

CITY OF KALAMUNDA
LOCAL PLANNING SCHEME NO 3 - AMENDMENT NO.(TBA)
SCHEME AMENDMENT REPORT

1.0 INTRODUCTION & BACKGROUND DETAILS

1.1 Introduction

This report has been prepared in support of an amendment to the City of Kalamunda's Local Planning Scheme No.3 to include an additional use on Lot 35 (No.777) Welshpool Road East, Wattle Grove to include the use of the land for 'Community Purpose' use for Pu Ti Lian She Society Perth Inc, which is a non-for-profit organization that provides a number of community services.

The subject land is classified 'Rural Composite' zone under the City of Kalamunda's current operative Local Planning Scheme No.3 (LPS No.3). Under the terms of the City's LPS No.3, the use of land within the 'Rural Composite' zone for 'Community Purpose' is identified as being not permitted ("X").

The purpose of this Scheme Amendment is to amend the City of Kalamunda's Local Planning Scheme No.3 (LPS No.3) to include an 'Additional Use' (insert an entry in Schedule No.2 of the Scheme) to allow Lot 35 (No.777) Welshpool Road East, Wattle Grove to be used for 'Community Purpose' to provide a vital service to the community.

1.2 Property Details

The subject land is legally described as follows;

- Lot 35 on Diagram 74676 on Certificate of Title Volume 1825, Folio 179. The land is owned by Pu Ti Lian She Society Perth Inc.

The subject land is rectangular in shape and comprises an area of 10,000m² (1.0 hectares). Lot 35 has historically been developed/used for rural living purposes and contains a number of physical improvements associated with the current development including a two-storey dwelling, various outbuildings, a driveway and boundary fencing (see Figure 1 – Aerial Site Plan).

It is noted that the subject land contains scattered vegetation throughout, with a majority of the site being cleared in light of the historical use and development of the site.

The subject land comprises a fall in natural ground levels (NGL) from 10.71 metres along the land's rear lot boundary to 9.54 metres along the land's front lot boundary, which represents a fall in NGL down/across the site of 1.17 metres (Appendix 1 - see Site Development Plan).

The subject land contains frontage and vehicular access from Welshpool Road East along its north-western lot boundary, which has been constructed to an urban standard.



Figure 1 – Aerial Site Plan

1.3 Location

The subject land is located within the south-eastern part of the Wattle Grove locality approximately 680 metres east of Tonkin Highway, approximately 13 kilometres east of the Perth Central Business District (CBD) and approximately 7.1 kilometres south-east of the Perth Airport terminal (see Figure 2 - Location Plan). Lot 35 is located within the City of Kalamunda local government area.

