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TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Kalamunda

Town Planning Scheme No. 2—Amendment No. 71

Ref: 853/2/24/16, Pt. 71.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928, that the Hon Minister for Planning approved the Shire of Kalamunda Town Planning Scheme Amendment on 31 October 1990, for the purpose of—

1. Modifying the Scheme Map Nos. 3, 7, 12, 15, 16, 17, 21, 22, 23, 24, 25 and 29 by removing the Rural and Intensive Horticulture Zones within the Hills Orchard Study area and replacing them with the appropriate new zones, as follows:

Rural Agriculture Zone
Rural Conservation Zone
Rural Landscape Interest Zone
Rural Living Zone
Residential Bushland Zone

2. Modifying the Contents section of the Scheme Text as follows:

(a) Delete 6.18 of Part VI—Development Requirements Section and add the following after 6.27 Keeping of Animals:

6.28 Rural Agriculture Zone
6.29 Rural Conservation Zone
6.30 Rural Landscape Interest Zone
6.31 Rural Living Zone
6.32 Residential Bushland Zone.

(b) Add a new Appendix I—Hills Orchard Area—Areas with potential subdivision within the gazetted water catchment.

(c) Add a new Appendix J—Hills Orchard Area—Policy Statements.

3. Modifying Table I—Zoning Table of the Scheme Text as follows:

(a) Deleting the Intensive Horticulture Zone from the Zone column and all reference to the Use Classes symbols relating to the Zone.

(b) Add the following Zones to the zoning column:

Rural Agriculture Zone
Rural Conservation Zone
Rural Landscape Interest Zone
Rural Living Zone
Residential Bushland Zone.

(c) Under Rural Agriculture Zone, the following shall apply:

'P' Uses—

Horticultural Pursuit (Use Class No. 38)
Public Utility (Use Class No. 73)
Single House (Use Class No. 87)

'AA' Uses—

Home Occupation (Use Class No. 37)
Nursery (Use Class No. 58)
Rural Pursuit (Use Class No. 80)

'IP' Uses—

- Car Park (Use Class No. 8)
- Cottage Industry (Use Class No. 17)
- Office (Use Class No. 59)

'X' Uses—

All Use Classes not mentioned above.

(d) Under Rural Conservation Zone, the following shall apply:

'P' Uses—

- Public Utility (Use Class No. 73)
- Single House (Use Class No. 87)

'AA' Uses—

- Home Occupation (Use Class No. 37)
- Lodging House (Use Class No. 50)
- Private Clubs including Golf and Other Sporting Clubs (Use Class No. 68)
- Radio & TV installation (Use Class No. 74)
- Rural Pursuit (Use Class No. 80)

'IP' Uses—

- Car Park (Use Class No. 8)
- Cottage Industry (Use Class No. 17)
- Office (Use Class No. 59)

'X' Uses—

All Use Classes not mentioned above.

(e) Under Rural Landscape Interest Zone the following shall apply:

'P' Uses—

- Horticultural Pursuit (Use Class No. 38)
- Public Utility (Use Class No. 73)
- Single House (Use Class No. 87)

'AA' Uses—

- Cattery (Use Class No. 10)
- Cottage Industry (Use Class No. 17)
- Education Establishment (Use Class No. 21)
- Hall (Use Class No. 32)
- Home Occupation (Use Class No. 37)
- Lodging House (Use Class No. 50)
- Nursery (Use Class No. 58)
- Parks, Recreation Ground, Botanical Gardens, Playing fields not used at night (Use Class No. 61)
- Private Clubs, including Golf and other sporting clubs (Use Class No. 68)
- Rural Pursuit (Use Class No. 80)

'IP' Uses—

- Car Park (Use Class No. 8)
- Office (Use Class No. 59)

'X' Uses—

All Use Classes not mentioned above.

(f) Under Rural Living Zone, the following shall apply:

'P' Uses—

- Parks, Recreation Grounds, Botanical Gardens, Playing fields not used at night (Use Class No. 61)
- Single House (Use Class No. 87)

'AA' Uses—

- Cattery (Use Class No. 10)
- Educational Establishment (Use Class No. 21)
- Garden Centre (Use Class No. 28)
- Hall (Use Class No. 32)
- Home Occupation (Use Class No. 37)
- Horticultural Pursuit (Use Class No. 38)
- Lodging House (Use Class No. 50)
- Nursery (Use Class No. 58)
- Public Utility (Use Class No. 73)
- Rural Pursuit (Use Class No. 80)

'IP' Uses—

- Car Park (Use Class No. 8)
- Cottage Industry (Use Class No. 17)
- Office (Use Class No. 59)

'X' Uses—

All Use Classes not mentioned above.

(g) Under Residential Bushland Zone, the following shall apply:

'P' Uses—

Parks, Recreation grounds, Botanical Gardens, Playing fields not used at night (Use Class No. 61)
Public Utility (Use Class No. 73)
Single House (Use Class No. 87)

'AA' Uses—

Home Occupation (Use Class No. 37)
Lodging House (Use Class No. 50)

'IP' Uses—

Car Park (Use Class No. 8)
Child Care Centre (Use Class No. 11)
Cottage Industry (Use Class No. 17)
Radio & TV Installation (Use Class No. 74)

'X' Uses—

All Use Classes not mentioned above.

4. Add to Part VI—Development Requirements the following:

4.1 6.28 Rural Agriculture Zone

(a) Purpose

The aim of the Rural Agriculture Zone is to protect land resources that are identified as being suitable for commercial horticulture (in particular orcharding) and ensures the continued viability of the existing orcharding industry.

This Zone recognises the contribution of intensive agriculture/horticulture to local economies and its importance as a visual landscape element. The use of land for commercial scale horticulture will therefore be encouraged in preference to other rural uses which may irretrievably jeopardise the agricultural/economic viability of the area. The Zone is characterised by soils which have proven potential for intensive agricultural use.

(b) Objectives

The objectives of the zone are:

- (i) to maintain opportunity for land to be used for intensive agriculture/horticultural purposes;
- (ii) to confine development to the existing pattern of rural land use;
- (iii) to conserve the quality of the soil resources so as to enable the continuation of orcharding/intensive horticulture over a long period of time;
- (iv) to conserve the water quality and watercourse capacity to enable intensive horticulture to be undertaken;
- (v) to ensure that development is in harmony with the rural landscape;
- (vi) to ensure that land use and management practices are compatible with public water supply catchment objectives by maintaining the fertiliser application rates at the current levels;
- (vii) to limit and restrict further subdivision unless compliance with the subdivisional, land use and development requirements of the Rural Agricultural Zone are possible.

(c) Subdivision Policy applicable to the Zone

- (a) The current SPC and Council's Policy of a minimum 12 hectare lot size be retained, however subdivision to lot sizes not smaller than 6 hectares may be considered where an applicant can demonstrate that—
 - (i) at least 4 hectares of land suitable for horticulture and an adequate water supply either from bore or from dams located upslope from the main water course and within the property boundaries can be provided to each subdivisional lot;
 - (ii) siting of the proposed on-site effluent disposal system (septic tank) will strictly conform to the housing policy outlined in Appendix J.
- (b) Notwithstanding (a) above, subdivision of land not designated in Appendix I (Hills Orchard Area—areas with potential subdivision within the gazetted water catchment) shall not be approved by Council.

(d) Land Use and Development of land within the Zone

Notwithstanding the provisions of Table 1—Zoning Table, the following provisions shall also apply—

- (i) Beekeeping and Passive Recreation are permitted uses within the Zone.
- (ii) Additional Accommodation (Granny Flat), Rural Storage, Advertisement and Wayside Stalls are uses not permitted in the zone unless specific approval of Council is granted ("AA" Use).

- (e) Additional Development Requirements applicable to the zone
- Notwithstanding anything elsewhere appearing in the Scheme, the following provisions shall also apply—
- (i) The Council shall not approve any development where in the opinion of the Council such development will encourage the establishment of land uses considered not compatible with Rural Agriculture pursuits.
 - (ii) Because of water catchment, environmental constraints and the intent and purpose of the Zone, commercial market gardening, horse breeding, pig farming, poultry farming, cattle farming, sheep farming, or the keeping of any hoofed animal for commercial gain will not be permitted.
 - (iii) Any new horticultural activities which necessitate fertiliser application rates greater than the current average level (i.e. 100 kg/ha per annum of phosphorus and nitrogen) will be discouraged. Any development application involving fertiliser application rates greater than this will be referred to the Water Authority of WA for the Authority's comment.
 - (iv) The keeping of domestic "pets" involving up to and including two (2) large hoofed animals will be permitted by Council in accordance with the provisions of Clause 6.27. However, to maintain the objectives of the Zone, such animals will be required to be stabled and coralled and the associated wastes collected and disposed of at locations off the gazetted water catchment areas approved by Council's Principal Health Surveyor.
 - (v) Compliance with the following Policies adopted by Council as Policy Statements for development within the Zone, as outlined in Appendix J.
 - Hillside Protection Policy
 - Housing Policy
 - Tree Preservation Policy
 - Soil Removal Policy
 - Advertising Policy
 - Policy dealing with matters to be taken into consideration by Council in determining applications for subdivision.
 - Flood and Stream Management Policy.
 - (vi) Proposals for the subdivision and development of land within the Zone will be assessed in terms of the existing bush fire hazard and the requirements of the Regional Fire Plan prepared by the Bush Fires Board.
 - (vii) All subdivision development proposals within this zone shall be contained within the building envelope outlined in Appendix "K". Building Envelope refers to that area which all buildings (houses, sheds, swimming pools, pergolas etc) and effluent disposal systems are to be placed. However, if a landowner is aggrieved by the location of the Building Envelopes as shown in Appendix "K" and can show proof of an alternative location, Council may, after consultation with the WAWA, alter the building envelopes.
- (f) Including in Table 2—Site Requirements—a new Zone "Rural Agriculture Zone" and recording against the zone the appropriate annotation relating to setback requirements.
- Setback from main street frontage—20 metres
 - Setback from minor street frontage—15 metres
 - Setback from side and rear boundaries—15 metres.

4.2 6.29 Rural Conservation Zone

(a) Purpose

This Zone is designed to protect the natural forested lands and embraces both privately owned and Crown land located on ridgelines and other Prominent topographical features with generally steep grades containing, in the main, natural vegetation considered worthy for preservation recognising:

- (i) the adverse effect of extensive clearing on the water catchment area;
- (ii) the desirability of retaining the vegetation from overall amenity and environmental viewpoints; and
- (iii) the botanical significance of the vegetation.

The purpose of the Zone is to acknowledge the significance of the bushland cover as having important habitat and landscape qualities and to provide for the maintenance and preservation of these qualities. The Zone also recognises the ability, under proper management guidelines, for the privately owned areas to be used for passive recreation and some forms of farming use for domestic purposes which have unique locational characteristics yet are consistent with the primary purpose of the Zone.

(b) Objectives

The objectives of the Zone are:

- (i) to ensure that development is in harmony with the natural environment;
- (ii) to ensure that land uses, activities and land management practices are consistent with natural resources conservation and are compatible with the Water Authority's public water supply catchment objectives by maintaining the fertiliser application rates at current levels.
- (iii) to conserve and preserve the bushland status of private freehold and Crown land within the Zone;
- (iv) to conserve water quality and water course capacity to enable appropriate beneficial land use activities to be undertaken;
- (v) to conserve indigenous flora and fauna so that the viability of any natural ecosystem is not adversely affected;
- (vi) to limit and restrict subdivision which is not consistent with the provisions of Clause 6.29 (c);
- (vii) to encourage the reduction of any bush fire hazard.

(c) Subdivision Policy applicable to the Zone

- (i) As a matter of policy, Council will discourage subdivision in the Zone as this is considered contrary to the purpose and intent of the zone.
- (ii) Lot size of 12 hectares minimum shall generally apply, however, subdivision to lot sizes not smaller than 6 hectares may be considered where the applicant can demonstrate to the satisfaction of Council that the siting of the proposed on-site effluent disposal system (septic tank) strictly conforms with the provisions of Council's Housing Policy (Appendix J). The proposal is predicated on retaining the native vegetation on the land and it is consistent with the land capability advice (relating to capability for on-site septic effluent disposal) in the Darling Range Rural Land Capability Study. This is to ensure that environmentally sensitive land containing native vegetation is preserved.
- (iii) Notwithstanding (i) and (ii) above, subdivision of land not designated in Appendix I—(Hills Orchard Area—areas with potential subdivision within the gazetted Water Catchment) shall not be approved by Council.

(d) Land Use and Development of Land within the Zone

Notwithstanding the provisions of Table I—Zoning, the following provisions shall also apply:

- (i) Beekeeping and Passive Recreation are Permitted Uses within the Zone.
- (ii) Additional Accommodation (Granny Flat), Advertisement, Clearing of Land and Wayside Stall are uses not permitted in the Zone unless specific approval of Council is granted ("AA" Use).

(e) Additional Development Requirements Applicable to the Zone

Notwithstanding anything elsewhere appearing in the Scheme, the following provisions shall also apply:

- (i) Because of water catchment area and environmental constraints, commercial market gardening and orcharding activities, horse agistment, pig farming, poultry farming and other intensive animal husbandry activities operated for commercial gain, will not be permitted in the Zone.
- (ii) The keeping of domestic pets involving up to and including two (2) large hooved animals will be permitted by Council where the land is capable of supporting the number of animals proposed having regard to the specific land management practices proposed to be implemented by the applicant and in accordance with the provisions of Clause 6.27 of District Planning Scheme No. 2. However, to maintain the objectives of the Zone, such animals are required to be stabled and coralled and the associated wastes collected and disposed of at locations off the gazetted catchment areas approved by Council's Principal Health Surveyor.
- (iii) The clearing of natural vegetation will be permitted only in accordance with the details set out in the Tree Preservation Policy Statement outlined in Appendix J.
- (iv) All lots to be created by subdivision shall have a contiguous minimum area of 1 500 sq.m. having a slope of not more than 20%. Such area is to be designed as a building envelope within which the dwelling and all domestic outbuildings are to be located and a plan shall be submitted to the satisfaction of Council showing the building envelope and shall be endorsed to form part of the approved plan of subdivision.
- (v) Rural pursuits in the Zone will only be permitted by Council where they are to satisfy domestic needs only because land clearing associated with any proposal will be strictly limited by Council.

