

**CITY OF
MANDURAH**

NOTICE OF MEETING

Planning and Community Consultation Committee

Members of Committee are advised that a meeting will be held in the Council Chambers, 83 Mandurah Terrace, Mandurah:

Tuesday 18 August 2026 at 5:30 pm

CASEY MIHOVLOVICH
Chief Executive Officer
14 August 2026

TABLE OF CONTENTS

1	OPENING OF MEETING AND ANNOUNCEMENT OF VISITORS	3
2	ACKNOWLEDGEMENT OF COUNTRY	3
3	APOLOGIES	3
4	DISCLAIMER	3
5	RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE.....	3
6	AMENDMENT TO STANDING ORDERS	3
7	PUBLIC QUESTION TIME	3
8	PRESENTATIONS	3
9	DEPUTATIONS	3
10	CONFIRMATION OF MINUTES.....	3
	10.1 Planning and Community Consultation Committee Meeting 10 November 2025.....	3
11	DECLARATIONS OF INTERESTS	3
12	QUESTIONS FROM COMMITTEE MEMBERS	3
	12.1 Questions of which due notice has been given	3
	12.2 Questions of which notice has not been given	4
13	BUSINESS LEFT OVER FROM PREVIOUS MEETING.....	4
14	REPORTS	5
	14.1 Mandurah Strategic Centre Precinct Structure Plan - Amendment No.1 (Seashells Site) ..	5
	14.2 Proposed Amendment No. 5 to Local Planning Scheme 12.....	64
	14.3 Amendment No 8 and 9 to Local Planning Scheme 12 – Short Term Rental Accommodation and Tourist Development.....	79
15	LATE AND URGENT BUSINESS ITEMS	111
16	CONFIDENTIAL ITEMS	111
17	CLOSE OF MEETING	111

1 OPENING OF MEETING AND ANNOUNCEMENT OF VISITORS

2 ACKNOWLEDGEMENT OF COUNTRY

3 APOLOGIES

4 DISCLAIMER

Members of the public are advised that the decisions of this Committee are referred to Council Meetings for consideration and cannot be implemented until approval by Council. Therefore, members of the public should not rely on any decisions of this Committee until Council has formally considered the resolutions agreed at this meeting.

5 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

6 AMENDMENT TO STANDING ORDERS

Modification to *Standing Orders Local Law 2016* – electronic attendance at meeting.

7 PUBLIC QUESTION TIME

Public Question time provides an opportunity for members of the public to ask a question of the Committee. For more information regarding Public Question Time, please visit the City's website [About Council Meetings](#) or telephone 9550 3787.

8 PRESENTATIONS

Nil

9 DEPUTATIONS

Any person or group wishing to make a Deputation regarding a matter listed on this agenda for consideration must complete an application form. For more information regarding making a deputation, please visit the City's website [About Council Meetings](#) or telephone 9550 3787.

10 CONFIRMATION OF MINUTES

10.1 Planning and Community Consultation Committee Meeting 10 November 2025

RECOMMENDATION

That the Minutes of the Planning and Community Consultation Committee Meeting 10 November 2025 be confirmed.

Minutes are available on the City's website [Agendas and Minutes](#)

11 DECLARATIONS OF INTERESTS

12 QUESTIONS FROM COMMITTEE MEMBERS

12.1 Questions of which due notice has been given

12.2 Questions of which notice has not been given

13 BUSINESS LEFT OVER FROM PREVIOUS MEETING

Nil

14 REPORTS

Subject: 14.1 Mandurah Strategic Centre Precinct Structure Plan – Amendment No.1 (Seashells Site) – Local Government Report to Western Australian Planning Commission

Summary

Council is requested to consider a proposed Amendment to the Mandurah Strategic Centre Precinct Structure Plan, following completion of the public advertising process. The amendment applies to Lot 24 (6–14 Breakwater Parade) and part of Strata Lot 107 (16 Dolphin Drive) where changes to the planning controls applying to the sites for land use, urban form, building height and site-specific provisions are proposed.

The amendment was advertised for public comment, and 105 submissions were received. Key issues among the responses were: building height and overall scale of development; built form, visual amenity and coastal/marina character; public parking provision and long-term availability; traffic generation, access and parking demand; overshadowing, privacy and residential amenity. Many issues raised have not taken into account the existing planning framework that applies to the site or the original approvals issued for Strata Lot 107.

Consistent with the planning framework and Council's strategic direction, the proposed amendment is recommended for approval. This report forms the basis of the 'local government report' on the proposal and responses to submission for forwarding to the Western Australian Planning Commission, who will make a determination.

Disclosure of Interest

Nil

Location



Previous Relevant Documentation

G.33/09/02	19 November 2002	Council approved Stage 1 of the Seashells Resort and a Development Guide Plan for Stages 2 and 3 on Lot 1 Dolphin Drive. The approval limited most of the broader site to 2 storeys, with development up to 6 storeys (22 metres) permitted for Stage 1 and up to 9 storeys (34 metres) for Stage 2 on a small portion of the site.
------------	------------------	---

Background

The land under consideration comprises Lot 24 (6–14 Breakwater Parade) and part of Strata Lot 107 (16 Dolphin Drive). Both sites are zoned Strategic Centre in Local Planning Scheme 12 and require a 'Precinct Structure Plan' (PSP) to be prepared and approved to apply development and planning requirements to them. This PSP is currently in operation as the 'Mandurah Strategic Centre PSP'.

Lot 24 Breakwater Parade

Lot 24 is a privately owned site with an area of 3,078 square metres.

It is currently used as a public car park containing 110 public parking bays under a licence agreement with the City.

The PSP Context Plan identifies the site as a Public Parking Node and forms part of the Medium Density Residential Precinct. This is an urban form classification that provides for development up to 3 storeys plus a loft and a minimum height of two storeys. The PSP Zoning Plan shows the site 'unzoned'.

By way of background and history of the creation of this site, the City entered into a Management Agreement with the State Government in October 2000 for the construction and completion of the Mandurah Ocean Marina. Stage One consisted of the construction of the main body of the water way and land parcels set aside for lease holdings for the Offshore Fishing Club, Boat Stacking and Chandlery, Boat Hire, Sales and Houseboat operations. Stage Two related to the completion of the Chalet Park and various Public Open Space parcels on the southern portion of the Marina. The Chalets were completed in early 2004.

Upon completion of the public infrastructure in the Marina, the final process was to dedicate all the parcels to the Crown and grant management of these parcels of Crown Land to the City for its care control and management, with the power to lease for a term not exceeding 42 years. The car park constructed on Lot 24, was not included in the Management Agreement with the State, and therefore in the various stages of handover of assets to the City within the Marina, was not included or transferred as Crown Reserve.

As such, Landcorp had retained ownership of the site, with the site being used for public car parking, with the City maintaining the site (signage, cleaning etc). In 2018, the City was contacted by

Landcorp advising they have received an offer to purchase Lot 24 from the owners of Strata Lot 107 (WA Property Investors Pty Ltd).

Landcorp confirmed that the offer to purchase the site had been approved and a settlement date agreed by Landcorp to provide an opportunity for the City and WA Property Ltd time to finalise a licence agreement, ensuring the City secures access to car parking on the site.

