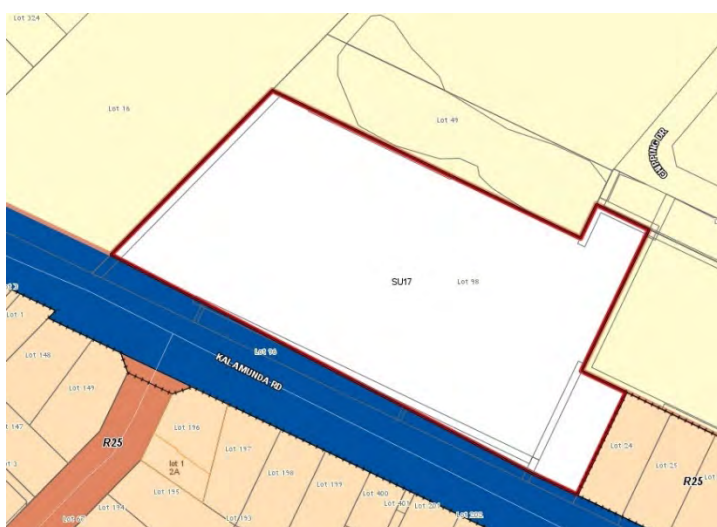
Attachment 15

Local Planning Scheme No. 3 Amendment – Modifications to Scheme Text

Existing and Proposed Scheme Zoning Map – Lot 98 (530) Kalamunda Road, High Wycombe



Existing Zoning: Special Use SU18



New Zoning: Special Use SU17

LEGEND

METROPOLITAN REGION SCHEME RESERVES

PARKS AND RECREATION	PRIMARY REGIONAL ROADS
RESTRICTED PUBLIC ACCESS	OTHER REGIONAL ROADS
RAILWAYS	PUBLIC PURPOSES - DENOTED AS FOLLOWS:
PORT INSTALLATIONS	HOSPITAL
STATE FORESTS	HIGH SCHOOL
WATER CATCHMENTS	TECHNICAL SCHOOL
CIVIC AND CULTURAL	CAR PARK
WATERWAYS	UNIVERSITY
	COMMONWEALTH GOVERNMENT
	STATE ENERGY COMMISSION
	SPECIAL USES
	WATER AUTHORITY OF WESTERN AUSTRALIA

LOCAL SCHEME RESERVES

LOCAL OPEN SPACE	
PUBLIC PURPOSES	
PUBLIC PURPOSES - DENOTED AS FOLLOWS:	
AC - AMUSEMENT	
AG - AGRICULTURE PROTECTION BOARD & CONSERVATION	
AM - ST. JOHN AMBULANCE	
AQ - AQUATIC CENTRE	
BS - BUS STATION	
CH - CHURCH	
CO - COUNCIL OFFICES	
CP - COMMUNITY PURPOSE	
EL - ELECTRICAL SUBSTATION	
EX - TELEPHONE EXCHANGE	
H - HALL / COMMUNITY CENTRE	
HOS - HOSPITAL	
K - KIDNEYDARTON	
LIB - LIBRARY	
MUS - MUSEUM	
PB - PUBLIC BUILDING	
POL - POLICE STATION	
PS - PRIMARY SCHOOLS	
WA - WATER TANK	

ZONES

RESIDENTIAL	GENERAL INDUSTRY
RESIDENTIAL RUSHLAND	LIGHT INDUSTRY
URBAN DEVELOPMENT	RURAL AGRICULTURE
COMMERCIAL	RURAL COMPOSITE
DISTRICT CENTRE	RURAL CONSERVATION
MIXED USE	RURAL LANDSCAPE INTEREST
SERVICE STATION	SPECIAL RURAL
SPECIAL USE	INDUSTRIAL DEVELOPMENT
PRIVATE CLUBS & INSTITUTIONS	

OTHER

R20 - R CODES	SCA-KALAMUNDA TOWN CENTRE
A1 - ADDITIONAL USES	DESIGN CONTROL AREA (SEE SCHEME TEXT)
R2 - RESTRICTED USES	SPECIAL USE AREA (SEE SCHEME TEXT)
SCB - SCHEME BOUNDARY	ENVIRONMENTAL CONDITIONS (SEE SCHEME TEXT)
LGB - LOCAL GOVERNMENT BOUNDARY	SC3 - SCA 30AREE
DA - DEVELOPMENT AREA (SEE SCHEME TEXT)	SC4 - SCA 300M POULTRY FARM BUFFER
	NO ZONE

VERSION No 1

SHIRE OF KALAMUNDA
LOCAL PLANNING SCHEME NO. 3
(DISTRICT SCHEME)

Local Planning Scheme No. 3 Amendment – Modifications to Scheme Text
Existing and Proposed Scheme Zoning Map – Lot 1 (31) Sanderson Road, Lesmurdie



Declaration of financial / conflict of interests to be recorded prior to dealing with each item.

53. Seven Multiple Dwellings – Lot 18 (49) Boonooloo Road, Kalamunda

Previous Items	Nil
Responsible Officer	Director Development Services
Service Area	Development Services
File Reference	BN-10/049
Applicant	Betterlife Wealth Builders
Owner	C and J Pettett
Attachment 1	Site Plan
Attachment 2	Elevations
Attachment 3	Floor Plans of Units 1 to 4
Attachment 4	Floor Plans of Units 5 to 7
Attachment 5	Overshadowing Diagram
Attachment 6	Local Housing Strategy – Kalamunda Centre
Attachment 7	Submission Table

PURPOSE

1. To consider a planning application to build seven multiple dwellings at 18 (49) Boonooloo Road, Kalamunda. Refer to **Attachments 1 to 5**.
2. As the use Multiple Dwellings is a use not listed under Table 1 (Zoning Table) of Local Planning Scheme No. 3 (Scheme) the application is required to be determined by Council.

BACKGROUND

3. Land Details:

Land Area:	967sqm
Local Planning Scheme Zone:	Residential R30
Metropolitan Region Scheme Zone:	Urban

Locality Plan

4.



5. The subject property contains a single dwelling and associated outbuildings which are to be removed.
6. The surrounding area is characterised by single and medium density residential uses.
7. The property falls within an area proposed to have a dual density of R30/R40 under the draft Local Housing Strategy (LHS). Refer to the Local Housing Strategy – Kalamunda Centre (**Attachment 6**).

DETAILS

8. Details of the application are as follows:
 - Three double storey residential buildings are proposed which contain seven units in total.
 - The buildings will be of brick construction and have steep pitched metal clad roofing.
 - The units are proposed to contain two bedrooms each with individual floor areas of between 69sqm and 70sqm.
 - Access to the dwellings is proposed via a common property which has been designed to accommodate vehicles entering and leaving the property in forward gear, and allow for the two way vehicle movement.
 - Spaces for seven cars are proposed on site for the tenants, and two spaces for visitors.
 - Four bicycle racks are proposed adjacent within the front setback area.
 - Storerooms, 4sqm in area, are proposed to be available for each tenancy.
 - A screened communal bin storage area is proposed.

STATUTORY AND LEGAL IMPLICATIONS

Local Planning Scheme No. 3

9. Under the Zoning Table (Table 1) of the Scheme the use “Multiple Dwellings” is a use not listed.
10. Clause 4.4.2 of the Scheme stipulates that where a use not listed is proposed, and cannot be reasonably determined as falling within the type, class or genus of activity of any other use category, the local government may:
 - a. Determine that the use is consistent with the objectives of the particular zone and is therefore permitted;
 - b. Determine that the use may be consistent with the objectives of the particular zone and therefore follow the advertising procedures of clause 9.4 in considering an application for planning approval; or

- c. Determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.
11. In considering an application for planning approval, Clause 10.2 of the Scheme (Matters to be Considered by Local Government) requires Council to have due regard to number of matters, including:
- The compatibility of the development within its settings.
 - The likely effect of the scale and appearance of the proposal.
 - Whether the proposed means of access and egress from the property are adequate.
 - Any State Planning Policy.
 - Any relevant submissions received on the application.
12. If Council refuses the development, or imposes conditions that are not acceptable to the applicant, there is a Right of Review (appeal) to the State Administrative Tribunal.

STRATEGIC PLANNING IMPLICATIONS

Local Planning Strategy

13. The Local Planning Strategy (LPS) recommends a population growth scenario of 25,000 to 30,000 by 2031.
14. Objectives of the LPS include providing appropriate density housing to:
- Support the Kalamunda town centre.
 - Provide a range of housing options.
 - Support activity centres such as the Kalamunda town site with appropriate housing.
 - Encourage compact housing within walking distance of the town centre and commercial hubs.

POLICY IMPLICATIONS

Residential Design Codes

15. An objective of the 2013 Residential Design Codes (R-Codes) is to facilitate residential development which offers residents the opportunities for different living choices and affordability.
16. Under Appendix 1 (Definitions) of the R-Codes, the use "Multiple Dwellings" is defined as:
- "A dwelling in a group of more than one dwelling on a lot where any part of a dwelling is wholly or predominantly vertically above part of any other."*
17. The R-Codes allow multiple dwellings to be considered on properties zoned Residential R30, which is a medium density coding.