- (vi) Compliance with the following policies adopted by Council as Policy Statements for development within the Zone, as outlined in Appendix J.
 - Hills Protection Policy
 - Housing Policy
 - Tree Preservation Policy
 - Soil Removal Policy
 - Advertising Policy
 - Policy dealing with matters to be taken into consideration by Council in determining applications for subdivision.
 - Flood and Stream Management Policy.
- (vii) Proposal for the subdivision and development of land within the Zone will be assessed in terms of the existing bush fire hazard and the requirements of the Regional Fire Plan prepared by the Bush Fires Board.
- (viii) All subdivision development proposals within this zone shall be contained within the building envelope outlined in Appendix "K". Building Envelope refers to that area which all buildings (houses, sheds, swimming pools, pergolas etc) and effluent disposal systems are to be placed. However, if a landowner is aggrieved by the location of the Building Envelopes as shown in Appendix "K" and can show proof of an alternative location, Council may, after consultation with the WAWA, alter the building envelopes.
- (f) Including in Table 2—Site Requirements a new Zone "Rural Conservation Zone" and recording against the Zone the appropriate annotation relating to setback requirements.
 - Setback from main street frontage—25 metres
 - Setback from minor street frontage—20 metres
 - Setback from side and rear boundaries—20 metres

4.3 6.30 Rural Landscape Interest Zone

(a) Purpose

This Zone is designed to attract a variety of agricultural uses including horticulture and rural pursuits and recognises that land within the Zone has diversity of visual elements which are derived from variations in soil type, vegetation and existing land use, but with a relatively homogenous pattern of larger rural lots. The land within the Zone is generally cleared grazing land, marginal land considered suitable for intensive horticulture and/or agriculture pursuits and contains land with natural vegetation where some earlier clearing has occurred. Land in the Zone is used for hobby farming, rural residential pursuits, poultry farming, animal agistment/breeding and other similar uses. The primary purpose of the Zone is to provide for a diverse range of rural land uses in a manner which will not adversely affect the landscape, environmental qualities of the land and water catchment objectives.

(b) Objectives

The objectives of the Zone are:

- (i) to ensure that land use and development is in harmony with the rural landscape;
- (ii) to encourage land use and management practices, compatible with landscape conservation and the Water Authority's public water supply catchment objectives by maintaining the fertiliser application rates at current levels.
- (iii) to retain relatively large allotments;
- (iv) to conserve the quality of the soil resources so as to enable the continuation of suitable land use over a large period of time;
- (v) to conserve the water quality and water course capacity to enable appropriate land use activities to be undertaken;
- (vi) to conserve the natural vegetation where such exists so as to maintain a diversity of landscape quality and preserve remaining natural ecosystems.

(c) Land Use and Development of Land within the Zone

Notwithstanding the provisions of Table I—Zoning Table, the following provisions shall apply:

- (i) Beekeeping is a Permitted Use within the Zone.
- (ii) Additional Accommodation (Granny Flat), Advertisement, Rural Storage and Wayside Stall are uses not permitted in the Zone unless specific approval of Council is granted ("AA" Use).

(d) Subdivision Policy Applicable to the Zone

- (1) In order to preserve the character of rural landscape interest within the Zone, the minimum lot size shall be 12 hectares, unless however, subdivision to lot sizes not smaller than 6 hectares may be considered where an applicant can demonstrate that—
 - (i) at least 4 hectares of the land is suitable for horticultural and rural pursuits;
 - (ii) an adequate water supply either from bores or from dams located upslope from the main water course and within the property boundaries can be provided to each subdivisional lot;

- (iii) siting of the proposed on-site effluent disposal system (septic tank) will strictly conform to the Housing Policy outlined in Appendix J.
 - (iv) the proposal is consistent with the land capability advice provided by the Department of Agriculture in the Darling Range Rural Land Capability Study; and
 - (v) the proposal is predicated on retaining natural vegetation on the land.
- (2) Notwithstanding (1) above, subdivision of land not designated in Appendix I (Hills Orchard Area—areas with potential subdivision within the gazetted Water Catchment) shall not be approved by Council.
- (e) Additional Development Requirements applicable to the Zone
- Notwithstanding anything elsewhere appearing in the Scheme, the following provisions shall also apply—
- (i) Because of Water Catchment Area and environmental constraints, commercial market gardening, pig farming, poultry farming and other intensive animal husbandry activities will not be permitted in the Zone.
 - (ii) The keeping of more than four (4) large hooved animals in the Zone is subject to the specific written approval of Council and will be assessed on an investigation of each property. Approval will be given where the land is capable of supporting the number of animals applied for having regard to the specific land management practices proposed to be implemented by the applicant. (e.g. stabling, holding yards etc).
 - (iii) The keeping of animals in the Zone will be subject to the provisions of Clause 6.27 of the scheme.
 - (iv) Compliance with the following Policies adopted by Council as Policy Statements for development within the Zone, as outlined in Appendix J.
 - Hills Protection Policy
 - Housing Policy
 - Tree Preservation Policy
 - Soil Removal Policy
 - Advertising Policy
 - Policy dealing with matters to be taken into consideration by Council in determining applications for subdivision.
 - Flood and Stream Management Policy.
 - (v) Proposal for the subdivision and development of land within the Zone will be assessed in terms of the existing bush fire hazard and the requirements of the Regional Fire Plan prepared by the Bush Fires Board.
 - (vii) All subdivision development proposals within this zone shall be contained within the building envelope outlined in Appendix "K". Building Envelope refers to that area which all buildings (houses, sheds, swimming pools, pergolas etc) and effluent disposal systems are to be placed. However, if a landowner is aggrieved by the location of the Building Envelopes as shown in Appendix "K" and can show proof of an alternative location, Council may, after consultation with the WAWA, alter the building envelopes.
- (f) Including in Table 2—Site Requirements a new Zone "Rural Landscape Zone" and recording against the Zone the appropriate annotation relating to setback requirements.
- Setback from main street frontage—20 metres
 - Setback from minor street frontage—15 metres
 - Setback from side and rear boundaries—15 metres

4.4 6.31 Rural Living Zone

(a) Purpose

The aim is to create a limited opportunity for hobby farms and provide some specific planning controls over smaller rural lots which exist in the area.

This Zone recognises areas which have been generally subdivided into allotments within the range of 6 000 sq.m. and 2 ha but which are not fully developed and possess some landscape qualities. The purpose of the Zone is to control land use, development and subdivision so that the landscape characteristics of the land are not adversely affected. This Zone is essentially a Special Rural Zone but which will have a recommended minimum subdivision standard of 2 ha unless Scheme water is available. All of the traditional development control provisions applying to Special Rural Zones will also be applied to the Rural Living Zone.

(b) Objectives

The objectives of this Zone are:

- (i) to provide for rural/residential development and hobby farms in a manner acceptable to Council;
- (ii) to ensure that any additional lots created in the Zone can effectively sustain the pollution load from onsite waste-water disposal within the area of the lot;

- (iii) to ensure that development is designed and sited in a manner which is sensitive to the environmental characteristics of the land and which harmonises with the landscape;
- (iv) to attempt to reduce the bush fire hazard;
- (v) to provide scope for the establishment of rural residential and other specified rural land uses that are compatible with the surrounding land;
- (vi) to discourage further subdivision of land with lot sizes less than 2 ha unless reticulated Scheme water supply is available.

(c) Land Use and Development of Land Within the Zone

Notwithstanding the provisions of Table 1—Zoning Table, the following provisions shall apply:

Additional Accommodation (Granny Flat), Advertisement, Clearing of Land and Wayside Stall are Uses Not—Permitted in the Zone unless specific approval of Council is granted ("AA" Use).

(d) Subdivision Policy Applicable to the Zone

- (1) It is recognised that within this Zone a wide variety of rural lot sizes exist, however it is Council's committed view that further fragmentation of land within the Zone should not be permitted unless an area per allotment of 2 ha can be achieved where reticulated water supply is not available and in such cases a subdivider will be required to demonstrate that:

- (i) an adequate water supply either from bores or from dams located upslope from a water course and within the property boundaries can be provided to each subdivisional lot;
- (ii) the siting of the proposed on-site effluent disposal system (septic tank) will strictly conform to the Housing Policy (Appendix I);
- (iii) the proposal is consistent with the land capability advice (relating to on-site septic effluent disposal) provided by the Department of Agriculture in the Darling Range Rural Land Capability Study; and
- (iv) the proposal is predicated on retaining natural vegetation on the land.

Where Scheme water is available or can be made available to the satisfaction of the Water Authority of Western Australia, the lot size may be reduced to 1.25 ha with an average of 1.5 ha. However, the subdivider will in such circumstances still be required to demonstrate the ability of the proposal to satisfy requirements (ii), (iii) and (iv) of this clause. Where subdivision is proposed within the Zone Council will require the preparation of a suitable Subdivision Guide Plan to be approved by both Council and the State Planning Commission.

- (2) Subdivision in Bickley and Carmel Townsites—Notwithstanding (1) above, where Scheme water is available, and can be made available to the satisfaction of the Water Authority of WA, a minimum lot size of 1 ha is applicable to those lots in the Bickley and Carmel Townsite which are designated in Appendix 'T' as potential subdivision within the gazetted Water Catchment.
- (3) Notwithstanding (1) and (2) above, subdivision of land not designated in Appendix 'T' (Hills orchard Area—areas with potential subdivision within the gazetted Water Catchment) shall not be approved by Council.

(e) Additional Development Requirements Applicable to the Zone

Notwithstanding anything elsewhere appearing in the Scheme, the following provisions shall also apply:

- (i) Because of Water Catchment Area and environmental constraints commercial market gardening, pig farming, poultry farming, and other intensive animal husbandry activities will not be permitted in the Zone. In addition, Rural pursuits within the Zone shall only be permitted to satisfy domestic needs but on no account will land uses be permitted where fertiliser rates are likely to exceed 100 kg/ha per annum of phosphorus and nitrogen.
- (ii) The keeping of more than one (1) large hooved animal in the Zone is subject to the specific written approval of Council and will be assessed on its merits on an investigation of each property. Approval under the provisions of Clause 6.27 of District Planning Scheme No. 2 will be given where the land is capable of supporting the number of animals applied for having regard to the specific land management practices proposed to be implemented by the applicant but recognising that the animals will be required to be stabled and coralled and their wastes collected and disposed at locations off the gazetted catchment areas approved of by the Council's Principal Health Surveyor (wherever applicable).
- (iii) The keeping of animals in the Zone will be subject to the provisions of Clause 6.27 of the Scheme.

- (iv) Compliance with the following Policies adopted by Council in Policy Statements for development within the Zone, as outlined in Appendix J.
- Hills Protection Policy
 - Housing Policy
 - Tree Preservation Policy
 - Soil Removal Policy
 - Advertising Policy
 - Policy dealing with matters to be taken into consideration by Council in determining applications for subdivision.
 - Flood and Stream Management Policy.
- (vii) Proposal for the subdivision and development of land within the Zone will be assessed in terms of the existing bush fire hazard and the requirements of the Regional Fire Plan prepared by the Bush Fires Board.
- (viii) All subdivision development proposals within this zone shall be contained within the building envelope outlined in Appendix "K". Building Envelope refers to that area which all buildings (houses, sheds, swimming pools, pergolas etc) and effluent disposal systems are to be placed. However, if a landowner is aggrieved by the location of the Building Envelopes as shown in Appendix "K" and can show proof of an alternative location, Council may, after consultation with the WAWA, alter the building envelopes.
- (f) Including in Table 2—Site Requirements a new Zone "Rural Living Zone" and recording against the Zone the appropriate annotation relating to setback requirements.
- Setback from main street frontage—15 metres
 - Setback from minor street frontage—10 metres
 - Setback from side and rear boundaries—10 metres

4.5 6.32 Residential Bushland Zone

(a) Purpose

This Zone allows for residential use in a bushland setting and recognises those areas which are current anomalies within the existing Rural Zone District Planning Scheme No. 2 wherein residential subdivision ranging from 2 000 sq.m. to 6 000 sq.m. lots exist, with the predominant lot size being 4 000 sq.m. This Zone provides for residential and residentially compatible use and development of land which is considered suitable for such use and development but which has special environmental characteristics including land predominantly covered with natural vegetation.

(b) Objectives

The objectives of this Zone are:

- (i) to permit the development and use of land within the Zone primarily for single detached houses but to ensure that development is designed and sited in a manner which is sensitive to the environmental characteristics of the land;
- (ii) to attempt to reduce the bush fire hazard;
- (iii) to provide scope for the establishment of other specified land uses that are compatible with surrounding land;
- (iv) to encourage the retention of the native vegetation;
- (v) to only support subdivision where lot sizes of 4 000 sq.m. or greater can be achieved.

(c) Land Use and Development of Land within the Zone

Notwithstanding the provisions of Table 1—Zoning Table, the following provision shall apply:

Additional Accommodation (Granny Flat) and the keeping of animals are uses Not Permitted in the Zone unless specific approval of Council is granted ("AA" Use).

(d) Subdivision Policy applicable to the Zone

Subdivision and development shall be in accordance with the Residential Planning Codes as designated for the four areas within the zone as outlined below:

- (i) Residential R2.5 coding (4 000 m²) provisions shall apply to all land within the Zone bounded by Mundaring Weir, Hinkler, Stanhope and King Roads, Kalamunda.
- (ii) Residential R5 coding (2 000 m²) provisions shall apply to all land within the Zone being contained within the Bickley Town Site.
- (iii) Residential R5 coding (2 000 m²) provisions shall—apply to all land within the Zone being contained within the Carmel Town Site.
- (iv) Residential R5 coding (2 000 m²) provisions shall apply to all land within the Zone being contained within the Pickering Brook Townsite.

Council will only support subdivision in the Zone where reticulated scheme water is or can be made available as a condition of subdivision and the proposed lot sizes comply with the relevant Residential Planning Code.

- (e) Additional Development Requirements applicable to the Zone
- (i) The provisions of Clause 6.19 dealing with the Special Maida Vale Zone shall also apply to this Zone.
 - (ii) The provisions of the R2.5 and R5 Residential Planning Code will apply to the Zones as appropriate.
 - (iii) The keeping of animals in the Zone will be subject to the provisions of Clause 6.27 of the Scheme. The keeping of hooved animals in the Zone is subject to the specific written approval of Council. However, where keeping a hooved animal is permitted, it shall be stabled and coralled with all wastes collected and disposed of at locations off the gazetted catchment areas approved by Council's Principal Health Surveyor.
 - (iv) All allotments created shall have a contiguous minimum area of 500 sq.m. having a slope of less than 25%. Such area is to be designed as a building envelope within which all buildings and domestic outbuildings are to be located and a plan shall be submitted to the satisfaction of Council showing the building envelope and shall be endorsed to form part of the approved plan of subdivision.
 - (v) Compliance with the following policies adopted by Council as Policy Statements for development within the Zone, as outlined in Appendix J.
 - Hillside Protection Policy
 - Housing Policy
 - Tree Preservation Policy
 - Soil Removal (Excavation) Policy
 - Flood and Stream Management Policy
 - (vi) Proposals for the subdivision and development of land within the Zone will be assessed in terms of the existing bush fire hazard and the requirements of the Regional Fire Plan prepared by the Bush Fires Board.
 - (vii) All subdivision development proposals within this zone shall be contained within the building envelope outlined in Appendix "K". Building Envelope refers to that area which all buildings (houses, sheds, swimming pools, pergolas etc) and effluent disposal systems are to be placed. However, if a landowner is aggrieved by the location of the Building Envelopes as shown in Appendix "K" and can show proof of an alternative location, Council may, after consultation with the WAWA, alter the building envelopes.