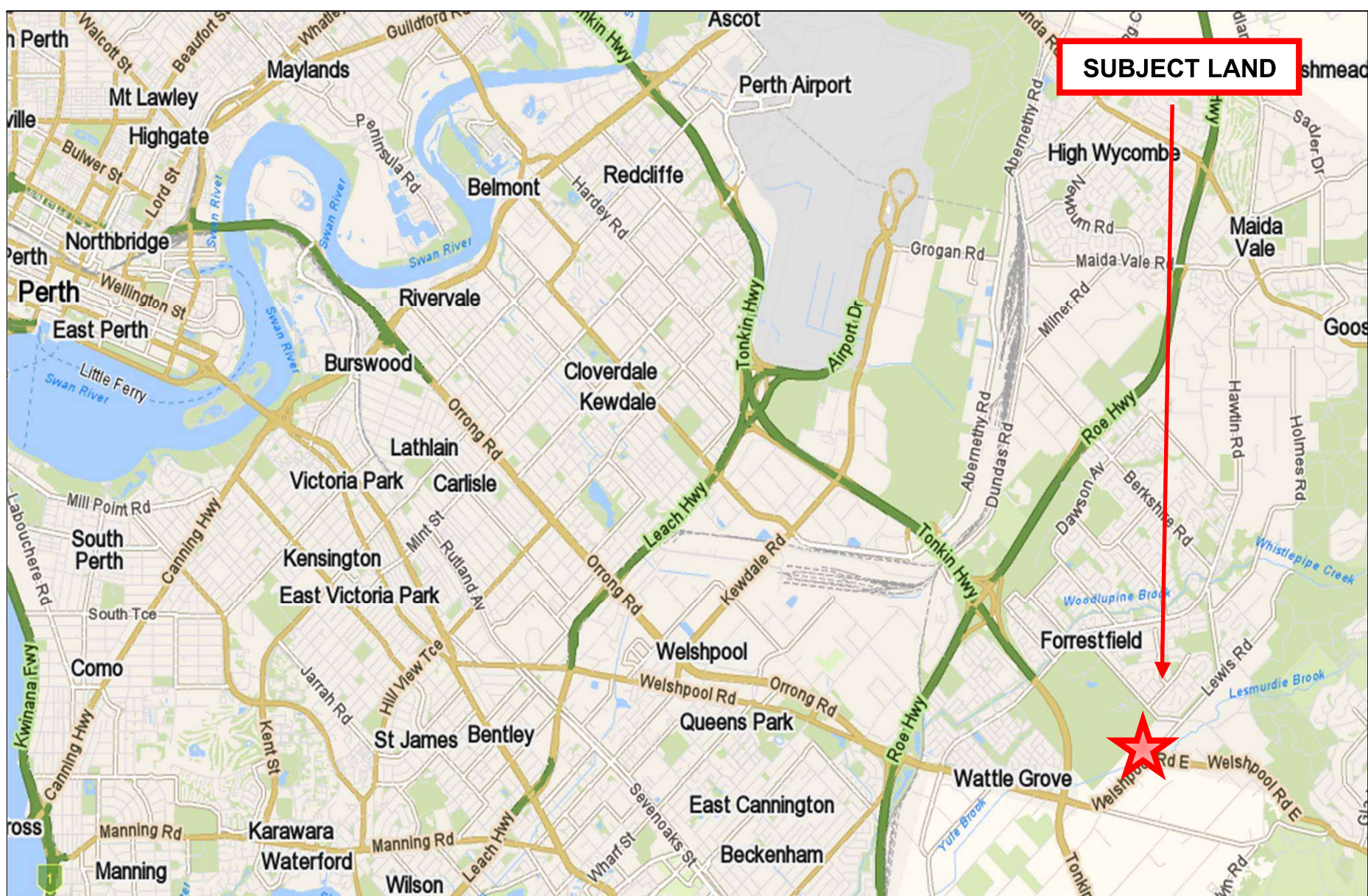


Figure 2 - Location Plan

1.4 Essential Services

The subject land is served by an extensive range of essential service infrastructure including power, water, stormwater drainage and telecommunications. It is noted that Lot 35 is not connected to sewerage infrastructure and that the existing development on the land comprises an on-site effluent disposal system. Any future development of the land for 'Community Purposes' may need to review the capacity of the existing system. This will be addressed at development application stage.

Lot 35 is well serviced by a regional/district road network, with access to Welshpool Road, Tonkin Highway and Roe Highway. In addition, public transport (i.e. bus route) is provided along the local road network (i.e. Welshpool Road East & Crystal Brook Road). It is contended that the subject land's access to the public transport network will provide an alternative form of transport for the future patrons of the venue.

1.5 Background & Purpose

The subject land has historically been developed and used for rural residential purposes and was acquired by the current landowners Pu Ti Lian She Society Perth Inc ('the Society') in 2014 with a view of using the land for community purposes.

The Society has been established to provide moral and cultural education, social and recreational facilities and services for the benefit of the community by promoting social and multicultural harmony. In addition, the Society is registered for charity programs and is run by volunteer members that donate their own time and money to assist others within the community. The key objectives of the Society are as follows:

- Moral ethics and wisdom teachings of ancient masters, saints and sages.
- Traditional arts and culture.
- Charity and disaster relief.
- Holistic health and natural medicine.
- Sustainable living and production for self-sufficiency.

The activities are undertaken through seminars, workshops, study classes, forums, youth and children camp, moral and cultural education and festival celebrations.

Through discussion between the landowner and the City of Kalamunda’ Planning Department, it was concluded that the most appropriate use class to be designated in this instance is ‘Community Purpose’, which addresses the scope of activities that are undertaken by the Society.

Indictive development plans have been prepared in support of this scheme amendment and any future development application to be lodged with the City on finalisation of this Scheme Amendment. The plans include the following key details:

- i) Various additions and alterations to the existing buildings on the land, including an auditorium area, patios, garage, a bin store and storerooms;
- ii) Construction of thirty five (35) on-site car parking bays;
- iii) Upgrade to the external areas of the existing building, including façade upgrades and new portico; and
- iv) Construction of vehicular access driveways.

(see Appendix 1 – Site Development Plans)

The hours of operation and staff/patronage numbers will be addressed (further assessed) as part of the development application process once this scheme amendment has been completed. The table below illustrates the anticipated time of operations, activities and patronage number of the future community purpose use on the land:

Table 1 – Proposed Operations

DAY	HOURS OF OPERATION	PATRONAGE NUMBERS	ACTIVITY
Monday	Nil	Nil	No activities
Tuesday	Nil	Nil	No Activity
Wednesday	Nil	Nil	No Activity
Thursday	Nil	Nil	No Activity
Friday	7pm-9pm	Max 30 people	Meeting
Saturday	8am to 5pm	Max 50 people	Meeting, lectures & other activities *
Sunday	8am to 5pm	Max 50 people	Meeting, lectures & other activities “

Note: * refers to as stated in 1.1 Background & Purpose.

2.0 PLANNING FRAMEWORK

2.1 Metropolitan Region Scheme

Lot 35 is currently classified ‘Rural’ zone under the provisions of the Metropolitan Region Scheme (MRS) (see Figure 3 – MRS Map).

The zones and reservations prescribed by the MRS are intentionally broad categories and not precisely defined or limited to enable a flexible approach to strategic regional town planning. The following definition for land classified ‘Rural’ is provided as a guide to its stated purpose/s in the MRS:

“Land in which a range of agricultural, extractive and conservation uses are undertaken.”

In addition to the above, Welshpool Road East is identified as being reserved ‘Other Regional Road’ under the MRS.

