

Amendment 108 to Local Planning Scheme No. 3 - Proposed Rezoning of Lot 32 (4) Kirkdale Road and Lot 33 (4) Orange Valley Road, Kalamunda

SUBMISSION TABLE

Submitter No.	Comment	City Response	Applicant Response
1	Support Good idea	Noted	
2	Support Lot 23 (1) Kirkdale Road, Kalamunda has already a connection to the deep sewer, installed at my own expense. Can this now be included in this amendment? Water Corporation plan available.	<p>It is noted the submitter would need to provide the necessary supporting information, seek agreement from the proponent and then the City would re-advertise the proposal. The City provided the applicant with the submitters request to be included in the amendment and the applicant advised they would not be willing to include the submitter's land in the amendment proposal.</p> <p>Notwithstanding the above comments, there is planning merit in including the property in the amendment given the previous exclusions in the</p>	<p>We consider it inappropriate at this significantly progressed point in the planning process to include another lot in the proposed amendment.</p> <p>The process required to make a change at this point would have significant time impacts as well as direct and indirect costs on the applicants. The applicants have, in good faith, prepared and lodged the scheme amendment, in consultation with the City and in accordance with the relevant planning requirements. This involved preparing specialist reports specifically relevant to the subject site and engagement with various authorities regarding the provision of</p>

		<p>scheme amendment for dual density were predominantly based on the ability to connect to sewer and the property satisfies this requirement through the existing connection. Additional considerations should also be given to the impact of a spot zoning outcome, with Kirkdale Road and McNess Road predominately zoned R10 with the exception of the lots subject to this amendment and the two lots fronting Cotherstone Road within the residential block.</p>	<p>services for any future lots, specifically sewer.</p> <p>This application was lodged with the City in September 2021 and adding another lot at this point in the process is not appropriate. The owner of Lot 23 could undertake the same process and the applicants would be supportive of this if it was to occur.</p>
<p>3</p>	<p>Do Not Support Strongly opposed to this application. Kalamunda, once called Home in the Forest, is becoming an urban sprawl. There appears to be no end to the infilling and sub dividing and this has to stop. We purchased a property in Kirkdale Road thinking it was a nice, quiet road, since then we have been subjected to a two storey house being built next to us, totally overlooking our home and outdoor area. This area is not suitable for multiple dwellings, surely there are enough in Brooks Street and Central Road to name a couple. Any further development in this area is quite unnecessary and will only cause an increase in traffic and disruptions to residents. Please do not allow this amendment to be passed.</p>	<p>The City has progressed rezoning within higher densities to accommodate future growth within the Perth metropolitan area. The increased densities are in line with the City's obligations to the strategic planning framework, including <i>North-East Sub-Regional Planning Framework</i>, which sets out an urban infill dwelling</p>	<p>The City of Kalamunda initiated the Local Housing Strategy (approved in 2014). The intent of this document was to provide a rationale and careful strategy for housing density in the City at locations around services and town centres. This process has occurred and resulted in the development of the dual density codes implemented through amendment 82. The</p>

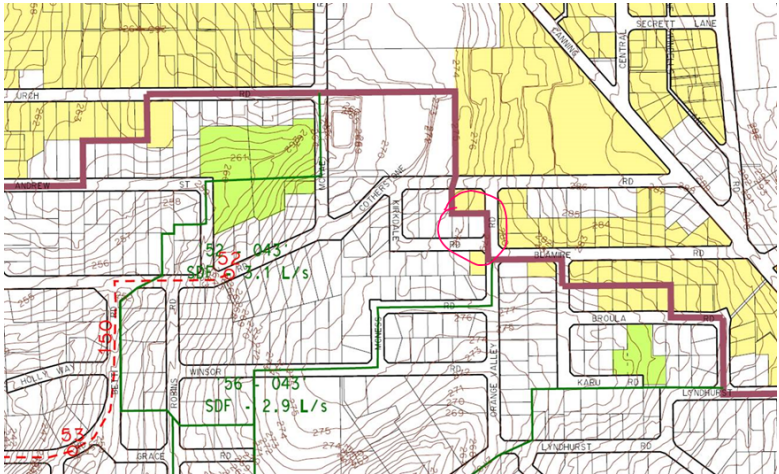
		<p>target of 11,450 dwellings within the City of Kalamunda. Providing infill opportunities will help enable urban growth and maximise existing infrastructure and minimise environmental impacts, particularly on remnant vegetation within the metropolitan region.</p> <p>The comments regarding the change in character cause by infill developments are noted.</p> <p>The City has recently finalised a local planning policy (<a href="#">LPP33</a>) to reduce the removal of trees, and where unavoidable, offset the loss to maintain and re-establish tree canopy cover. The policy will primarily apply to the subject lots where trees are to be removed without an exemption or residential development.</p> <p>The additional tree planting requirements</p>	<p>further investigation of lots 32 and 33 has demonstrated that these lots achieve the requirements of the dual coding as outlined in clause 5.24 of the scheme and further detailed in local planning policy 9, the amendment reflect this outcome. The intent of the strategy and the dual coding amendment was to facilitate increased density in suitable location making use of the existing services and therefore reducing the requirement for additional urban spawl. The City Planning Strategy indicates that there is anticipated to be an additional 20,000 residents in the City by 2031. The local planning strategy seeks to accommodate the additional population in locations that are not environmentally sensitive and have suitable existing infrastructure, the proposed amendment achieves these outcomes.</p>
--	--	--	---