5. Add a new Appendix J—Hills Orchard Area Policy Statements, which incorporates the following:

APPENDIX 'J'

HILLS ORCHARD AREA POLICY STATEMENTS

Notwithstanding anything elsewhere appearing in the Scheme, Council when determining subdivision or development applications in Rural Agriculture, Rural Conservation, Rural Landscape Interest, Rural Living and Residential Bushland Zones, shall have due regard for the policy statements as outlined in Council's Policy and By-law Manual.

The Policy Statement relates to the following—

- Hillside Protection Policy
- Housing Policy
- Tree Preservation Policy
- Soil Removal (Excavation) Policy
- Advertising Policy
- Policy dealing with matters to be taken into consideration by council in determining applications for subdivision.
- Flood and Stream Management Policy

6. Include a new Appendix "K" Building Envelopes in the Scheme Text after Appendix "J" provisions.

7. In Appendix "A" Interpretation section of the Scheme Text, include a new definition for Additional Accommodation (Granny Flat) as follows:

"Additional Accommodation (Granny Flat)—means a self contained accommodation unit attached to a single house and having its own facilities such as kitchen, laundry and bathroom, and being for occupation by a member or members of the occupiers family and shall be constructed in accordance with Council's Policy Statement on Additional Accommodation in respect to standard and size."

AREAS WITH POTENTIAL SUBDIVISION WITHIN THE GAZETTED WATER CATCHMENTS

(as determined during discussions between staff
of the Shire of Kalamunda and the Water Authority
in December 1988 and May 1989)

LEGEND:



Rural Agriculture



Rural Conservation



Rural Landscape Interest

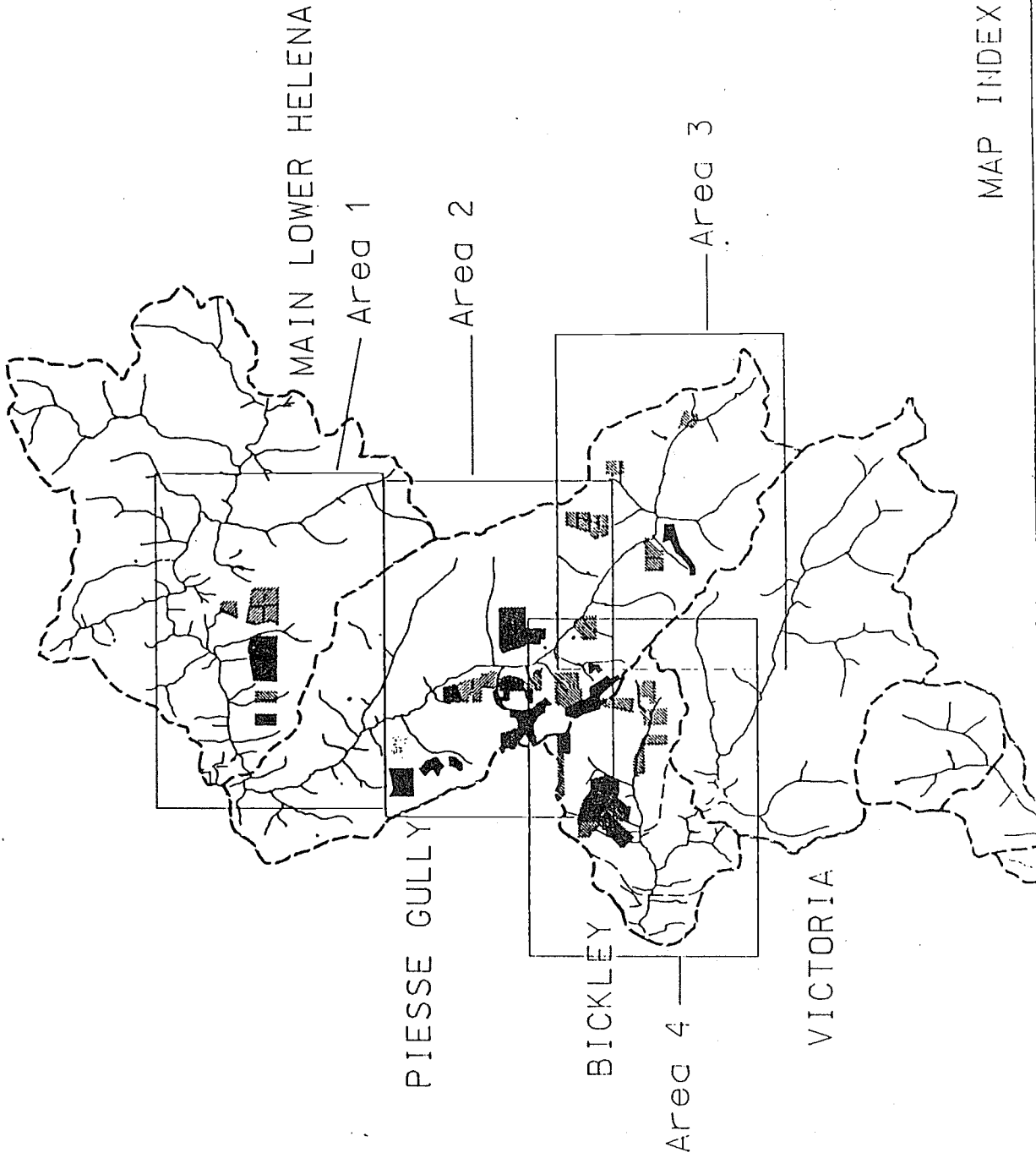


Rural Living



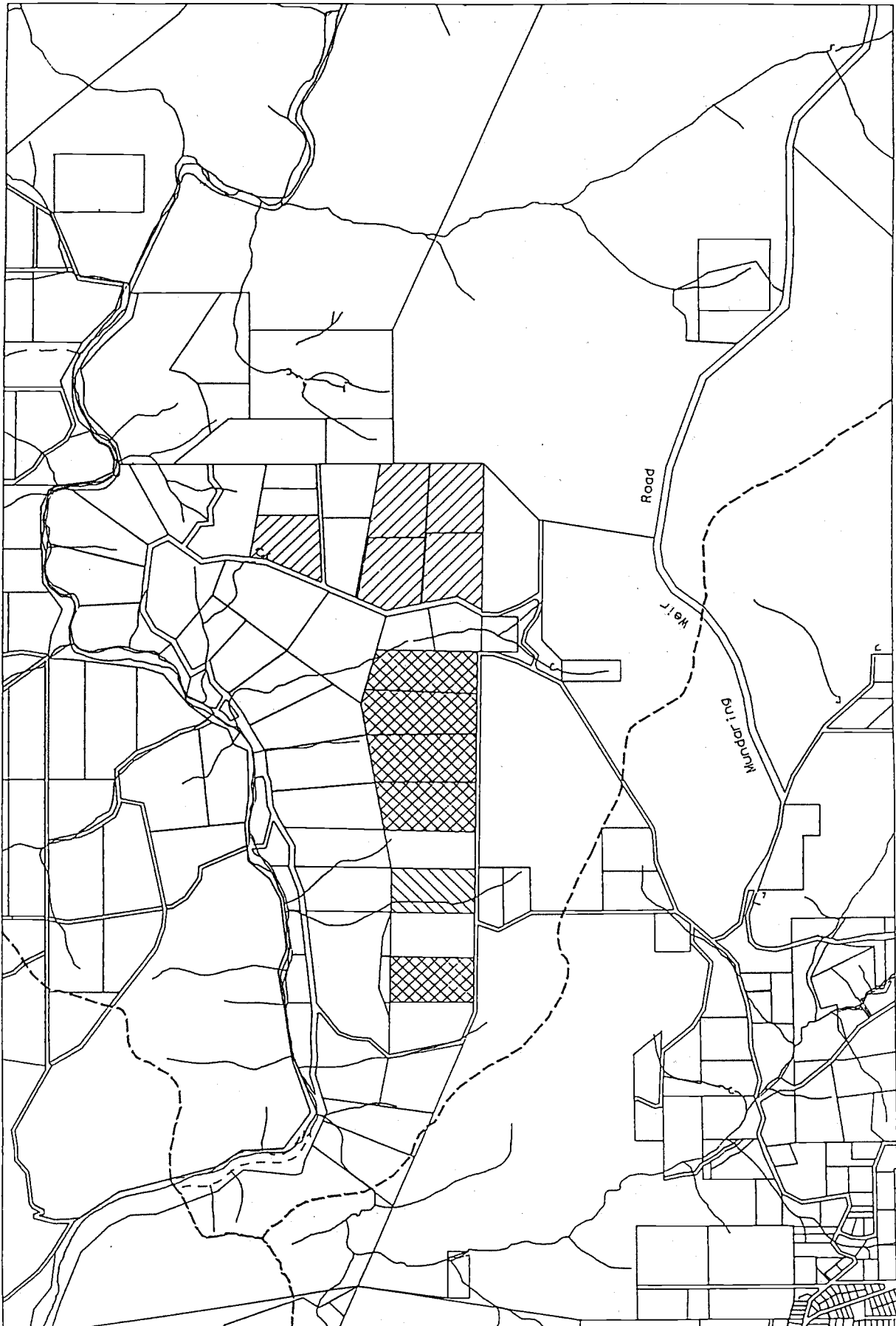
Residential Bushland

These maps were produced by the Water Authority of WA



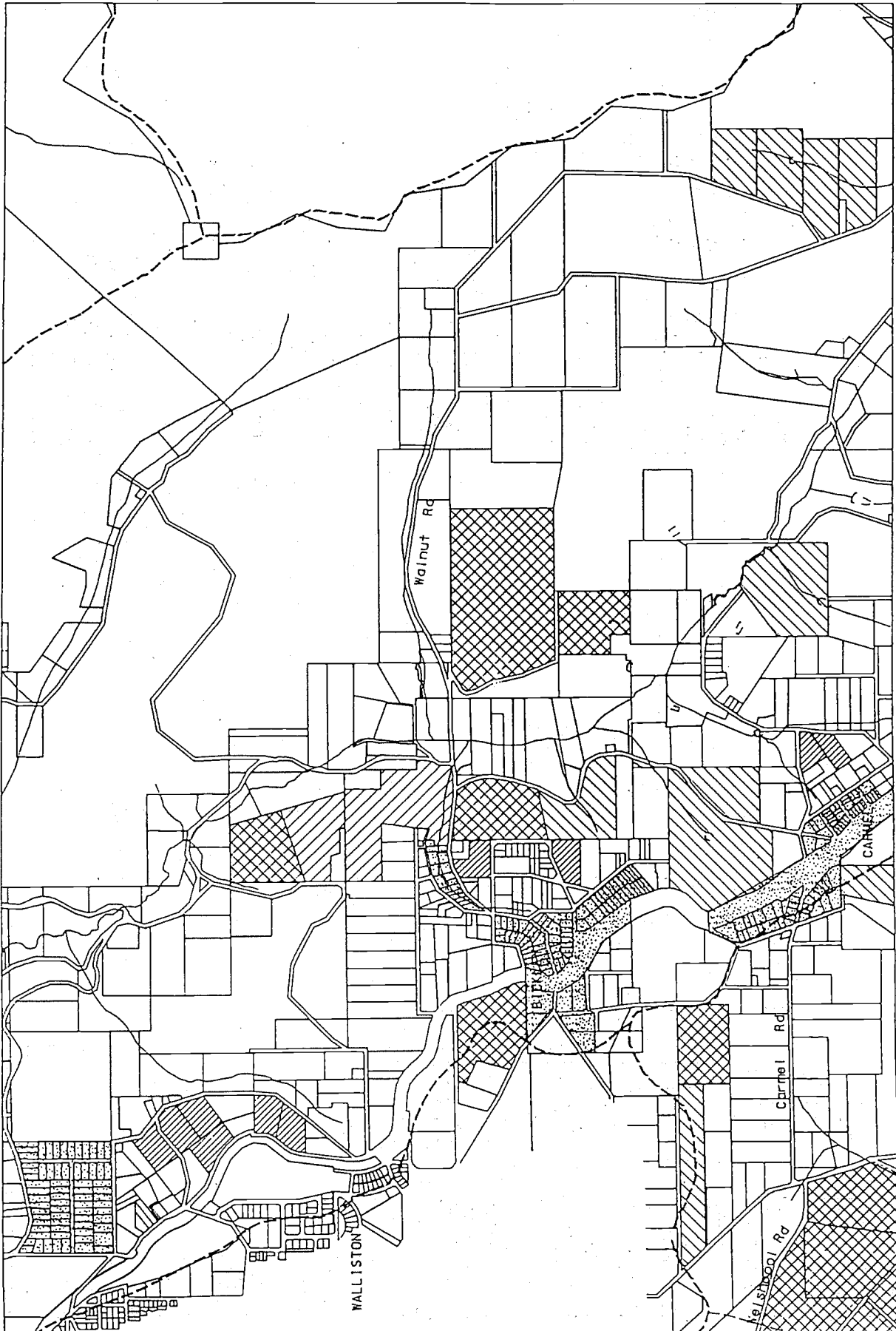
MAP INDEX

APPENDIX "I"
AREA 1



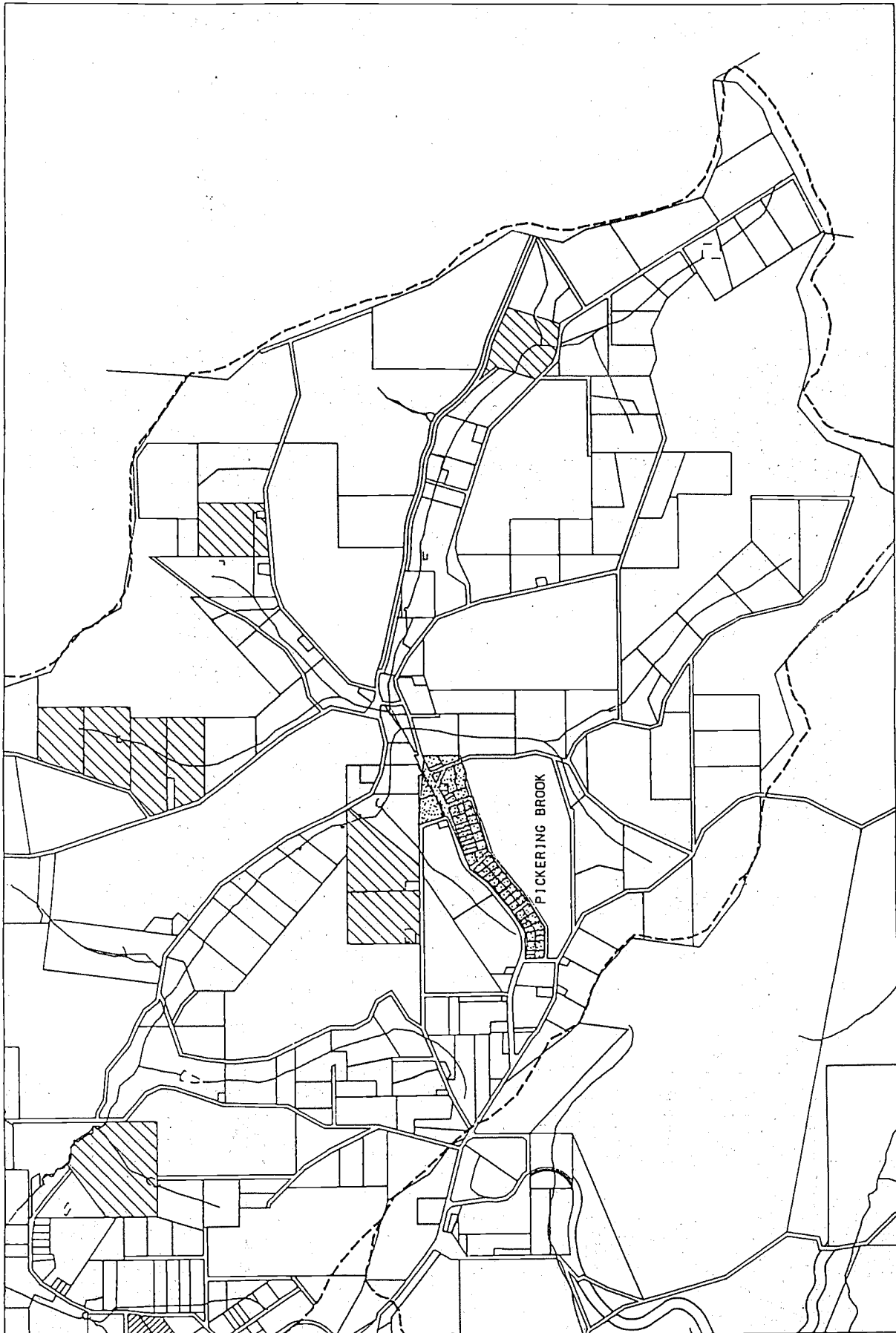
0: \PROJ\VTDCHE\100A\VTDRINGE2.DGN 0:1. 03. 1990 09: 09: 24 SCALE 1:20 000 AREA 1. LOWER BELGIA

APPENDIX "I"
AREA 2



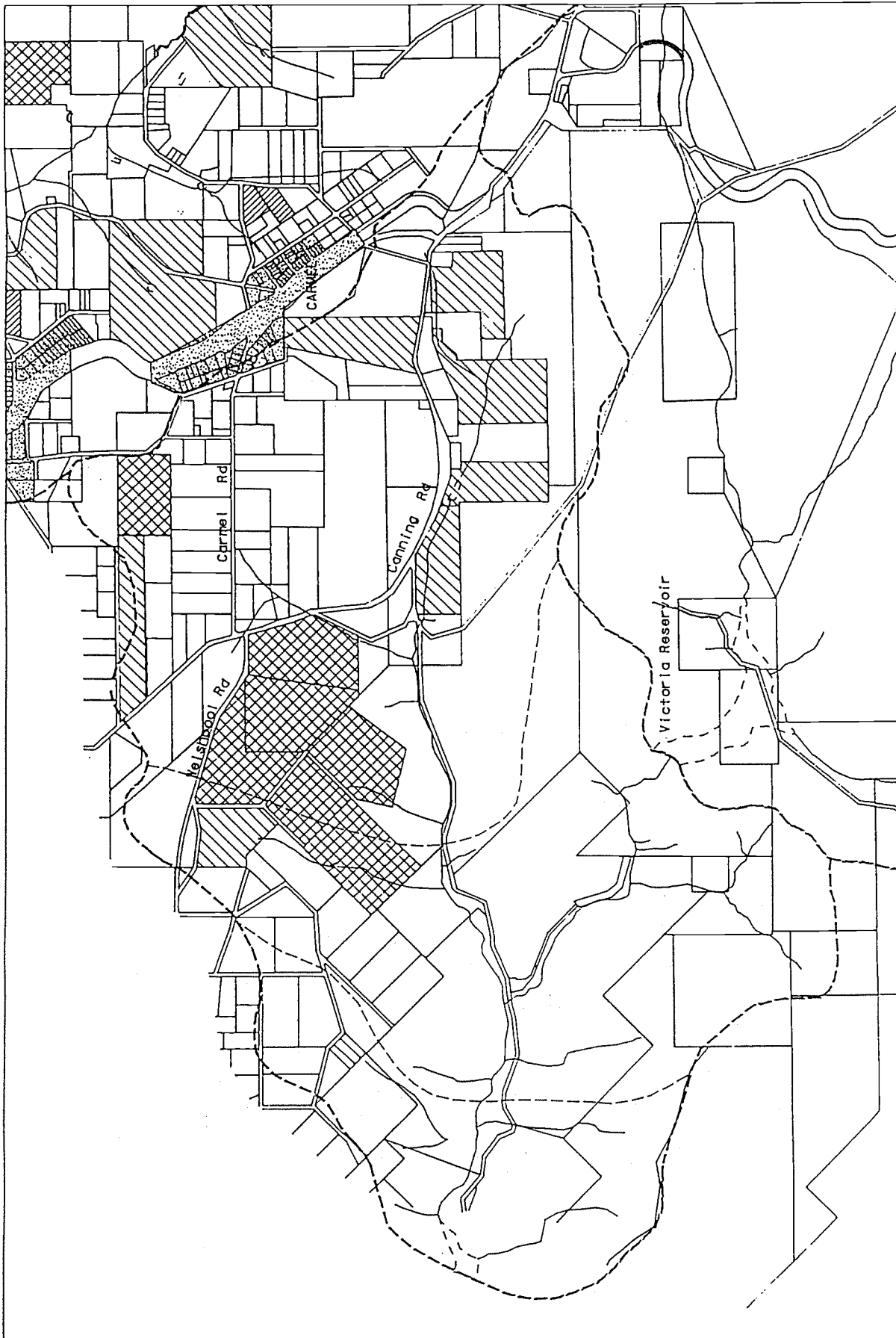
D:\PROG\VTCH\LOG\ZVZ\ZVZ.DWG Oct. 03. 1990 09:40:07 1:20 000 AREA 2. LOWER PLESSE BALLY