At the time, the City's officers requested the site be transferred over to the City or the Crown free of cost, due to the community benefit of the land. This was rejected by Landcorp due to the commercial return for the land. However Landcorp conditioned the sale, with a restrictive covenant that requires the new owner to enter into a licence agreement with the City ensuring that the land continues to be made available to the public as a car park with a minimum of 100 bays being available.

In 2019, a licence agreement was entered into for the maintenance for the carpark, and that access will be required even in the event of some development commencing on Lot 24 or Strata Lot 107. The City officers negotiated the licence term for a 20-year term, or earlier if agreed by the City, which could be considered should the future development allow for car parking for the general public. At the time, Council was advised that the site was designated as a public car park under the then Mandurah Ocean Marina Structure Plan. Any development of the site would require an amendment to the Structure Plan, approval from the Western Australian Planning Commission, and public advertising as part of that process.

Further, Council was advised that, while no development plans or proposals had been received, it was expected that a request to amend the Structure Plan would be submitted in due course. It was also anticipated that any future proposal would be residential rather than tourism-related, and that negotiations regarding a Structure Plan amendment would need to consider the strategic importance of retaining tourism-related development and public parking within the precinct.

Whilst the site is currently subject to a 20-year agreement expiring in 2039, at the conclusion of the 20-year period, Council were advised should no development proposal have progressed over existing Strata Lot 107 (inclusive of access on Lot 24), there was a risk that no further licence agreement is entered into and the existing parking would be closed to the public.

Strata Lot 107 Dolphin Drive

Strata Lot 107 is located within Strata Plan 48817 (Lot 1 Dolphin Drive) and forms part of the broader Seashells Mandurah site, which has an area of approximately 1.84 hectares.

The broader Seashells site contains:

- the 7-storey Seashells hotel, associated apartments and car parking ('Stage 1' development)
- existing open-air car park, small internal parking and storage areas, and an undeveloped area on the north-western portion of the site. The undeveloped area was previously approved as 'Stage 2' of the Seashells Resort with 74 short stay units, 27 apartments in a building with a maximum height aligning to 10 storey building height.

Construction commenced but was not completed, leaving concrete slab foundations on the site. The amendment applies to this area.

- a four-storey commercial building on the south-western corner at the intersection of Dolphin Drive and Breakwater Parade ('Stage 3' development).

Under the PSP Zoning Plan, it contains two land use classifications:

- The south-western portion of the site is within the Commercial Mixed-Use Precinct and is coded Residential – Activity Centre 3 (R-AC3).
- The balance of the site, including the undeveloped portion of Strata Lot 107, is within the Tourism Precinct and is coded Residential – Activity Centre 1 (R-AC1).

The broader Seashells site is also subject to a Local Development Plan requirement.

Under the PSP Context Plan, the broader Seashells site also has an urban form classification as mixed use. The PSP Height Plan provides for the south-western portion of the site for development up to 3 storeys plus a loft and a minimum height of two storeys. The balance of the site, including the undeveloped portion of Strata Lot 107, provides for development up to 32 metres (eight storeys) and a minimum height of two storeys.

Comment

Proposal

In mid to late 2025, WA Property Investors commenced discussions with the City about the prospect of potential development of subject site(s) for a high-quality tourist resort hotel with conference facility and associated amenities.

The landowner was advised at the time, that a key outcome of Council's recently completed City Centre Master Plan is to facilitate catalyst investment opportunities that includes encouraging investment in new short stay accommodation and tourism development opportunities, particularly in the Mandurah Ocean Marina. The proposal to develop the site for a hotel, together with conference opportunities aligns with this vision. The City officer's also support the concept of no additional permanent residential units being part of the proposal and notes there are some land tenure outcomes that require further investigation for Lot 107.

As the development site also includes Lot 24, over which the City holds a licence agreement for public parking purposes, the landowner was advised that several key issues would need to be resolved. These included the zoning of the site and negotiation of the existing licence agreement, and City officers advised that at least 50 per cent of the current public parking provision should be retained as publicly accessible parking to support beach access to Town Beach and to be included in any proposal in perpetuity.

In February 2026, a proposal was received from TBB Planning, on behalf of WA Property Investors, to amend the Mandurah Strategic Centre Precinct Structure Plan.

The amendment, as submitted, proposes the following changes to the Mandurah Strategic Centre Precinct Structure Plan:

- Apply a Mixed-Use Precinct (urban form classification) to Lot 24 on Plan 1 (Context Plan) with the Public Parking Node being retained.
- Apply a Tourism (land use classification) to Lot 24 on Plan 2 (Precinct Structure Plan), together with a R-AC1 density code.
- Apply on Plan 3 (Development Height Plan), the following:
 - building height limits of up to 17 metres (4 storeys) to portions of Lot 24 fronting Breakwater Parade and the foreshore, and up to 32 metres (8 storeys) to the balance of the site.

- an increased building height limit to the undeveloped north-western portion of Strata Lot 107 from 32 metres (8 storeys) to 56 metres (14 storeys).
- Apply on Plan 4 (Additional Development Controls), a semi-active building frontage along Breakwater Parade on Lot 24.
- Update Section 4.6.2 (Site Specific Provisions) proposes to include new site-specific provisions for Lot 24 to limit the permanent residential component to 40 per cent of the total number of units.

The proposal, as submitted, outlines that *“similar to the adjoining Seashells development, an element of permanent residential may also be desired on the subject site in addition to short-stay accommodation. This provision ensures the majority of units remain short-term accommodation, whilst providing flexibility for permanent residential to be delivered. For ease of administration, where a separate building is designed primarily for tourism (e.g. a hotel) it is expected to comprise 100% short-stay accommodation, with the remaining proportion of permanent.”*

- Update Section 4.6.2 (Site Specific Provisions) proposes to include new site-specific provisions for Lot 24 to and require a minimum of 50 public parking bays
- Update Section 5.2.1 (Local Development Plans) to require a Local Development Plan (‘LDP’) for Lot 24. This is reflected on Plans 2, 3 and 4 of the Precinct Structure Plan.

The reasoning for this approach is to *“to provide clear and enforceable guidance in relation to built form, including building height, setbacks, massing, articulation, interface treatments and streetscape outcomes. This level of detail is particularly important for the subject site due to its visibility from public vantage points, its relationship with surrounding properties and public spaces and its role in framing key views. By establishing defined development parameters, the LDP will ensure that future development is cohesive, well-designed and contributes positively to the character and amenity of the locality. The LDP will be prepared in close consultation with the City and include engagement with nearby landowners.*

The Precinct Structure Plan Amendment plans are provided as Attachment 1. Attachment 2 sets out the Indicative Massing Concepts that were submitted to provide an indication of the potential form of development arising from the Amendment.

Assessment of the Proposal

The City’s role upon the lodgement of a Structure Plan Amendment is providing comment to the Western Australia Planning Commission (‘Commission’) and is to include the following:

- Advertise the proposal as submitted;
- Provide a Schedule of Submission and a Local Government response to the Submissions;
- An assessment of proposal based on appropriate planning principles;
- A recommendation by the local government on whether the proposed structure plan should be approved by the Commission, including a recommendation on any proposed modifications.

The assessment of the proposal is provided as follows.