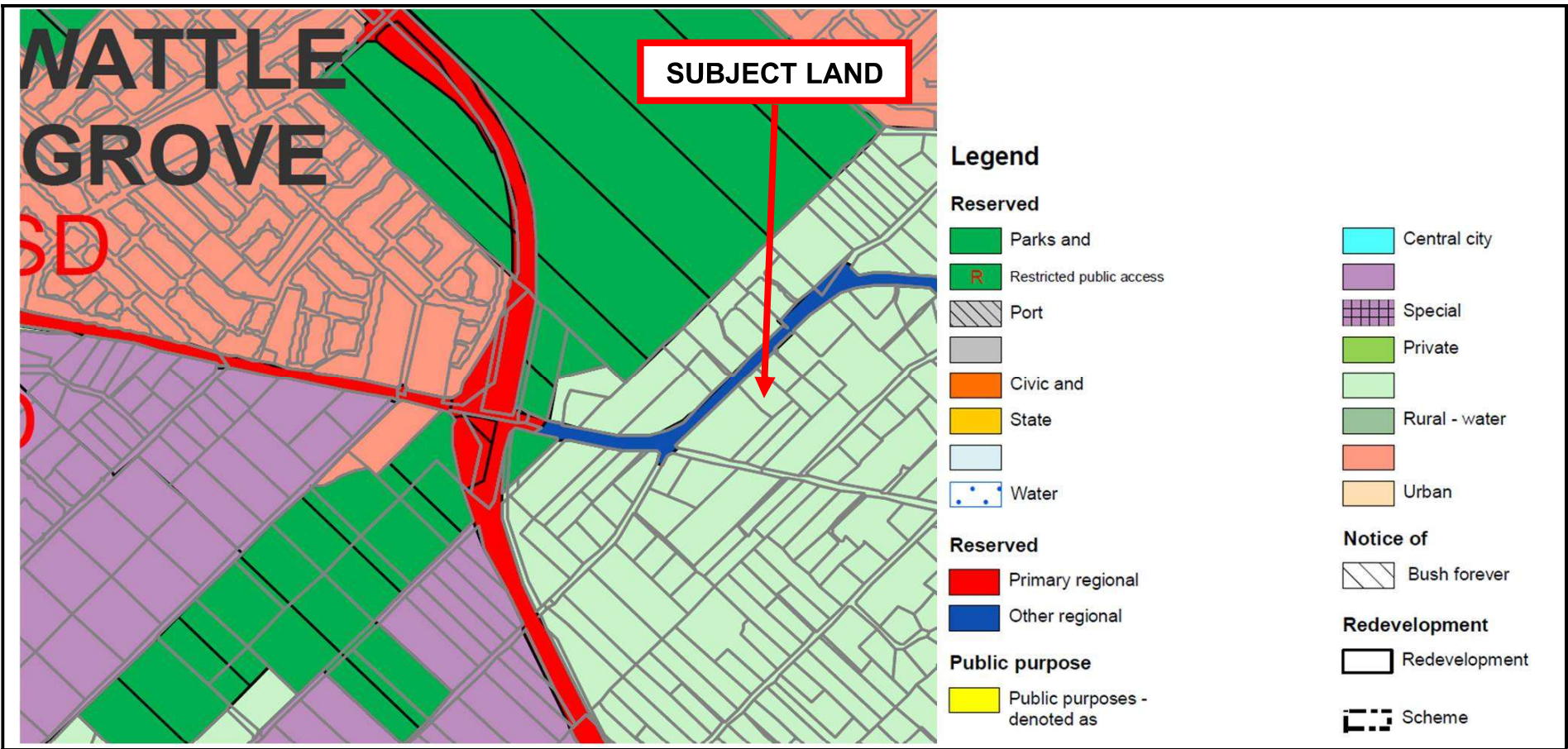


Figure 3 – MRS Map

2.2 City of Kalamunda Local Planning Scheme No.3

Lot 35 is classified ‘Rural Composite’ zone under the City of Kalamunda’s current operative Local Planning Scheme No.3 (LPS No.3)(see Figure 4 – Scheme Map). It should be noted that the surrounding properties comprise the same zoning classification as Lot 35.

Schedule No.1 of the Scheme provide the following definitions for the ‘Community Purpose’ land use:

Table 2 – Land Use Definitions

Land use	Definition
Community Purposes	Means the use of premises designed or adapted primarily for the provision of educational, social or recreational facilities or services by organisations involved in activities for community benefit.

Under the terms of LPS No.3, the use of land classified 'Rural Composite' zone for the 'Community Purpose' is identified as an "X" use, meaning the use is not permitted within the zone. The inclusion of an entry within Schedule No.2 of the City's LPS No.3 ('Additional Use') to include the use of 'Community Purpose' will facilitate the use of the land for a non-for-profit community organisation that provides a vital service.