APPENDIX "I"
AREA 3

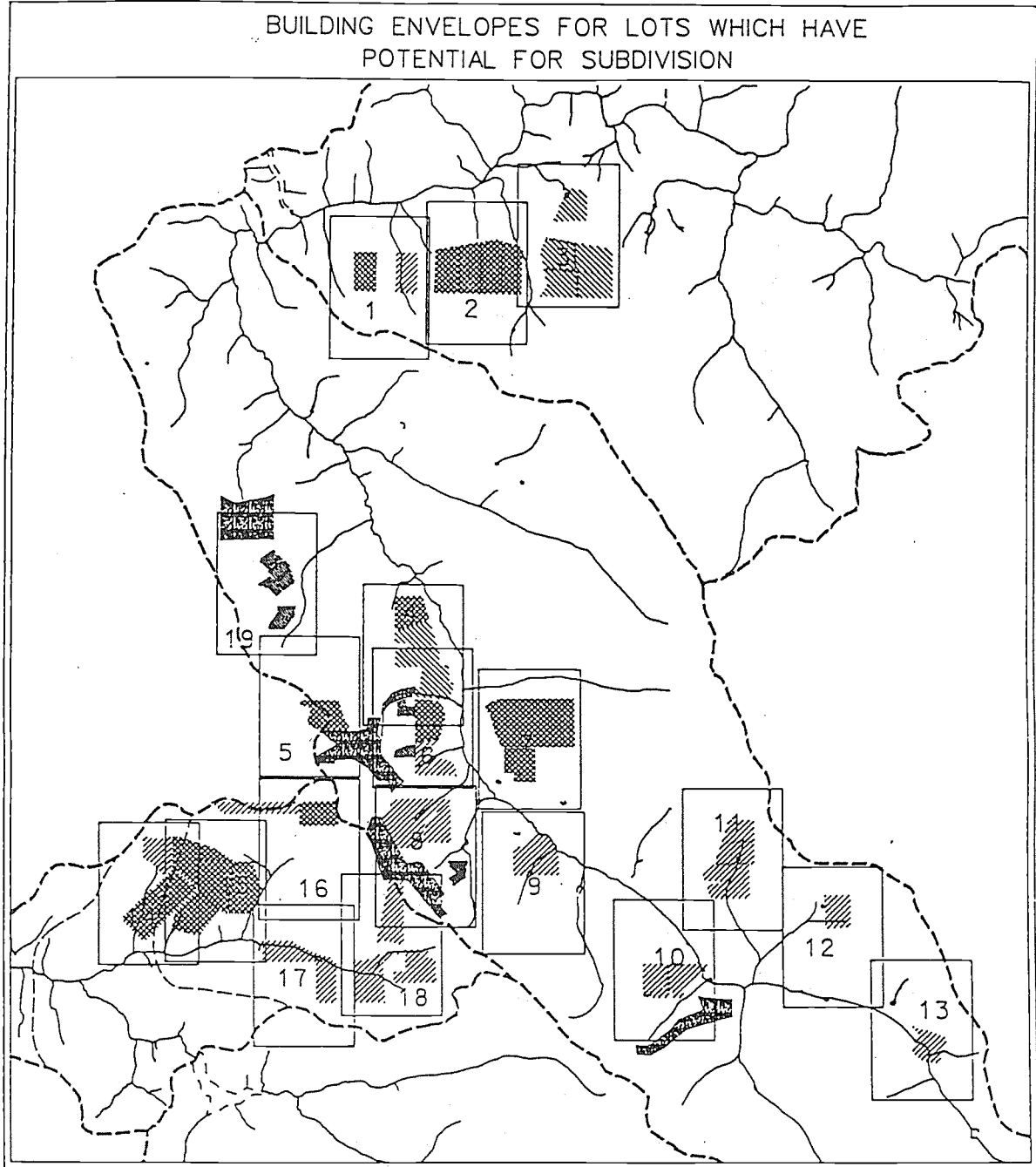


D:\PROJ\VICHEL\66\NAT\IN\ING2.DGN Oct. 03. 1990 09:42:07 1:20 000 AREA 3. UPPER PIESSE SALLY

APPENDIX "I"
AREA 4

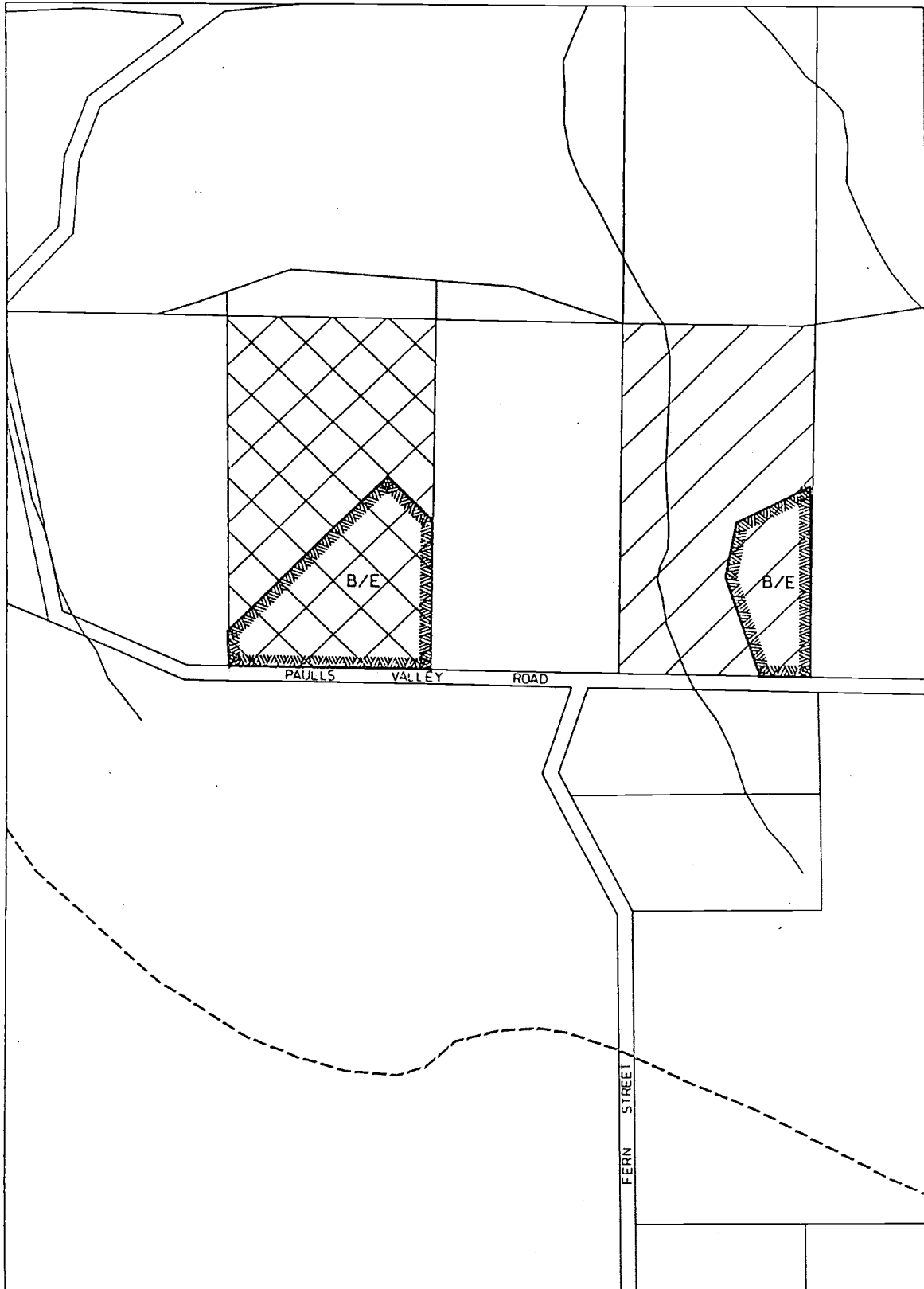


© PROVINCIAL DEVELOPMENT DEPT. Oct. 03, 1990 11:14:39 1:50 000. MAP REFERENCE



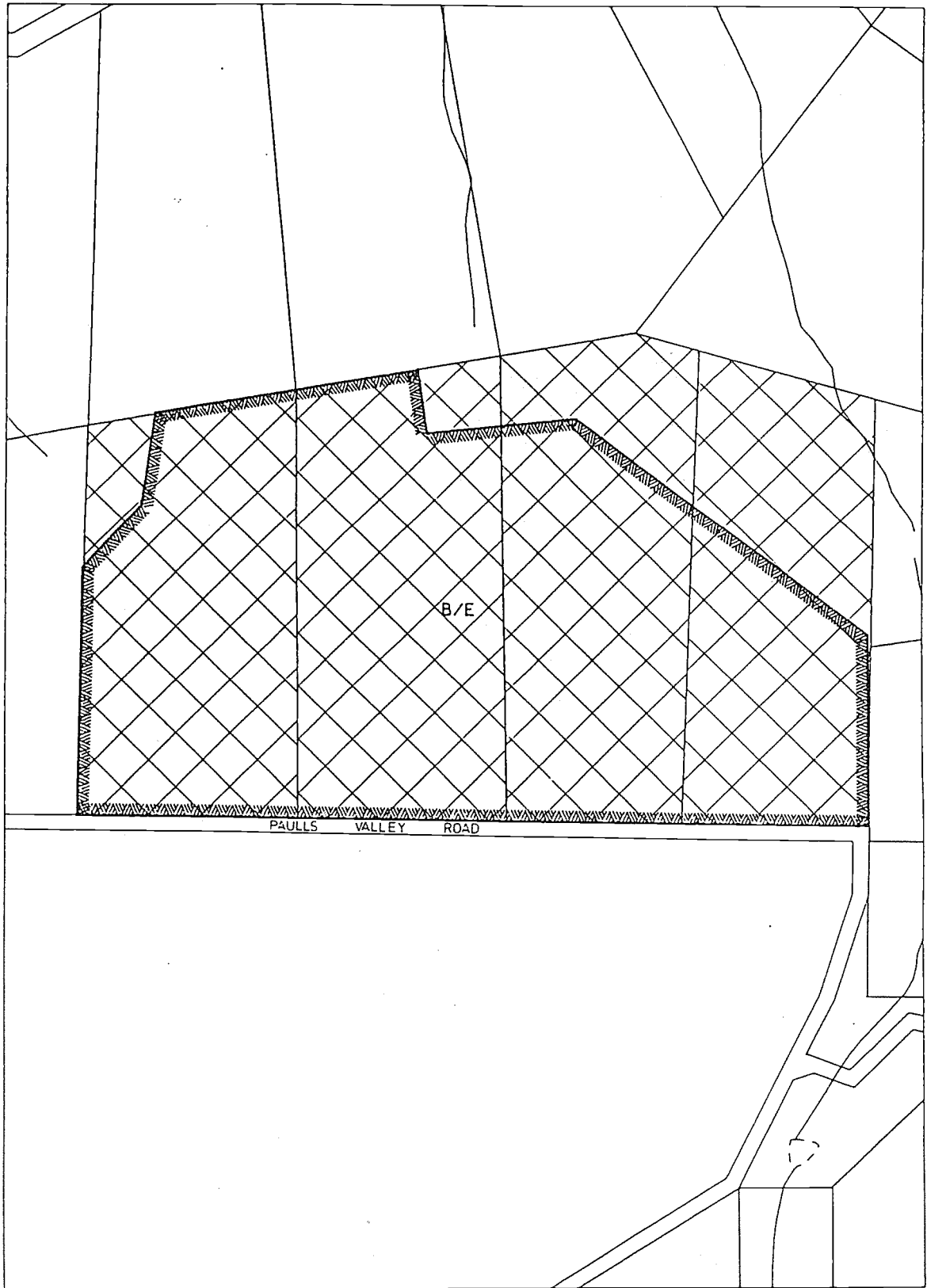
APPENDIX "K"
MAP 1

D:\PROJ\VTIBEL\JORN\ZONING\OGN Oct. 04, 1990 12:03:13 SCALE 1:5000 MAP 1



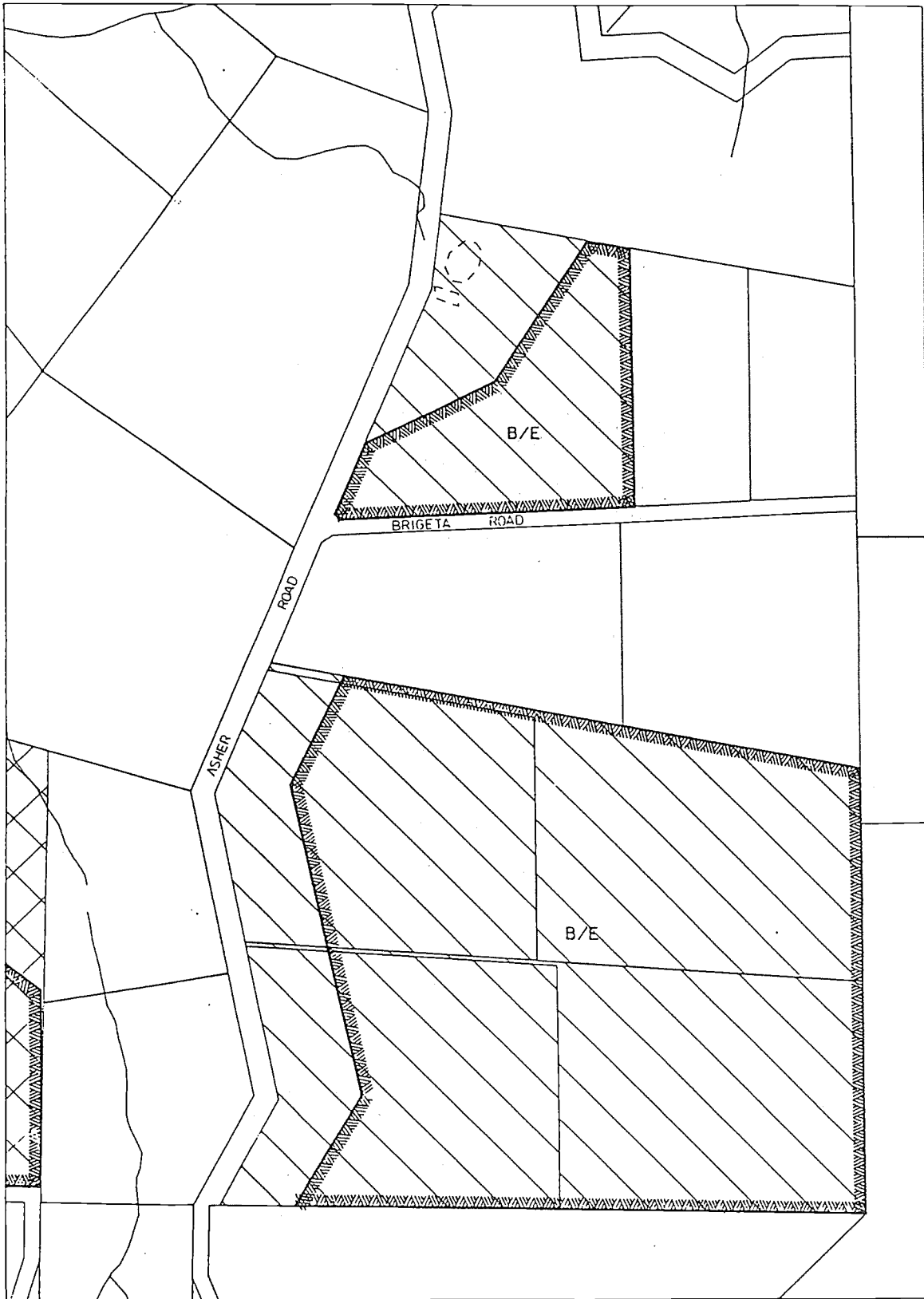
APPENDIX "K"
MAP 2

PROVINCIAL ORGANIZING DEPT. OCT. 04, 1990 12:11:41 SCALE 1:5000 MAP 2



APPENDIX "K"
MAP 3

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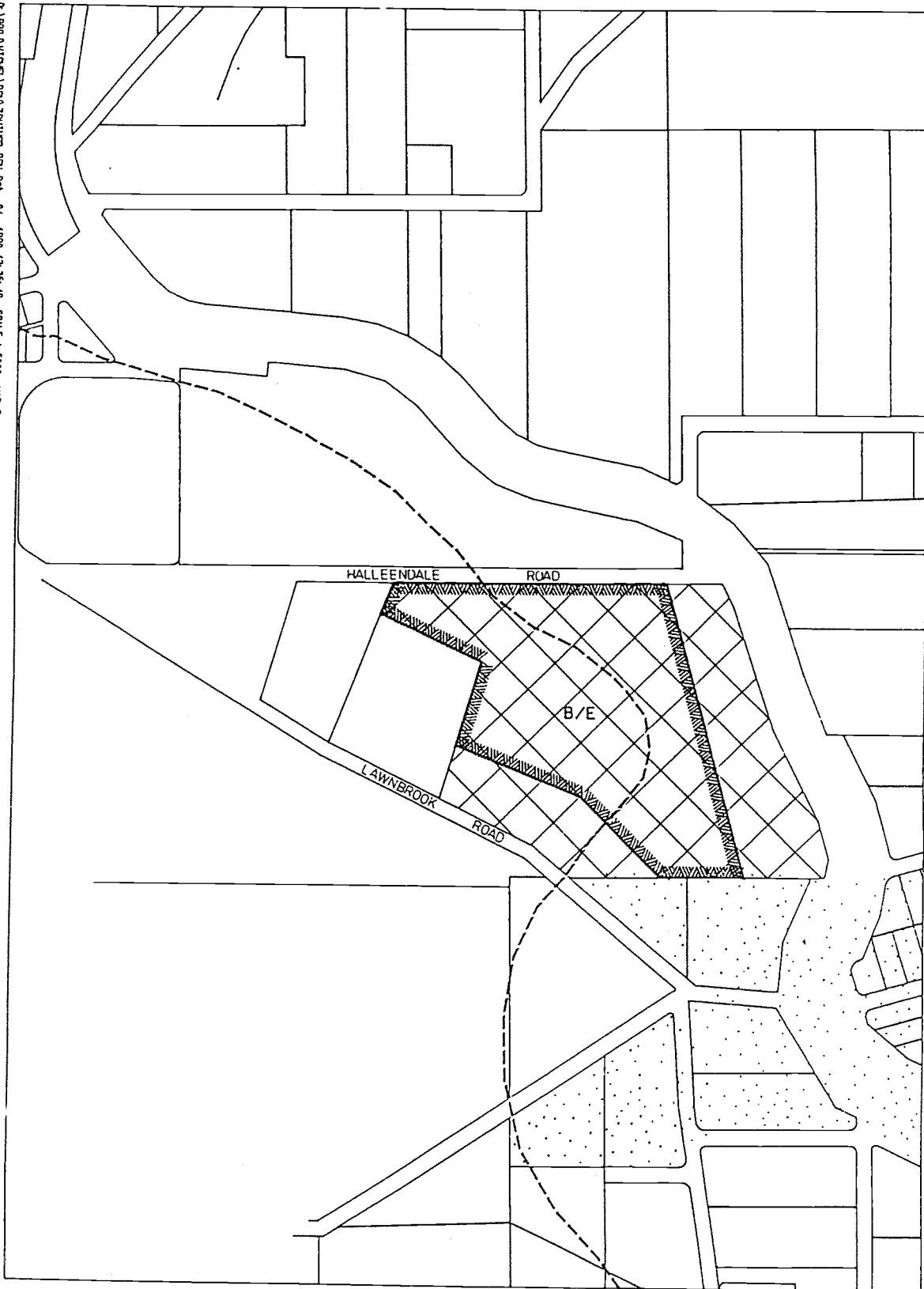
APPENDIX "K"
MAP 4

2. APPROVED BY THE SURVEYOR GENERAL, PERTH, ON 11.05.1990 08.58.55 SCALE 1:5000 MAP 4



APPENDIX "K"
MAP 5

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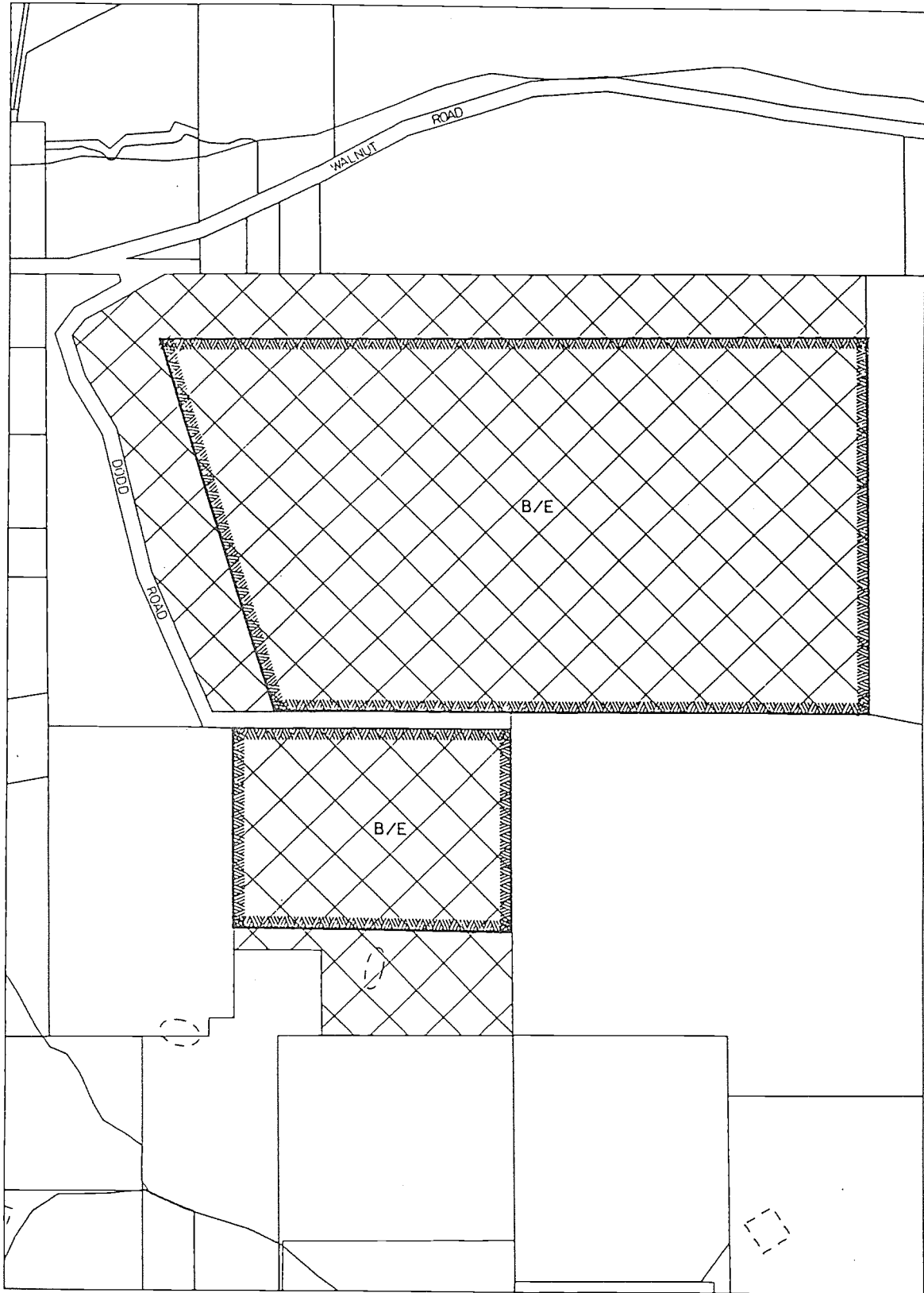
APPENDIX "K"
MAP 6