Strategic Planning Framework

Lot 24 is within the Mandurah Strategic Centre Precinct Structure Plan area but is not currently subject to site specific planning controls, with the exception of the existing car parking licence that applies to 2039. This provides little to no certainty for existing or prospective landowners of the site and its surrounds.

The amendment will introduce planning provisions for the future redevelopment of Lot 24 and will update the planning controls for the undeveloped part of Strata Lot 107. The existing planning provisions for the developed part of the Seashells Resort will remain unchanged.

The amendment is assessed against the relevant strategic planning framework, including the Mandurah Local Planning Strategy, Local Planning Scheme No. 12, the Mandurah Strategic Centre Precinct Structure Plan, relevant State Planning Policies and the Northern Beaches Coastal Hazard Risk Management and Adaptation Plan.

Mandurah Local Planning Strategy

The Local Planning Strategy identifies the Seashells site as a key tourism site, with its primary function being tourism accommodation. It also identifies the Mandurah Ocean Marina as a tourism destination supporting tourism accommodation, tourist-related commercial, restaurant and retail uses.

The amendment will be consistent with this strategic direction. It supports the future redevelopment of Lot 24 for tourism and mixed-use purposes. It will complement the existing tourism role of the adjoining undeveloped part of Strata Lot 107.

Local Planning Scheme No. 12

Lot 24 and Strata Lot 107 are both zoned Strategic Centre under Local Planning Scheme No. 12. The amendment will not change the zoning. It updates the planning controls for both sites through the Mandurah Strategic Centre Precinct Structure Plan.

The amendment is consistent with the objectives of the Strategic Centre zone.

Mandurah Strategic Centre Precinct Structure Plan (PSP)

This current PSP has been prepared in accordance with the Local Planning Scheme No 12, Part 4 of the Deemed Provisions and State Planning Policy (SPP) 4.2 Activity Centres for Perth and Peel.

The boundary of the Strategic Centre was determined through consideration of existing and future development within the area. A key driver of the plan was to consolidate existing precinct and structure plans, while outlining development requirements to guide the future development of Mandurah's Strategic Centre; it was approved by the WAPC in January 2025 and replaced the following previously operative Precinct Plans and Outline Development Plans:

- City Centre Precinct Plan
- Inner Mandurah Precinct Plan
- Mandurah Terrace Precinct Plan
- Mandurah Ocean Marina Structure
- Mandurah Junction Structure Plan.

This Precinct Structure Plan is considered a first stage of work within the Mandurah Strategic Centre, as further reviews and refinements are required as an outcome of further analysis of housing needs, public infrastructure requirements, streetscape and movement improvements and built form requirements to align this Precinct Structure Plan to SPP7.2 – Precinct Design – under the working title of the 'Mandurah Centre Plan'. This review is ongoing; however, some background analysis work has been undertaken through a needs analysis and recommendations on housing, non-residential and short-stay accommodation associated with this broader strategic centre area.

The Mandurah Strategic Centre Needs Analysis identifies demand for an additional 110–240 hotel rooms by 2035 and concludes there is capacity to support a new branded 4–4.5-star hotel or resort, which would enhance local activation and generate positive economic benefits for surrounding

businesses. The proposal facilitates the redevelopment of one of the final undeveloped marina sites for tourism accommodation, consistent with the identified market demand and strategic role of the Mandurah Strategic Centre. The outcomes of this analysis may lead to change to the current PSP (the 'Mandurah Centre Plan') and Local Planning Strategy, which includes existing ratios of residential to tourist developments, however, in the interim, an assessment of the proposal as submitted is required.

At a localised level, the amendment is consistent with the objectives of the Mandurah Strategic Centre Precinct Structure Plan. The Mandurah Ocean Marina contains a mix of tourism, residential, commercial and recreational uses. Applying a Mixed-Use precinct and a Tourism precinct to Lot 24 is consistent with the role of the marina. The proposed R-AC1 coding supports higher density development within the Strategic Centre. This is appropriate given the site's marina location and proximity to services and attractions.

The proposed amendments to Section 4.6.2 seek apply the existing planning approach to Lot 24. The 40 per cent limit on permanent residential development aligns with the existing provisions applying to the adjoining Seashells site. This seeks to maintains a consistent tourism focus across the overall development, however recommended modifications are proposed and highlighted under the assessment of building height.

The proposed amendments to Section 4.6.2 also outline the requirement for a minimum of 50 publicly accessible parking bays ensures public parking is retained as part of any future redevelopment of Lot 24. At the present time, once the existing licence period expires in 2039, there is no certainty for the ongoing provision of public parking in this location.

Further, it is noted that Section 4.6.2 of the PSP only applies to tourist development. The amendment to Section 5.2.1 will require a Local Development Plan (LDP) for Lot 24. An LDP sets site-specific design and development requirements for the site.

It is recommended that a modification to the submitted Amendment outlines the following change in respect to an LDP for the site:

"Where a Local Development Plan has been identified in Clause 5.2.1, the following requirements shall be included in the relevant Plan in addition to the provision of the Clause 5.2.2 and Part 6 of the Deemed Provisions:

Site	Requirements
Lot 24 Breakwater Parade and Lot 1 Dolphin Drive	(a) <i>The Local Development Plan shall provide that future development on Lot 24 Breakwater Parade is to provide 50 car parking bays for the public and to be provided in perpetuity.</i> (b) <i>The Local Development Plan shall identify the allocation of permanent residential component and tourist development by levels (or buildings) as outlined in Section 4.6.2 of the Precinct Structure Plan.</i>

This change is proposed as the identification of the requirement to provide 50 car parking bays for the public is only identified in the section relevant to tourist development and should also be included in the provisions relating to a local development plan for clarity for future provision.

Further, the LDP will be an important tool for the ongoing management and allocation of permanent residential component and tourist development within the site. Conditions of development approval and strata management plans can fulfill this requirement; however, the LDP approach provides a holistic approach to this outcome.

State Planning Policy 2.6 – Coastal Planning and Northern Beaches Coastal Hazard Risk Management and Adaptation Plan

The amendment will establish a planning framework for future development. It will not approve development. Any future development application will be required to address coastal hazards in accordance with State Planning Policy 2.6.

The Northern Beaches Coastal Hazard Risk Management and Adaptation Plan (CHRMAP) support the implementation of State Planning Policy 2.6. It has been adopted by Council but has not yet been implemented through Local Planning Scheme No. 12 or the Local Planning Strategy. The subject land is within Planning Unit 2B of the CHRMAP. The CHRMAP identifies increasing coastal erosion and inundation risk over time and outlines adaptation measures to manage those risks. Any future development application will be assessed against the planning framework in place at the time.

State Planning Policy 4.2 – Activity Centres for Perth and Peel

The subject land is within the Mandurah Strategic Centre. It is identified as a Strategic Centre under State Planning Policy 4.2.

The amendment supports future tourism, commercial and mixed-use development on Lot 24 and increases the maximum building height for the undeveloped part of Strata Lot 107 from 8 to 14 storeys. Together, these changes support the continued development of the Mandurah Strategic Centre.

The amendment is consistent with the objectives of State Planning Policy 4.2.

State Planning Policies 7.0 and 7.2 – Design of the Built Environment and Precinct Design

The amendment will introduce planning controls to guide future development of the site. These include building height controls, semi-active street frontage requirements and a Local Development Plan requirement. Together, these will support development that responds to the site's context. They will also ensure the detailed design of future development is considered before development occurs.