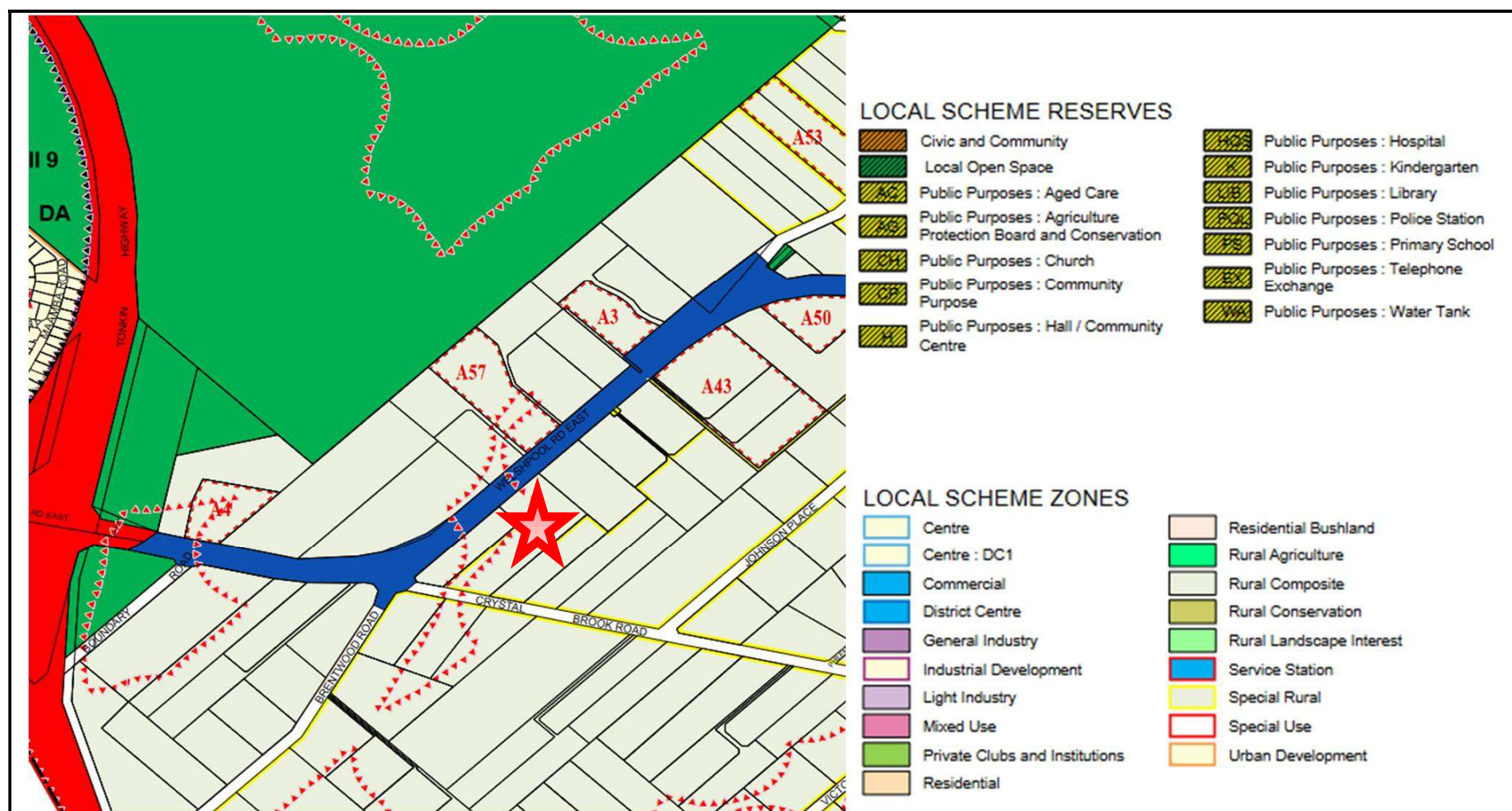


Figure 4 – Scheme Map

Council's stated objectives for all land classified 'Rural Composite' zone under LPS No.3 are as follows:

- Ensure development is in harmony with the natural environment.
- Ensure that land uses, activities and land management practices are consistent with natural resources conservation and are compatible with public water supply objectives.
- Conserve and preserve the bushland status of private freehold and Crown land within the zone.
- Conserve indigenous flora and fauna to ensure the viability of natural ecosystems.
- Encourage the reduction of bush fire hazard.
- To retain large lot sizes.

It is contended that the proposed use of the subject land for 'Community Purpose' will be consistent with the stated objectives of the 'Rural Composite' zone for the following reasons:

- The proposed use of the land will retain existing vegetation and will not undermine the natural environment and will not adversely impact public water supplies;
- The use is consistent with other community-based uses and developments within the immediate area.
- The proposed use of the land will not impact vegetation within nearby bushland, Crown land or impact any exiting flora/fauna;
- The proposed use will address bushfire matters.; and
- The existing large lot size will remain (i.e. no subdivision of the subject land is being proposed as part of this scheme amendment and as part of any future development application).