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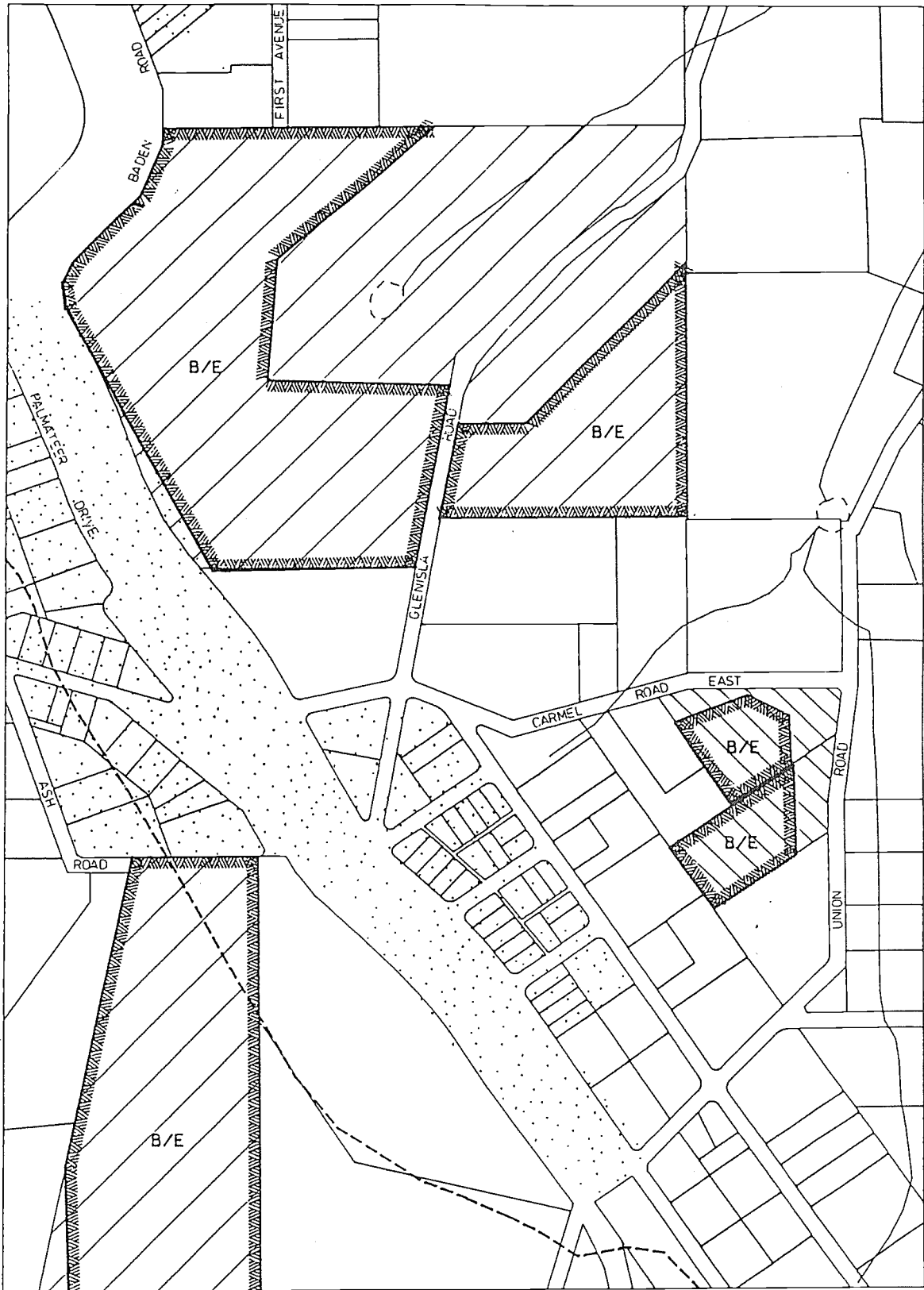
APPENDIX "K"
MAP 7

C:\PROG\VE\HEL\DATA\KING2.DGN Oct. 04, 1990 13:38:43 SCALE 1:5000 MAP 7

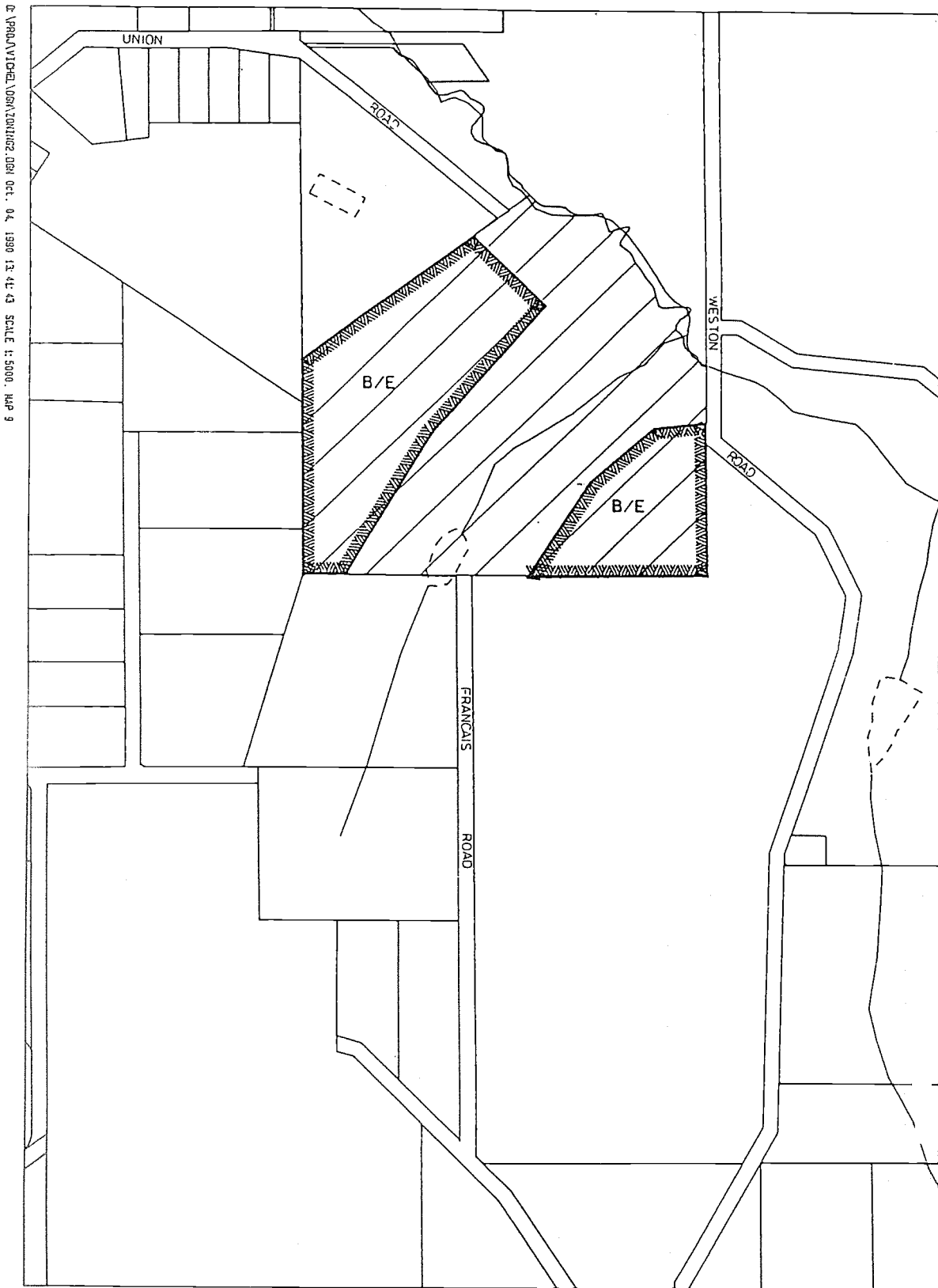


APPENDIX "K"
MAP 8

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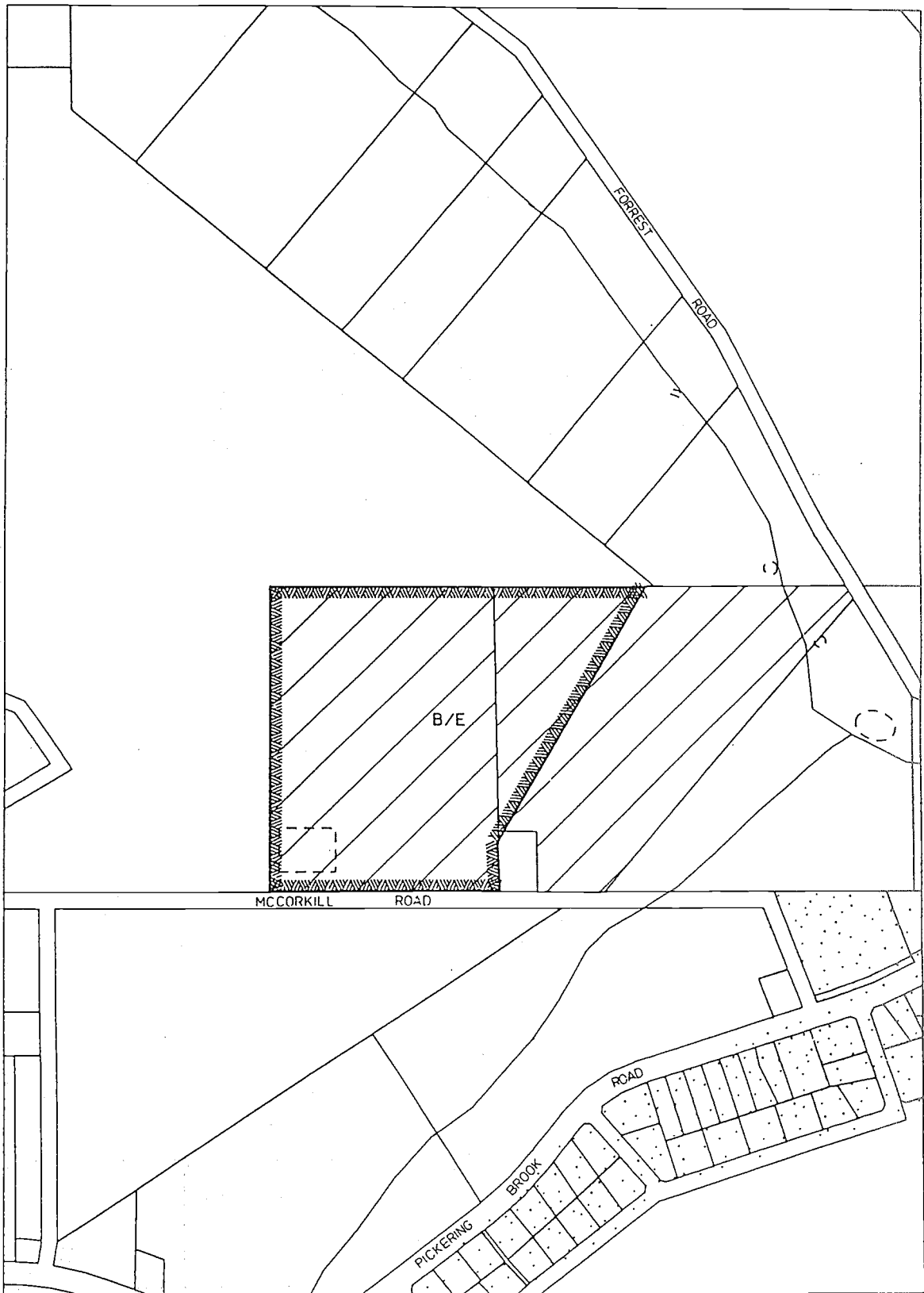


