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TOWN PLANNING AND DEVELOPMENT ACT, 1928
(AS AMENDED)

SHIRE OF KALAMUNDA
TOWN PLANNING SCHEME

DISTRICT SCHEME

TOWN PLANNING AND DEVELOPMENT ACT 1928 (AS AMENDED).

Advertisement of Approved Town Planning Scheme.

SHIRE OF KALAMUNDA DISTRICT TOWN PLANNING SCHEME.

T.P.B. 853/2/24/13.

IT is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act, 1928 (as amended), that the Minister for Urban Development and Town Planning approved the Shire of Kalamunda Town Planning Scheme for the zoning of the whole Shire on the 10th January, 1975, the Scheme Text of which is published as a schedule annexed hereto.

G. C. C. SPRIGGS,
President.

L. F. O'MEARA,
Shire Clerk.

Schedule.

SHIRE OF KALAMUNDA TOWN PLANNING SCHEME—DISTRICT SCHEME.

THE Shire of Kalamunda, under and by virtue of the powers conferred upon it in that behalf by the Town Planning and Development Act, 1928 (as amended), hereby makes the following Town Planning Scheme:—

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PART I.—PRELIMINARY.

1. Citation: This Town Planning Scheme may be cited as Shire of Kalamunda Town Planning Scheme—District Scheme (hereinafter called "the Scheme").

2. Responsible Authority: The authority responsible for enforcing the observance of the Scheme is the Shire of Kalamunda (hereinafter called "the Council").

3. Scheme Area: The Scheme shall apply to the whole of the District of the Shire of Kalamunda (hereinafter referred to as "the Scheme Area").

4. Repeal: The Kalamunda Shire Council Planning Scheme published in the *Government Gazette* of 18th October, 1963, and all amendments thereto are hereby repealed.

5. Maps: The following map forms part of the Scheme:—

Scheme Map.

6. Objects: The objects of the Scheme are—

- (a) To zone the Scheme Area for the purposes in this Scheme described.
- (b) To set aside land for future use for recreational purposes.
- (c) To make provisions as to the nature and location of buildings and the size of lots when used for certain purposes.
- (d) To make provisions for the preservation of objects of natural beauty of historical buildings and objects of historical or scientific interest.
- (e) To make provision for other matters necessary or incidental to town planning or housing.

7. Appeal Rights: The procedure for the lodgement and determination of appeals shall be in accordance with Part V of the Town Planning and Development Act and the regulations made under the Act.

8. Interpretation: In this Scheme unless the context otherwise requires, the following terms shall have the meaning set out hereunder respectively:—

- 8.1 "Battle-axe lot" means generally a lot having access to a public road by means of an access strip included in the title of that lot;

- 8.2 "Building line" means the line between which and any public place or public reserve a building may not be erected except by or under the authority of an Act;
- 8.3 "Building set-back line" means a line fixed at a distance from the building line or, where no building line exists, the frontage between which line and the building line or frontage as the case may be no building or structure other than those specified by the terms of the Scheme may be erected;
- 8.4 "Camping and camping areas" means land used for the erection of tents and other similar structure for temporary accommodation;
- 8.5 "Caravan" means a wheeled unit, whether currently equipped with wheels or not, capable of being used for residential or other purposes and includes self-propelled units of a similar nature;
- 8.6 "Caravan park" means an area set aside for the parking of caravans under the by-laws of the Shire or pursuant to the Caravan and Camp Regulations, 1961, made pursuant to the provisions of the Health Act, 1911 (as amended);
- 8.7 "Car park" means a site, part of a site, building or part of a building used primarily for parking private cars or taxis whether as a public or private car park, but does not include any part of a public road used for parking or for a taxi rank, or any land or building on or in which cars are displayed for sale;
- 8.8 "Car sales yard" means land and buildings used for the display and sale of cars, whether new or secondhand, but does not include a workshop;
- 8.9 "Car wrecking" means any land or building used for dismantling of vehicles or other machinery of any nature and includes scrap metal yards;
- 8.10 "Caretaker's house" means a building or part of a building used as a residence upon the same site as the industry or usage by a person having the care of a building or of the building or plant of an industry;
- 8.11 "Civic buildings" means a building designed, used or intended to be used by Government departments, statutory bodies representing the Crown, or the Council as offices or for administrative or other like purposes;
- 8.12 "Civic use" means any land or building used for civic purposes;
- 8.13 "Commercial" means the carrying out of any wholesale or retail business, trade or enterprise, involving the sale and/or display of those goods;
- 8.14 "Construction yard" means any land or building used for the storage, manufacture, assembly or dismantling of building material, pipes or other items related to any trade;
- 8.15 "Consulting rooms" means a building or part of a building (other than a hospital) used in the practice of his profession by a legally qualified medical practitioner or dentist or by a physiotherapist, a masseur, or a person ordinarily associated with a medical practitioner in the investigation or treatment of physical or mental injuries or ailments;
- 8.16 "Cultural uses" means any building or land used for the improvement or refinement of the people by education and/or entertainment;
- 8.17 "Development" means the use or development of any land and includes the erection, construction, alteration or carrying out, as the case may be, of any building, excavation or other works on any land (see section 2 of the Act);
- 8.18 "District" means the district of the Shire of Kalamunda;
- 8.19 "Drive-in theatre" means an open-air cinema that makes provision for the audience or spectators to view the entertainment while seated in motor vehicles;

- 8.20 "Dry cleaning premises" means land and buildings used for the cleaning of garments and other fabrics by chemical processes;
- 8.21 "Duplex" means a building comprising two dwellings, each being complete self-contained units so designed as to give the external appearance of a single dwelling, but does not include a building in which the units are constructed one above the other;
- 8.22 "Dwelling house" means a building used primarily for living purposes as one separate family unit; the term also includes such out-buildings and recreational uses and gardens as are ordinarily used therewith, but does not include a "residential building" or part of such a building;
- 8.23 "Eating house" means any house, building or structure, or any part thereof, in which meals are served to the public for gain or reward; the term does not include—
- (a) any premises licensed under the Licensing Act, 1911, other than a restaurant within the meaning of section 44G of that Act in respect of which a restaurant license under that Act is granted; or
 - (b) any boarding house, lodging house or hostel; or
 - (c) any building or other structure used temporarily for serving meals to the public at any fair, show, military encampment, races or other public sports, games or amusements;
- 8.24 "Educational establishment" means a school, college, university, technical institute, academy or other educational centre, or a lecture hall, but does not include a reformatory institution or institutional home;
- 8.25 "Effective frontage" shall be calculated as—
- (i) where the side boundaries of a lot are parallel to one another, the length of a line drawn at right angles to the longer of such boundaries so as to intersect the other;
 - (ii) where the side boundaries of a lot are not parallel to one another, the length of a line drawn parallel to the street frontage and intersecting the side boundaries at the set-back distance shown in Table S.R. from the street frontage and shown on the Appendix D;
 - (iii) where the lot is of such irregular proportions, or on such a steep slope, that neither of the foregoing methods can reasonably be applied, such length as the Council may determine;
- 8.26 "Existing use" means use of any land or building for the purpose for which it was lawfully used immediately prior to the gazettal date of the Scheme in accordance with the conditions as set out in Part V of this Scheme;
- 8.27 "Extractive industry" includes the extraction of sand, gravel, clay, turf, soil, rock, stone, minerals or similar substance from the land, and also the manufacture of products from those materials when the manufacture is carried out on the land from which any of those materials is extracted or on land adjacent thereto;
- 8.28 "Fish shop" means a shop where the goods kept exposed or offered for sale include wet fish or fish fried on the premises for consumption off the premises;
- 8.29 "Flat" means a separate and self-contained dwelling within a building containing two or more dwellings;
- 8.30 "Frontage" means the boundary line between a site and the street which that site abuts, and when the site abuts on more than one street then the boundary line between the site and the street to which the main building erected thereon fronts. If no building has been erected, or if the building appears to front onto more than one street, then the frontage shall be the boundary line between the site and the street nominated by the Council;

- 8.31 "Fuel depot" means a depot for storage or bulk sale of solid or liquid gaseous fuel, but does not include a service station;
- 8.32 "Funeral parlour" means land and buildings occupied by undertakers where bodies are stored and prepared for burial or cremation;
- 8.33 "Gazettal date" means the date on which notice of the approval of the Minister to this Scheme is published in the *Government Gazette*;
- 8.34 "General industry" means any industry other than a hazardous, light, noxious, rural, extractive or service industry;
- 8.35 "Gross floor area" means for office, business and commercial development the total floor area of the building, exclusive of lift shafts, stair wells, and gross areas of parking facilities and access thereto which are sited within the building;
- 8.36 "Hall" means a structure designed and providing for communal gatherings and public meetings;
- 8.37 "Hazardous industry" means an industry which by reason of the processes involved or the method of manufacture, or the nature of the materials used or produced, requires isolation from other buildings;
- 8.38 "Health centre" means a maternal or X-ray centre, a district clinic, a masseur's establishment, or a medical clinic;
- 8.39 "Health studio" means a building designed and equipped for recreation and sporting activities and includes outdoor recreation if specially approved by the Council;
- 8.40 "Height" has the meaning as is given to it in and for the purposes of the Uniform Building By-laws;
- 8.41 "Holiday cottages" means two or more detached dwellings on one lot let for holiday purposes, none of which is occupied by the same tenant for a continuous period of more than four months;
- 8.42 "Home occupation" means a business carried on with the permission of the Council within a house or the curtilage of a house that—
- (a) does not cause injury to or prejudicially affect the amenity of the neighbourhood including (but without limiting the generality of the foregoing) injury or prejudicial affectation due to the emission of light, noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, waste water, or waste products;
 - (b) does not entail the employment of any person not a member of the occupier's family, except in the case of a professional person;
 - (c) does not occupy an area greater than 19 square metres;
 - (d) does not require the provision of any essential service main of a greater capacity than normally required in the zone in which it is located; and
 - (e) for which there is not more than one advertisement sign and that not exceeding 0.2 square metres.
- 8.43 "Hospital" means any building or part of a building, whether permanent or otherwise, in which persons are received and lodged for medical treatment or care and may include "C" class hospitals and convalescent homes;
- 8.44 "Hotel" means land and buildings the subject of a publican's general license, a limited hotel license or a wayside house license granted under the provisions of the Licensing Act, 1911 (as amended), or of any Act in substitution for that Act, but does not include a motel;