A review of the surrounding area has identified that the City of Kalamunda have supported a number of additional uses within close proximity to Lot 35 over the years. This demonstrates the acceptance that a variety of uses (mostly community based) are supported within this part of the Wattle Grove locality. The following table provide some examples of ‘Additional Use’ entries in Schedule No.2 of the City’s LPS No,3 within close proximity to Lot 35:

Table 3 – Current Additional Uses (Schedule No.2)

No.	Description of land	Additional Use	Conditions
A4	Lot 201 (No.714) Welshpool Road, Wattle Grove	Dog Kennels	Permitted (“P”)
A43	Lot 194 (No.811) Welshpool Road, Wattle Grove	Restaurant	Incidental “IP”
A50	Lot 36 (No.831) Welshpool Road, Wattle Grove	Place of Worship	Discretionary “A”
A53	Lots 7 & 4255 (Nos.25 & 29) Lewis Road, Wattle Grove	Community Purpose and Place of Worship	Discretionary “AA”
A54	Lot 213 (No.28) Lewis Road, Wattle Grove	Community Purpose and Place of Worship	Discretionary “A”
A57	Lot 601 (No.782) Welshpool Road East, Wattle Grove	Reception Centre	Discretionary “A”

In light of the above, there are similarities with this scheme amendment proposal and those uses/properties gazetted for various other ‘Additional Use’ within the area, in that:

- The all of the lots identified in Table 3 above are classified ‘Rural Composite’ zone in the City’s LPS No.3;
- The use of the land is generally for community type uses;
- The uses are small on the land, with the balance portion of the land being preserved to retain vegetation and the rural character; and
- The proposed ‘Additional Uses’ do not/will not undermine the objectives of the ‘Rural Composite’ zone prescribed within LPS No.3.

In light of the above, the same approach can be applied to Lot 35 (No.777) Welshpool Road East, Wattle Grove and that the additional use can therefore be supported.

2.3 Bushfire Prone Areas

The subject land has been identified by the Department of Fire & Emergency Services (DFES) as being located within a designated 'bushfire prone area' (see Figure 5).

It should be noted that a Bushfire Attack Level report (BAL) was undertaken in 2018 for the subject land by “Bushfire Planning & Design’. At the time, the BAL returned a BAL12.5 rating. In addition to the BAL report, a Bushfire Management Plan (BMP) was also prepared in 2018 (see copy attached herewith).

Whilst we note that the 2018 BAL and BMP reports maybe out of date, any development application prepared and lodged for the subject land (once this scheme amendment is finalised) will include the preparation of a revised documents for review by the City of Kalamunda.