		<p>within LPP33, which vary the Residential Design Codes Volume 1, for development will not apply to future development at the R30 Code. Tree planting requirements for development at the R30 (or higher) code will be implemented as part of the soon to be released Medium Density Codes.</p> <p>Future development will be required to comply with the residential design codes which control height and overlooking of dwellings, it is deemed these considerations can be adequately controlled through the development application or building permit stage.</p> <p>Given the scale of rezoning proposed it was not deemed necessary to provide a traffic assessment.</p>	
4	Do Not Support	The City acknowledges the decline in tree canopy cover and is working on	The development of lots 32 and 33 will require coordinated works across the

	<p>I live in Orange Valley Road. This development is an opportunity to enhance the entrance to the valley, but is likely to do the opposite - see comment below.</p> <p>The concept of non-native or original vegetation being the only vegetation worthy of retention is flawed. The green canopy is being eroded one small block at a time. Visitors returning to Kalamunda after some years away have been shocked by the reduction in the tree canopy. Small blocks do not provide for space for decent sized trees to grow. The council needs to be more proactive in the coordination of neighbouring blocks to create planned developments where increased density and variety of living accommodation can go hand in hand with increased greening of the area. With the best will in the world, a developer cannot retain tree canopy while converting a single residential block into a site for three homes.</p>	<p>policies to reduce the loss and re-establish canopy cover where possible.</p> <p>The City's <a href="#">Local Planning Policy 33 – Tree Retention</a> sets out to retain trees where appropriate and offset where tree removal is deemed necessary, the definition for trees worthy of retention is not limited to native or original vegetation. Noting this, the policy provisions for tree planting which vary the Residential Design Codes do not apply to the R30 density and it is anticipated the Medium Density Codes will adequately provide for tree planting requirements as part of the development stage.</p> <p>The City is also working to recommend reduced lot yields where it is deemed necessary to retain significant tree canopy, noting these sites are</p>	<p>sites to facilitate the provision of reticulated sewer. The concentration of development in suitable locations allows for an increase in density, which is in line with Perth and Peel @ 3.5m and reduces further clear “green field” development. The City planning policies implemented through subdivision and development conditions facilitate the retention and enhancement of the urban canopy both within lots and on the road verge.</p>
--	--	--	--

		unlikely to be impacted by this position.	
5	Do Not Support Subdivisions like this will ruin further the ambiance of the street and will start a chain of similar requests. The R ratings are there for a reason and should not be changed to suit a few.	The density increase is being considered because of the location, with the subject lots adjoining properties of the same zoning and based on the evidence these sites have capacity to be connected to the reticulated sewerage network. It is acknowledged spot zoning is generally not supported by the City, however, further rezoning within Kirkdale Road below the topography level of Lot 32 is currently not capable of connection and therefore it was appropriate for the City to consider the application through the scheme amendment process.	The subject sites can be serviced by the existing infrastructure/services. The requirements of amendment 82 related to the ability of the lot to be serviced by reticulated sewer. The recent review of the Housing Strategy outlined the process for the further refinement of zoning in suitable locations. The proposed amendment follows proper and orderly planning process. The amendment will result in a dual coding and the relevant provision of the City scheme detail the requirements for development to occur at the higher coding.
6	I have no objection to the rezoning	Noted	
7	I have no objection to the rezoning	Noted	
8 Department of Planning,	DPLH (Department of Planning, Lands and Heritage) has no comment or objection to the proposed Amendment 108 to the Local Planning Scheme	Noted	