- 8.45 "Industry" means the carrying out of any process for and incidental to—
- (a) the making, altering, repairing or ornamentation, painting, finishing, cleaning, packing or canning, or adapting for sale, or breaking up, or demolition of any article or part of any article;
 - (b) the winning, processing or treatment of minerals;
 - (c) the generation of electricity or the production of gas; and
 - (d) the manufacture of edible goods for human or animal consumption, being a process carried on in the course of trade or business for gain, other than operations connected with—
 - (i) the carrying out of agriculture;
 - (ii) site on buildings, works or land; and
 - (iii) in the case of the manufacture of goods referred to in subparagraph (d) above, the preparation on the premises of a shop of food for sale; and includes, when carried out on land upon which the process is carried out and in connection with that process, the storage of goods, any work of administration or accounting, the sale of goods resulting from the process and the use of land for the amenity of persons engaged in the process;
- but the term does not include the premises of a sandwich supply or a cake shop or a pastrycook making commodities for sale by retail on the premises;
- 8.46 "Infant health centres" means structures provided by and/or from public or private resources for the medical benefit of children;
- 8.47 "Institutional building" means a building used or designed for use wholly or principally for the purpose of—
- (a) a hospital or sanatorium for the treatment of infectious or contagious diseases;
 - (b) a home or other institution for care of State wards, orphans, or persons who are physically handicapped;
 - (c) a penal or reformatory institution;
 - (d) any other similar use;
- 8.48 "Institutional home" means a residential building for the residence of, or for the care and maintenance of children, the aged, the infirm or the mentally handicapped, and includes a benevolent institution, but does not include a hospital or an institutional building;
- 8.49 "Kennels" (dogs) means any structure or land used for the boarding and/or breeding of dogs and is subject to the provisions of the Shire of Kalamunda's by-law relating to dogs;
- 8.50 "Kindergarten" means facilities provided for the part-time education of pre-school age children;
- 8.51 "Land" includes strata titles, messuages, tenements and hereditaments and any estate in the land, and houses, buildings, works and structures, in or upon the land;
- 8.52 "Laundry, public—coin operated" means an establishment for the operation or use of mechanical cleaning devices by any member of the public;
- 8.53 "Library" means a place set apart to contain books or other media for reading, study or reference, whether for public or private use, and may include lending facilities;

- 8.54 "Light industry" means an industry in which the processes carried on, the machinery used, and the goods and commodities carried to and from the premises will not cause any injury to or prejudicially affect the amenity of the locality by reason of the emission of light, noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise, but does not include car wrecking;
- 8.55 "Lot" has the meaning given to it in and for the purposes of the Act, and "allotment" has the same meaning;
- 8.56 "Milk depot" means a depot to which milk is delivered for distribution to consumers but in which milk is not processed or pasteurised;
- 8.57 "Motel" means any premises that provide, or are held out as providing, accommodation for the motoring public at large for reward, and that are denominated by the owners or occupiers by the word "motel" or any combination of the word "motor", "auto" or "travel" or any derivation or contraction of a word denoting lodging or accommodation, whether alone or in conjunction with other words;
- 8.58 "Motor repair station" means land and building used for or in connection with mechanical repairs and overhauls, including tyre recapping, retreading, panel beating, spray painting and chassis reshaping;
- 8.59 "Museum" means a building, structure or land used for storing and exhibiting objects illustrative of antiquities, natural history, art, etc.;
- 8.60 "Night club" means a building or land used for entertainment and/or eating facilities combined;
- 8.61 "Non-conforming use" means the use of land which, though lawful immediately prior to the coming into operation of this Scheme is not in conformity with the Scheme;
- 8.62 "Noxious industry" means an industry in which the processes involved constitute an offensive trade within the meaning of the Health Act, 1911 (as amended), but does not include fish shops or dry cleaning premises or laundrettes;
- 8.63 "Objects of natural beauty" mean the natural beauties of the area including lakes and other inland waters, banks of rivers, foreshores of harbours, hill slopes and summits and valleys;
- 8.64 "Office" means the conduct of administration and practice of a profession, the carrying on of agencies, banks, typist and secretarial services and services of a similar nature or, where not conducted on the site thereof, the administration of or the accounting in connection with an industry;
- 8.65 "Owner" in relation to any land includes the Crown and every person who, jointly or severally, whether at law or in equity—
- (a) is entitled to the land for any estate in fee simple in possession; or
 - (b) is a person to whom the Crown has lawfully contracted to grant the fee simple of the land; or
 - (c) is a lessee or licensee from the Crown; or
 - (d) is entitled to receive or is in receipt of, or, if the lands were let to a tenant, would be entitled to receive, the rents and profits thereof, whether as a beneficial owner, trustee, mortgagee in possession or otherwise;
- 8.66 "Patio housing" means a building of one storey comprising a group of three or more self-contained dwellings each on its own lot of not less than 300 square metres having a walled court front and rear, each attached to another by a party wall or walls constructed over the allotment boundaries;

- 8.67 "Petrol filling station" means land and buildings used for the supply of petroleum products, automotive accessories and such restricted business uses as may from time to time be approved by the Council;
- 8.68 "Plot ratio" has the same meaning as is given to it in and for the purposes of the Uniform Building By-laws;
- 8.69 "Private clubs" means land and buildings developed by private bodies for the purposes of recreation and/or amusement and may with the consent of the Council include uses ancillary to the predominant use;
- 8.70 "Private recreation" means the use of land for parks, gardens, playgrounds, sports arenas or other grounds for recreation which are not normally open to the public without charge;
- 8.71 "Professional offices" means any building, or part thereof, used for the purposes of his profession by an accountant, architect, artist, author, barrister, chiropodist, consular official, dentist, doctor, engineer, masseur, nurse, physiotherapist, quantity surveyor, solicitor, surveyor, teacher (other than a dancing teacher or a music teacher), or town planner, or a person having in the opinion of the Council an occupation of a similar nature; and "professional person" has a corresponding interpretation;
- 8.72 "Public amusement" means the use of land as theatre, a cinema, a dance hall, a skating rink, swimming pool or gymnasium, or for games; but does not include any of these activities carried on in the open unless specially approved by the Council;
- 8.73 "Public assembly—place of" means any special place of assembly including grounds for athletics, all sports grounds with spectator provision, race courses, trotting tracks, stadia, or showgrounds;
- 8.74 "Public authority" means a Minister of the Crown acting in his official capacity, a State Government Department, State trading concern, State instrumentality, State public utility, the Council and any other person or body, whether corporate or not, who or which, under the authority of any Act, administers or carries on for the benefit of the State, a social service or public utility;
- 8.75 "Public building" means a building that may suitably form part of a civic or neighbourhood centre;
- 8.76 "Public parking station" means a parking area of "car park" provided by the Council for use by the public with, or without charge;
- 8.77 "Public recreation" means the use of land for public park, public gardens, foreshore reserve, playground or grounds for recreation which are normally open to the public without charge;
- 8.78 "Public worship—place of" includes buildings used primarily for the religious activities of a church, but does not include an institution for primary, secondary or higher education, or a residential training institution;
- 8.79 "Public Utility" means any works or undertaking constructed or maintained by a public authority or municipality as may be required to provide water, sewerage, electricity, gas, drainage, communications or other similar services;
- 8.80 "Quadruplex" means a building comprising four complete and self contained dwellings but does not include a building in which the units are constructed one above another.
- 8.81 "Radio and T.V. Installation" means land, buildings, devices or structures for the transmission or receiving of signals and/or pictures but does not include domestic radio and television receivers;
- 8.82 "Residential building" means a building, other than a dwelling house, designed for use for human habitation together with such outbuildings as are ordinarily used therewith, and the expression includes a hostel, a hotel designed primarily for residential purposes and a residential club;

- 8.83 "Row housing" means a building of one or two storeys comprising a group of four or more self-contained dwellings, each on its own lot of not less than 230 sq. metres having a walled court front and rear, each attached to another by a party wall or walls constructed over the allotment boundaries;
- 8.84 "Rural industry" means an industry handling, treating, processing or packing primary products grown, reared or produced in the locality, and a workshop, servicing plant or equipment used for rural purposes in the locality;
- 8.85 "Rural Pursuit" means and includes agriculture, horticulture, forestry and pasture, but not including poultry farming;
- 8.86 "Service industry" means a light industry carried on, on land and in buildings having a retail shop front and in which goods may be manufactured only for sale on the premises, or land and buildings having a retail shop front and used as a depot for receiving goods to be serviced;
- 8.87 "Service shop" means a shop forming part of a building and designed to serve the residents of the building;
- 8.88 "Service station" means land and building used for the supply of petroleum products and automotive accessories and includes greasing, tyre repairs and minor mechanical repairs;
- 8.89 "Shop" means any building wherein goods are kept exposed or offered for sale by retail and includes, cafe, restaurant, and receiving depot, but does not include an eating house, a bank, fuel depot, a market, a service station, a petrol filling station, a milk depot, a marine store, a timber yard, or land and buildings used for the sale of motor and other vehicles, or for any purpose falling within the definition of industry;
- 8.90 "Showrooms" means rooms in connection with warehousing or offices and intended for display of goods of a bulky character;
- 8.91 "Site coverage" has the same meaning as "coverage" and is synonymous with the definition contained in the Uniform Building By-laws;
- 8.92 "Sports ground" means any land used for any sport; but does not include land within the curtilage of a dwelling if not used commercially;
- 8.93 "Strata Title" has the same meaning as that given to the term in the Strata Title Act, 1969 (amended);
- 8.94 "Street alignment" means the boundary between the land comprising a street and the land that abuts thereon, but where new street alignment is prescribed, means the new street alignments so prescribed;
- 8.95 "Terrace housing" means a building of one or two storeys comprising a group of five or more self-contained dwellings, each joined to another by a party wall or walls, the building being so designed that no dwelling is constructed above another;
- 8.96 "Town housing" means a building of not more than three storeys, comprising a row of four or more self-contained houses, each on its own lot of not less than 150 square metres, having a walled court front and rear, each attached to another by a party wall or walls constructed over the lot boundaries;
- 8.97 "Trade display" means the display of goods for advertisement as approved by the Council;
- 8.98 "Transport depot" means land used for the garaging of road motor vehicles used or intended to be used for carrying goods for hire or reward or for any consideration, or for the transfer of goods from one such motor vehicle to another of such motor vehicles, and includes maintenance and repair of vehicles;
- 8.99 "Triplex" means a building comprising three complete and self-contained dwellings but does not include a building in which the units are constructed one above another;

- 8.100 "Uniform building by-laws" means the Uniform General Building By-laws 1965 published in the *Government Gazette* on the 15th October, 1965, and amended from time to time thereafter by notices published in the *Government Gazette*;
- 8.101 "Vehicle" includes tractor;
- 8.102 "Veterinary surgeon" means a duly qualified person who treats, cares or administers to animals;
- 8.103 "Veterinary consulting rooms" means a building in which a veterinary surgeon or veterinarian treats the minor ailments of domestic animals and household pets, but does not include overnight accommodation;
- 8.104 "Veterinary establishment" means land and buildings used for, or in connection with, the treatment of sick animals and pets and includes the boarding of animals and pets;
- 8.105 "Warehouse" means any building or enclosed land, or part of a building or enclosed land, used for storage of goods and the carrying out of commercial transactions involving the sale of such goods by wholesale;
- 8.106 "Zone" means a portion of the Scheme Area shown on the map by distinctive colouring, hatching or edging for the purpose of indicating the restrictions imposed by the Planning Scheme on the erection and use of buildings or the use of land, but does not include land reserved;
- 8.107 "Zoological gardens" means land and buildings used for the keeping, breeding or display of native and/or imported fauna and the term includes "zoo" or any other similar terminology but does not include kennels for the keeping, breeding or showing of domestic pets.

PART II.—RESERVED LAND.

9. Regional Reservations: The land shown as "Regional Reservations" on the Scheme Map are lands reserved by the Metropolitan Region Planning Authority pursuant to the Metropolitan Region Scheme and are shown on the Scheme Map in order to comply with the Metropolitan Region Town Planning Scheme Act, 1959, as amended. The said lands are not reserved by this Scheme.

10. Local Reservations: The lands shown as Local Reservations on the Scheme Map (hereinafter referred to as "Local Reservations") are lands reserved by this Scheme for local purposes or for purposes shown on the said map. These lands are already vested in the Council or shall be acquired by the Council.