APPENDIX "K"
MAP 9



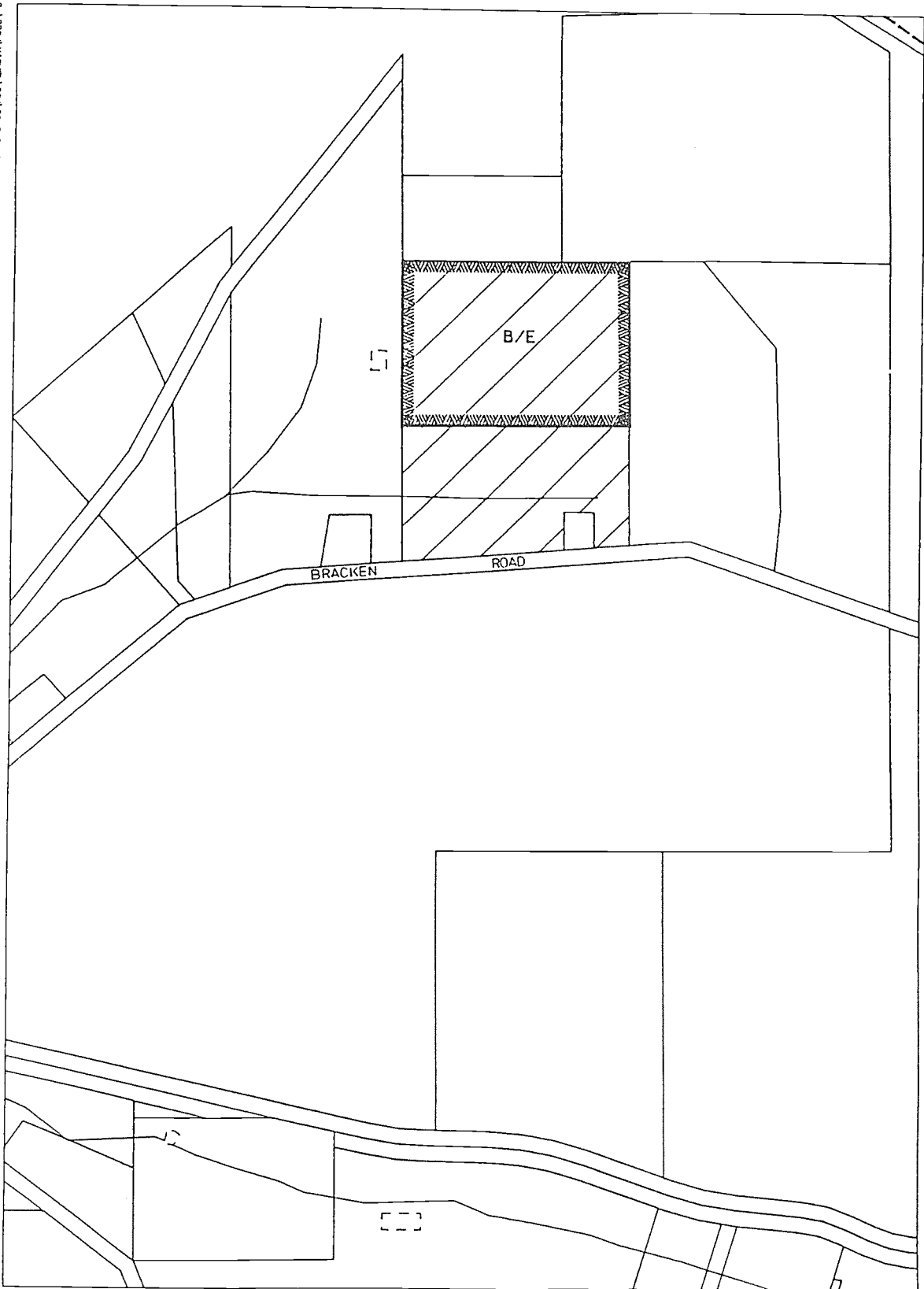
APPENDIX "K"
MAP 10

2 VERBAALVIERDELOONTOEGANG 004 Oct. 04 1990 13.42.10 SCALE 1:5000. MAP 10



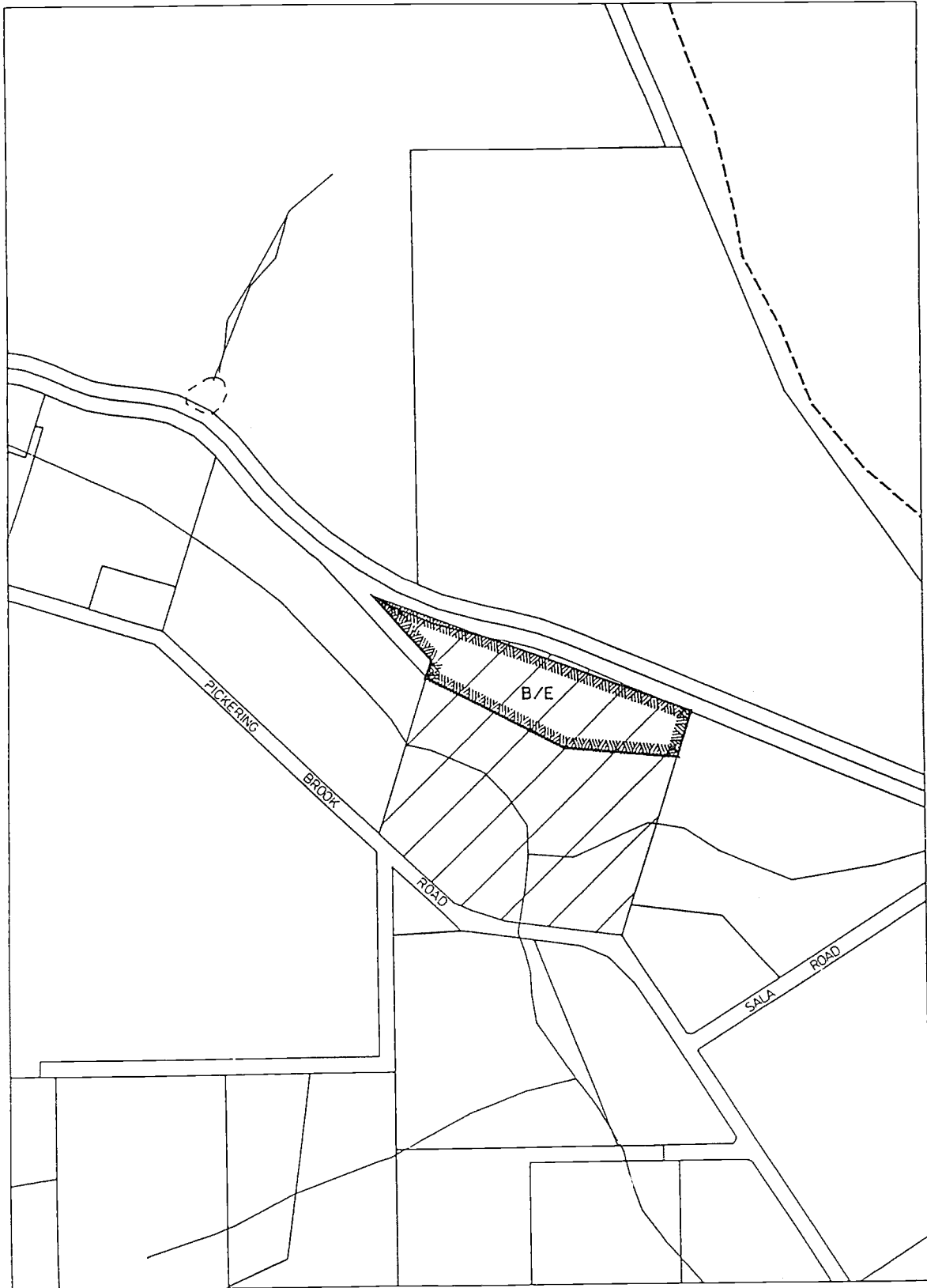
APPENDIX "K"
MAP 12

DEPARTMENT OF LAND ADMINISTRATION
OCT. 05. 1990 08 04 41 SCALE 1:5000 MAP 12



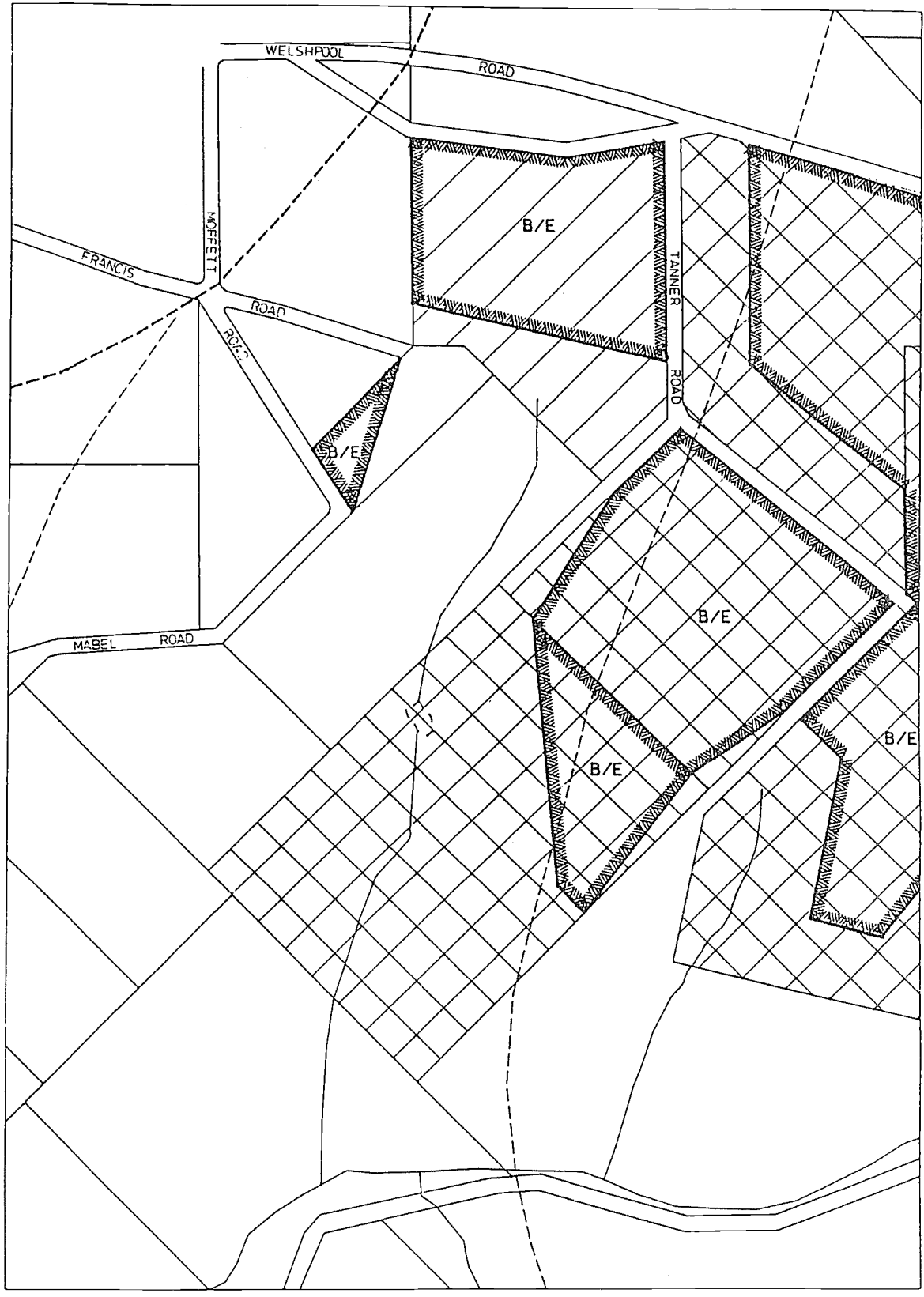
APPENDIX "K"
MAP 13

© PHOTODUPLICATIONS UNIT, DEPT. OF LAND, SURVEY AND TITLES, 1990. SCALE 1:5000. MAP 13

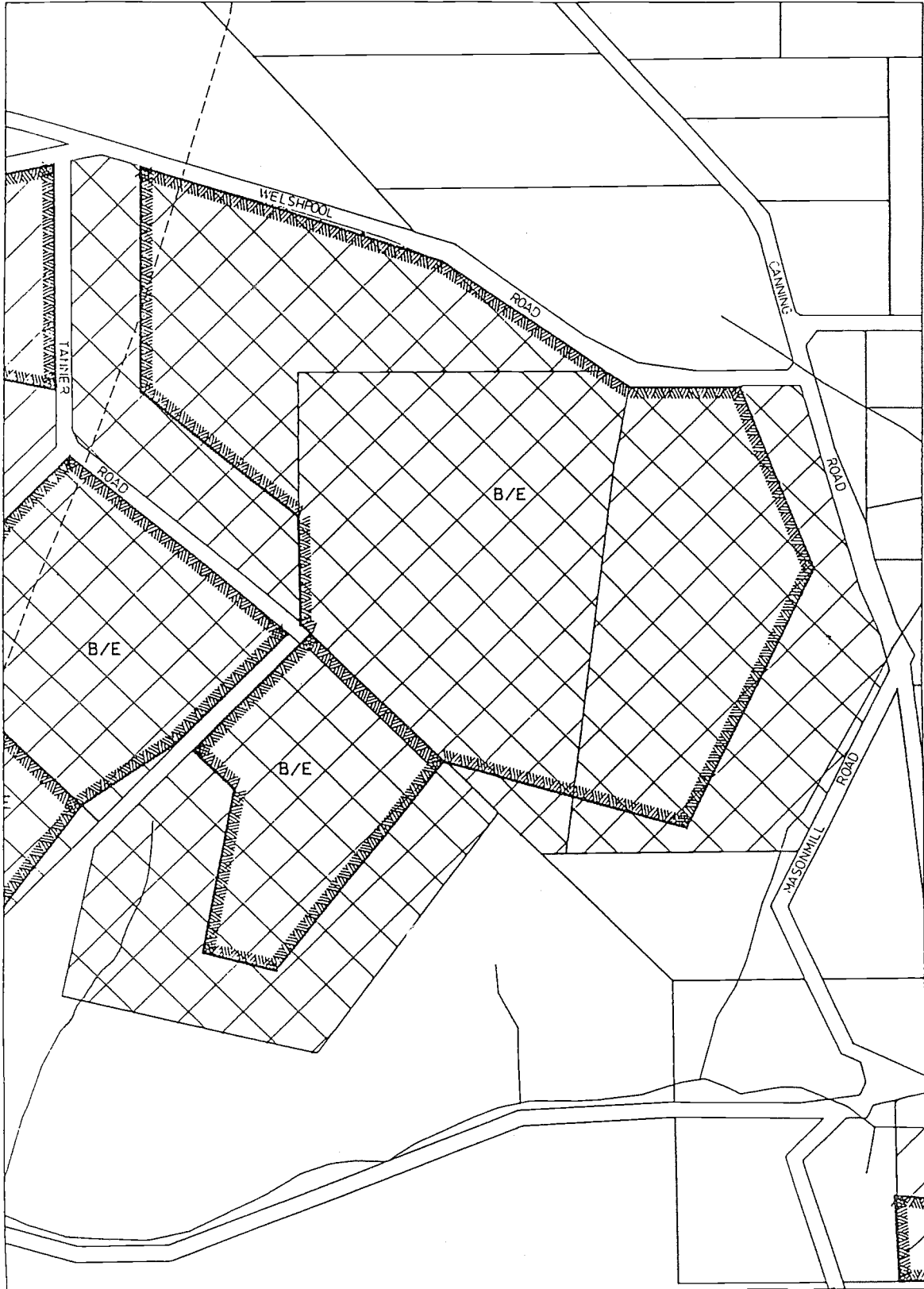


APPENDIX "K"
MAP 14

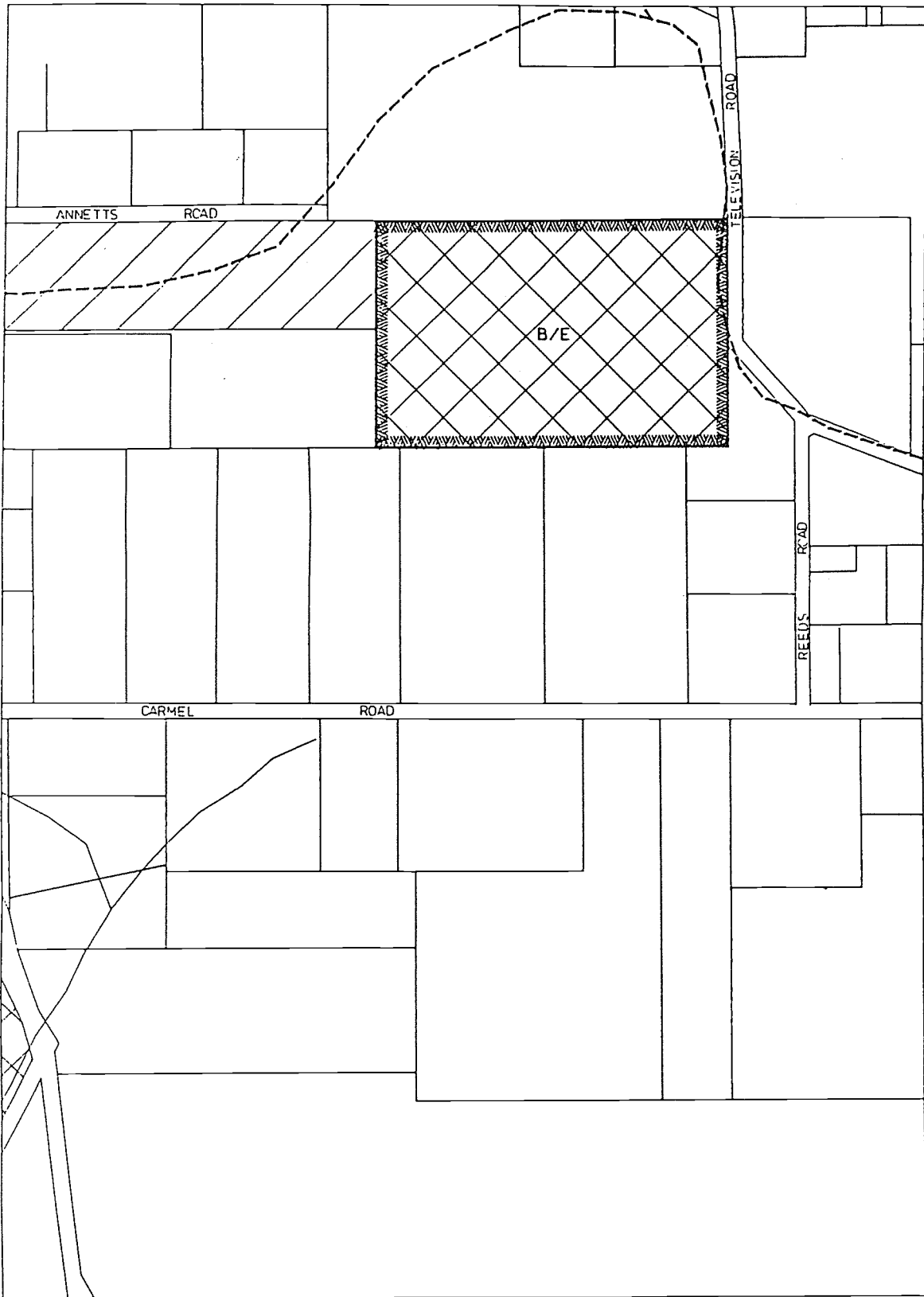