Public Parking Arrangements

Public parking was a key issue raised during public advertising.

Lot 24 is privately owned and is currently used as a public car park under a licence agreement with the City. The licence expires in January 2039 and is not affected by the amendment. If Lot 24 is redeveloped before the licence expires, the existing licence arrangements will require separate consideration. Beyond 2039, there is no obligation to retain public parking on the site.

If redevelopment occurs, the amendment will require a minimum of 50 publicly accessible parking bays to be provided in perpetuity. This establishes an ongoing planning requirement for public parking beyond 2039. The City will also be able to work with any prospective developer on wider requirements within the precinct as part of any development application received.

Building Height

Building height was one of the main issues raised during public advertising.

The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8-storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. It applies only to the northern part of Lot 24 rather than the entire site. The southern part of the site remains limited to 4 storeys. This stepped height arrangement is intended to reduce the visual scale of future development along the street and foreshore.

The amendment also increases the maximum height for the undeveloped part of Strata Lot 107 from 32 metres (8 storeys) to 56 metres (14 storeys). This part of the site is located behind Lot 24. It is set further back from both Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The additional building height is considered appropriate having regard to the site's strategic waterfront location.

Taller development has previously been considered on the site. In 2002, Council approved a Development Guide Plan that allowed development of up to 9 storeys on part of the broader Seashells site. In 2004, the City approved a 10-storey development for Stage 2 of the Seashells Resort.

The amendment changes the planning controls only. It does not approve development. Any future development will require a separate development application. Building design, built form and amenity impacts will be assessed as part of that process.

However, in the context of supporting 'additional' height together with ongoing management of allocation of (future) residential/tourist split as highlighted above, it is recommended that the following modifications to the submitted proposal to outline that the additional height is supported in support of additional tourist development as outlined in the proposal.

In effect, the current 60 per cent tourist/40 per cent residential split can continue to apply to the existing height provisions that apply to Lot 1 Dolphin Drive and the support to increase from 32 metres (8 storeys) to 56 metres (14 storeys) is subject to any development above eight storeys being 100 per tourist development.

For Lot 24, the proposed 60 per cent tourist/40 per cent residential split is supported up to four storeys and that any development above four storeys to the proposed 32 metres (8 storeys) is to be 100 per tourist development.

As a result, it is recommended that the PSP is modified as follows:

- Section 4.6.2 (Site Specific Provisions for Tourist Development) of the PSP being modified as follows:

Site	Existing of Precinct Structure Plan	Proposed Wording of Precinct Structure Plan <i>(as submitted with officer recommended changes shown in italics)</i>
Lot 1 Dolphin Drive (Seashells)	The permanent residential component is to be limited to 40% of the total number of units in the development.	(a) <i>Where the development is proposed to a maximum height of 8 storeys, the permanent residential component is to be limited to 40% of the total number of units in the development.</i> (b) <i>Where the development is proposed to a maximum height allowed for in Plan 3 of the Precinct Structure Plan, development above 8 storeys shall be 100% tourist development.</i>
Lot 24 Breakwater Parade		(a) <i>Where the development is proposed to a maximum height of 4 storeys, the permanent residential component is to be limited to 40% of the total number of units in the development. This proportion applies upon redevelopment of Lot 24 and the adjoining undeveloped portion of Lot 1.</i> (b) <i>Where the development is proposed to a maximum height allowed for in Plan 3 of the</i>

		<i>Precinct Structure Plan, development above 4 storeys shall be 100% tourist development. This proportion applies upon redevelopment of Lot 24 and the adjoining undeveloped portion of Lot 1.</i> (c) The development shall provide 50 car parking bays for the public.
--	--	---

MEAG Comment

This item does not have any significant impact on the natural environment and therefore has not been referred to Mandurah Environmental Advisory Group for comment.

Consultation

The proposed Precinct Structure Plan amendment was advertised in accordance with Clause 18(3A) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The amendment was advertised for public comment for 42 days, from 7 May 2026 to 25 June 2026. The proposal was advertised on the City's engagement website, together with a range of frequently asked questions, additional details and in the Mandurah Times including the use of an indicative massing diagram showing the potential maximum of development arising from the proposal.



Documentation was available for inspection at the City's Administration Centre and written notice was provided to 350 surrounding landowners and occupiers. Public notice signs were erected on Lot 24 (Breakwater Parade) and Lot 1 (Dolphin Drive).

A total of 105 submissions were received. Of these, 13 supported the amendment and 92 objected. It is noted that in the Schedule of Submissions a number appear to be duplicates, however they have been received by separate landowners in a similar building with the same address.

The Key Issues raised are as follows:

<i>Key Issue</i>	<i>General Response to Key Issue</i>
<i>Building height and overall scale of development</i>	The subject land is one of the final major redevelopment opportunities within the Mandurah Ocean Marina and occupies a highly strategic waterfront location within the Mandurah Strategic Centre. The proposed building heights recognise the site's strategic significance and facilitate a landmark tourism development consistent with the strategic objectives of the PSP and City Centre Master Plan. In the Local Planning Strategy, under Urban Form (Action 9) states the following: Recognise that Mandurah has a point of difference due to the natural assets, extensive coastline and waterways (natural and artificial), existing urban form and infrastructure, and ensure that there is a <u>variety of development outcomes and scale to avoid being a continuation of suburban sprawl</u>. Increase the density and diversity of housing in and around activity centres to improve land efficiency, housing variety and to support centre facilities. The proposed heights are consistent with the evolving built form of the Mandurah City Centre, where taller buildings already contribute to the established skyline, including the 15-storey Bridgepoint Tower (at the former Peninsula Hotel site) and the approximately 13-level One Brighton development. Similar building heights are contemplated in other key City Centre locations under the existing planning framework. The current height for this area in the PSP is 8 storeys. The proposal of 4, 8, 14 and 8 storeys for the sites was arrived at after careful consideration and interrogation of options and impacts on neighbouring properties. The continuation of a blanket 8 storeys from the existing Seashells (Stage 1) through to these two lots is a much inferior planning outcome than the proposal. The subject land is one of the final major redevelopment opportunities within the Mandurah Ocean Marina and occupies a highly strategic waterfront location within the Mandurah Strategic Centre. It's not a development in suburban Mandurah. The proposed building heights recognise the site's strategic significance and will facilitate a landmark tourism development consistent with the strategic objectives of the PSP and City Centre Master Plan.
<i>Built form, visual amenity and coastal/marina character</i>	The amendment establishes maximum development parameters only and does not approve a specific building design. Detailed architectural design, materials, setbacks and visual integration will be assessed through the future development application process. The amendment seeks to facilitate a high-quality tourism development that complements and enhances the established role of the Mandurah Ocean Marina as a premier waterfront destination.
<i>Public parking provision and long-term availability</i>	The amendment seeks to secure a minimum of 50 publicly accessible parking bays on Lot 24 as part of any future redevelopment. This represents an improved planning outcome by establishing an ongoing statutory requirement to retain publicly accessible parking on the site beyond the expiry of the existing parking licence. It is noted that there is no permanent restriction on the title nor permanent arrangement with the City for public parking to be provided on private property, in addition to any parking required to support the ultimate development. The City will not have to maintain Lot 24, or make