18. Clause 2.5.4 of the R-Codes stipulates that a Council shall not refuse to grant approval to an application in respect of any matter where the application complies with the relevant acceptable development provision and the relevant provisions of the Scheme or a local planning policy.
19. The R-Code requirements for Multiple Dwellings on properties zoned Residential R30 are the following:

Site Requirements	Required	Proposed
Maximum Plot Ratio	0.5	0.49
Outdoor Living Areas	<p>Minimum area of 10sqm and a minimum dimension of 2.4m.</p> <p>The Design Principles allow for this to be varied subject to a balcony being provided which is capable of being used in conjunction with a habitable room.</p>	<p>All the balconies comply except for Unit 7 which has a dimension of 2.19m, but a balcony area of 10.7m.</p> <p>Access to the balcony is obtain from a habitable room, being a bedroom, and a corridor from a living room.</p>
Minimum Open Space	45%	53%
Primary street setback	4m or satisfy the Design Principles of the R-Codes.	4m
Side and rear setbacks (walls with major openings) Wall Height of up to 6m and Wall Length of 9m or Less	1.5m	1.5m
Side and rear setbacks (walls with no major openings) Wall Height of up to 3.5m and Wall Length of 9m or Less	Nil	Nil
Maximum Building Height:		
- Top of External Wall	6m	5.8m
- Top of Pitched Roof	9m	8.3m

Enclosed, lockable storage areas with a minimum dimension of 1.5m and an internal area of at least 4sqm for each multiple dwelling.	7 storerooms minimum	7
Visual privacy setbacks (where active habitable spaces have a floor area more than 0.5m above natural ground level):		
Bedrooms	4.5m or 1.6m high screening or fixed obscure glazing	4.6m
Balconies	7.5m or 1.6m high screening	1.6m high obscure glazed screening
Habitable rooms other than bedrooms	6m or 1.6m high screening or fixed obscure glazing	1.6m high window sills and fixed obscure glazing.
Overshadowing	On adjoining properties coded R30 to R40 inclusive – 35% maximum.	12.3%

20. The R-Code car parking requirements for Multiple Dwellings on properties zoned Residential R30, and not within 250m of a high frequency bus route, are the following:

Size of Dwelling	Required	Proposed
Small (up to 75sqm or 1 bedroom)	0.75 per dwelling = 5.25 car bays minimum	7 bays
Visitors	0.25 per dwelling minimum = 1.75 car spaces minimum	2 bay
Total:	7 bays	9 bays

Liveable Neighbourhoods

21. Liveable Neighbourhoods is a State Government sustainable cities initiative which aims to:
- Increase support for efficiency, walking and cycling.
 - Achieve more compact and sustainable urban communities.
 - To provide a variety of housing types to cater for the diverse housing needs of the community at a density that can ultimately support the provision of local services.
 - To improve personal safety through increased surveillance and activity.

COMMUNITY ENGAGEMENT REQUIREMENTS

22. The proposal was advertised for 14 days to nearby property owners for comment in accordance with Clause 9.4.1 and 9.4.3 of the Scheme. During the advertising period one non-objection and one submission which provided comment on the proposal were received. Refer to the Submission Table **Attachment 7**.

FINANCIAL CONSIDERATION

23. Nil.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

24. *Kalamunda Advancing: Strategic Community Plan to 2023*
- OBJECTIVE 4.3 - To ensure the Shire's development is in accord with the Shire's statutory and legislative obligations and accepted urban design planning standards.
- | | |
|----------------|--|
| Strategy 4.3.1 | Provide efficient building and development approval services to the community. |
| Strategy 4.3.5 | Incorporate best practice principles for designing out crime and encourage private developers and owners to do the same. |

SUSTAINABILITY

Social Implications

25. The proposal will provide for a different form of housing choice currently available in the locality, thus broadening the demographic profile of the area.

Economic Implications

26. Nil.

Environmental Implications

27. Nil.

RISK MANAGEMENT CONSIDERATIONS

28.

Risk	Likelihood	Consequence	Rating	Action/Strategy
Council may resolve not to support the proposal.	Possible	Insignificant	Low	Demonstrate to Council that the proposal is consistent with the Scheme and policy objectives in delivering housing choice to the kalamunda locality.

OFFICER COMMENT

29. The proposal complies with the Scheme and Liveable Neighbourhoods Policy requirements.
30. The only provision of the R Codes the proposal does not comply with is with regard to the minimum dimension of balconies, as the balcony for Unit 7 has a dimension of 2.19m in lieu of 2.4m. This is deemed acceptable as it satisfies the Design Principles of the R Codes as it can be used in conjunction with a habitable room, and the overall area of the balcony is in excess of the minimum allowed.
31. From a planning perspective the proposed development is considered to be appropriate for the locality for the following reasons:
- The R-Codes allow medium density development such as multiple dwellings to be considered on properties zoned Residential R30.
 - The development is providing for a different housing type within relatively close proximity to the Kalamunda town centre.
 - The development will also assist with accommodating the increase in local population and offer housing choice aside from single bedroom and aged person dwellings in the a location within walking distance of the Kalamunda Town Centre.
 - The built form of the development from a streetscape perspective is the same as a two storey single or grouped dwelling.
32. It is noted that Council has previously approved similar multiple dwelling developments nearby along Heath Road and Kalamunda Road. The move towards this form of housing suggests a demand for housing choice in and around the Kalamunda Town Centre.

33. Having regard to the above, it is recommended that the application be approved.

Voting Requirements: Simple Majority

OFFICER RECOMMENDATION (D&I 53/2014)

That Council:

1. Determines that the use is consistent with the objectives of the residential zone and is therefore permitted.
2. Approves the application dated 6 August 2014 to build 7 multiple dwellings at Lot 18 (49) Boonooloo Road, Kalamunda, subject to the following conditions:
 - a. The access way shall be suitably constructed, sealed and drained to the satisfaction of the Shire.
 - b. The crossover shall be designed and constructed to the satisfaction of the Shire.
 - c. Vehicle parking, manoeuvring and circulation areas to be suitably constructed, sealed, kerbed, line marked and drained to the satisfaction of the Shire.
 - d. The balcony screening, consisting of fixed obscure glazing, being maintained by the owner to the Shire's satisfaction.
 - e. The proposed landscaping being planted within 28 days of the proposed development's completion, and maintained thereafter by the landowner (Strata management group) to the satisfaction of the Shire.
 - f. Stormwater being contained on site to the satisfaction of the Shire.
 - g. The applicant making the necessary arrangements for a waste bin contractor to enter the property and service the receptacles from the designated bin storage enclosures.
 - h. The development shall be connected to reticulated sewer.
 - i. The external colour and material details of the proposed dwellings being provided to, and approved by the Shire prior to the building licence being issued.
 - j. A Construction Management Plan be prepared by the applicant addressing the following, but not limited to:
 - Construction Workers' Parking
 - Material's Delivery and Storage
 - Worker's Toilets

To the satisfaction of the Manager Development Services, prior to the issue of a Building Licence.

Moved:

Seconded:

Vote:

Seven Multiple Dwellings – Lot 18 (49) Boonooloo Road, Kalamunda Site Plan



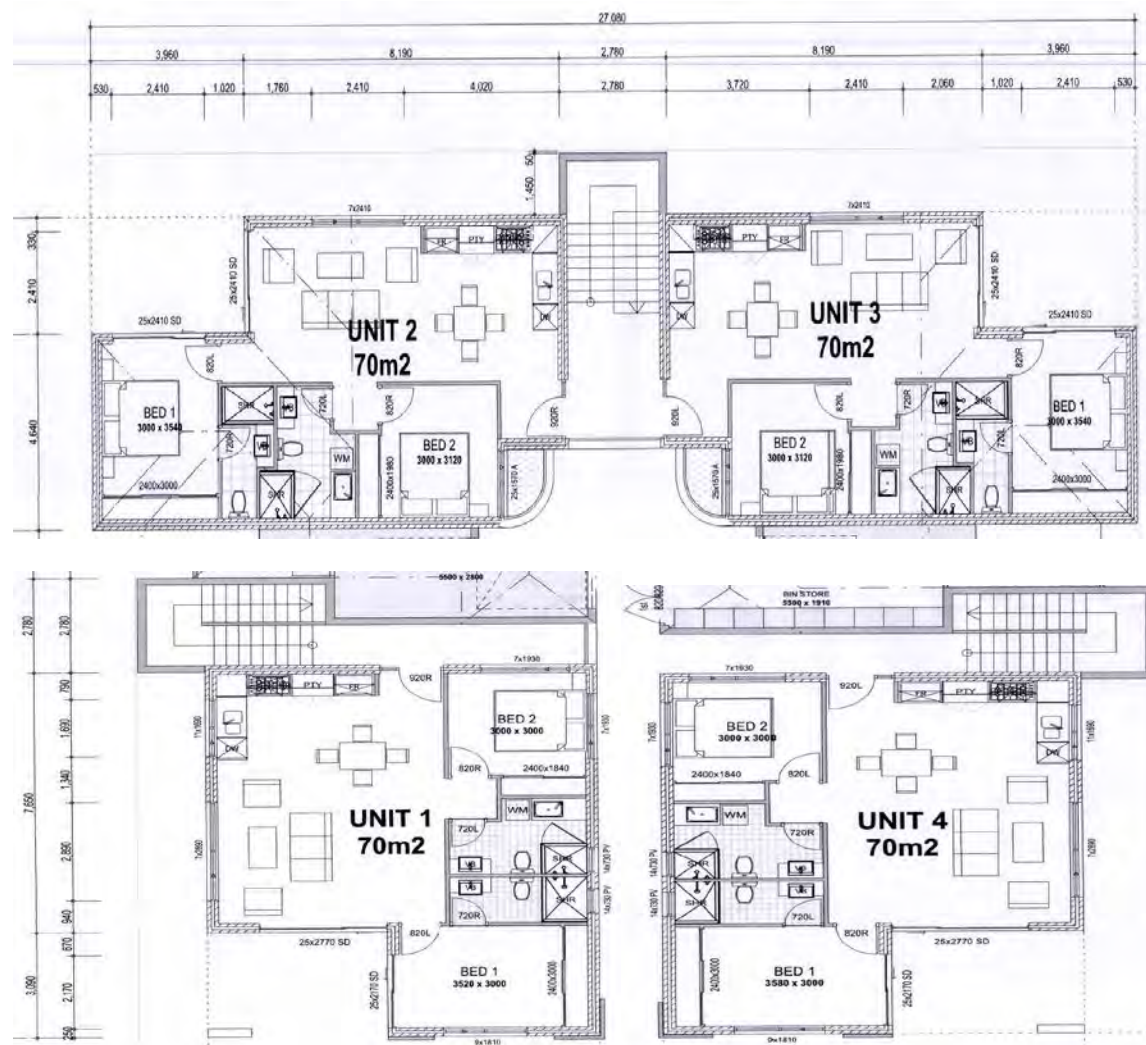
Attachment 2

Seven Multiple Dwellings – Lot 18 (49) Boonooloo Road, Kalamunda Elevations



Attachment 3

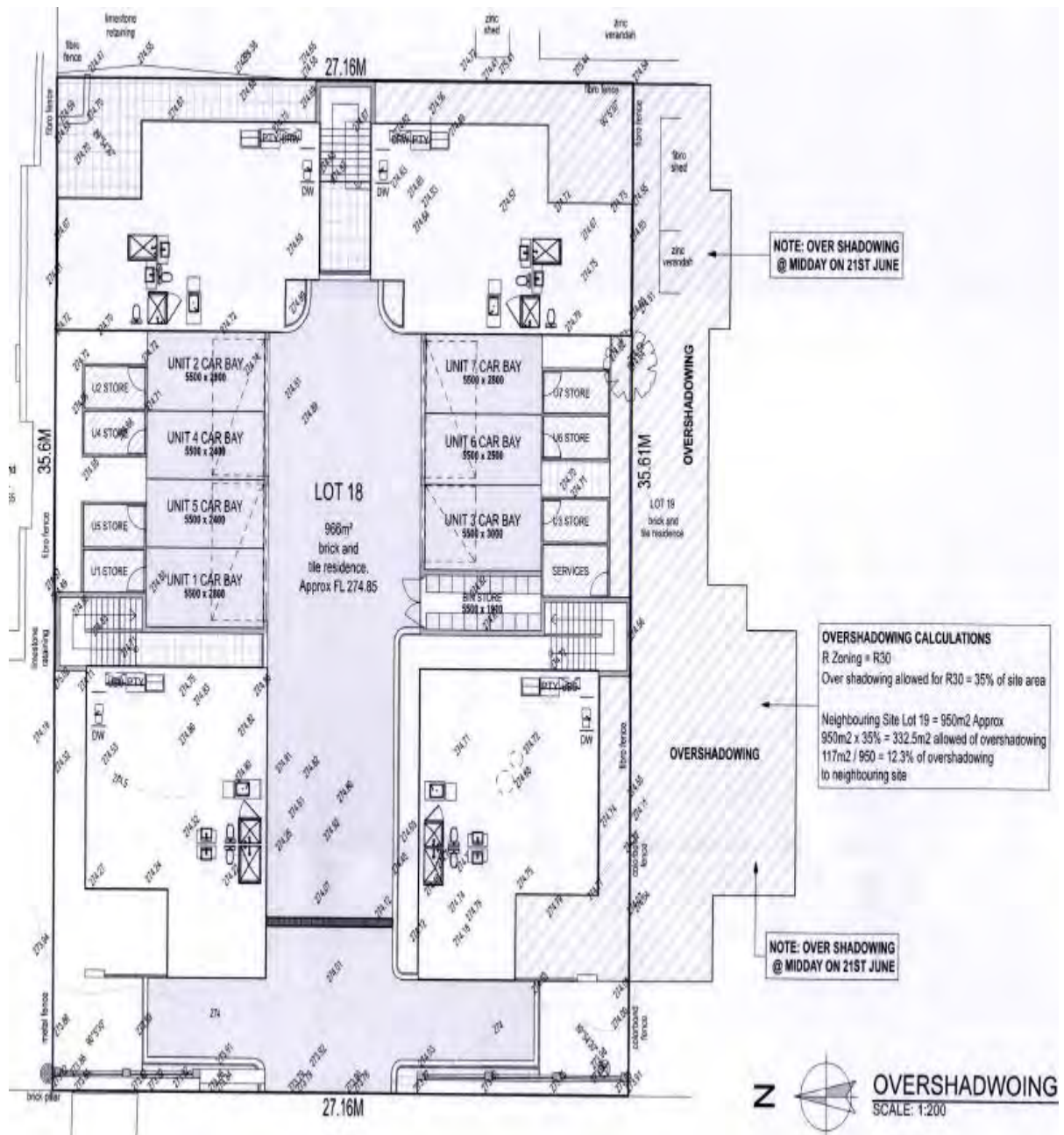
Seven Multiple Dwellings – Lot 18 (49) Boonooloo Road, Kalamunda
Floor Plans of Units 1 to 4



Seven Multiple Dwellings – Lot 18 (49) Boonooloo Road, Kalamunda
Floor Plans of Units 5 to 7



Seven Multiple Dwellings – Lot 18 (49) Boonooloo Road, Kalamunda



Seven Multiple Dwellings – Lot 18 (49) Boonooloo Road, Kalamunda
Local Housing Strategy – Kalamunda Centre



Attachment 7

Seven Multiple Dwellings – Lot 18 (49) Boonooloo Road, Kalamunda

Submission Table

Details		Comment	Staff Comment
1.	P Armaro 18 Recreation Road KALAMUNDA WA 6076	Comment on the proposal. a) No objection to the proposal but we wish to not have any upper storey windows to be looking into our property. b) We wish to know what is happening with the rear fence, whether it will be removed and at who's cost. Also during the construction phase whether any fencing will be erected for our security.	a) The proposal is compliant with the visual privacy provisions of the Residential Design Codes as windows on the upper floor will either have obscure glazing or a sill height of 1.6m above floor level. b) The applicant has advised that sections of the dividing fencing where boundary walls are proposed, will be taken down and replaced with temporary fencing during the construction phase. After the construction phase this will be replaced at the developer's expense. Any fencing removed or damaged during the construction phase will be replaced at the applicant's expense.
2.	S Still 20 Recreation Road KALAMUNDA WA 6076	No objection.	Noted.

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.

54. Proposed Lodging House – Lots 5, 87 & 1127 (75) Kalamunda Road, Kalamunda

Previous Items	Nil
Responsible Officer	Director Development Services
Service Area	Development Services
File Reference	KL-02/075
Applicant	Meyer Shircore & Associates Architects
Owner	Department of Housing
Attachment 1	Site Plan
Attachment 2	Submission Table

PURPOSE

1. To consider a planning application for a lodging house on Lots 5, 87 and 1127 (75) Kalamunda Road, Kalamunda. Refer to Attachment 1.

BACKGROUND

2. **Land Details:**

Land Area:	Lot 5 – 1,2141 m ² Lot 87 – 6,490 m ² Lot 1127 – 1,4569m ²
Local Planning Scheme Zone:	Lots 5 & 87 – Private Clubs and Institutions Lot 1127 – Residential R5
Metropolitan Region Scheme Zone:	Urban

Locality Plan

- 3.



4. The subject property contains a substantial Residential Building formally used as a nunnery commonly referred to St. Emillie's Convent. The site also contains associated outbuildings, landscaped areas and car parking. The bulk of the development is contained on Lot 1127.

5. Surrounding properties contain single dwellings and associated outbuildings.

DETAILS

6. Details of the application are as follows:
- It is proposed that the building be operated by the Esther Foundation, which is a not-for-profit organisation that provides residential health, personal development and leadership programs to young women. The Esther Foundation provides its intensive support programs in a structured, safe and supportive environment.
 - In 2010 the Esther Foundation made an approach to the Department of Housing to purchase the site, which would then be leased to the Foundation.

STATUTORY AND LEGAL IMPLICATIONS

Local Planning Scheme No. 3

7. Under the Zoning Table (Table 1) of the Scheme a Lodging House has the same meaning as given to the term in the *Health Act 1911* which is:

lodging-house means any building or structure, permanent or otherwise, and any part thereof, in which provision is made for lodging or boarding more than 6 persons, exclusive of the family of the keeper thereof, for hire or reward; but the term does not include —

- (a) premises licensed under a publican's general licence, limited hotel licence, or wayside-house licence, granted under the *Licensing Act 1911*; or
- (b) residential accommodation for students in a non-government school within the meaning of the *School Education Act 1999*; or
- (c) any building comprising residential flats.

8. Under Table One – Zoning Table, of the Scheme, a Lodging House is an "A" use in both the Residential and Private Clubs and Institutions zones. This means that the use is not permitted unless the Council has granted planning approval after notice has been given in accordance with clause 9.4 (public advertising).

9. The bulk of the development falls on land that is zoned Private Clubs & Institutions. Clause 4.2.5 (Objectives of the Zones - Other Zones) stipulates that the following are the Scheme objectives for the Private Clubs & Institutions zoning:

- To make provision for privately owned or operated schools, clubs, recreation facilities and similar uses.
- To make provision for privately owned or operated nursing homes,

retirement villages and a range of other residential uses which would be compatible with the type of non-residential uses mentioned above.

- To ensure that such uses have due regard and do not adversely impact upon adjoining land uses.

10. The Scheme car parking requirements for lodging houses are:

Scheme Car Parking Requirement	Required	Proposed
1 Bay per bedroom or 10 bays per 100m ² NLA, whichever is greater.	25 bedrooms 232sqm NLA = 25 bays minimum	27 bays existing.

11. In considering an application for planning approval, Clause 10.2 of the Scheme (Matters to be Considered by Local Government) requires Council to have due regard to number of matters, including:

- The compatibility of the development within its settings.
- The likely effect of the scale and appearance of the proposal.
- Preservation of the amenity of the locality.
- The relationship of the proposal to development on adjoining properties or on other properties in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal.

12. If Council refuses the proposal, or imposes conditions that are not acceptable to the applicant, there is a Right of Review (appeal) to the State Administrative Tribunal.

Municipal Heritage Inventory

13. The site is listed on the Shire's Municipal Heritage Inventory. The site is listed as Category C, which means the site is of moderate level of significance and that it should be retained and conserved if possible.

14. Under the draft Municipal Inventory review, which is currently being undertaken, the site is identified as having a moderate level of integrity and authenticity. The place has social value as many people have an association with the place as a hospital, guest house, convalescent home or convent.

15. As the proposal is for internal refurbishment only, it is considered that the heritage values of the site will not be compromised.

POLICY IMPLICATIONS

16. Nil

COMMUNITY ENGAGEMENT REQUIREMENTS

17. In accordance with clause 9.4 of the Scheme the proposal was advertised to nearby landowners for comment. At the conclusion of the advertising period, four submissions had been received, consisting of three objections and one non-objection. Refer to the submission table (Attachment 2).
18. In summary, the reasons for the objections include:
- The effluent disposal being sub-standard and failure of the disposal system resulting in effluent entering into Poison Gully.
 - The Buildings being unlikely to meet current Health and Building Code standards.
 - Parking being inadequate for the type of use proposed.
 - The nature of the use resulting in visitors to the premises who are anti-social.