2. FROM VICARIAL LAND TOWNSHIP, 20th OCT. 1990 14.08.18 SCALE 1:5000. MAP 14



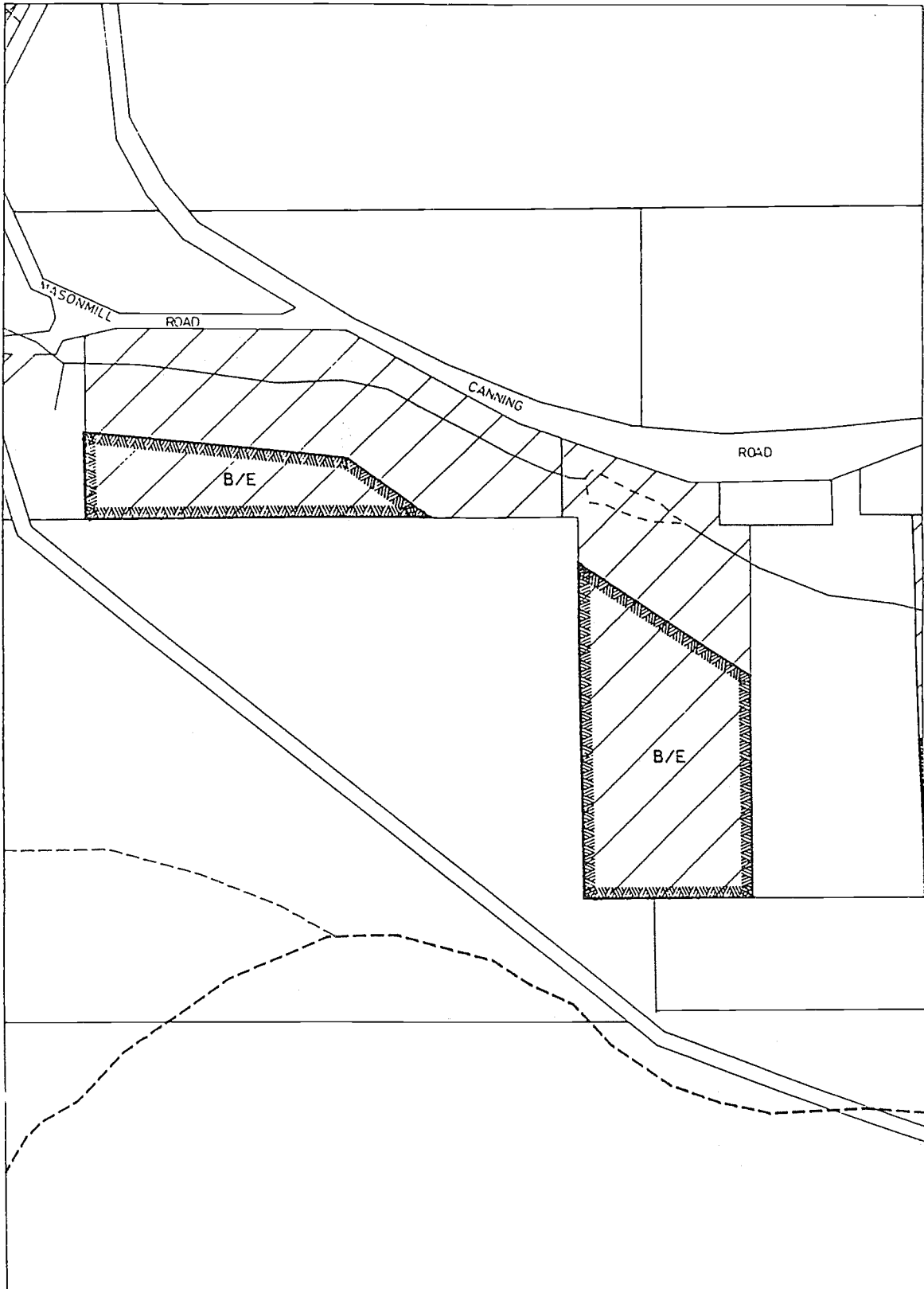
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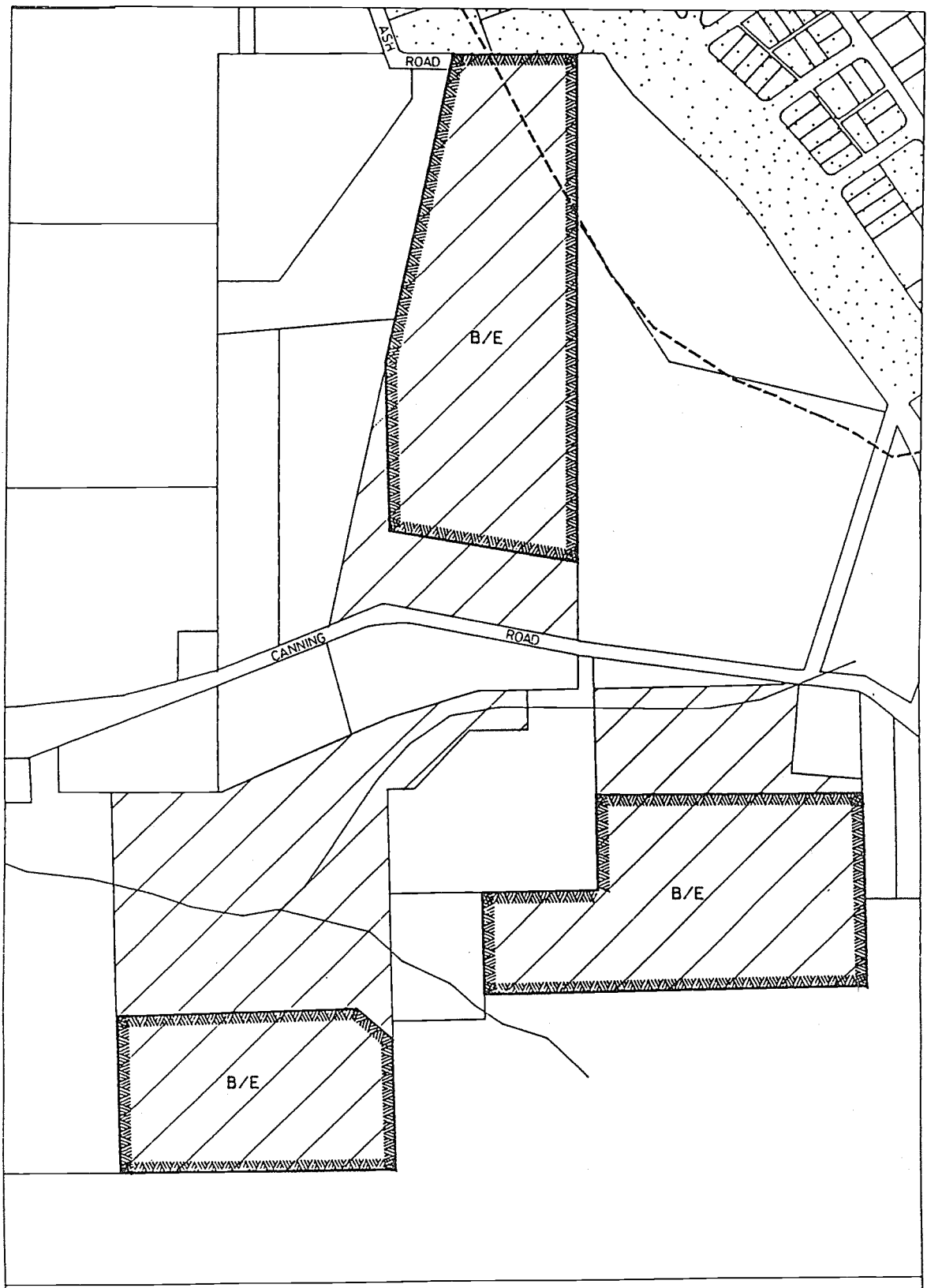


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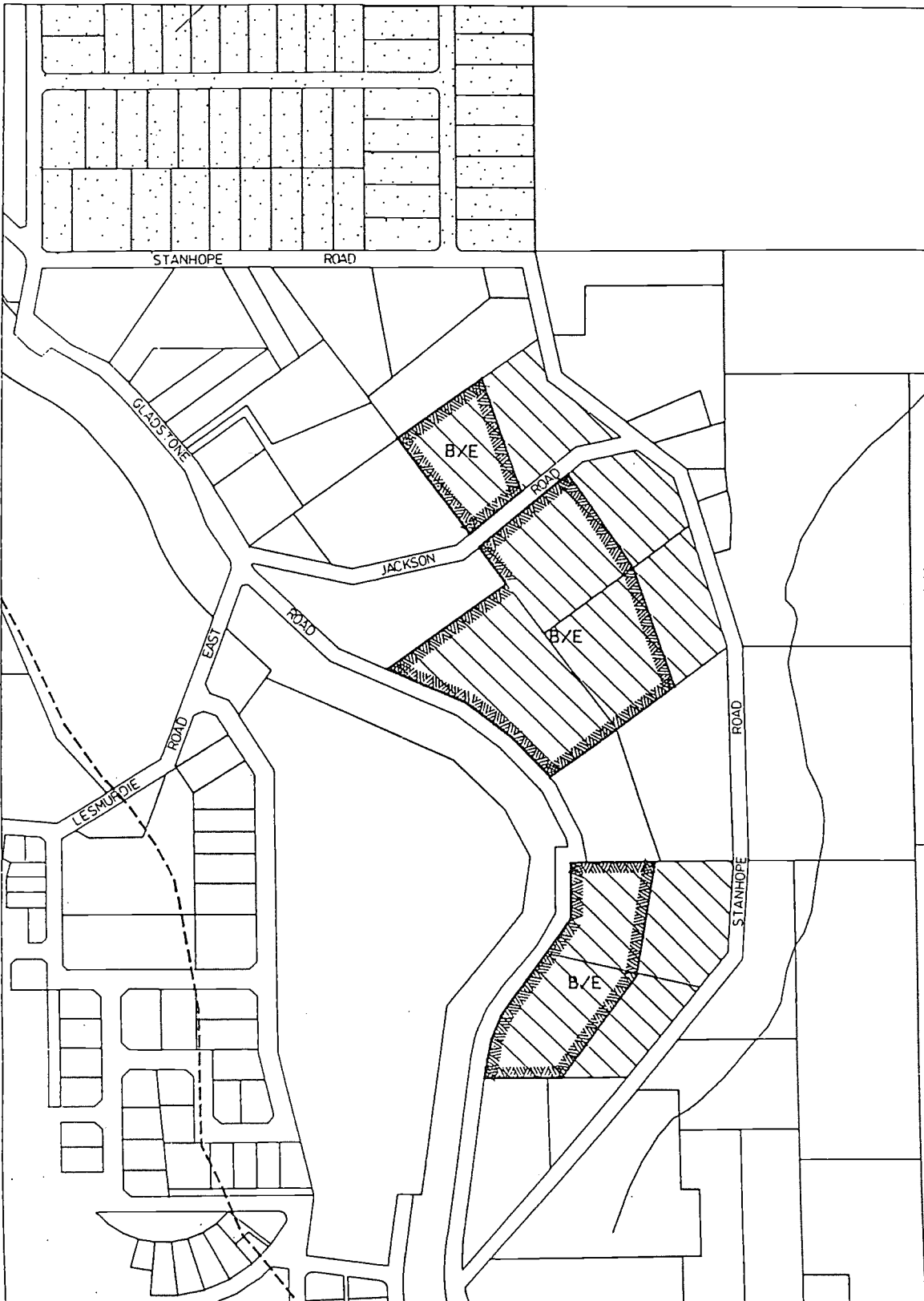


APPENDIX "K"
MAP 18

2. PRODUCTIONS, JOHN ZWILLING, DRG DC: 04, 1990 14 14 57 SCALE 1:5000, MAP 18



N. 1-ROAD-VIEW-DEL. JONN TOWERS. DON OCT. 05. 1990 13. 12. 27 SCALE 1:5000. MAP 19



W. L. TIELEMAN, President.
E. H. KELLY, Shire Clerk.