<i>Key Issue</i>	<i>General Response to Key Issue</i>
	good on expiry of the licence, thus avoiding significant costs which would have been borne by the City. Notwithstanding, the adequacy of public and private parking provision will be assessed through the future development application process, having regard to the proposed land uses and anticipated parking demand.
<i>Traffic generation, access and parking demand</i>	Any future development application will be supported by a Traffic Impact Assessment, demonstrating that the surrounding road network can safely accommodate the proposed development and identify any necessary upgrades or mitigation measures.
<i>Overshadowing, privacy and residential amenity and loss of views</i>	Overshadowing, privacy, visual amenity and interface impacts will be comprehensively assessed through the future development application process and will need to demonstrate compliance with the applicable planning framework. Lot 107 had a previous DA approved for high rise tourism development, and in the event that that some decked parking was to be considered for Lot 24, a multilevel car park on the site would have the same, if not much more significant impact on views, amenity and values for neighbouring properties.
<i>Wind impacts and pedestrian comfort</i>	Future building design will be required to incorporate appropriate mitigation measures where wind impacts are identified.
<i>Public access to the foreshore and public realm improvements</i>	Public realm improvements, landscaping, pedestrian connectivity and the interface with the foreshore will be considered as part of any future development application. The amendment provides an opportunity to achieve high-quality public domain outcomes that enhance the Marina precinct.
<i>Need for additional tourism accommodation</i>	Independent market analysis demonstrates a need for additional tourism accommodation in Mandurah. The Mandurah Strategic Centre Needs Analysis identifies demand for an additional 110–240 hotel rooms by 2035 and concludes there is capacity to support a new branded 4–4.5-star hotel or resort, which would enhance local activation and generate positive economic benefits for surrounding businesses. The proposal facilitates the redevelopment of one of the final undeveloped marina sites for tourism accommodation, consistent with the identified market demand and strategic role of the Mandurah Strategic Centre.
<i>Tourism and economic development</i>	The proposal is consistent with the City's adopted Economic Development Strategy, which identifies tourism as a key growth sector and supports new tourism resort offerings, private investment, economic diversification and local employment. Redevelopment of the site for a high-quality tourism development will strengthen Mandurah's visitor economy, support local businesses and contribute to the long-term activation of the Marina precinct.
<i>Commercial competition and potential impacts on existing accommodation providers</i>	Commercial competition between businesses is generally not a material planning consideration. The assessment of the amendment is based on the strategic planning framework, land use compatibility and the broader public interest. The Draft Mandurah Strategic Centre Needs Analysis concludes there is capacity and forecast demand for additional high-quality tourism accommodation within Mandurah, supporting the strategic need for the proposal.
<i>Coastal planning, climate resilience and adaptation</i>	The proposed amendment is consistent with the City's Coastal Hazard Risk Management and Adaptation Plan (CHRMAP), which identifies the Mandurah Marina/Seashells precinct as an existing urban area where coastal hazards are to be managed through adaptation and the ongoing assessment of future development, rather than restricting redevelopment. Any future development will be required to demonstrate consistency with the CHRMAP,

<i>Key Issue</i>	<i>General Response to Key Issue</i>
	State Planning Policy 2.6 – State Coastal Planning Policy, and any applicable coastal hazard investigations, ensuring that appropriate coastal adaptation and resilience measures are incorporated into the detailed design.
<i>Technical investigations</i>	The amendment establishes the strategic planning framework only. Detailed technical investigations, including traffic, parking, servicing, wind, shadow and environmental assessments (where required), will accompany any future development application. The City will assess all supporting technical information before determining any future development application.
<i>Existing public parking licence/agreement and contractual arrangements</i>	The existing public parking arrangements for Lot 24 are provided under a separate licence agreement between the landowner and the City of Mandurah. The ongoing, permanent provision and management of public parking will be addressed through a new agreement between the parties as part of any future redevelopment of the site. Existing contractual arrangements relating to the public parking licence on Lot 24 are separate land administration matters rather than planning matters and do not provide a permanent arrangement for the public to park on the private property nor a permanent land use restriction. This Amendment provides certainty for public parking into the future.
<i>Impact on property values and loss of private views</i>	Potential impacts on property values and private views are generally not material planning considerations and cannot be afforded significant weight in determining the amendment.
<i>Existing planning framework / previous planning controls</i>	Strategic planning documents are periodically reviewed and amended to respond to changing strategic priorities, community needs and market conditions. The proposed amendment reflects the strategic importance of the site and the opportunity to facilitate its redevelopment for tourism purposes. The amendment does not alter the strategic role of the Marina precinct but updates the planning framework to support the site's intended long-term redevelopment.
<i>Public Benefit</i>	The amendment will enable the delivery of a number of public benefits, including the retention of publicly accessible parking, new tourism accommodation and complementary retail opportunities, increased investment and employment, and the opportunity to improve the public realm and waterfront interface through future redevelopment. The detailed public benefits associated with redevelopment will be considered through the future development application process.
<i>Construction impacts/inconvenience</i>	Temporary construction impacts are not relevant to the assessment of the strategic planning amendment and would be managed through future development approvals and other applicable legislation.
<i>Infrastructure and servicing</i>	Infrastructure servicing requirements will be assessed through the future development application process in consultation with the relevant servicing authorities.
<i>Environmental impacts</i>	Environmental matters will continue to be assessed through the applicable statutory approval processes and any future development application.
<i>Planning process</i>	The amendment has been prepared and advertised for a period of 42 days in accordance with the relevant requirements under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> , with all submissions considered as part of the decision-making process. Any future development will also be subject to separate statutory assessment and public consultation requirements where applicable.

A Schedule of Submissions, including City officer responses, is provided at Attachment 3.

In addition to the above, as number of submissions provided comments in relation to strata management matters and are not relevant to the proposal being considered by Council to modify the PSP.

Policy Implications

The amendment will modify the Mandurah Strategic Centre Precinct Structure Plan by introducing new planning controls for Lot 24 and updating existing controls for the undeveloped portion of Strata Lot 107. The amendment will affect future land use, built form and development outcomes on the subject land.

Financial Implications

The amendment does not have any immediate financial implications for the City.

Lot 24 will continue to operate as a public car park under the existing licence agreement unless the site is redeveloped.

Economic Implications

The amendment supports future investment and redevelopment opportunities within the Mandurah Strategic Centre, as identified by needs analysis conducted by the City and Visit Mandurah.

It may facilitate additional tourism, commercial and mixed-use development, which could contribute to economic activity and employment.

Environmental Implications

The amendment amends the planning controls applying to the subject land but does not approve development.

The subject land is within an area affected by coastal hazards. These matters will be considered as part of any future development proposal.

Risk Implications

Lot 24 is currently used as a public car park under a licence agreement with the City. The licence expires in January 2039, with no obligation to provide public parking beyond this date. If redevelopment occurs, the amendment will require a minimum of 50 publicly accessible parking bays to be provided in perpetuity, establishing an ongoing planning requirement for public parking beyond 2039.

The City is required under the *Planning and Development (Local Planning Schemes) Regulations 2015* ('LPS Regulations') to provide its recommendation to the WAPC within 60 days of the close of advertising, unless a longer timeframe is agreed.