FINANCIAL CONSIDERATION

19. Nil

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

20. *Kalamunda Advancing: Strategic Community Plan to 2023*
- OBJECTIVE 4.3 - To ensure the Shire's development is in accord with the Shire's statutory and legislative obligations and accepted urban design planning standards.
- | | |
|----------------|--|
| Strategy 4.3.1 | Provide efficient building and development approval services to the community. |
|----------------|--|

SUSTAINABILITY

Social Implications

21. The nature of the use and with alterations only being made to the internal layout of the existing buildings means that the proposal will have little impact on the amenity of those residing on surrounding properties.
22. The proposal will provide a safe environment and programs to enable young women to develop personally and professionally.

Economic Implications

23. The proposal will potentially create job opportunities for the local population.

Environmental Implications

24. To ensure there is no impact on Poison Gully Creek from the proposed development the applicant will be required to provide a suitable on site effluent disposal system as part of a separate process to the planning approval.

RISK MANAGEMENT CONSIDERATIONS

25.

Risk	Likelihood	Consequence	Rating	Action/Strategy
Council may resolve not to approve the application.	Unlikely	Minor	Low	Ensure Council is aware that the proposal is compliant with the Scheme and Health requirements.
The existing effluent disposal system failing and the subsequent environmental impacts on Poison Gully creek nearby.	Unlikely	Major	Low	If the application is approved by Council it will be a requirement that a new effluent disposal system that complies with the <i>Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulation 1974</i> must be installed.

OFFICER COMMENT

26. Alterations proposed to the building are only internal and there is an adequate amount of car parking bays available on site.
27. If Council approves the application a suitable on site effluent disposal system will be required to be provided and that will ensure there will be no impact on Poison Gully creek.
28. The purpose of the lodging house is to provide young women with a safe structured and supportive environment. The Esther Foundation will be responsible for persons attending the site.
29. Considering the above it is recommended that the application be approved by Council.

Voting Requirements: Simple Majority

OFFICER RECOMMENDATION (D&I 54/2014)

That Council:

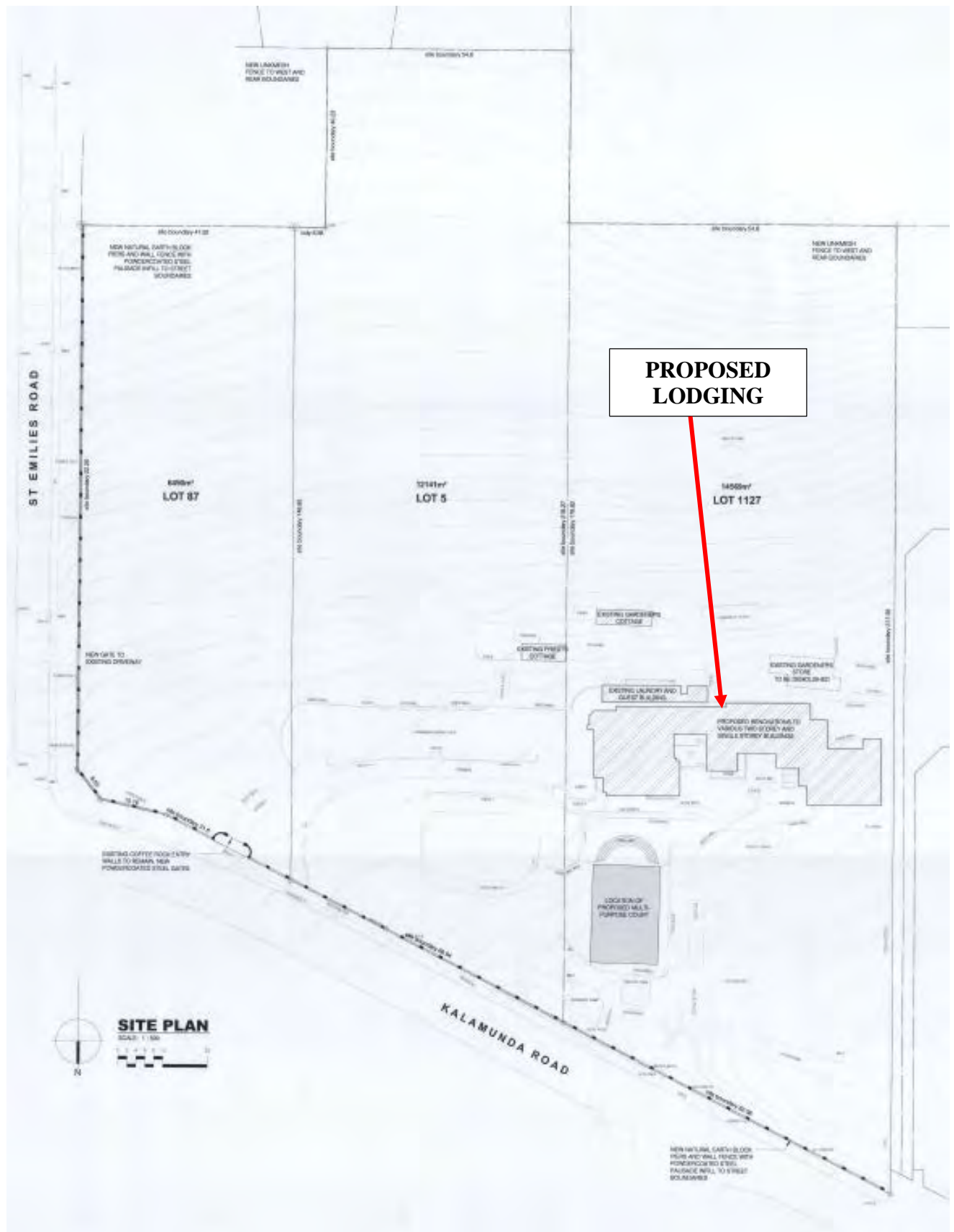
1. Approves the application dated 5 May 2014 for a lodging house at Lots 5, 87 and 1127 (75) Kalamunda Road, Kalamunda, subject to the following conditions:
 - a. The provision and maintenance of a total of 27 car spaces including a minimum of one disabled bay.
 - b. Parking bays in the car park are to be made available at all times for the parking of vehicles by employees and visitors.
 - c. All car parking bays, (un)loading bays and vehicle access ways being line marked, sealed and drained prior to the occupation of the building and maintained thereafter by the landowner to the satisfaction of the Shire.
 - d. A new effluent disposal system that complies with the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulation 1974* must be installed.

Moved:

Seconded:

Vote:

Proposed Lodging House – Lots 5, 87 & 1127 (75) Kalamunda Road, Kalamunda Site Plan



Attachment 2

Proposed Lodging House – Lots 5, 87 & 1127 (75) Kalamunda Road, Kalamunda

Submission Table

Details	Comment	Staff Comment
<p>1.</p> <p>V and Y Markovic 91 Kalamunda Road KALAMUNDA WA 6076</p>	<p>Objection.</p> <p>a) This property has been in the hands of the relevant interested parties for some 4 years and during this period it is our opinion that we have been deliberately kept in the dark. This request for our submission at this stage is purely sugar coating given that the proposal is clearly already well advanced.</p> <p>b) Whilst the Nuns were in residence at St Emilie's Convent it was evident to me having Poison Gulley creek run through my property, that effluent water was from time to time either leaking or being discharged into the creek from some source.</p> <p>c) Even with extensive renovations I doubt that they will meet the Shire's building requirements imposed on other developers.</p> <p>d) Given the fact that parking on the property is limited and that one could expect up to at least 50 cars per day coming and going from the property with visitors, medical and carer assistants, this</p>	<p>a) Despite the requisition of the site in 2010 the Shire has not required an application until 2014.</p> <p>b) If the application is approved by Council there will be a requirement that a suitable effluent disposal system be installed on site.</p> <p>c) Internal alterations will be required to meet the building requirements and will be dealt with at the building application stage if the planning application is approved by Council.</p> <p>d) The proposal complies with the car parking requirements of the Shire's Local Planning Scheme No. 3.</p>

		<p>is another area which will require close examination.</p> <p>e) The situation lends itself to a number of undesirable individuals coming into our current serene safe environment. By this I mean that it would not be unreasonable to expect “drug pushers, irate ex-partners” etc. coming into the area and causing trouble.</p>	<p>e) How this will be managed is the responsibility of the landowner, and is not something the Shire or Council has to have regard to when making its decision.</p>
2.	D Morey 82 Kalamunda Road KALAMUNDA WA 6076	<p>Objection.</p> <p>a) I have concerns that 45 young women in the one area will attract a considerable amount of unwelcome male attention.</p> <p>b) There is no mention of security for the young ladies or the surrounding public.</p>	<p>a) How this will be managed is the responsibility of the landowner, and is not something the Shire or Council has regard to when making its decision.</p> <p>b) How this will be managed is the responsibility of the landowner, and is not something the Shire or Council has regard to when making its decision.</p>
3.	A and G Adair 81 Kalamunda Road KALAMUNDA WA 6076	<p>Objection.</p> <p>a) We object to a planning process whereby the Government can purchase a building with the specific intention to lease it to the Esther Foundation for the purpose of community housing, and some four years later affected residents are given the opportunity to comment on this proposal.</p> <p>b) There is now, and never has been, any signage at St Emilee's itself to indicate what its fate might be.</p>	<p>a) Despite the requisition of the site in 2010 the Shire has not required an application until 2014.</p> <p>b) The application was advertised in accordance with clause 9.4 of the Shire's Local Planning Scheme No. 3. There is no statutory requirement for signage to be installed at the front of the property for such proposals.</p>

		<p>c) Is there an approved maximum number to be lodged.</p> <p>d) Is there a criteria for acceptance into the lodging house?</p> <p>e) Will this lodging house be subject to the usual requirements (i.e. inspections, Health Act)?</p> <p>f) Prior to the time of any re-registration, are affected residents again contacted for comment/objections?</p> <p>g) Given that there is not a police presence in Kalamunda, how safe will the general area be from anyone wanting to “peddle drugs, or alcohol, or from angry or abusive partners of the lodgers”?</p>	<p>c) The maximum number of persons able to be accommodated in the building will be assessed against the Health Act at the building application stage if the planning application is approved by Council.</p> <p>d) How this will be managed is the responsibility of the landowner, and is not something the Shire or Council has to have regard to when making its decision.</p> <p>e) If the planning and building applications are approved it will be a requirement that the premises being inspected by the Shire prior to the use commencing.</p> <p>f) Nearby residents will only be given the opportunity to provide comments again if the building is changed to another use which is required to be advertised under Local Planning Scheme No. 3.</p> <p>g) How this will be managed is the responsibility of the landowner, and is not something the Shire or Council has to have regard to when making its decision.</p>
4.	C Hancock 3 St Emilies Road KALAMUNDA WA 6076	No objection.	Noted.