11. Uses: Local Reservations until vested in the Council may be used—

- (a) for the purpose for which the land is reserved under this Scheme;
- (b) where such land is vested in a public authority, for any purpose for which such land may be lawfully used by that authority;
- (c) for the purpose for which it was used at the date upon which this Scheme came into operation unless the land shall have in the meantime become vested in a public authority or unless such use shall have been changed with the approval of the Council.

12. Development: No person shall, on a Local Reservation, without the approval of the Council—

- (a) demolish or damage any building or works;
- (b) remove or damage any tree;
- (c) excavate spoil or waste the land so as to destroy, affect, or impair its usefulness for the purpose for which it is reserved;
- (d) construct, extend or alter any building or structure other than a boundary fence.

13. The Council may, on written application of the owner of a Local Reservation, grant its approval to the carrying out of any of the works mentioned in Clause No. 12, refuse its approval or grant its approval upon such conditions as it thinks fit.

13

14. If the Council shall—

- (a) refuse to grant its approval to the use of a Local Reservation for any purpose permitted on land adjoining it; or
- (b) refuse to grant its approval to the carrying out of any of the works mentioned in Clause 12 hereof; or
- (c) when granting its approval to the carrying out of any of the said works, impose conditions which are unacceptable to the person applying for such approval;

and if—

- (d) the applicant does not agree to abandon the application for the Council's approval; or
- (e) in the meantime the Council does not resolve to exercise its powers under section 13 of the Act; or
- (f) no previous claim for compensation has been made for injurious affection by reason of the reservation of the land;

then claims for compensation for injurious affection by reason of the reservation of the land and the Council's decision may be made within six (6) months of the decision of the Council.

15. The Council may deal with or dispose of a Local Reservation upon such terms and conditions as it thinks fit, provided that the land is used for or preserved for the use for which the land is reserved.

PART III.—ZONES.

16. Classification: There are hereby created the several Zones set out hereunder.

Zones.

- 1. Residential A.
- 2. Residential B.
- 3. Residential C.
- 4. Residential D.
- 5. Urban Development.
- 6. General Residential 4.
- 7. Hotel.
- 8. Motel.
- 9. Local Shopping.
- 10. District Shopping.
- 11. Office.
- 12. Private Clubs and Institutions.
- 13. Public Assembly.
- 14. Light Industry.
- 15. General Industry.
- 16. Noxious Industry.
- 17. Service Station.
- 18. Public Building.
- 19. Rural.
- 20. Special Purposes—
 - 20.1 T.A.B.
 - 20.2 Restaurant.
 - 20.3 Car Park

The Zones numbered 1 to 6 are hereinafter referred to as Residential Zones.

17. The said Zones are delineated and shown on the Scheme Map according to the legend thereon.

18. Uses: The Zoning Table as outlined in Appendix "A" indicates subject to the provisions of this Scheme the uses permitted in the various Zones shown in the Zoning Table. The uses are determined by cross reference between the list of Use Classes on the left hand side of the Zoning Table and the list of Zones at the top of the Zoning Table. The symbols used in the cross reference in the Zoning Table have the following meanings:—

"P" A use that is permitted under this Scheme.

"AA" A use that is not permitted unless approval is granted by the Council.

"X" means a use that is not permitted under this Scheme.

19. Where in the Zoning Table a particular use is mentioned it is deemed to be excluded from any use class which by its more general terms would otherwise include such particular use.

20. If a particular use or purpose is not mentioned in the list of use classes or is not included in the general terms of any of the use classes such use or purpose shall unless it is permitted by the subsequent provisions of the Scheme be deemed to be prohibited.

21. Application for Approval of Council: Any person who desires to use land for a purpose which by the provisions of this Scheme is only permitted if approval is given by the Council shall make application for such approval to the Council in writing.

22. The application shall be made in the form in Appendix 'C' and shall state the following particulars:—

- (a) The full name and address of the applicant.
- (b) A description of the land and the particulars of the Certificate of Title.
- (c) The names and addresses of the registered proprietors and of all other persons having an interest in the land and the nature of their interest.
- (d) The nature of the applicant's interest in the land.
- (e) The purpose for which the applicant desires to use the land.
- (f) The nature of the building and other improvements now on the land.
- (g) The nature of the buildings and other improvements the applicant desires to construct on or make to the land.

23. The Council shall consider the application and may refuse its approval or may resolve to recommend to a subsequent meeting of the Council that approval be granted. If the Council resolves to recommend that approval be granted it shall refer the matter to a subsequent meeting of the Council to be held not less than three weeks nor more than three months after the passing of the resolution recommending approval.

24. The Council may resolve that notice be given to ratepayers likely to be affected by the granting of the approval and in that case it shall notify the applicant of the names and addresses of all persons who according to the Rate Book are the rateable owners of land within an area to be specified by the Council likely to be affected by the granting of the application.

25. The Council should require notice to be given to ratepayers if the proposed use is likely to be carried on at night or is likely to cause noise or to cause an assembly of persons or vehicles.

26. If so directed by the Council the applicant shall—

- (a) cause to be sent by certified post to the owners whose names and addresses have been given to him by the Council and to all persons having an interest in the land the subject of the application a copy of his application to the Council; and
- (b) cause to be published in a newspaper circulating in the Scheme Area notice of his application setting out in an abbreviated form the information contained in his application and stating that objections may be made to the Council within twenty-eight days from the publication of the said notice.

27. At a subsequent meeting of the Council held if notices have been given after the expiration of twenty-eight days from the publication of the said notice and after the expiration of twenty-eight days from the posting of the said notices to the owners whichever is the later the Council shall again consider the application and decide whether to grant or withhold its approval or grant its approval upon conditions.

28. In making its decision on applications for its special approval the Council shall take into consideration the following matters:—

- (a) The provisions of any Town Planning Scheme including this Scheme affecting the land the subject of the application or affecting land in the vicinity.
- (b) The nature of the proposed development in relation to the development of any land within the vicinity of the said land.

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- (c) The size shape and character of the parcel of land to which the application relates and the nature and siting of the proposed building the view from the building and the interruption of view likely to be caused by the proposed building.
- (d) Any representations which have been made by any statutory authority.
- (e) The existing and likely future amenity of the neighbourhood including (but without limiting the generality of the foregoing) the question of whether the proposed development is likely to cause injury to such amenity including injury due to the emission of light, noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, liquid wastes or waste products.
- (f) The nature of the roads giving access to the said land.
- (g) What parking facilities are available or proposed and the likely requirements for parking.
- (h) Such other matters as the Council considers relevant.

29. The Council may enter into agreements with the Applicant whereby the Applicant covenants for himself and his transferees to carry out and observe the conditions (if any) imposed by the Council in granting its approval as aforesaid.

PART IV.—BUILDING STANDARDS AND PARTICULAR ZONING REQUIREMENTS.

30.1 Minimum Development Requirements: Subject to the provision of the Scheme no person shall construct a building for residential purposes in any of the following zones unless in accordance with the table set against such zone hereunder:—

Zone.	Table.
Residential A	SR Zone A.
Residential B	SR Zone B.
Residential C	SR Zone C.
Residential D	SR Zone D.
General Residential 4	GR 4.

30.2 Minimum Subdivisional Requirements: No subdivision of land shall be permitted in any of the zones specified hereunder if such subdivision creates a lot having an area of less than the minimum area set against such zone hereunder:—

Zone.	Minimum Area of Lot.
Residential A	4 000 m ² .
Residential B	1 900 m ² .
Residential C	Less than 1 900 m ² , to a minimum of 950 m ² , subject to suitable on-site disposal of effluent.
Residential D	800 m ² . Where comprehensive sewerage is provided—700 m ² .

30.3 Notwithstanding the provisions of Clause 30.1, outbuildings constructed at the rear of a residence together with swimming pools, pergolas and garden structures may be built in accordance with the clearance requirements of the Uniform General Building By-laws; and in Residential Zones C and D open carports may be built within the side boundary set-back area provided no part of the carport is nearer than 1 metre to the boundary.

31. Relaxation of Standards: Subject to the provisions of the Uniform General Building By-laws, the Council may, by absolute majority, either generally or in any particular case relax the requirements of this Part.

- (a) Residential Zone B—where no more than three (3) lots are created, a minimum area requirement of 1 800 square metres.

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- (b) Residential Zone C—where no more than three (3) lots are created, a minimum area requirement of 900 square metres.
- (c) Road Widening—where land is taken for the purpose of widening an existing, gazetted public road, some dispensation may be granted from the minimum lot size to that zone where no more than three (3) lots are created.
- (d) Lot Size Policy—The Town Planning Board may, following due consideration of the recommendation of Council, vary the standards set for lot size and frontage, when in exceptional cases it is considered reasonable to do so and such variation would not prejudice the overall intent of this Lot Size Policy; provided that no decision to vary the standards is made until the matter is again referred to the Council for further comment in those cases where Council's original recommendation was that no variation should be permitted.
- (e) Set-back Dispensation—Subject to the requirements of subclause (iii), dispensation may be granted for set-backs from boundaries where the provisions of either frontage or area of the particular lot are less than provided as a minimum under Table S.R. as follows:—
- (i) Undersized Lots: If a lot within a Residential A or B Zone has an area less than 1900 m², then the minimum set-back from boundaries shall be as outlined in Residential Zone C.
 - (ii) Open Carports: In residential Zones C and D an open carport may be constructed within the side boundary set-back area provided no part of the carport is nearer than 1 metre to the boundary.
 - (iii) Special Dispensation: Notwithstanding other provisions of this clause, the Council may approve an application for special dispensation if the lot has such physical characteristics as to render it impractical to comply with the provisions of Table S.R., provided full supporting evidence is provided by the owner to substantiate such an application.

TABLE S.R.

Minimum Lot Area	Minimum Effective Frontage	Maximum No. of D.U.	Maximum Plot Ratio	Minimum No. of Car Spaces	Minimum Setbacks from Boundaries		
					Front	Side(s)	Rear
Zone Square Metres	Metres						
A. 4 000	40	1	0.15	2	9 m	11 m combined: 6 m min. one side	15 m
B. 1 900	30	1	0.30	2	9 m	8 m combined: 5 m min. one side	15 m
2 000	40	2 (Duplex)	0.30	2 per D.U.	9 m	8 m combined: 5 m min. one side	15 m
C. 950	22	1	0.30	2	9 m	4 m combined: 2.5 m min. one side	7.5 m
1 500	30	2 (Duplex)	0.30	2 per D.U.	9 m	3 m per storey	7.5 m
D. 800	22	1	0.30	2	7.5 m	4 m combined: 2.5 m min. one side	7.5 m
1 500	30	2 (Duplex)	0.30	2 per D.U.	7.5 m	3 m per storey	7.5 m

Where comprehensive sewerage schemes are provided in this Zone, the requirements of this part may be modified as follows:—

700	22	1	0.30	2	7.5 m	4 m combined: 2.5 m min. one side	7.5 m
1 000	25	2 (Duplex)	0.30	2 per D.U.	7.5 m	3 m per storey	7.5 m

Where comprehensive subdivision plans and development designs are submitted for precincts or neighbourhoods with a minimum area of 120 ha the Minister may, after considering reports from the Local Authority and the Town Planning Board, modify any of the standard requirements of the zone, provided he is satisfied that the modifications are both socially and aesthetically desirable.

TABLE G.R. 4.