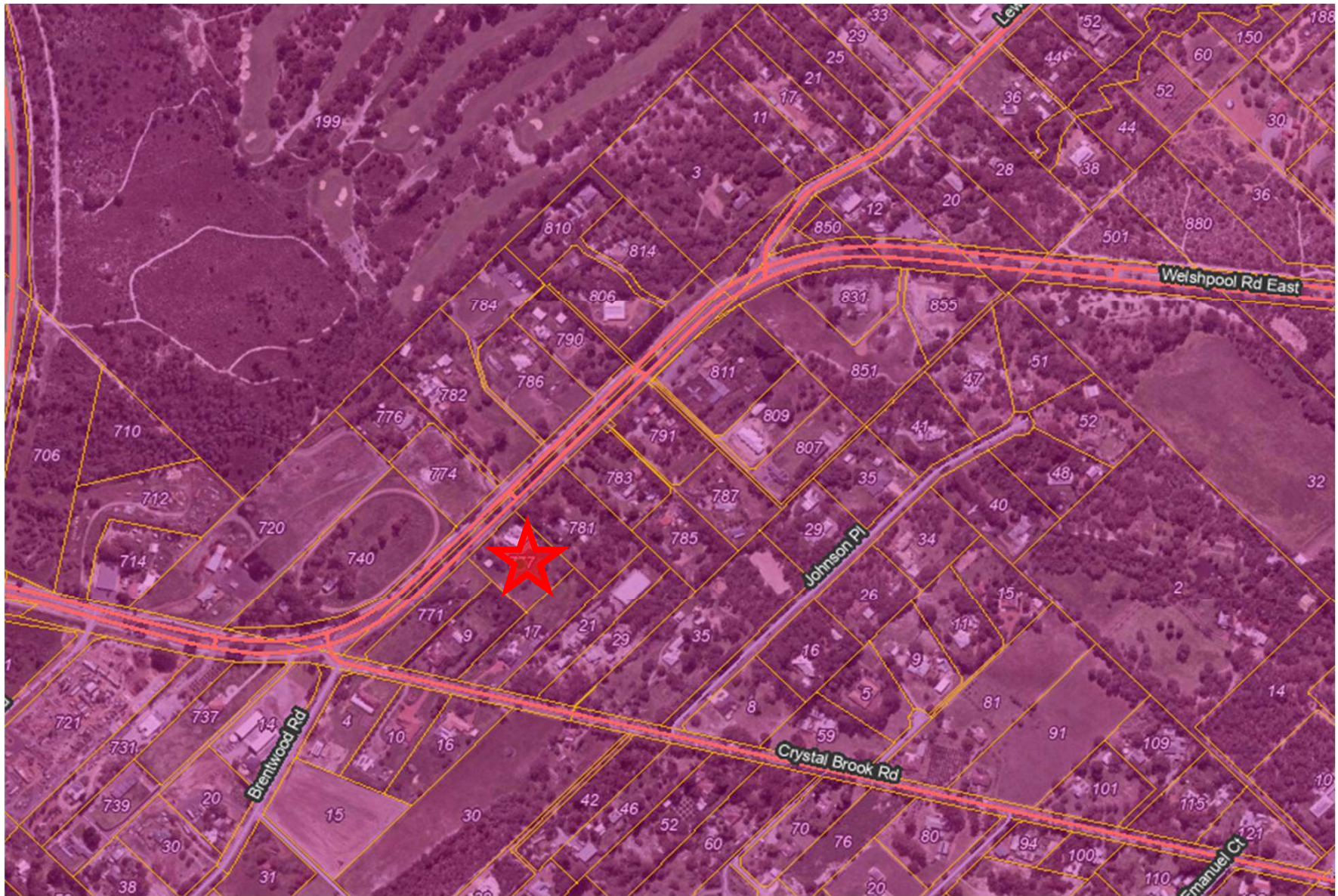


Figure 5 – DFES Bushfire Mapping

2.4 Contaminated Site Investigation

A search of the site under the contaminated sites register has revealed that the land does not have any contamination (see Figure 6). In addition, the subject land is not impacted by floods plains and Bush Forever site (Note: Contaminated sites are identified in purple, with Bush Forever site in green);

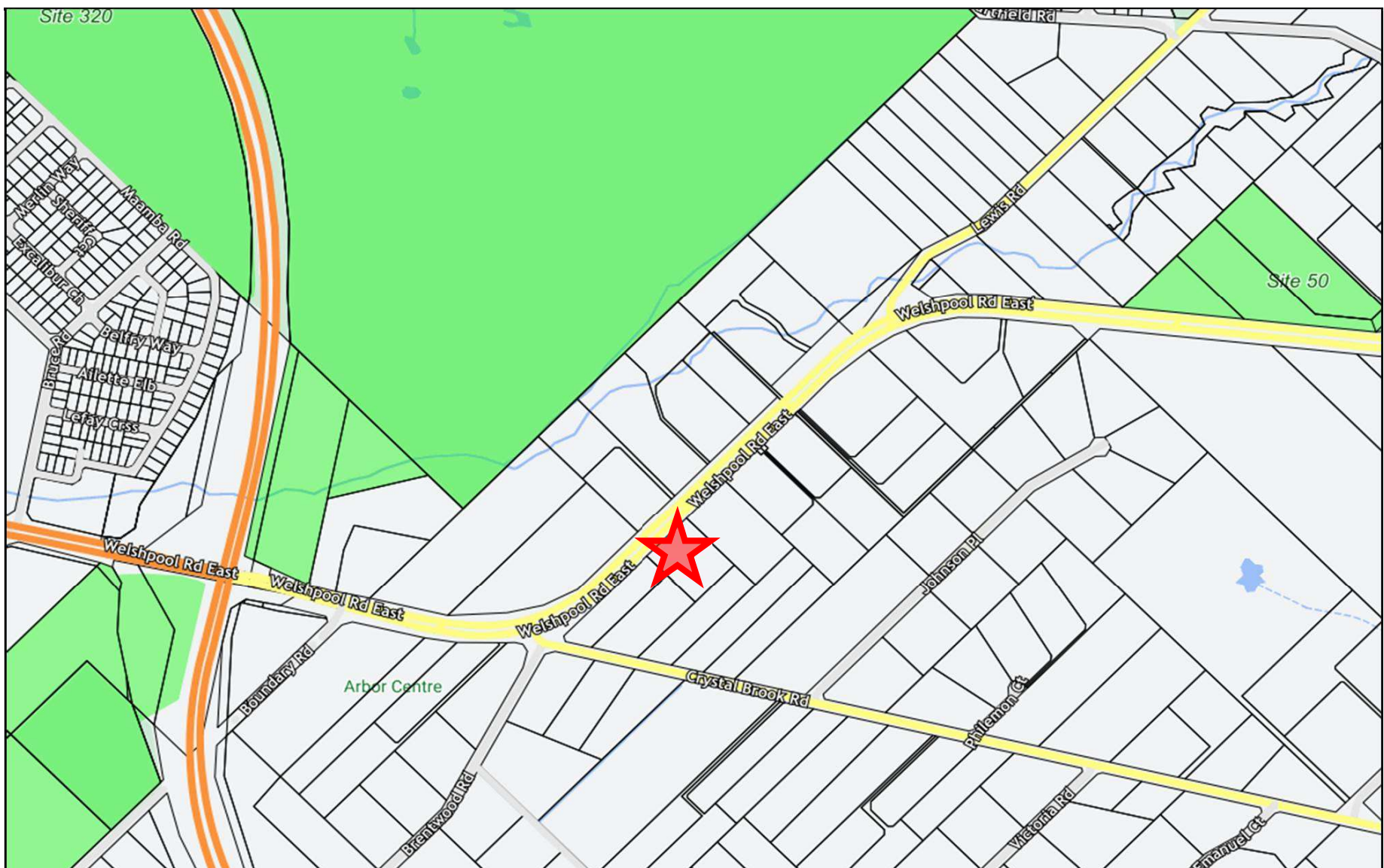


Figure 6 – Contaminated Site Mapping (MNG Mapping). Note contaminated sites are identified in purple.

3.0 SCHEME AMENDMENT PROPOSAL

The scheme amendment proposes to:

- 1. Inserting an entry in Schedule 2 entitled ‘Additional Uses’ by including an additional use right over Lot 35 (No.777) Welshpool Road, Wattle Grove for the purposes of ‘Community Purpose’; and
- 2. Amend the Scheme Map accordingly.