The advertising period closed on 25 June 2026. The City's recommendation must be provided to the WAPC by 24 August 2026.

If the recommendation is not provided within the required timeframe, the WAPC may determine the amendment without the City's recommendation. The Regulations also enable the WAPC to recover assessment costs from the City.

The WAPC is the determining authority and may make a decision that differs from Council's recommendation.

Strategic Implications

The following strategies from the City of Mandurah Strategic Community Plan 2024-2044 are relevant to this report:

Economy

- Well-planned, sustainable urban development

Community

- Safe and connected communities
- Inclusive and welcoming places, spaces and neighbourhoods

Environment

- Nature has a voice in all decision-making
- Our natural environment is celebrated, protected and restored for generations to come
- Our built environment is clean, accessible and sustainable
- Our coast and waterways are healthy and celebrated

Leadership

- A clear and shared vision for Mandurah's future
- Sound decisions based on evidence and meaningful engagement

Conclusion

The proposed amendment is considered appropriate. It is consistent with the relevant strategic planning framework. It provides a planning framework for the future redevelopment of Lot 24 and the undeveloped part of Strata Lot 107. It is recommended that Council endorse the amendment and forward it to the Western Australian Planning Commission for determination.

Officer Recommendation

That the Planning and Community Consultation Committee recommend that Council:

- 1. in accordance with Clause 20(2) of the Scheme 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015 (Deemed Provisions for Local Planning Schemes)*, provides this report as the Local Government Report to the Western Australian Planning Commission required for a proposed structure plan; and**
 - 1.1. notes the schedule of submissions and officer responses as required by sub-clause (a), (b) and (c) of Clause 20(2);**
 - 1.2. notes the contents of this report outlines the assessment of the proposal based on appropriate planning principles as required by sub-clause (d) of Clause 20(2); and**
 - 1.3. supports the proposed structure plan being approved by the Western Australian Planning Commission as required by sub-clause (e) of Clause 20(2); and**
 - 1.4. recommends the following modifications to the proposed Structure Plan as required by sub-clause (e) of Clause 20(2):**
 - (a) Section 4.6.2 (Site Specific Provisions for Tourist Development) of the Structure Plan being modified as follows:**

Site	Existing Wording of Precinct Structure Plan	Proposed Wording of Precinct Structure Plan (as submitted and officer recommended changes shown in italics)
Lot 1 Dolphin Drive (Seashells)	The permanent residential component is to be limited to 40% of the total number of units in the development.	(a) <i>Where the development is proposed to a maximum height of 8 storeys, the permanent residential component is to be limited to 40% of the total number of units in the development.</i> (b) <i>Where the development is proposed to a maximum height allowed for in Plan 3 of the Precinct Structure Plan, development above 8 storeys shall be 100% tourist development.</i>
Lot 24 Breakwater Parade		(a) <i>Where the development is proposed to a maximum height of 4 storeys, the permanent residential component is to be limited to 40% of the total number of units in the development. This proportion applies upon redevelopment of Lot 24 and the adjoining undeveloped portion of Lot 1 Dolphin Drive.</i> (b) <i>Where the development is proposed to a maximum height allowed for in Plan 3 of the Precinct Structure Plan, development above 4 storeys shall be 100% tourist development. This proportion applies upon redevelopment of Lot 24 and the adjoining undeveloped portion of Lot 1 Dolphin Drive.</i> (c) <i>The development shall provide 50 car parking bays for the public.</i>

- (b) Proposed modifications to Section 5.2.1 (g) (Where a Local Development Plan is Required) to state:

“Lot 24 Breakwater Parade and Lot 1 Dolphin Drive.”

- (c) A new section being added to Section 5 (Local Development Plans) to include the following table:

5.5.3 Site Specific Provisions for Local Development Plans

Where a Local Development Plan has been identified in Clause 5.2.1, the following requirements shall be included in the relevant Plan in addition to the provision of the Clause 5.2.2 and Part 6 of the Deemed Provisions:

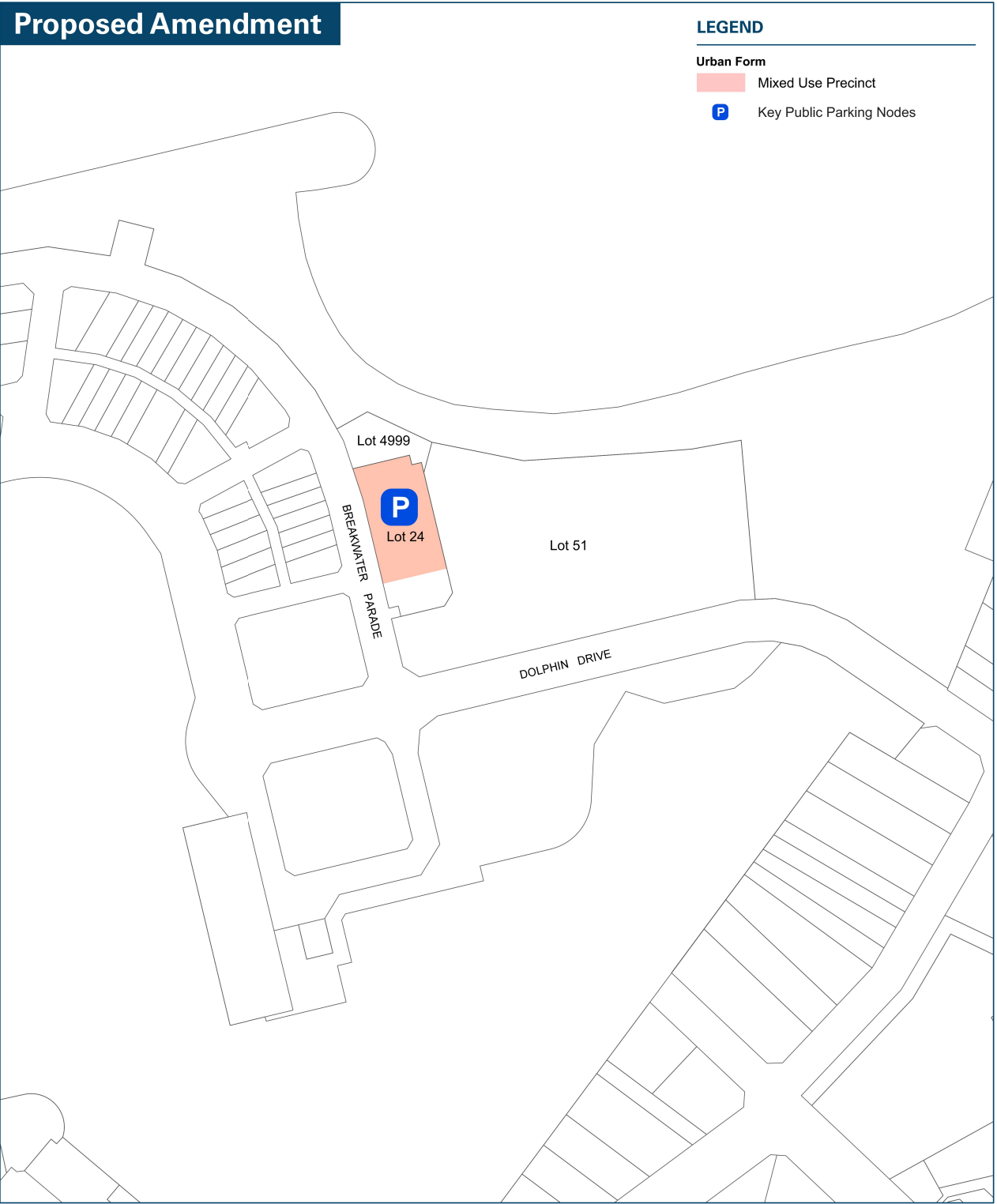
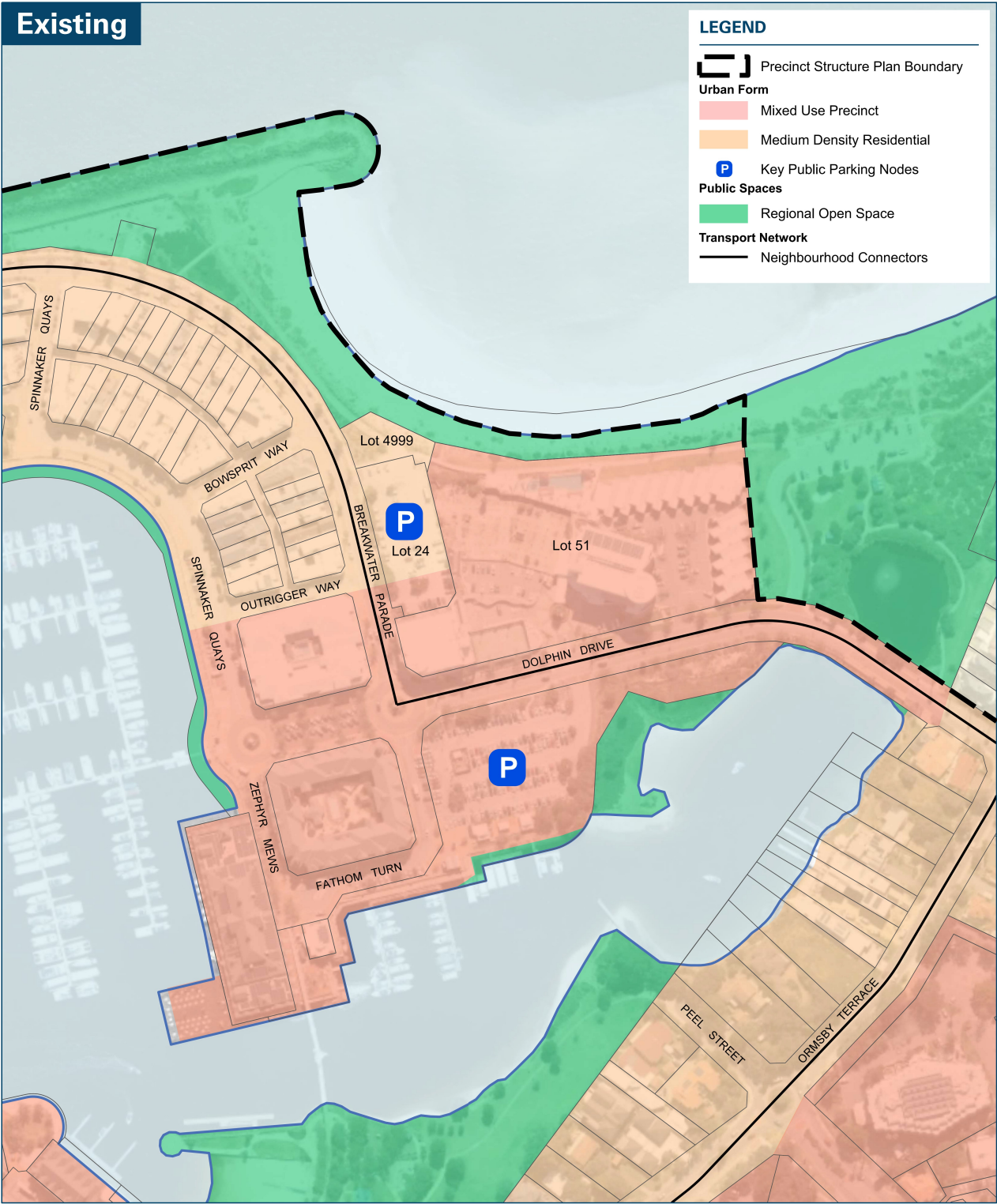
<i>Site</i>	<i>Requirements</i>
<i>Lot 24 Breakwater Parade and Lot 1 Dolphin Drive</i>	<i>(c) The Local Development Plan shall provide that future development on Lot 24 Breakwater Parade shall provide 50 car parking bays for the public.</i> <i>(d) The Local Development Plan shall identify the allocation of permanent residential component and tourist development by levels (or buildings) as outlined in Section 4.6.2 of the Precinct Structure Plan.</i>

(d) Plans 1 to 4 of the proposal replacing all reference to Lot 51 with Lot 1 Dolphin Drive.

- 2. Notes that all submitters will be advised of Council's recommendation to the Western Australian Planning Commission and advised of the next steps in the approval process.**

Attachments

- 1. Precinct Structure Plan Amendment Plans [14.1.1 - 4 pages]**
- 2. Indicative Massing Concept Plans [14.1.2 - 3 pages]**
- 3. Schedule of Submissions [14.1.3 - 35 pages]**



TBB Planning
Level 7, 160 St Georges Terrace
Perth WA 6000
T (08) 9226 4276
E admin@tbbplanning.com.au
tbbplanning.com.au