Lands & Heritage	No.3 effecting freehold Lot 32 (4) Kirkdale Road and Lot 33 (4) Orange Valley Road in the City of Kalamunda.		
9 Department of Health	The Department of Health supports the amendment and provides the following comment: Water Supply and Wastewater Disposal The proposed development is required to connect to scheme water and reticulated sewerage and be in accordance with the Government Sewerage Policy 2019.	Noted and the based on the technical information provided and advice from Water Corporation connection is possible	
10 Water Corporation	<p><b>Water Supply</b> Reticulated water is currently available to the subject area. All water main extensions, if required for the development site, must be laid within the existing and proposed road reserves, on the correct alignment and in accordance with the Utility Providers Code of Practice.</p> <p><b>Wastewater</b> The Corporation has previously provided advice to Shire and consultant in regard to providing wastewater services to the subject lots in 2017.</p> <p>Given the existing ground levels, there is a catchment boundary (plan below -bold purple line) that separates the two north-eastern lots from the remainder of Kirkdale Street lots. The existing sewer serving the two north-eastern lots and does not have the depth to serve the lots in the south-western catchment. Also, from a capacity perspective we would normally be reluctant to accept flows from any of the un-serviced lots. The red dashed line indicates a conceptual sewer; no sewer exists in the south-western catchment.</p> <p>Lot 33 is the only lot which might have adequate levels to be serviced from the existing sewer, however this (and including lot 32) would need to be determined and demonstrated by a consulting engineer. If the consulting engineers design can demonstrate otherwise, or fill the site to achieve fall</p>	<p>Noted.</p> <p>The City has previously received this advice (in 2017). The applicant had engaged in communication with water corporation to explore if there were options capable of being supported. The consulting engineer has provided concept plans which water corporation have indicated may achieve their requirements but will require detailed design to determine if they can be supported.</p>	<p>Further advice has been provided to directly to the City planning officer. The updated summary response from the Water Corporation is that:</p> <ol style="list-style-type: none"> <li>1. We can accept the additional flow from lots 32 &amp; 33 into the neighbouring catchment – Kalamunda SD037</li> <li>2. Gravity connection is not possible as it is, slight amount of fill would be required</li> </ol> <p>The amendment is for the provision of dual coding and the requirement of clause 5.24 outline the requirements to undertake development at the higher density regarding reticulated sewer.</p>

	<p>and sewer grades, the Corporation would consider taking a small amount of flow into the network.</p> <p>Any approved extensions of the Water Corporation reticulation network would be customer funded.</p>  <p>The map displays a topographic area with contour lines and a proposed water reticulation network. Key features include:         <ul style="list-style-type: none"> <li>Flow rates: 0.43 L/s (green text), 2.9 L/s (green text), and 5.3 L/s (red text).</li> <li>Street names: SECRETY LANE, CENTINA, BLANCK RD, BROADWAY, WINSOR, GRACE, LYNDHURST, KABU, BROULA, and LYNDHURST RD.</li> <li>Flow directions: Indicated by red arrows and dashed lines.</li> <li>Flow into the network: A red dashed line labeled '5.3 L/s' indicates flow into the network from the left.</li> </ul> </p>	<p>The consulting engineer drawings were included in the attachments of the council report to initiate advertising. Following further correspondence, it is understood, more detailed designs at the subdivision/ development stage would be required to determine if the proposed concept design would be adequate. It is noted a small amount of flow into the network maybe supported.</p>	
<p>11 Department of Fire and Emergency services</p>	<p>This advice relates only to State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7) and the Guidelines for Planning in Bushfire Prone Areas (Guidelines). It is the responsibility of the proponent to ensure the proposal complies with all other relevant planning policies and building regulations where necessary. This advice does not exempt the applicant/proponent from obtaining necessary approvals that may apply to the proposal including planning, building, health or any other approvals required by a relevant authority under other written laws.</p> <p>Recommendation – supported compliant application</p> <p>DFES advises that the BMP has adequately identified issues arising from the bushfire risk assessment and considered how compliance with the bushfire protection criteria can be achieved.</p>	<p>Noted</p>	



<p>12 Water Corporation</p>	<p>The Water Corporation will be able to include up to 6 lots into our existing sewerage network.</p> <p>The designs currently provided by the applicant are not sufficient to determine which option if any of those provided is appropriate. The Water Corporation requires a detailed design undertaken by a consultant engineer to the requirements of the Water Corporations Developer Manual before we can determine what design and resulting fill levels will be acceptable to service the subject site.</p> <p>The Water Corporation has no objection to the proposed scheme amendment conditional on the above point.</p>	<p>Note that the increased density can be supported in terms of capacity.</p> <p>Note that detailed designs will be required to determine the exact fill and design impacts. The City acknowledges it would be unreasonable to expect this level of detail to be provided without the certainty of development being granted and as such accept the detail provided to date by the applicant.</p> <p>Note the Water Corporation's no objection.</p>	<p>The network has capacity to include up to 6 lots, as confirmed by Water Corporation.</p> <p>An engineering report has been prepared to determine the site can be serviced and provide options for how this can occur, with the recommended method detailed.</p> <p>The next step in the planning process requires the preparation and lodgement of a subdivision plan, which will confirm the proposed lot yield. In support of an application for development at the higher coding engineering plans will be required as detailed by Water Corporation, regarding the method for the reticulated sewer. The comments provided are noted and the process detailed will be following at the subdivision stage.</p>
-------------------------------------	---	---	--