The proposed entry into Schedule No.2 of the City of Kalamunda Local Planning Scheme No.3 is as follows:

No.	Description of land	Additional Use	Conditions
TBA	Lot 35, Diagram 74676 (No.777) Welshpool Road, Wattle Grove	Community Purpose	4. The use is not permitted unless the Council has granted development approval after giving notice in accordance with Clause 9.4 (Advertise) ("A"). 5. The applicant/landowner shall prepare and implement a traffic management plan. 6. Prior to the determination of development approval by Council, the applicant shall prepare a Fire Management Plan where a Bushfire Hazard Assessment determines the land as having a moderate to extreme risk of bushfire.

This proposal is the first part of a two-part process to establish the proposed ‘Community Purpose’ use on the land, with the second part being the need for the landowner to prepare and lodge a development application with the City of Kalamunda for the change of use and any associated works.

The proposed aforementioned scheme amendment proposal will:

- a) Facilitate the establishment of a community use on the land that will provide a vital and much needed service to the local community.
- b) Enable the City of Kalamunda to grant relevant approvals to establish the proposed use on the land; and
- c) Provide certainty to the current landowners/community organisation.

The conditions being proposed for the ‘Additional Use’ entry will provide the City of Kalamunda with some control over the use of the land through requiring a development application and associated consultant reports to address bushfire and traffic/vehicular movements. This will ensure that the proposed use/development of the land does not undermine the existing function/character of the area.

As outline previously, a development application will be prepared and lodge with the City of Kalamunda once the scheme amendment has been finalised. This will provide the City with a mechanism to impose further conditions on any approval granted for the land.

4.0 CONCLUSION

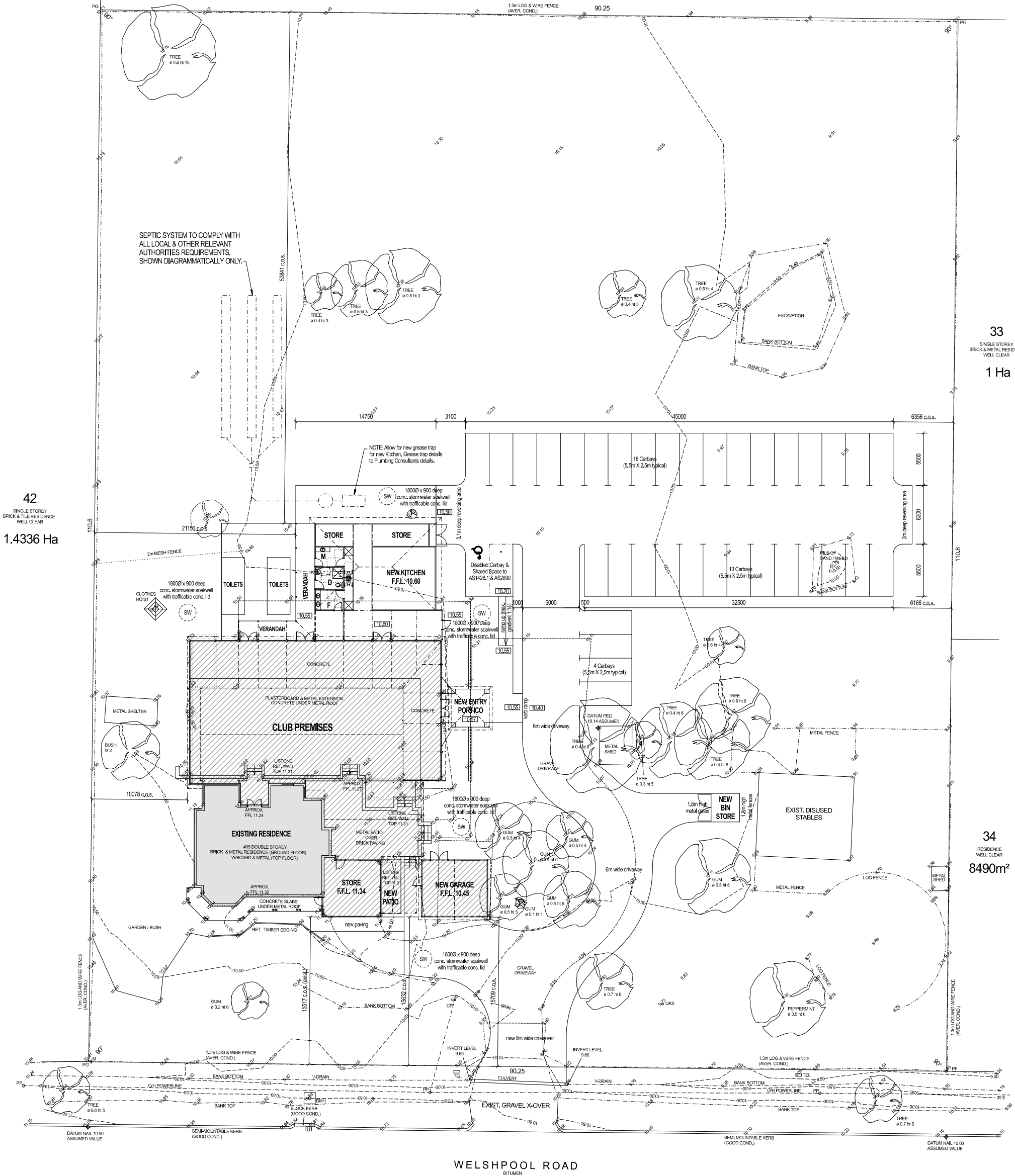
The proposed scheme amendment to the City of Kalamunda Local Planning Scheme No. 3 has been prepared as a 'standard' amendment in the context of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations).