Declaration of financial / conflict of interests to be recorded prior to dealing with each item.

55. Fast Food Outlet - Lots 25 (516) and 26 (514) Kalamunda Road, High Wycombe

Previous Items	OCM 55/2014
Responsible Officer	Director Development Services
Service Area	Development Services
File Reference	KL-02/514 and KL-02/516
Applicant	Urbis
Owner	Shire of Kalamunda, P Munro

Attachment 1	Site Plan
Attachment 2	Landscaping Plan
Attachment 3	Internal Floor Plan
Attachment 4	Front (Kalamunda Road) Elevation
Attachment 5	Rear Elevation
Attachment 6	East (Chipping Drive) Elevation
Attachment 7	West Elevation
Attachment 8	Proposed Signage Details

PURPOSE

To consider a planning application to build a fast food outlet at Lots 25 (516) and 26 (514) Kalamunda Road, High Wycombe. Refer to (Attachments 1 to 8).

BACKGROUND

1. Land Details:

Land Area:	2,024sqm
Local Planning Scheme Zone:	Commercial
Metropolitan Region Scheme Zone:	Urban



2. The existing dwelling, associated structures and vegetation on Lot 25 are to be removed. Lot 26 is currently owned by the Shire and is vacant.
3. Under a deed of agreement with the purchaser of Lot 26, the Shire has agreed to the following:

"Prior to settlement under the Contract the Shire will at the written request of Seldon sign applications to rezone the Property to "commercial" so as to permit fast food and for development approval for the property in relation to change of use for fast food and construction of a fast food store and ancillary infrastructure."
4. The adjoining properties contain the High Wycombe Shopping Centre and associated car parking. A single dwelling exists on Lot 24 which is currently proposed to be retained.
5. A 3.8m section of Kalamunda Road adjacent to the subject site is identified for the purpose of road widening. The ceding of the land for road widening will be addressed when the lots are amalgamated.
6. In April 2014, Council resolved (En Bloc Resolution OCM 55/2014) to adopt Amendment No. 62 to Local Planning Scheme No. 3 ("Scheme") which proposed to rezone Lots 24, 25 and 26 from Residential to Commercial.
7. In August 2014, the Minister for Planning approved the amendment.

DETAILS

8. Details of the application are as follows:
 - A fast food outlet is proposed to be built which is to be occupied by Hungry Jacks.
 - A total of 14 car parking bays are proposed to be available for the proposed development.
 - The fast food outlet is proposed to contain seating for 48 persons and include a drive through facility towards the northern boundary adjacent to the car parking associated with the High Wycombe Shopping Centre.
 - Shade trees are proposed within the car parking area and both street frontages are to be landscaped, including the area affected by the proposed road widening.
 - The proposed crossover from Kalamunda Road will allow for entry only for traffic travelling in an eastward direction, whereas the proposed crossover onto Chipping Drive will allow for entry and exit for traffic travelling in both directions.
 - Signage is proposed in the form of an illuminated pylon sign, two illuminated direction signs onsite, three illuminated logo signs, two illuminated menu board signs, two letterset signs, and one height limit bar sign.

- The layout of the proposed development has been designed so as to allow for vehicles to enter and exit in forward gear, and also so that commercial vehicles making deliveries can do so without obstructing the drive through facility and/or pedestrians, and/or impeding parked vehicles.
- A Traffic Impact Assessment provided as part of the application concludes:
 - a) The provision of a left-in access only on Kalamunda Road is the best possible design for this location.
 - b) The adjoining roads have sufficient capacity to cater for the additional traffic generated by the proposal.

STATUTORY AND LEGAL IMPLICATIONS

Local Planning Scheme No. 3

9. Clause 4.2.3 (Objectives of the Zones – Commercial) of the Scheme stipulates that the following are objectives of the Commercial zoning:
 - To serve the needs of a localised area in providing for local shopping facilities, business, professional, civic, cultural, medical and other health related services.
 - To ensure that development is designed to be compatible with nearby uses and zones particularly residential zones.
10. Table 1 (Zoning Table) of the Scheme stipulates that the use Fast Food Outlet is a permitted use on properties zoned Commercial.
11. Under Table 2 (Site Requirements) of the Scheme, the following provisions apply to properties zoned for commercial purposes:

	Scheme Requirement	Proposed
Front Setback	15m minimum from Kalamunda Road	21.6m
Minor Street Setback	3m minimum from Chipping Drive	11.2m
Side Setback	0m	13.8m
Rear Setback	0m	6.9m
Site Coverage	60% Maximum	39%

12. The Scheme car parking requirements for the use Fast Food Outlet are the following:

Car Parking Requirement	Required	Proposed
Fast Food Outlet	10 bays per 100sqm net lettable area (NLA). Minimum of 6 bays (excluding drive through). 172sqm NLA = 17 bays minimum	14
Total:	17	14

13. Clause 5.8.2 of the Scheme stipulates that Council may, at its discretion, apply a greater or lesser requirement for parking than that stipulated in the Scheme, if the proposed use is likely to demand a greater or lesser need for car parking bays, having regard to the scale and nature of the intended use.
14. Clause 5.8.3 (Reciprocal Parking) of the Scheme stipulates that the Shire may vary the parking requirements when it is considered reasonable to do so by the recognition of reciprocal arrangements for parking or access or circulation. In making its decision on application for such recognition, the Shire is to take into consideration the following matters:
- (i) *“the nature of the proposed development in relation to the existing or future development of any land within the immediate vicinity of the subject land;*
 - (ii) *the hours of normal operation of the intended use and abutting land uses;*
 - (iii) *any such matters as the local government considers relevant, including any legal agreements between affected landowners.”*
15. In considering an application for planning approval, Clause 10.2 of the Scheme (Matters to be Considered by Local Government) requires Council to have due regard to number of matters, including:
- The compatibility of the development within its settings.
 - The likely effect of the scale and appearance of the proposal.
 - Whether the proposed means of access and egress from the property are adequate.
 - Any State Planning Policy.
 - Any relevant submissions received on the application.

16. If Council refuses the development, or imposes conditions that are not acceptable to the applicant, there is a Right of Review (appeal) to the State Administrative Tribunal.

POLICY IMPLICATIONS

Local Planning Policy DEV41 – Framework for assessing requests for variations to the number of car parking bays.

17. Local Planning Policy DEV41 – Framework for Assessing Requests for Variation of the Number of Car Parking Bays stipulates that a reduction in parking will only be considered by Council and not under delegation.

Liveable Neighbourhoods (January 2009)

18. *Liveable Neighbourhoods (January 2009)* is an integrated planning and assessment policy to assist with the design and assessment of structure and subdivision plans to guide urban development within metropolitan and regional Western Australia.
19. The Policy requires commercial uses to be integrated into central locations to provide improved environmental, economic and social outcomes.

Directions 2031 and Beyond

20. *Directions 2031 and Beyond* is a high level strategic plan that establishes a vision for future growth of the Perth metropolitan area.
21. The objectives of which include the following:
- Ensuring that economic development and accessibility to employment inform urban expansion.

COMMUNITY ENGAGEMENT REQUIREMENTS

22. There is no statutory requirement for the proposal to be advertised.
23. Under the Metropolitan Region Scheme the section of Kalamunda Road adjacent to the properties is an 'Other Regional (Blue) Road Reserve' which is under the control of the Shire and therefore the proposal was not required to be referred to Main Roads WA for comment.

FINANCIAL CONSIDERATION

24. Nil.

STRATEGIC COMMUNITY PLAN

Strategic Planning Alignment

25. *Kalamunda Advancing: Strategic Community Plan to 2023*

OBJECTIVE 4.1 - To ensure the Shire's development is in accord with the Shire's statutory and legislative obligations and accepted urban design planning standards.

Strategy 4.3.1 Provide efficient building and development approval services to the community.

SUSTAINABILITY

Social Implications

26. Activities conducted on site would be required to comply with the *Environmental Protection (Noise) Regulations 1997*

Economic Implications

27. Approval of the fast food outlet will provide more employment opportunities for the local population. The Shire as owner of lot 26 (514) Kalamunda Road should receive the proceeds of sale should the application go ahead.

Environmental Implications

28. Nil.

RISK MANAGEMENT CONSIDERATIONS

29.

Risk	Likelihood	Consequence	Rating	Action/Strategy
Council may resolve to not support the proposal.	Possible	Insignificant	Low	Ensure Council is aware that the proposal is considered an appropriate use in the proposed location and the shortfall in the required amount of car parking is considered insignificant considering the nature of the activity.

OFFICER COMMENT

30. The proposal is compliant with Policy and the Scheme with the exception of the car parking requirements.
31. The shortfall of three (3) car parking bays on site is considered acceptable on the following grounds:

- The proposal includes a drive through facility meaning that not all visitors to the premises will make use of the car bays.
 - The section of Kalamunda Road adjacent to the properties is a high frequency bus route and a bicycle route.
 - Despite there being no legal agreement for their use by those visiting the proposed fast food outlet, car parking bays exist on the adjoining property for the High Wycombe Shopping Centre. The peak hours of operation for which would differ in some circumstances to that of the proposed fast food outlet.
 - A Traffic Impact Assessment provided as part of the application does not highlight the shortfall in the required amount of car parking as being of concern.
32. From a planning perspective, it is considered that the proposal will have no significant impact on the amenity of the area given its scale, appearance, layout and purpose. This includes any potential impact it may have on those residing on Lot 24 in the short term.
33. Concerns exist regarding the access arrangements to the property in terms of vehicles entering from Kalamunda Road, and also being able to turn right onto Chipping Drive. If Council approves the application it will be a requirement that a modified site plan be provided showing alternative access arrangements.