Minimum Lot Area		Minimum Effective Frontage		Maximum Number of D.U.	Maximum Plot Ratio	Minimum Number of Car Spaces	Minimum Setbacks from Boundaries		
Perches	Sq. Ft.	Links	Feet				Front	Side(s)	Rear
27	7 350.75	90	59.4	1 (Single-family detached unit)	0.30	2 per D.U.	Feet 25	13 ft. combined : 8 ft. minimum one side	Feet 25
40 (¼ acre)	10 890	100	66.0	2 (Duplex)	0.30	2 per D.U.	25	10 ft. per storey each side	25
50	13 612.5	115	75.9	3 (Triplex)	0.30	2 per D.U.	30	10 ft. per storey each side	25
60	16 335	125	82.5	4 (Quadruplex)	0.30	2 per D.U.	30	10 ft. per storey each side	25
80 (½ acre)	21 780	150	99.0	Multiple	0.30	30	10 ft. per storey each side	30
100	27 225	175	115.5	Multiple	P.R. increases	5 D.U. or less—	30	10 ft. per storey each side	30
120 (⅔ acre)	32,670	200	132.0	Multiple	0.000625 for each	8 spaces :	30	10 ft. per storey each side	30
160 (1 acre)	43 560	250	165.0	Multiple	Perch increase in Lot Area between 80 perches and 400 perches.	6-20 D.U.—1.5 spaces for each D.U. Over 20 D.U.—30 spaces + 1.25 spaces for each D.U. in excess of 20.	30	10 ft. per storey each side	30
400 (2½ acres)	108 900	300	198.0	Multiple	0.50		30	10 ft. per storey each side	30

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Where comprehensive architectural plans and designs of group houses, such as are commonly known as *patio houses*, are submitted for a minimum group of 4 units, then the Local Authority, with the consent of the T.P. Board, shall have discretion to modify standards as follows :—

12	3 267	60	39.6	1 (Single-family patio house)	0.35	1 per D.U.	20	Nil between patio houses 10 ft. at ends of each row	20
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Where comprehensive architectural plans and designs are submitted for multi-unit development with a lot area exceeding 2½ acres, then the Minister may, after considering reports from the Local Authority and the Town Planning Board, modify all standards, other than plot ratio, provided he is satisfied that the modifications are both socially and aesthetically desirable.

Where comprehensive subdivision plans and development designs are submitted for precincts or neighbourhoods with a minimum area of 20 acres, then the Minister may, after considering reports from the Local Authority and the Town Planning Board, modify all standard requirements, provided he is satisfied that the modifications are both socially and aesthetically desirable.

* NOTE : When dealing with plans of a Metric Scale the nearest metric equivalent will be used.

32. Lot Frontage: See Appendix "D".

32.1 Residential Zone A—No new lot shall be created in a residential area with a frontage of less than forty (40) metres unless the lot is tapered, in which case the lot shall have a minimum width of forty (40) metres at a distance of nine (9) metres from the street alignment and a minimum street frontage of thirty (30) metres.

32.2 Residential Zone B—No new lot shall be created in a residential area with a frontage of less than thirty (30) metres unless the lot is tapered, in which case the lot shall have a minimum width of thirty (30) metres at a distance of nine (9) metres from the street alignment and a minimum street frontage of twenty-four (24) metres.

32.3 Residential zone C—No new lot shall be created in a residential area with a frontage of less than twenty-two (22) metres unless the lot is tapered, in which case the lot shall have a minimum width of twenty-two (22) metres at a distance of nine (9) metres from the street alignment and a minimum street frontage of nineteen (19) metres.

32.4 Residential Zone D—No new lot shall be created in a residential area with a frontage of less than twenty-two (22) metres unless the lot is tapered, in which case the lot shall have a minimum width of twenty-two (22) metres at a distance of seven point five (7.5) metres from the street alignment and a minimum street frontage of eighteen (18) metres.

33. Battle-Axe Lots—Notwithstanding the provisions of Clause 32 the Council may approve the creation of one or more lots subject to:—

- (a) The minimum width of access to be not less than five (5) metres.
- (b) The length of the access strip to be not in excess of sixty (60) metres.
- (c) The area to be in conformity with the provisions of the residential zone within which the lot is situated such area not to include the area of the access strip.
- (d) The access strip to be sealed to the satisfaction of the local authority to a minimum width of Three (3) metres.
- (e) The following criteria shall form the basis for consideration of applications under this section:—
 - (i) The possibility of alternative forms of subdivision.
 - (ii) The possible affect on approved road patterns.
 - (iii) The proximity of the land to regional or local open space.
 - (iv) Topography, contours and vegetation.
 - (v) View from the land and to the land.

34. Planned Unit Development: Where a lot in excess of two hectares is the subject of a development proposal the Council may give consideration to planned unit development. The residential density created shall not be greater than that prescribed for the residential zone.

35. Site Coverage:—

- (a) Residential Zones—The site coverage to be not more than that as shown on table S.R. as maximum Plot Ratio.
- (b) Commercial Zones—Local and District—The site coverage to be no more than 60 per cent of each lot or lots to be built upon.

36. Duplex Houses: In addition to the requirements specified in the Table S.R., the following provisions shall apply to Duplex Houses:—

- (a) No Duplex house shall be constructed within a radius of 200 metres in a Residential B Zone, or within 100 metres in a Residential C Zone or Residential D Zone of an approved or developed duplex site.
- (b) If Council's approval to commence development on the site has been granted the applicant shall make application for a building licence with all necessary plans and specifications within six (6) months from the date of such preliminary approval.
- (c) The Council shall not grant its approval to commence development in respect of a duplex house until objections from adjoining owners have been considered following notification by Council.

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- (d) If the duplex house shall not be completed in accordance with the Building License the Council may revoke any approval given by it to erect a duplex house on the land.
- (e) Approval to commence development is not transferable.

37. Multi Residential Buildings: The application for planning permission and the accompanying plans and specifications for a building to be used for multi-residential purposes shall include details of the proposed landscaping of the area.

38. Building Set Back Distances:

- (a) No building intended to be used as a dwelling house shall be erected closer than the minimum set back as provided in Table S.R. measured horizontally from a street alignment.
- (b) In addition to the set back provided in Table S.R. all buildings shall be set back an additional distance from the original alignment of the South side of Welshpool Road. Starting from the western boundary of the Scheme Area the additional distance shall be twenty (20) metres continuing to the south eastern boundary of Lot 384 Canning Location 7; thence tapering back in a straight line to zero metres at the south eastern boundary of Lot 1 Canning Location 289.
- (c) In addition to the set back provided in Table S.R. all buildings shall be set back an additional distance from the original alignment of the north side of Welshpool Road. Starting from a point on the original alignment opposite where the southeastern boundary of Lot 384 Canning Location 7 meets the original alignment, the additional distance shall be zero metres then increasing in a straight line to twenty (20) metres at the eastern boundary of lot 57 Canning Location 288 and 289; thence continuing to be twenty (20) metres to the south eastern boundary of Lot 150 Canning Location 11; thence tapering back in a straight line to zero metres at a point on the existing alignment ninety-six point three (96.3) metres east of the south eastern boundary of Lot 150 Canning Location 11.
- (d) In addition to the set back provided in Table S.R. all buildings shall be set back an additional distance from the original alignment of the north eastern side of Welshpool Road. Starting from the northeast boundary of Kalamunda Lot 131 the additional distance shall be ten point five (10.5) metres tapering back in a straight line to four point five (4.5) metres, seventy-six (76) metres southeast of the starting point; thence continuing to be four point five (4.5) metres to the southeast boundary of Kalamunda Lot 131 (more particularly delineated on Tracing No. 6, Plan M.R.D. W.A. 2549).
- (e) In addition to the set back provided in Table S.R. all buildings shall be set back an additional five (5) metres from the original alignment of:—
 - (a) Canning Road—(Nos. 1837, 1480, 5686, 4597) both sides from Stanhope and Sampson Roads to common boundary with Armadale-Kelmscott Shire.
 - (b) Kalamunda Road—both sides from Edney Road to southern alignment of Elizabeth Street.
 - (c) Albina Road-West Terrace—both sides from Kalamunda Road to a point on the original road alignment, seventeen point six (17.6) metres north of the southern boundary of Lot 10 Swan Location 1122.
 - (d) Midland Road—both sides from Kalamunda Road to Adelaide Street.
 - (e) Hawtin Road (No. 5643)—both sides from Hale Road to junction of Brewer Road.
 - (f) Brewer Road—both sides from Hawtin Road to Kalamunda Road.
 - (g) Hale Road (No. 1838)—both sides from Welshpool Road to Hartfield Road.
- (f) In addition to the set back provided in Table S.R. all buildings shall be set back an additional ten (10) metres from the original alignment of:—
 - (1) Elizabeth Street—south side from Kalamunda Road to the junction of Railway Road.

- (ii) Pomeroy Road—east and south sides from Welshpool Road to the junction of Canning Road.
 - (iii) Kalamunda Road (No. 1844)—north side from the western boundary of the Scheme Area to Edney Road.
 - (iv) Maida Vale Road (No. 24844)—east and south side from Hardy Road to the junction of Priory Road.
 - (v) Priory Road—east side from Maida Vale Road to Kalamunda Road.
 - (vi) Welshpool Road (No. 1949)—south side from the eastern boundary of Lot 16 Canning Location 467 to Canning Road.
 - (vii) Hale Road (No. 1838)—north side from Hawtin Road to Hartfield Road.
 - (viii) Albina Road-West Terrace—east side from a point forty (40) metres north of the northern alignment of Nangana Way to the southern boundary of Swan Location 1122.
- (g) No building shall be erected closer than four point five (4.5) metres horizontally from the existing street alignment of:—
- (i) Canning Road—east side, from the southern boundary of Kalamunda Lot 54 at the corner of Mead Street to the northern boundary of Lot 5 Canning Location 385 north of Haynes Street; west side from Heath Road to Kalamunda Road.
 - (ii) Central Road—both sides, east and west from the southern boundary of Kalamunda Lots 42 and 48 at the corner of Mead Street to Haynes Street.
 - (iii) Barber Street—both sides, east and west from Haynes Street to Mead Street.
 - (iv) Haynes Street—both sides, north and south from Canning Road to Railway Road.
 - (v) Railway Road—west side from the southern boundary of Kalamunda Lot 36 at the corner of Mead Street to Stirk Street.
 - (vi) Mead Street—both sides, north and south from Canning Road to Railway Road.
- (h) Notwithstanding the provisions of clause 38, (a.-g. inc.) the following set back distances shall apply unless otherwise stipulated:—
- (i) For land in a business zone—nine (9) metres from the alignment of the road or street on which such land abuts, except where the design for a subdivision creating the shop sites has provided for the required set back.
 - (ii) For land in a public building zone—fifteen (15) metres from the alignment of the road or street on which such land abuts and a minimum of four point five (4.5) metres from adjoining properties.
 - (iii) For land in a filling or service station zone—fifteen (15) metres from the alignment of the roads or streets on which such land abuts and a minimum of four point five (4.5) metres from adjoining properties.
 - (iv) For land in a rural zone—nine (9) metres from the alignment of the road or street on which such land abuts.
- (i) Corner Blocks: Where a parcel of land has a frontage to more than one road or street, the following provisions shall apply:—
- (i) A set back of the requisite distance under Table S.R. from the street alignment of the lesser frontage unless the two frontages are the same when there shall be a set-back of such distance from such frontages as may be nominated by the Council.
 - (ii) With the approval of the Council, in a residential zone or a light industrial zone a person may erect a building nearer to one only of the roads or streets than the building set back line but not nearer than four point five (4.5) metres to that road or street.
 - (iii) With the approval of the Council, in a business zone a person may erect a building nearer to one of the roads or streets than the building set-back line but not nearer than three (3) metres to that road or street.