The proposed additional use for Lot 35 (No.777) Welshpool Road East, Wattle Grove will allow for the site to accommodate a non-for-profit organisation that will provide a vital service to the community. It is viewed that the proposed use on the subject land is consistent with other similar uses (i.e. additional use entries in Schedule No.2 of the City's LPS No.3) permitted within the immediate area and will therefore not have an adverse impact on the amenity and character of the area.

In light of the above information, we respectfully request a prompt and favourable consideration of the scheme amendment to the City of Kalamunda Local Planning Scheme No.3.

APPENDIX 1 – SITE DEVELOPMENT PLANS

40
RESIDENCE
WELL CLEAR
1.0002 Ha



WELSHPOOL ROAD
BITUMEN

SITE PLAN scale 1:200

SERVICE LEGEND	
POWER	
CONSUMER POLE	CP
POWER POLE	PP
LIGHT POLE	LP
STAY POLE	SP
S. WIRE ANCHOR	SWA
UG CABLE BOX	CB
CABLE MH	CM
CABLE DOME	CD
GAS	
GAS MARKER	GM
GAS METER	GM
GAS VALVE	GV

SEWERAGE	
SEWER MANHOLE	SM
INSPECT. SHAFT	IS
INSPECT. OPENING	IO
HOUSE CONNECTION	HC
TELSTRA	
TELSTRA MARKER	TM
TELSTRA PIT	TP
TELSTRA MH	TMH
DRAINAGE	
SW MANHOLE	DMH
GRATE	GR
SIDE ENTRY PIT	SEP

WATER	
STOP VALVE	SV
HYDRANT	HY
FLUSH POINT	FP
WATER TAP	WT
WATER MARKER	WM
WATER METER	WM
SURVEY	
PEG FOUND	PF
PEG DISTURBED	PD
PEG GONE	PG
CONTROL POINT	CP
DATUM	DA
UNKNOWN SERVICE	UKS

LOT RECORDS			
STATUS	LOCATED	AVAILABLE	CONFIRM
LOT SERVICE			
WATER			
SEWERAGE			
GAS			
TELSTRA			
DRAINAGE			
POWER			
OH			

AREA: ESTAB. 01/1989
COASTAL DISTANCE >1.5Km
LOT: 35
AREA: 1 Ha
APPROX. AHD: N/A

SERVICES MARKED CONFIRM REQUIRE BUILDER/CLIENT TO CONFIRM POSITION & OR AVAILABILITY ON SITE, APPROXIMATE AND CONNECTION ONLY. HEIGHT RESTRICTIONS REQUIRE ACCURATE GEODETIC CONNECTION.

GROUND COVER
GRASS / WEED / GRAVEL / BUSHES
SANDY / SMALL TREES / RUBBLE

NOTES:
CHECK ALL DIMENSIONS ON SITE PRIOR TO CONSTRUCTION.
REFER TO ENG. DWGS. FOR ALL STRUCTURAL REQUIREMENTS.
ALLOW FOR SMOKE DETECTORS TO AUSTRALIAN STANDARDS.
CONNECT ALL DOWNPIPES TO SOAKWELLS.
ALL SOAKWELLS TO BE INTERCONNECTED.
SOAKWELLS DESIGNED FOR STANDARD SANDY SOILS & TO BE CONFIRMED AFTER SITE SOIL CLASSIFICATION.
GREASE TRAP, PLUMBING & SEPTIC SYSTEMS TO COMPLY WITH PLUMBING CONSULTANTS DESIGN & SPECIFICATIONS.
ALL MATERIALS TO MATCH EXISTING.
TILE = TO MATCH EXISTING. C.O.S. = CHECK ON SITE.
ALL SIZES & AREAS ARE APPROXIMATE ONLY.
MASONRY TO COMPLY WITH AS3700.
WINDOWS TO COMPLY WITH AS2047.
DIMENSIONS TO STRUCTURE - ALLOW FOR FINISHES.
DESIGN SUBJECT TO CONFIRMATION OF SITE CONDITIONS, LOCATION OF SERVICES & APPROVAL OF LOCAL & OTHER RELEVANT AUTHORITIES.
CONSTRUCTION TO COMPLY WITH BCA & AUSTRALIAN STANDARDS.

PROPOSED ADDITIONS
LOT 35, No.777
WELSHPOOL ROAD EAST
WATTLE GROVE

SCALE	DATE	DRAWN	CHECKED	RWS
as shown	SEPT 2017	CBL		
JOB NO.	SHEET NO.	REV.	PRINT	
site1702-1646L	SK1		5/09/2017	

HORIZON DESIGN
HDD.COM.AU PTY. LTD. ACN 009 107 516
SUITE 12 / 22 PARRY AVE. BATEMAN 6150 WESTERN AUSTRALIA
PH. (08) 9332 2022 MOB. 0418 958 959
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Att. C.1 Site Plan