Voting Requirements: Simple Majority

OFFICER RECOMMENDATION (D&I 55/2014)

That Council:

1. Approves the application dated 14 April 2014 to build a fast food outlet at Lots 25 (516) and 26 (514) Kalamunda Road, High Wycombe, subject to the following conditions:
 - a. The access ways and left slip lane shall be suitably constructed, sealed and drained to the satisfaction of the Shire.
 - b. Vehicle parking, manoeuvring and circulation areas, except for the overflow area, to be suitably constructed, sealed, kerbed, line marked and drained to the satisfaction of the Shire.
 - c. The provision and maintenance of a total of 14 car spaces including a minimum of (1) disabled car bay. All car parking and vehicle access ways being line marked, sealed and drained prior to the occupation of the building and maintained thereafter.
 - d. The proposed landscaping being planted within 28 days of the proposed development's completion, and maintained thereafter by the landowner to the satisfaction of the Shire.
 - e. All stormwater to be managed to the satisfaction of the Shire.

- f. The development shall be connected to reticulated sewer.
- g. A geotechnical report being submitted prior to the issue of a building licence detailing site conditions, particularly in respect to soil and groundwater and stormwater disposal by soakage (Clearance, quantity, soil permeability and location and size of soakwells).
- h. The lots being amalgamated prior to the building licence being issued.
- i. A modified site plan showing alternative access arrangements being submitted to and approved by the Shire prior to the fast food outlet operating.

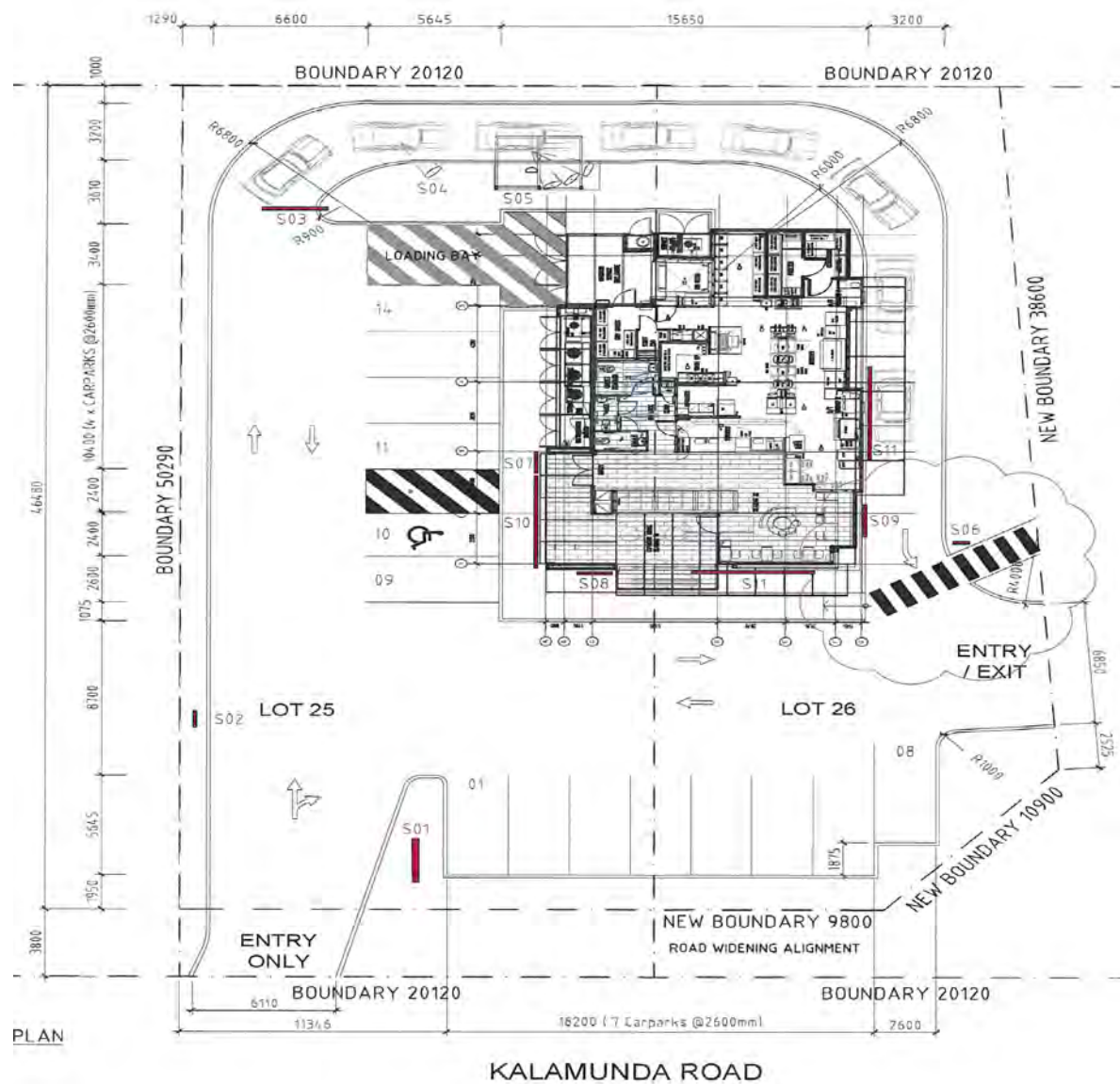
Moved:

Seconded:

Vote:

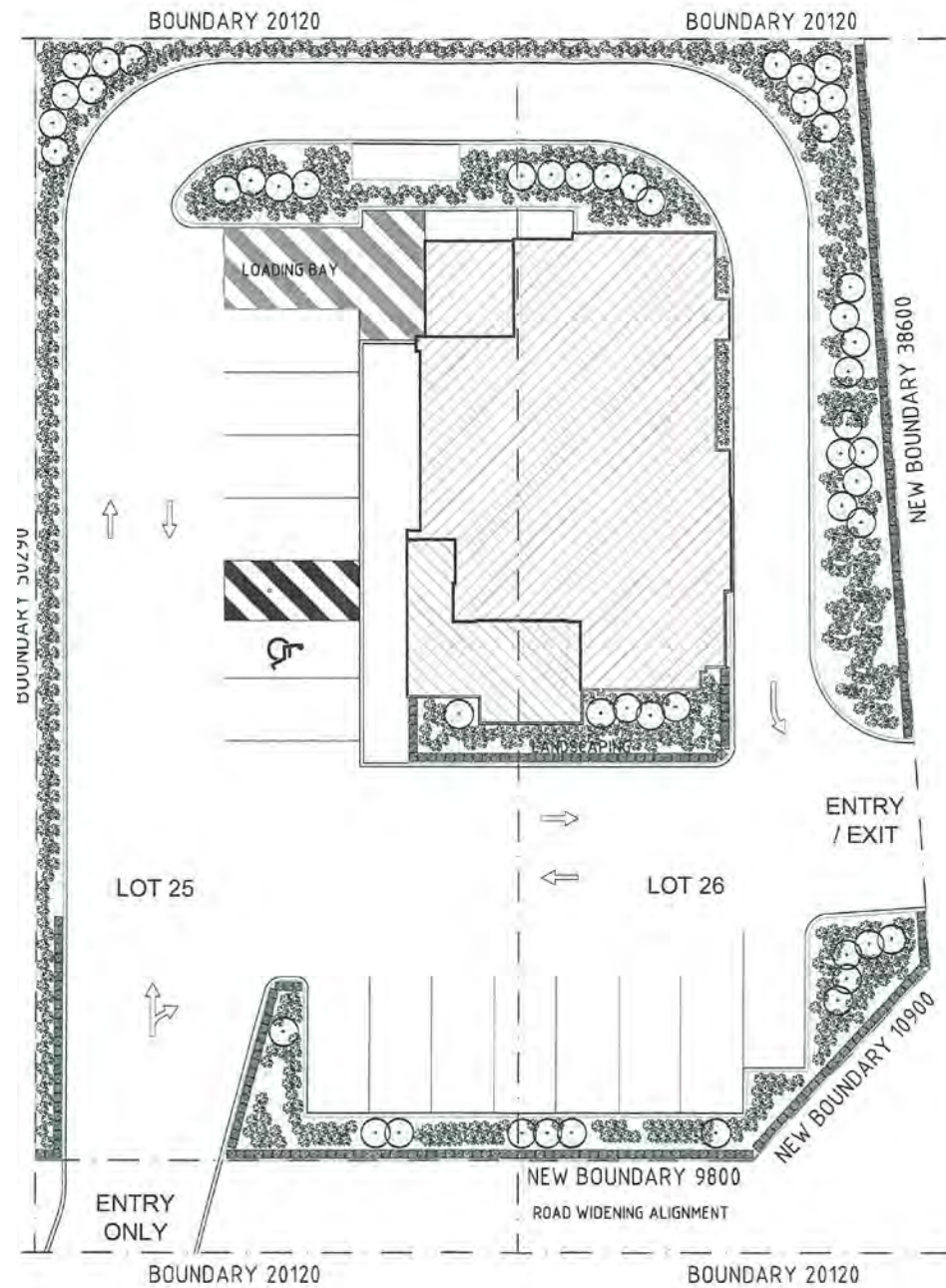
Attachment 1




Fast Food Outlet - Lots 25 (516) and 26 (514) Kalamunda Road, High Wycombe Site Plan



Attachment 2

Fast Food Outlet - Lots 25 (516) and 26 (514) Kalamunda Road, High Wycombe Landscaping Plan