39. Use of Set Back Areas: No person shall on any land used for business or industry use the land between a street alignment and the distance that buildings are required to be set back from such street alignment for any purpose other than one or more of the following:—

- (a) A means of access.
- (b) The daily parking of vehicles used by employees and customers.
- (c) The loading and unloading of vehicles.
- (d) Lawns and gardens.

The said area shall not be used for the parking of vehicles displayed for sale or which are being wrecked or repaired, nor for the stacking or storage of fuel, raw materials, products or by-products, or waste of manufacture.

40. In a Shopping Zone, the Council may permit a departure from the set-back provisions under the following circumstances:—

- (a) Where in respect of any parcel of land, buildings have been erected on the lots adjoining on both sides and both of these buildings are in front of the set-back line, the Council may reduce the set-back to that of the rearmost of the two buildings.
- (b) Where it is considered that a variation would increase road safety, reduce traffic hazard, increase the number of parking spaces and would not reduce environmental and amenity standards, either for the new shops or for the adjoining properties.

41. Vehicle Parking: The parking spaces to be provided in accordance with the Parking Requirements Table shall measure not less than the dimensions as shown in the Appendix B for the type of parking layout adopted. Parking bays shall be paved and serviced by all necessary accessways.

When considering any development application, the Council shall have regard to and may impose conditions on the details of locating and designing the required car parking spaces, natural planting and pedestrian spaces on the lot. In particular, the Council shall take into account and may impose conditions concerning—

- (a) the proportion of car spaces to be roofed or covered;
- (b) the proportion of car spaces to be below natural ground level;
- (c) the means of access to each car space and the adequacy of any vehicular manoeuvring area;
- (d) the location of the car spaces on the site and their effect on the amenity of adjoining development, including the potential effect if those spaces should later be roofed or covered;
- (e) the extent to which car spaces are located within required building set-back areas;
- (f) the locations of proposed public footpaths, vehicular crossings, or private footpaths within the lot, and the effect on both pedestrian and vehicular traffic movement and safety;
- (g) the suitability and adequacy of proposed screening or natural planting; and
- (h) the suitability and adequacy of elevated structural decks for development and service as a proportion of the required area for natural planting and pedestrian space.

42. An owner may, if the Council so agrees, contribute to the cost of acquisition and development by the Council of a public car park. The cost of each parking space in a public car park shall be ascertained by dividing the total cost or estimated cost of the acquisition and establishment of the public car park by the number of car parking spaces therein. The number of car parking spaces which an owner is required to provide pursuant to the Parking Requirements Table shall, if the Council so agrees, be reduced by the number of car parking spaces in a public car park of which an owner pays the cost.

43. Parking of Commercial Vehicles in Residential Zones: No person shall on privately owned land within a Residential Zone—

- (a) park or allow to remain stationary for more than four hours consecutively—
 - (i) more than two commercial vehicles, and if there are two such vehicles one at least must be housed in a domestic garage or domestic outbuilding;
 - (ii) any vehicle which due to size or load is not capable of being completely housed within a domestic garage or domestic outbuilding having a maximum floor area of seventy (70) square metres and in which no horizontal dimension is more than seven point five (7.5) metres;
 - (iii) a vehicle which together with the load thereon exceeds two point seven five (2.75) metres in height;
- (b) repair, service or clean a commercial vehicle unless such work is carried out whilst the vehicle is housed in a domestic garage or domestic outbuilding.

44. Industrial Zone Provisions: The following provisions shall apply in a Light Industry Zone, General Industry Zone and in a Noxious Industry Zone:—

- (a) The owner of the land on which a building is erected shall provide on the land or on land adjacent to the land on which the building is erected, permanent parking spaces sufficient to accommodate one car space for each two persons likely to reside or work in the building or on the subject land.
- (b) In the case of an industry in which employees work on shift work, the said parking spaces shall be sufficient to accommodate one car space for every two persons likely to be employed in the two largest shifts. Car spaces shall be provided on the basis of twenty-two point five (22.5) square metres.
- (c) The parking spaces shall be so located that the vehicles have easy access thereto and the owner of the land whereon provision is to be made for parking spaces in conformity with this requirement shall, before any buildings are constructed or extended, lodge with the Council a plan on which it is delineated all parking spaces and access lanes to be provided in accordance with this requirement. The owner shall at all times clearly indicate on the ground the boundaries of all parking spaces and access lanes in conformity with the said plan.
- (d) The owner shall, when lodging the plan referred to hereto, lodge with the Council a certificate stating the total number of persons employed and the number likely to reside or work in the building for which the parking spaces are shown on the plan lodged with the Council and in the case of an industry in which employees are employed in shift work, the total number of persons likely to be employed in the two shifts in which the largest number of persons are employed.
- (e) No person shall use a service road, access way or parking area situated on a parcel of land for any other purpose than a service road, access way or vehicle parking respectively.
- (f) No building or any other structure shall be erected closer than a distance of fifteen (15) metres from any part of a residential zone, except with the approval of Council. Trees shall be planted and maintained in this set-back to provide a suitable screen.
- (g) No building shall exceed two storeys in height, provided that this will not apply in the case of storage silos, water towers and similar uses.
- (h) Where any building is used or intended to be used for the purpose of classes 6, 7 or 8 occupancy, as defined in the Uniform Building By-laws, there shall be provided accommodation in the form of loading docks for vehicles delivering goods to or removing goods from such a building; every loading dock shall be so located that no portion of any vehicle occupying

or adjoining same shall project over the street alignment and where a site has an abuttal to more than one street, the responsible authority may require that access to loading docks shall be only from such street or streets as it shall so determine.

- (i) No building shall be constructed closer than eighteen (18) metres alignment of the main road frontage or closer than six (6) metres the alignment of the lesser road frontage unless the frontages are the same in which case there shall be a set-back of such distance from such frontage as may be nominated by the Council.
- (j) The whole of any wall or building facing any street shall be constructed in brick, concrete or masonry.
- (k) Notwithstanding the provision of the preceding paragraph, an owner, builder, or architect, may apply to the responsible authority for permission to use materials other than those prescribed and the responsible authority after consideration of a report by the Building Surveyor may permit the use of such other materials where it is satisfied that such use will not defeat the objects of the preceding paragraph.
- (l) Each open yard shall be screened from public roads by a close fence or wall not less than one point eight (1.8) metres in height unless with special permission of Council.
- (m) The ground floor area of all buildings on any site shall not exceed 60 per cent of the area of the site.
- (n) No person shall stack or place any fuel, raw materials, products or by-products or waste of manufacture in an industrial zone nearer to the road or street than the building set-back line.
- (o) No person shall use the land between the building set-back line and the road or street for any purpose other than a means of access, for parking of vehicles, for loading or unloading vehicles, or for lawns and gardens.
- (p) Save with the permission of the responsible authority, no advertising sign shall be erected in front of any building line whether prescribed herein or by the by-laws of the responsible authority. Any such sign shall be limited in size to four (4) square metres on which shall be marked only the name and occupation of the occupier.
- (q) On the same site as an industrial building, a dwelling house may be erected which forms part of or adjoins the industrial building. Such house is to be occupied by a caretaker or an employee of the industry and set aside for the exclusive use of the occupants. It must be established that such a dwelling house is necessary for the proper operation of the industry but not more than one such residence shall be permitted on each industrial site.
- (r) No person shall occupy a residence in an industrial zone as outlined in (q) above if the industrial undertaking ceases to operate.

45. Urban Development Zone:

- (a) It is intended that land in an Urban Development Zone be progressively developed for residential purposes and for business and other uses normally associated with residential development.
- (b) Before granting approval to any development within the Urban Development Zone that involves subdivision or follows subdivision, the Council shall require the submission of an Outline Development Plan for the whole of the Urban Development Zone. The Outline Development Plan shall show—
 - (i) the topography of the area;
 - (ii) the existing major road systems;
 - (iii) the location and width of proposed roads;
 - (iv) the approximate location and quantity of shopping, civic and public facilities proposed, together with an analysis of the factors used in the determination of the need for such facilities;

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- (v) the approximate location of the recreation and open space areas proposed; open space to be related to creeklines, native vegetation and other natural features;
 - (vi) the population and residential densities proposed;
 - (vii) the basic layout of a sewerage system;
 - (viii) the layout of comprehensive drainage, both land and stormwater;
 - (ix) land holdings adjacent to or in the vicinity of the area the subject of the application;
 - (x) the development proposed, the method of carrying out the development and the projected times of completion of each stage of development;
 - (xi) such other information as shall be required by the Council.
- (c) If the Council shall approve the Outline Development Plan in principle it shall submit it to the Town Planning Board.
- (d) If the Town Planning Board shall have approved the Outline Development Plan in principle the applicant shall advertise that the Outline Development Plan has been prepared and will be available for public inspection at the offices of the Council and the advertisement shall state that objections to the Outline Development Plan may be made to the Clerk of the Council and shall nominate a date not being less than twenty-one days from the date of the last advertisement before which such objections may be made.
- (e) The advertisement of the preparation of the Outline Development Plan shall be by notice at weekly intervals for each of three consecutive weeks in a newspaper circulating in the district.
- (f) The Council shall consider the objections, if any, to the Outline Development Plan and may, if the applicant agrees, amend the Outline Development Plan after such consideration of objections.
- (g) The Council may decide not to proceed with the proposal or may submit the Outline Development Plan so prepared to the Town Planning Board together with the objections and request the Board to adopt the plan submitted as the basis for approval of subdivision and development applications within the area covered by the plan.
- (h) Notwithstanding the provisions of the Zoning Table, if the developer and owner of land the subject of an approved Outline Development Plan shall enter into an agreement with the Council to develop the area within a time specified by the Council and to comply with such other terms and conditions as the Council shall consider desirable, the Council may permit the land to be used for the various purposes shown in the subdivision and development proposals approved by the Council.
- (i) Any person aggrieved by a decision of the Council under the terms of subclause (h) may appeal to the Hon. Minister for Town Planning seeking variation of the Council's decision.
46. General Appearance of Buildings:
- (a) No person shall construct—
- (i) a building which has an exterior design that is out of harmony with existing buildings;
 - (ii) an ugly building that may destroy local amenities and may be in conflict with the character of the area.
- (b) Any person who is aggrieved by the refusal of the Council to grant its approval to the construction of a building by reason of this clause may within thirty days after the refusal is communicated to him appeal to the Minister for Town Planning whose decision shall be final.

PART V.—MISCELLANEOUS.

47. Native Trees: So far as is practicable and consistent with the economic development of land, native trees and shrubs shall be retained.

48. Sewage Disposal: The Council may refuse to issue a planning approval for any particular type of development if in its opinion no sufficient provision is or can be made for the disposal of sewage.

49. Brick Construction: Unless with the special approval of the Council, no building other than an outbuilding shall be constructed of materials other than brick, stone or concrete, or materials of similar fire rating.