CODE	SCIENTIFIC NAME	COMMON NAME	QTY	POT SIZE (ltr)	SPACING	MAINTAINED HEIGHT
	MURRAYA PANICULATA DWARF	MURRAYA MIN-A-MIN	265	5ltr	450mm	450mm
	ROSEMARINUS OFFICINALIS	ROSEMARY BLUE LAGOON	755	5ltr	750mm	700mm
	AGAVE ATTENUATA	CENTURY PLANT	50	25ltr	1m	1.2m

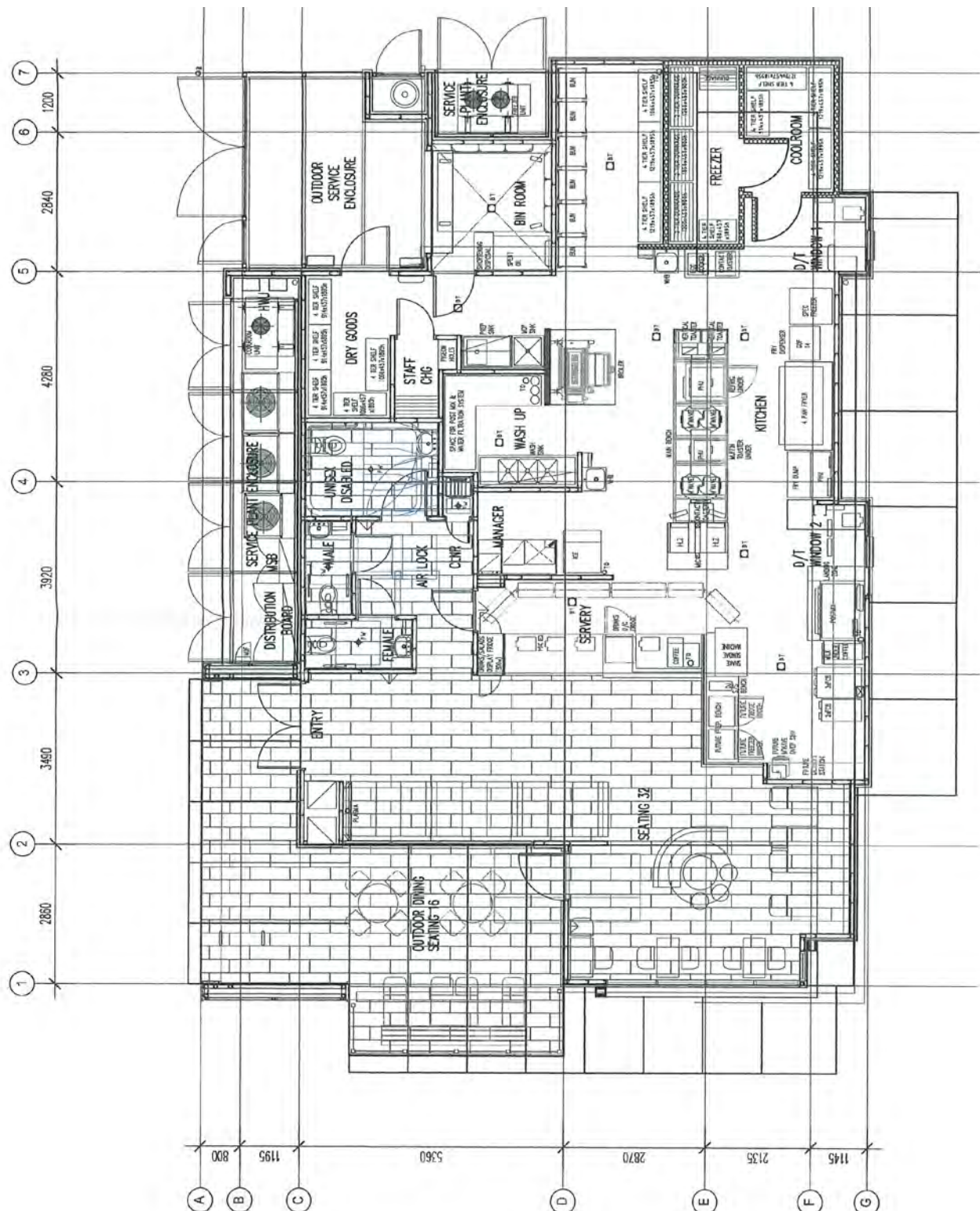
LANDSCAPE SCHEDULE

KALAMUNDA ROAD

Attachment 3

Fast Food Outlet - Lots 25 (516) and 26 (514) Kalamunda Road, High Wycombe

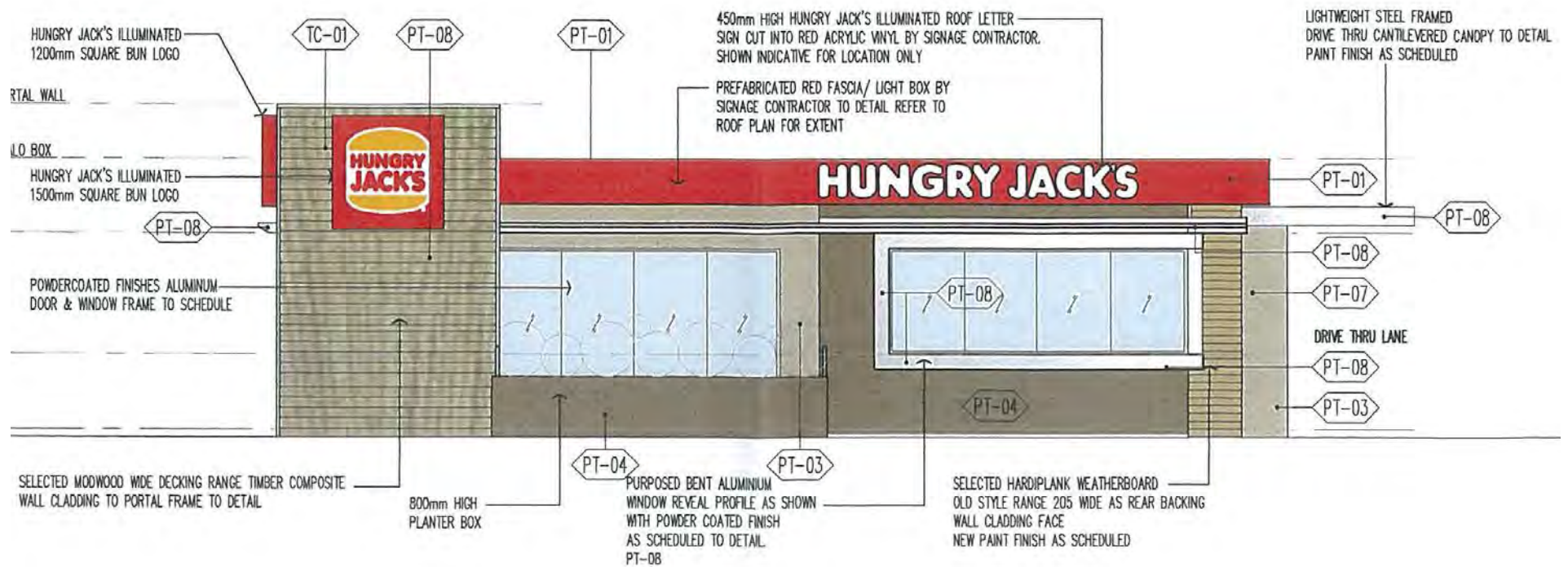
Internal Floor Plan



Attachment 4

Fast Food Outlet - Lots 25 (516) and 26 (514) Kalamunda Road, High Wycombe

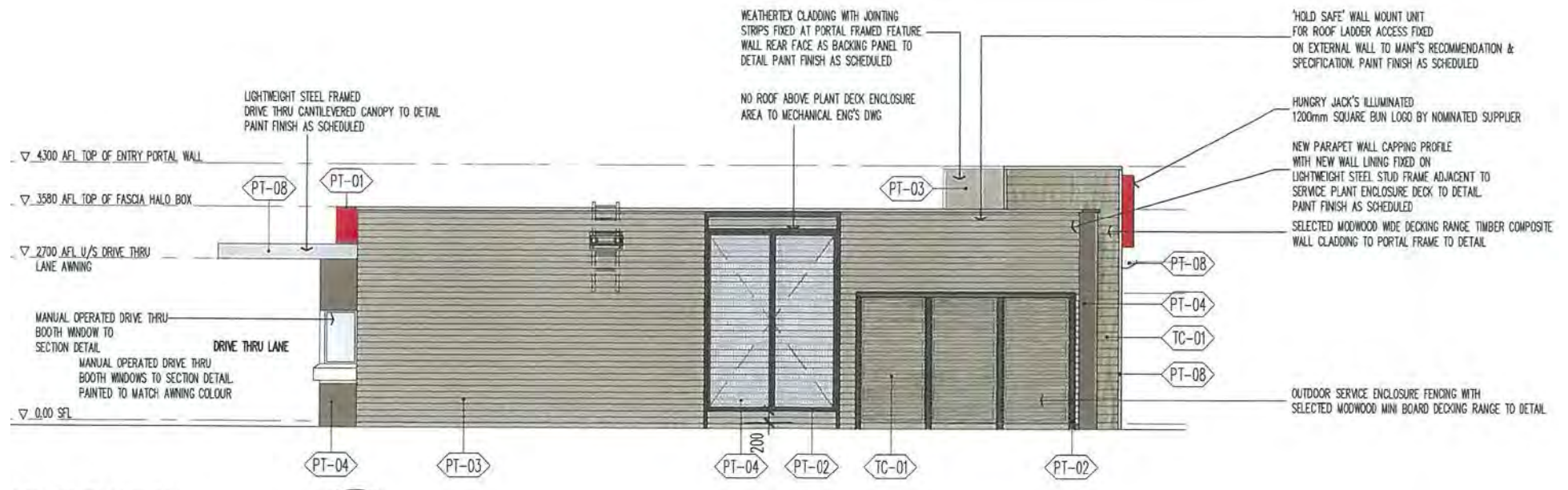
Front (Kalamunda Road) Elevation



Attachment 5

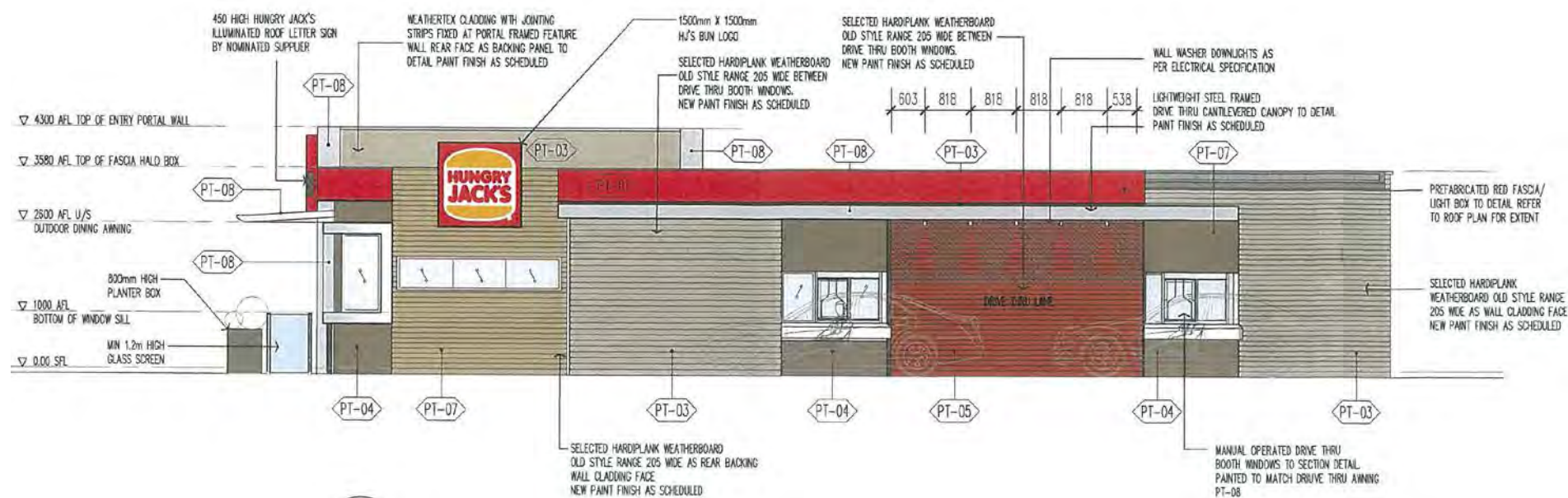
Fast Food Outlet - Lots 25 (516) and 26 (514) Kalamunda Road, High Wycombe

Rear Elevation



Attachment 6

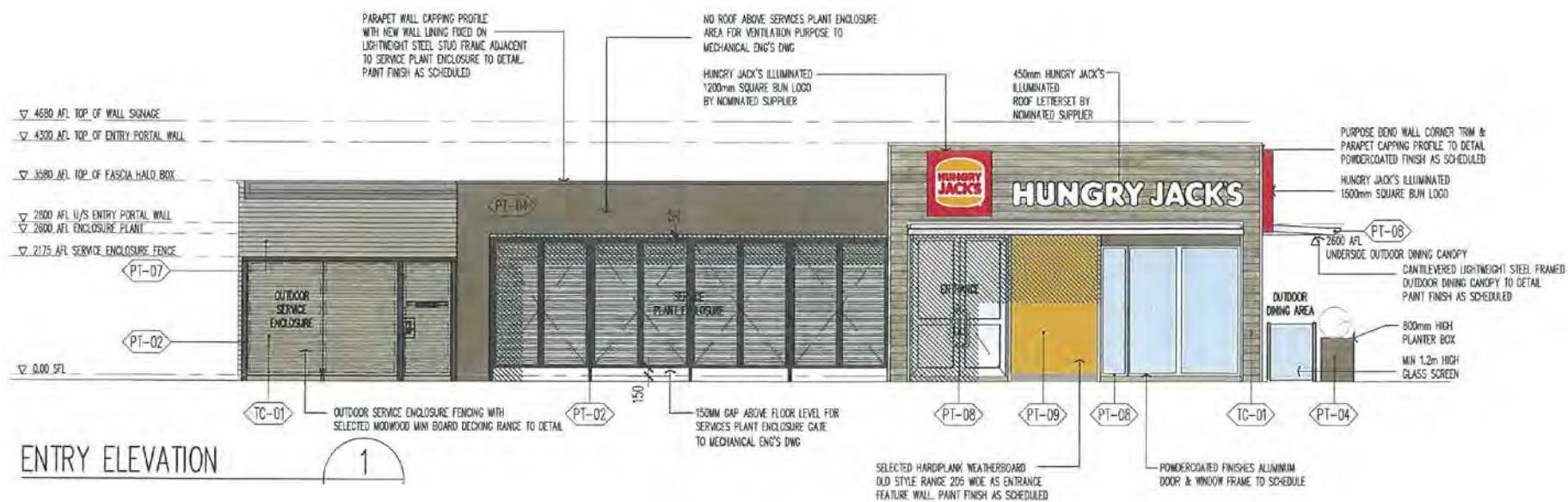
Fast Food Outlet - Lots 25 (516) and 26 (514) Kalamunda Road, High Wycombe
East (Chipping Drive) Elevation



Attachment 7