50. Outbuildings: The Council will permit the construction of outbuildings up to 70 square metres.

51. Wayside Stalls: No person shall at a wayside stall sell or expose for sale any commodity that has not been grown or produced on the land in front of which the wayside stall is situated.

PART VI.—DEVELOPMENT.

52. Council's Approval Necessary: In addition to a Building Licence, Council's prior approval to commence development is required for all development including a private dwelling house between the 90 metres to 230 metres contour.

53. No person shall commence any development except a private dwelling-house without the prior approval of the Council or otherwise than in accordance with the conditions of approval imposed by the Council or by the Minister.

54. Applications for Approval: Application to the Council for its approval to commence development shall be made in the form of Appendix "C".

55. Council's Approval: The Council may grant its approval with or without conditions or may refuse to grant its approval to the application to commence development.

56. If the Council shall have granted its approval to commence development subject to conditions and any of the conditions shall not be fulfilled or complied with, the Council may revoke its approval.

57. The Council may limit the time for which its approval to commence development remains valid.

58. If the Council shall not within sixty days of the receipt by it of an application to commence development have conveyed its decision to the applicant, the application shall be deemed to have been refused.

59. Models: For development of any residential or non-residential classification, but not including single tenement houses, or duplexes, the Council may require the applicant to provide a model of the proposed development upon receipt of preliminary approval and prior to final approval.

- (a) The model to be so constructed as to show the physical characteristics and proposed form of development to such a scale as designated by Council.
- (b) In the case of a Residential or Industrial Estate Development where the overall area is in excess of two hectares a model may be required at the discretion of Council.
- (c) In the case of major additions exceeding 50 per cent of the existing floor space of a building a model may be required at the discretion of Council.

60. Development Bonds: A Development Bond shall be payable in the following cases, either by cash to be held by the Council in Trust, or in the form of a Bank Guarantee for the required amount:—

- (a) An application to commence development which requires specific approval of Council, but not including Single Residential, under the Council's Town Planning Scheme Text and shown on the Zoning Table as "AA".

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- (b) An application for rezoning of a lot or lots to allow a specific form of development, e.g. Service Station, Motel, Hotel, Commercial, etc.
- (c) Amount: The Development Bond shall be 3% of the estimated cost of development but not including land. The bond to be calculated from the figure as shown on Appendix C of the Town Planning Scheme Text which will be forwarded with all the above applications.
- (d) Payment of Development Bond—
 - (i) Pursuant to Clause 60 (a) the total Bond to be paid to the Council at the expiration of any objection period as stipulated by resolution of Council.
If the Development Bond is not received within a period of three months, Council's Specific approval is automatically revoked.
 - (ii) Pursuant to Clause 60 (b) 10 per cent of the total Bond is to be paid to Council prior to preparation of documents for submission to the Minister for preliminary approval. If preliminary approval is not granted all moneys paid will be refunded. Upon receipt of preliminary approval, if the project is not proceeded with, within a period of six (6) months, the 10 per cent is automatically forfeited.
 - (iii) The balance of the Bond shall be paid to the Council at the expiration of the objection period and prior to the gazettal of final approval if such approval has been agreed to by the Council and the Minister. The total bond shall be forfeited if the development is not to a stage of plate high within a period of two (2) years from the date of gazettal of final approval of the zoning.

PART VII.—NON-CONFORMING USES OF LAND.

61. If at the gazettal date any land, building or structure is being lawfully used for a purpose or in a manner not permitted by the foregoing provisions of this Scheme (hereinafter called a "non-conforming use") the non-conforming use may continue, subject to the following restrictions:—

- (a) The non-conforming use shall not be extended beyond boundaries of the lot or lots upon which it was carried on at the gazettal date.
- (b) If the buildings in which the non-conforming use is carried on are wholly within one lot only, then such buildings shall not be extended beyond the limits of that lot.
- (c) If the building or buildings in which the non-conforming use is carried on are constructed on more than one lot, such non-conforming use shall be restricted to the land on which the building stands or the buildings stand and such land which is adjacent to the building or buildings and not being used for any other purpose authorised by the Scheme as is reasonably required for the purpose for which the building or buildings is or are being used.
- (d) A building which does not conform to the provision in Part IV shall not be altered or extended unless it conforms to the relevant provisions of Part IV or unless with the special approval of the Council;
- (e) If any building or structure was at the date of coming into operation of the Kalamunda Shire Council Scheme as gazetted on 18th October, 1963, used for a purpose or constructed in a manner not permitted by this Scheme and is subsequently destroyed or damaged by fire or otherwise to the extent of more than seventy-five per cent of its value, it shall not thereafter be repaired, rebuilt, altered or added to for the purpose of being used for any purpose not permitted by this Scheme or in a manner not permitted by this Scheme, unless permission to do so is granted by the Council pursuant to this subclause.

62. If a non-conforming use shall after the gazettal date be discontinued, or changed, no person shall thereafter use the land or any building or structure thereon on which the non-conforming use was carried on for any purpose not permitted by this Scheme.

63. The Council may for the purpose of discontinuing any particular non-conforming use acquire the lot and buildings (if any) on or in which the use is or is permitted to be carried on or make agreements relating to the payment of compensation or moneys to persons willing to discontinue the non-conforming use.

64. Any person carrying on a non-conforming use shall within twelve calendar months of the gazettal date or within such extended time as the Council shall allow give to the Council in writing full information on the nature and extent of the non-conforming use.

65. If any land on which a non-conforming use has been carried on shall be subdivided no person shall without the approval of the Council thereafter carry on a non-conforming use on such land or any part thereof.

PART VIII.—PRESERVATION AND CONSERVATION OF OBJECTS OF NATURAL BEAUTY AND HISTORICAL BUILDINGS AND OBJECTS OF HISTORIC OR SCIENTIFIC INTEREST.

66. (a) The Council may resolve that it will consider whether an object of natural beauty specified in the resolution should be conserved.

(b) The Council may resolve that it will consider whether an historical building or an object of historical or scientific interest should be preserved.

67. If the Council shall pass one of the resolutions mentioned in the clause immediately preceding (hereinafter called "the preliminary resolution") it shall forthwith give notice of the resolution to—

- (a) the owner of the land on which the object of natural beauty or the historical building or the object of historical or scientific interest is situated;
- (b) the occupier of such land if he is not the owner;
- (c) all other persons whose names appear on the Certificate of Title to the said land as having an interest therein;
- (d) the National Trust of Australia (W.A.);
- (e) the Royal Western Australian Historical Society (Inc.);
- (f) the Western Australian Tourist Development Authority;
- (g) such other persons who in the opinion of the Council could give to it information which would assist the Council in arriving at a decision on the proposal.

68. The said notice shall inform the person to whom it is directed that the matter will be reconsidered by the Council after the expiration of two calendar months from the date of the passing of the said resolution and that any recommendations or objections made in writing to the Council by such person before that time will be considered. The notice shall also contain a copy of this Part of the Scheme.

69. The Council shall cause a copy of the preliminary resolution to be published in a newspaper circulating throughout the State of Western Australia and in a newspaper published in the Council's district if such exists.

70. After the expiration of two calendar months but not later than four calendar months from the passing of the preliminary resolution the matter shall be reconsidered by the Council.

71. The Council shall consider all written recommendations and objections submitted to it and may resolve that the object of natural beauty or the historical building or object of historical or scientific interest should be conserved or preserved as the case may be. If the Council shall pass the said resolution (hereinafter called "the preservation resolution") it shall give written notice thereof to all persons mentioned in Clause 67 hereof.

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72. If the Council shall not within a period of six months from the passing of the preliminary resolution pass the preservation resolution the Council shall be deemed to have abandoned the proposal contained in the preliminary resolution and shall not pass a preservation resolution unless and until the procedure mentioned in this Part of the Scheme shall have again been followed.

73. The Council may purchase or subject to the Act resume the parcel of land on which the object of natural beauty or the historical building or object of historical or scientific interest mentioned in the preservation resolution passed by the Council is situated or so much thereof as is in the opinion of the Council necessary for the preservation of the said object or building.

74. The Council may—

- (a) enter into agreements with the owners or occupiers of land on which an object of natural beauty or historic building or object of historical or scientific interest is situated for the preservation or conservation of such building or object whether a preservation resolution has been passed or not;
- (b) enter into agreements with any of the organisations named in paragraphs (d), (e) or (f) of Clause 67 hereof or with any other person for the preservation or conservation of any building or object mentioned in a preservation resolution passed by the Council, or if the owner thereof so agrees notwithstanding that no preservation resolution has been passed;
- (c) enter into agreements relating to the determination and settling of compensation.

75. Any person who is injuriously affected by the passing of a preservation resolution may within six months from the passing of the said resolution claim compensation from the Council.

76. If the parties cannot agree upon the amount of compensation payable it shall be determined by arbitration in accordance with the Arbitration Act, 1895.

77. No person shall without the written consent of the Council—

- (a) within six months from the passing of a preliminary resolution; or
- (b) after the passing of a preservation resolution, make any alteration or addition to, damage, deface, demolish, or remove any object of natural beauty, historic building, or object of historical or scientific interest referred to in any such resolution.

PART IX.—ADMINISTRATION.

78. Prohibition:

- (a) No person shall use any land or any building or structure thereon otherwise than in accordance with the provisions of this Scheme.
- (b) If pursuant to the provisions of the Scheme approval shall have been granted by the Council upon conditions, no person shall commit a breach of any of those conditions.
- (c) Penalty Clause: Any person who fails to comply with any of the provisions of the Scheme is guilty of an offence and is liable to such penalties as are prescribed by the Town Planning and Development Act, 1928, and its amendments.

79. Powers of Council: The Council in the conduct and management of this Scheme shall in addition to all other powers vested in it have the following powers:—

- (a) To enter and inspect any land or building within the Scheme Area at a reasonable hour.
- (b) To enter into agreements and arrangements with any of the owners of land within the Scheme Area.
- (c) To acquire land or buildings within the Scheme Area.

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(d) To acquire land within a Light Industry Zone, a General Industry Zone, or a Noxious Industry Zone in order that such land may be made available for any use permitted in the Zone in which the land is situated.

80. Twenty-eight (28) days' written notice is hereby prescribed as the notice to be given pursuant to section 10 of the Town Planning and Development Act, 1928 (as amended). Any expenses incurred by the Council under the said section may be recovered from the person in default as a simple contract debt in such court of civil jurisdiction as is competent to deal with the amount of the claim.

81. The Council may at the time exercise the powers conferred by section 13 of the Town Planning and Development Act, 1928 (as amended).

82. Compensation: Unless otherwise provided in the Scheme, claims for compensation by reason of this Scheme shall be made not later than six months after the gazettal date.

Adopted by resolution of the Council of the Shire of Kalamunda at the Ordinary Meeting of Council held on the 25th November, 1974, and the Seal of the Municipality was pursuant to that resolution hereunto affixed in the presence of—

[L.S.]

G. C. C. SPRIGGS,
President.

L. F. O'MEARA,
Shire Clerk.

This Scheme is to be read in conjunction with the approved map of the Scheme described in Clause 5 of this Scheme and to which formal approval was given by the Hon. Minister for Town Planning on the 10th January, 1975.

Recommended—

DAVID CARR,
Chairman of the Town Planning Board.

Date: 8th January, 1975.

Approved—

E. C. RUSHTON,
Minister for Town Planning.

Date: 10th January, 1975.

ZONING TABLE

APPENDIX 'A'

Use Classes	Residential				G.R. 4	Hotel	Motel	Local Shopping	District Shopping	Service Station	Office	Private Clubs & Institutions	Public Assembly	Light Industry	General Industry	Noxious Industry	Urban Development	Rural	Public Building	Special Purposes
	A	B	C	D																
	1. Camping Area	X	X	X																
2. Car Park	X	X	X	X	P	P	P	P	AA	AA	X	X	X	X	X	X	AA	AA		
3. Car Sales Yard	X	X	X	X	X	X	X	X	AA	AA	X	X	X	X	X	X	AA	AA		
4. Car Wrecking	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	AA	AA		
5. Caravan Park	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	AA	AA		
6. Caretaker's House	X	X	X	X	P	P	P	AA	AA	X	AA	X	P	P	P	AA	AA	AA		
7. Civic Building	X	X	X	X	X	X	X	X	P	X	X	P	X	X	X	X	AA	AA		
8. Civic Centre—Council Chambers Shire Office— Library	X	X	X	X	X	X	X	P	P	X	X	P	X	X	X	X	X	AA		
9. Coke, Coal or Firewood Depot	X	X	X	X	X	X	X	X	X	X	X	X	P	P	X	X	AA	X		
10. Construction Yard Engineers Dump	X	X	X	X	X	X	X	X	X	X	X	X	X	AA	P	X	X	X		
11. Drive-in-Theatre	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
12. Dry Cleaning Premises	X	X	X	X	X	X	X	AA	AA	X	X	X	P	P	X	X	X	X		
13. Duplex	X	AA	AA	AA	P	X	X	X	X	X	X	X	X	X	X	X	X	X		
14. Dwelling House	P	P	P	P	P	X	X	X	X	X	X	X	X	X	X	X	X	X		
15. Eating House	X	X	X	X	AA	X	P	P	P	AA	X	X	AA	X	X	X	AA	X		
16. Educational Establishment	X	AA	AA	AA	X	X	X	X	X	X	X	X	AA	X	X	X	AA	AA		
17. Extractive Industry	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	AA	AA		
18. Fish Shop	X	X	X	X	X	X	X	AA	AA	X	X	X	X	X	X	X	X	X		
19. Flats	X	X	X	X	P	X	X	X	X	X	X	X	X	X	X	X	X	X		
20. Fuel Depot	X	X	X	X	X	X	X	X	X	X	X	X	X	P	P	X	X	X		
21. Funeral Parlour	X	X	X	X	X	X	X	AA	AA	X	X	X	AA	X	X	X	X	X		
22. General Industry	X	X	X	X	X	X	X	X	X	X	X	X	X	P	X	X	X	X		
23. Hall	AA	AA	AA	AA	X	X	X	AA	AA	X	X	P	X	X	X	X	X	AA		
24. Hazardous Industry	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	AA	AA	X		
25. Health Centre	X	AA	AA	AA	AA	X	X	AA	AA	X	X	AA	X	X	X	X	AA	AA		
26. Health Studio	X	X	X	X	X	X	X	AA	AA	X	AA	X	X	X	X	X	AA	AA		
27. Holiday Cottages	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	AA	X		
28. Home Occupation	AA	AA	AA	AA	X	X	X	X	X	X	X	X	X	X	X	X	AA	X		

For Use Classes within this Zone see Clause No. 44.

Restricted to that use specifically shown against the land on the Scheme Map.

29. Hospital including "C" class Hospitals and Convalescent Homes	X	AA	A A	AA	AA	X	X	X	X	X	X	X	X	X	X	X	X	X	X	AA	AA	
30. Hotel	X	X	X	X	X	P	AA	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
31. Infant Health Centre	AA	AA	AA	AA	AA	X	X	P	P	X	X	X	X	X	X	X	X	X	X	AA	AA	
32. Institutional Building	X	X	X	X	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X	X	AA	X
33. Institutional Home	X	AA	AA	AA	AA	X	X	X	X	X	X	X	P	X	X	X	X	X	X	AA	X	
34. Kennels (Dogs)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	AA	AA	
35. Kindergartens	X	AA	AA	AA	X	X	X	AA	AA	X	X	X	X	X	X	X	X	X	X	AA	AA	
36. Laundrette	X	X	X	X	AA	X	X	AA	AA	X	X	X	X	X	AA	AA	X	X	X	AA	AA	
37. Libraries—Museums	X	X	X	X	X	X	X	X	X	X	X	X	X	AA	X	X	X	X	X	X	X	
38. Light Industry	X	X	X	X	X	X	X	X	X	X	X	X	X	P	P	X	X	X	X	X	X	
39. Marine Dealer and Collector	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	AA	AA	AA	AA	AA	X	
40. Medical-Dental consulting rooms and Surgeries and Rooms used for services	X	AA	AA	AA	X	X	X	P	P	X	P	X	X	X	X	X	X	X	X	X	X	
41. Medical practitioner's Surgery or consulting room and waiting room, attached to a dwelling house	X	AA	AA	AA	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	AA	X	
42. Milk Depot	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	P	X	X	X	X	X	
43. Motel	X	X	X	X	X	AA	P	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
44. Motor Repair Station	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	AA	X	X	X	X	
45. Night Club	X	X	X	X	X	X	X	X	X	AA	X	X	X	X	X	X	X	X	X	X	X	
46. Noxious Industry	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	X	X	
47. Office	X	X	X	X	X	X	X	P	P	X	P	X	X	X	X	X	X	X	X	X	X	
48. Panel Beating	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	AA	X	X	X	X	
49. Patio Housing	X	X	X	X	P	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
50. Piggeries	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	AA	X	X	X	X	
51. Playcentre—(Childminding)	X	AA	AA	AA	AA	X	X	AA	AA	X	AA	X	AA	X	AA	X	X	X	X	AA	AA	
52. Place of Public Worship	X	AA	AA	AA	X	X	X	AA	AA	X	X	X	AA	X	X	X	X	X	X	AA	AA	
53. Poultry Farm	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	AA	X	
54. Private Club	X	X	X	X	X	X	X	X	X	X	X	X	P	P	X	X	X	X	X	AA	X	
55. Private Recreation	X	X	X	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X	X	AA	X	
56. Professional Office	X	AA	AA	AA	X	X	X	P	P	X	P	X	X	X	X	X	X	X	X	AA	X	
57. Public Amusement	X	X	X	X	X	X	X	X	X	AA	X	X	X	X	X	X	X	X	X	AA	X	
58. Public Assembly	X	X	X	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X	X	AA	X	
59. Public Building	X	X	X	X	X	X	X	AA	AA	X	X	X	X	X	X	X	X	X	X	AA	P	
60. Public Parking Station	X	X	X	X	X	X	X	AA	AA	X	AA	X	AA	X	AA	X	AA	X	AA	AA	AA	
61. Public Parks, Recreation Grounds, Botanical Gardens	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
62. Public Utility	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	
63. Radio and T.V. Installations	X	X	X	X	X	X	X	X	X	X	X	X	X	X	AA	AA	X	X	X	AA	X	
64. Recreation—Indoor Pool	X	AA	AA	AA	AA	X	X	AA	AA	X	X	X	X	X	X	X	X	X	X	AA	AA	
65. Residential Club	X	X	X	X	P	X	X	X	X	X	X	X	P	X	X	X	X	X	X	X	X	
66. Row Housing	X	X	X	X	AA	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	

For Use Classes within this Zone see Clause No. 44.

Restricted to that use specifically shown against the land on the Scheme Map.

ZONING TABLE—continued

APPENDIX 'A'

Use Classes	Residential				G.R. 4	Hotel	Motel	Local Shopping	District Shopping	Service Station	Office	Private Clubs & Institutions	Public Assembly	Light Industry	General Industry	Noxious Industry	Urban Development	Rural	Public Building	Special Purposes
	A	B	C	D																
	67. Rural Industry	X	X	X																
68. Rural Pursuits	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	X	X	
69. Service Industry	X	X	X	X	X	X	X	AA	AA	X	X	X	X	AA	P	X	X	X	X	
70. Service Shop	X	X	X	X	AA	X	X	X	X	P	X	AA	AA	AA	AA	X	X	X	X	
71. Service Station	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X	X	X	X	X	
72. Shop	X	X	X	X	X	X	X	P	P	X	X	X	X	X	X	X	X	X	X	
73. Shop and Dwelling combined	X	X	X	X	X	X	X	AA	AA	X	X	X	X	X	X	X	X	X	X	
74. Showrooms	X	X	X	X	X	X	X	P	P	X	X	X	X	P	P	X	X	X	X	
75. Sporting Club	X	X	X	X	X	X	X	X	X	X	X	AA	AA	X	X	X	X	X	X	
76. Sports Ground	X	X	X	X	X	X	X	X	X	X	X	X	P	X	X	X	AA	X	X	
77. Stables	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	AA	X	X	
78. Stockholdings and Sales Yard	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	AA	X	X	
79. Terrace Housing	X	X	X	X	AA	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
80. Town Housing	X	X	X	X	AA	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
81. Trade Display	X	X	X	X	X	X	X	AA	AA	X	X	X	X	P	P	X	X	X	X	
82. Transport Depot	X	X	X	X	X	X	X	X	X	X	X	X	X	P	P	X	X	X	X	
83. Veterinary Consulting rooms	X	X	X	X	X	X	X	AA	AA	X	X	X	X	P	P	X	X	X	X	
84. Veterinary Establishment	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
85. Warehouse	X	X	X	X	X	X	X	X	AA	X	X	X	X	P	P	X	X	X	X	
86. Wayside Stall	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	AA	X	X	
87. Zoological Gardens	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	AA	X	X	

Restricted to that use specifically shown against the land on the Scheme Map.

APPENDIX 'B'

PARKING REQUIREMENTS

Use	Number of Parking Spaces
1. Dental and Medical	1 space per 28 square metres floor area with minimum of 6 spaces. Plus Staff parking provision.
2. Shopping—	
(a) District	Not less than 1 paved car parking space per 9.5 square metres of gross floor area. In any development, the total area available for parking and landscaping and screening shall be 3 sq. metres for every 1 sq. metre of gross floor area.
*See Special Provisions :	Gross floor space does not include pedestrian access and arcades and covered ways.
(b) Local	Not less than 1 paved car parking space for every 12.5 square metres gross floor area.
3. Residential Clubs	1 car space for 2 resident units. Plus Staff parking provision.
4. Hotels	1 Car Parking Bay per 2 square metres of Gross Floor Area of Restaurant, Bar and Lounge facilities ; plus 1 car parking bay per Residential Unit/Room ; plus 1 Car Parking Bay for each group of 10 units, or part thereof.
5. Motels	As for Hotels.
6. Professional Offices	1 space per 28 square metres gross floor area with minimum of 6 spaces. Plus Staff parking provision.
7. Eating House	As for Shopping.
8. Dry Cleaning Premises— Automatic Services Laundrette	1 space for each 2 dry cleaning machines.
9. Health Studios	1 space for every 19 square metres of gross floor area.
10. Social Club	1 space for every 4 members.
11. Night Club, Restaurant and Wine House	As for Hotels.
12. Public Assembly	1 space for each 4 seats, based on maximum seating capacity in the main place of assembly therein ; or, without fixed seats, 1 space for each 1.5 square metres of usable floor area.
13. Libraries and Museums	1 space for each 46 square metres of gross floor area.
14. Homes for Aged	1 space for each 8 beds. Plus 1 space for each full time staff member and attending physician.
15. Hospital	1 space for 2 beds.
16. Place of Public Worship	1 space for each four seats in sanctuary or auditorium.
17. Educational Establishment (Primary and Secondary)	1 space for each teacher, employee or administrator in addition to the requirements of the auditorium. If no auditorium or assembly hall exists, then 2 spaces per classroom is required in addition to that required for each teacher, employee or administrator in the school.
18. Technical School	1 space for each 4 students.
19. Kindergarten	1 space for each 10 pupils.
20. Health Centre	As for Health Studio.
21. Private Hospitals including "C" Class and Convalescence Homes	1 space for 2 beds ; or as " Homes for the Aged ".
22. Veterinary Hospitals	1 for each 28 square metres of gross floor area.
23. Warehousing, enclosed storage or wholesale operation.	1 for each 93 square metres of gross floor area or 1 space for each 2 employees, whichever is greater. Plus Customer parking as determined by Council.
24. Industry	1 for each 2 employees, based on estimated maximum daily or maximum 8 hour shift requirements in a 24 hour period. Plus 25% for customer parking. Where sales are not made from building reduce to 10%. If Showroom attached, 1 space per 9.5 square metres gross floor area.