Fast Food Outlet - Lots 25 (516) and 26 (514) Kalamunda Road, High Wycombe

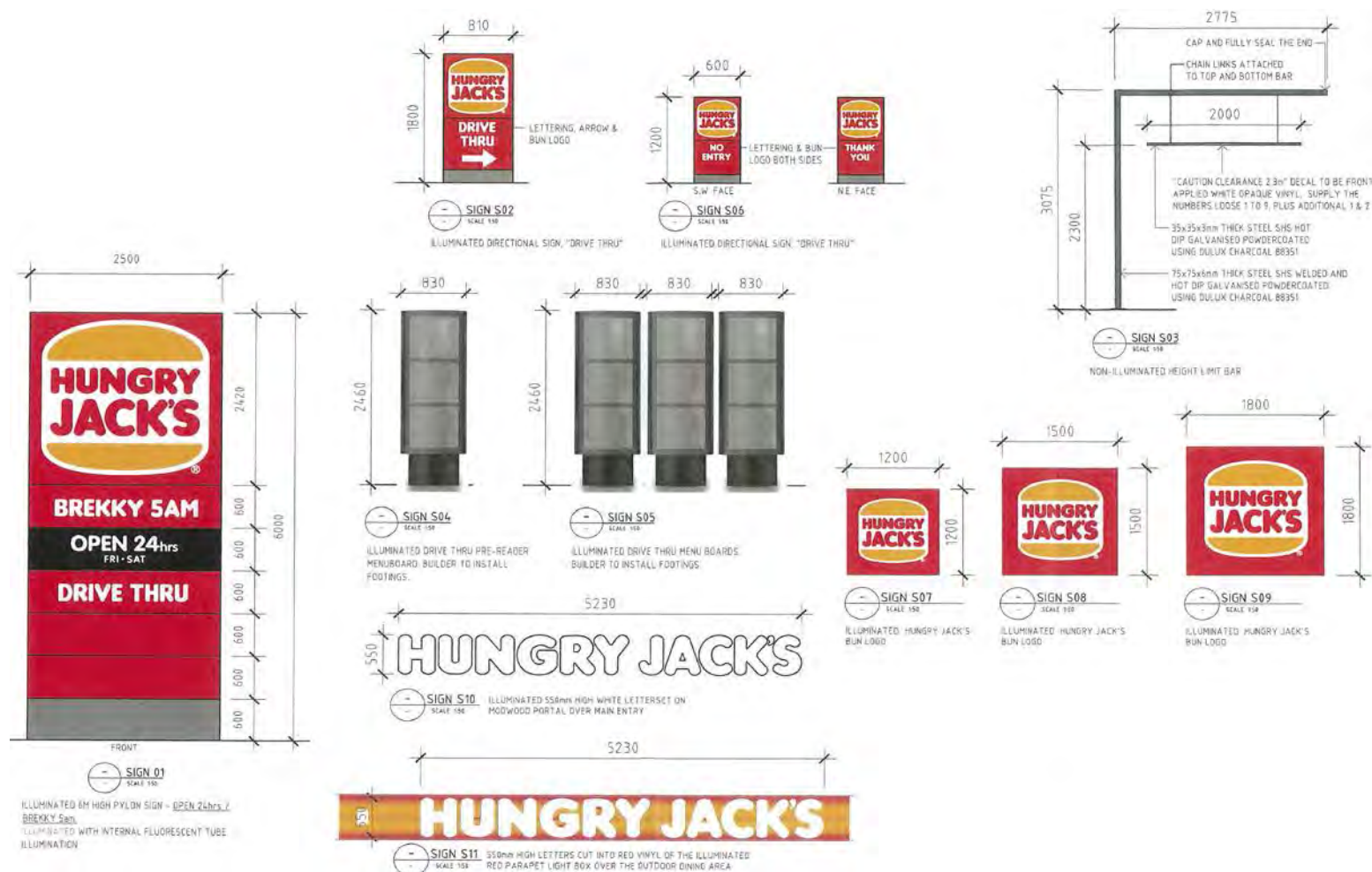
West Elevation



Attachment 8

Fast Food Outlet - Lots 25 (516) and 26 (514) Kalamunda Road, High Wycombe

Proposed Signage Details



CONFIDENTIAL REPORT

Local Government Act 1995 S5.23 (d) (c) – “a contract entered into, or which may be entered into, by the local government which relates to a matter to be discussed at the meeting.”

56. Report on the Provision of Road Construction Services

Previous Items

Responsible Officer Director Infrastructure Services

Service Area Infrastructure Operations

File Reference

Applicant N/A

Owner N/A

Attachment 1 Schedule of Works 2014/15

Provided under separate cover.

- 10.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

- 11.0 QUESTIONS BY MEMBERS WITHOUT NOTICE**

- 12.0 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

- 13.0 URGENT BUSINESS APPROVED BY THE PRESIDING MEMBER OR BY
 DECISION**

- 14.0 MEETING CLOSED TO THE PUBLIC**

- 15.0 CLOSURE**