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APPENDIX 'B'

PARKING REQUIREMENTS—*continued*

Use	Number of Parking Spaces
25. Caravan Parks	1 for each dwelling-unit and/or caravan. Plus 1 additional space for each 4 lots or stands.
26. Theatres	1 space for every 4 seats.
27. Holiday Cottages	1 for each lodging unit.
28. Civic Building	Dependent on nature of use.
29. Community Centre	1 space for each 19 square metres gross floor area.
30. Research and Testing Laboratories	1 space for each 2 employees computed on the basis of the greatest number of persons employed at one period during the day or night.
31. Funeral Parlour	5 spaces for each room used as a Chapel room or slumber room or parlour, or 1 space for each 9·5 square metres of floor area of assembly rooms used for services, whichever is greater.
32. Drive-in Eating Place without service to automobile	1 for each 9·5 square metres of gross floor area.
Drive-in Eating Place with service to automobile	12 minimum, plus 1 for each 5 square metres of building gross floor area.
33. Nurseries—Open or enclosed retail area	A minimum of 12 parking bays shall be provided.
34. Service Station	3 to each working bay. Plus 1 to each person employed on site.

SPECIAL PROVISIONS—DISTRICT AND LOCAL SHOPPING

The car parking ratios are directly related to the total amount of gross floor area within a zoned shopping centre and not related to lots the subject of a particular development application.

Area	Car Parking Ratio	Public Toilets		
		Combined Landscaping Carparking Ratio	Male	Female
0 to 1 400 m ² G.F.A.	1 Bay per 12·5 m ² G.F.A.	2·22 to 1	1M + 2'U + HB	2F + HB
14 to 2 800 m ² G.F.A.	1 Bay per 11·6 m ² G.F.A.	2·40 to 1	2M + 4'U + HB	3F + HB
28 to 4 500 m ² G.F.A.	1 Bay per 10·7 m ² G.F.A.	2·60 to 1	3M + 6'U + HB	4F + HB
4 500 m ² of G.F.A. and over	1 Bay per 9·5 m ² G.F.A.	3·00 to 1	3M + 6'U + HB	4F + HB

Abbreviations used in the Table :

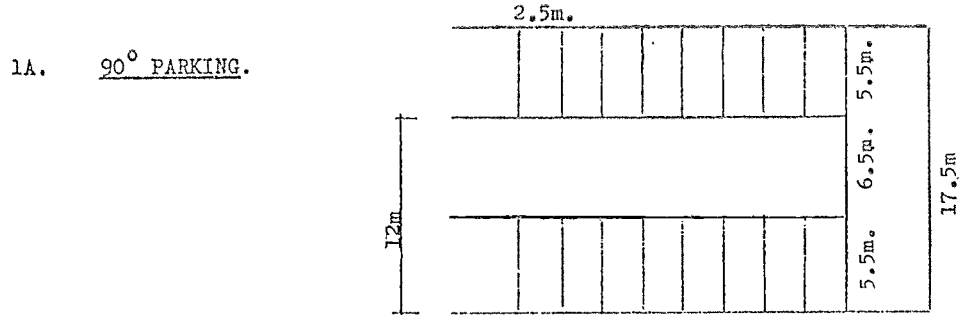
- M — Male lavatory
- F — Female lavatory
- U — Urinal
- HB — Hand-basin.

The number of public toilets prescribed in the Table is the minimum number required to be provided and maintained in respect of the buildings used for the purposes mentioned therein respectively. The Council reserves the right of requiring a greater number of public toilets to be provided if deemed necessary due to a particular form of development.

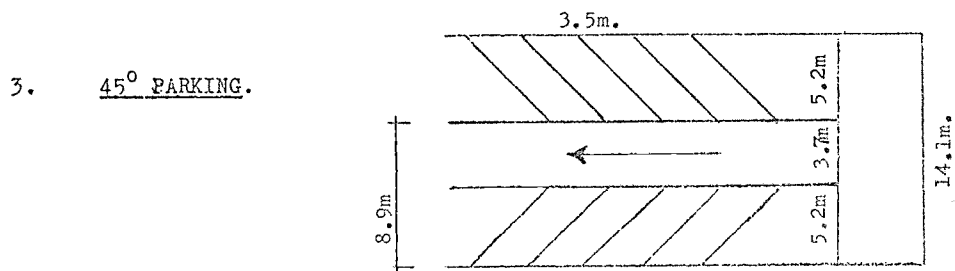
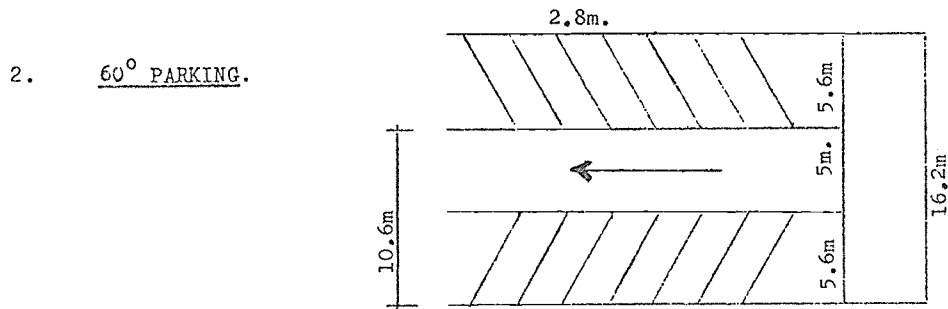
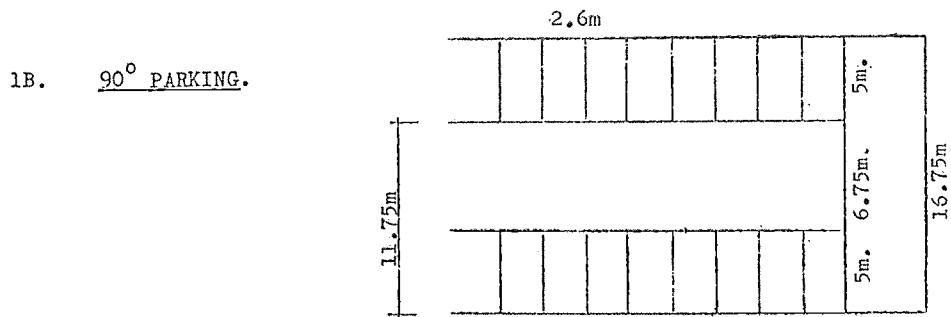
All landscaped and sealed areas of the carparking area to be maintained by the developers of the site.

The Council to be responsible for the collection and disposal of any bins placed thereon.

APPENDIX 'B'.
PARKING MODULES.



OR



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APPENDIX 'C'

Shire of Kalamunda
Town Planning SchemeAPPLICATION FOR APPROVAL OF COUNCIL UNDER CLAUSE 22
OR
APPLICATION TO COMMENCE DEVELOPMENT

1. Applicant :

Surname :

Christian Names :

Address :

2. Particulars of Land :

Location No. Lot No. Plan or Diagram No.

Certificate of Title Volume. Folio.

Street and Street No.

3. Full Names and Addresses of :

(a) Registered Proprietor :

(b) All other persons having interest in the land :

Nature of Interest :

4. Nature of Applicant's Interest :

5. Nature of Buildings and other Improvements on the Land :

6. Purpose for which Applicant desires to use the Land :

7. Type of Development Proposed :

8. Approximate Cost of Proposed Development :

9. Estimated time of completion of Proposed Development :

Signature of Owner : Date

Signature of Applicant : Date

RECOMMENDATION/DECISION OF COUNCIL :

Note :

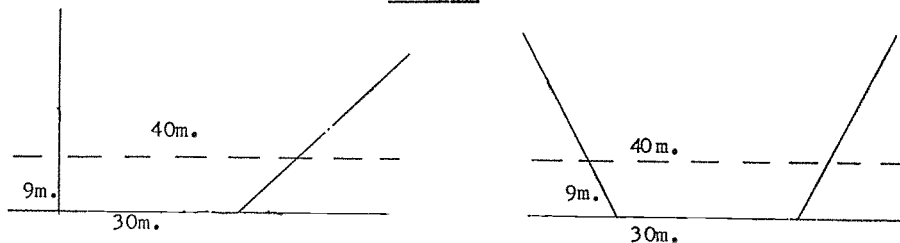
(1) If application is for approval to commence development, two copies of the Building Plan and the Site Plan of the proposal are to be submitted with the application.

(2) This form is to be submitted in duplicate.

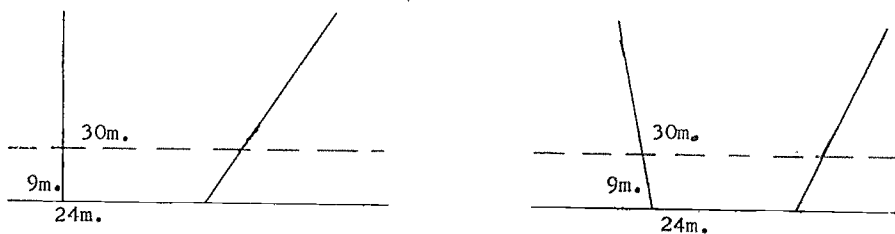
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APPENDIX 'D'
TO DEFINE MINIMUM EFFECTIVE FRONTAGE.

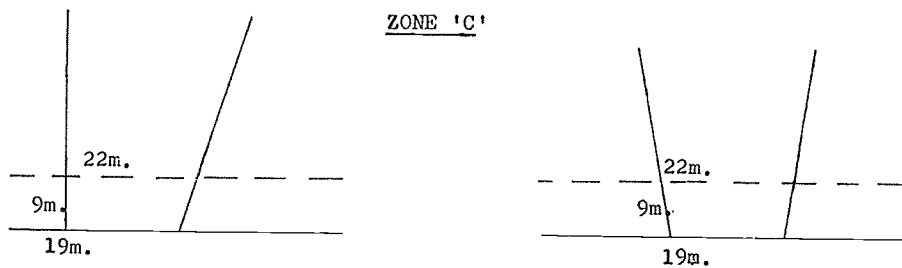
ZONE 'A'



ZONE 'B'



ZONE 'C'



ZONE 'D'