Scale
1:4000@A4
1:2000@A2

0 20 40 60m
N



Plan
13/076/005A

Grid
MGA-50

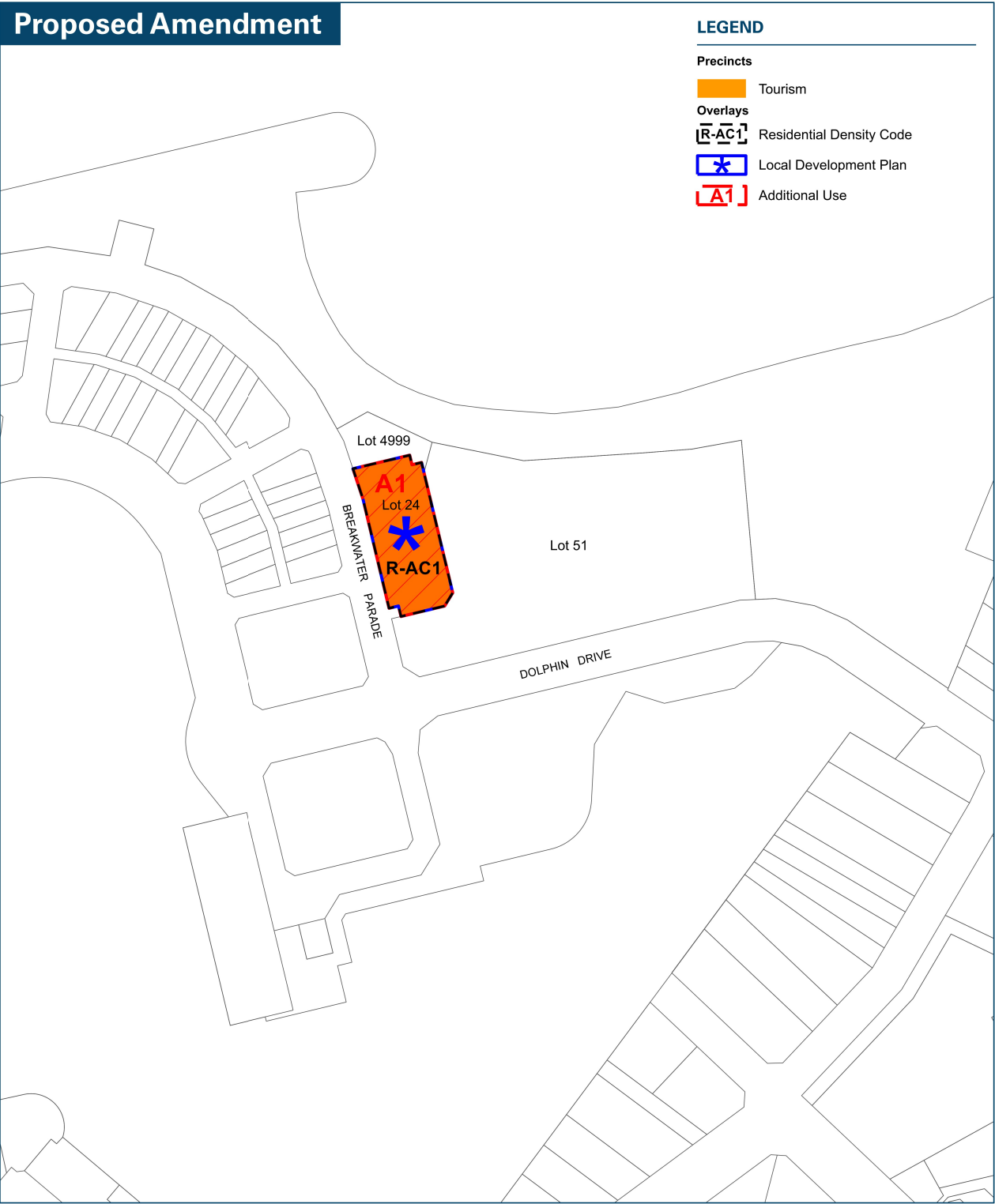
Drawn
MH

Approved
JD

PLAN 1 - Context Plan
MANDURAH STRATEGIC CENTRE PRECINCT STRUCTURE PLAN




© Copyright TBB Planning Pty Ltd. All rights reserved. No part of this plan may be reproduced or used for any purpose without express written consent of TBB Planning Pty Ltd.
n.b. All areas and dimensions are preliminary only, and may alter following detailed survey.



TBB Planning
Level 7, 160 St Georges Terrace
Perth WA 6000
T (08) 9226 4276
E admin@tbbplanning.com.au
tbbplanning.com.au

Scale
1:4000 @A4
1:2000 @A2

Date
3/02/2026

Plan
13/076/005A

Grid
MGA-50

Drawn
MH

Approved
JD

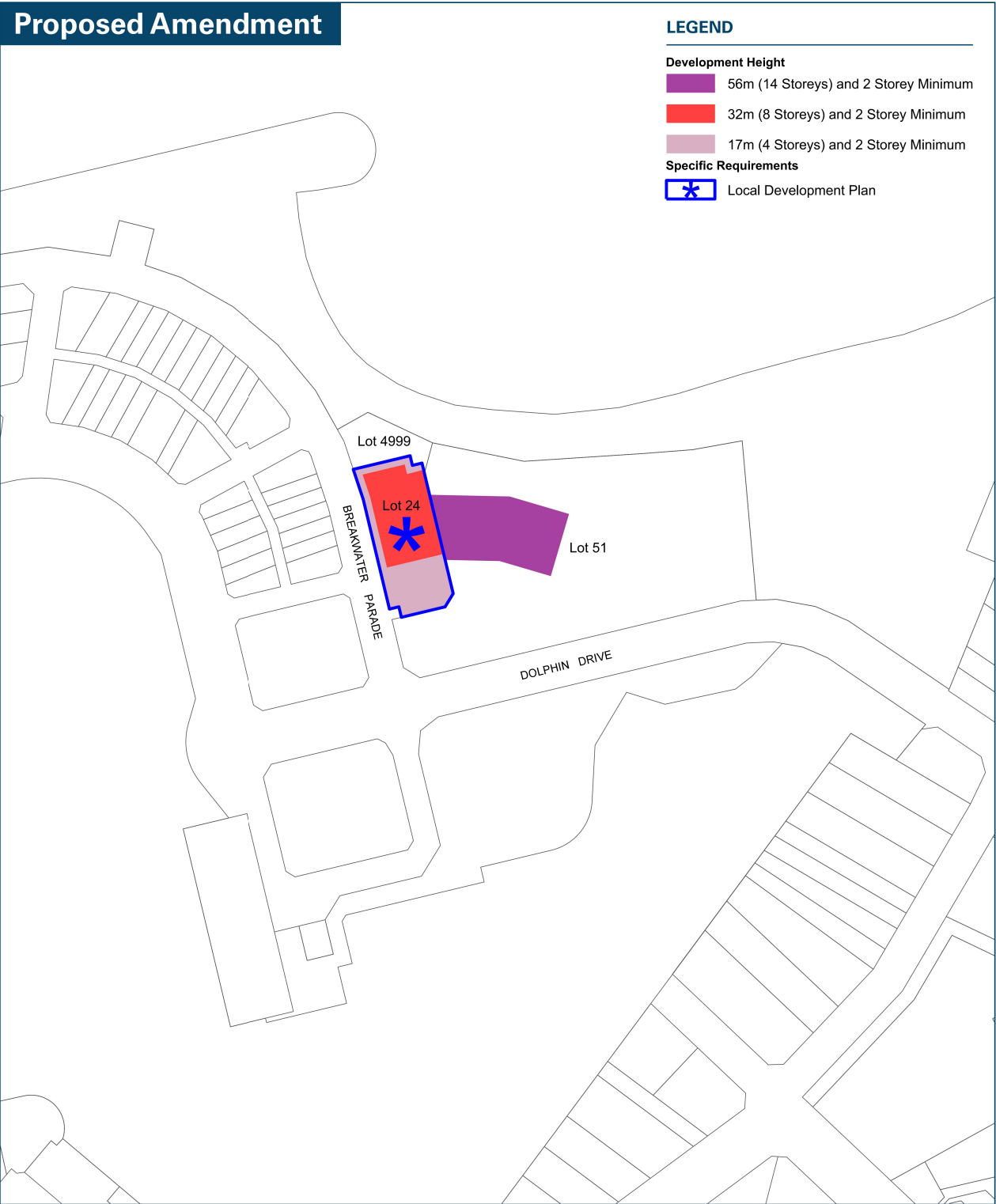
0 20 40 60m



© Copyright TBB Planning Pty Ltd. All rights reserved. No part of this plan may be reproduced or used for any purpose without express written consent of TBB Planning Pty Ltd.
n.b. All areas and dimensions are preliminary only, and may alter following detailed survey.

PLAN 2 - Precinct Structure Plan
MANDURAH STRATEGIC CENTRE PRECINCT STRUCTURE PLAN





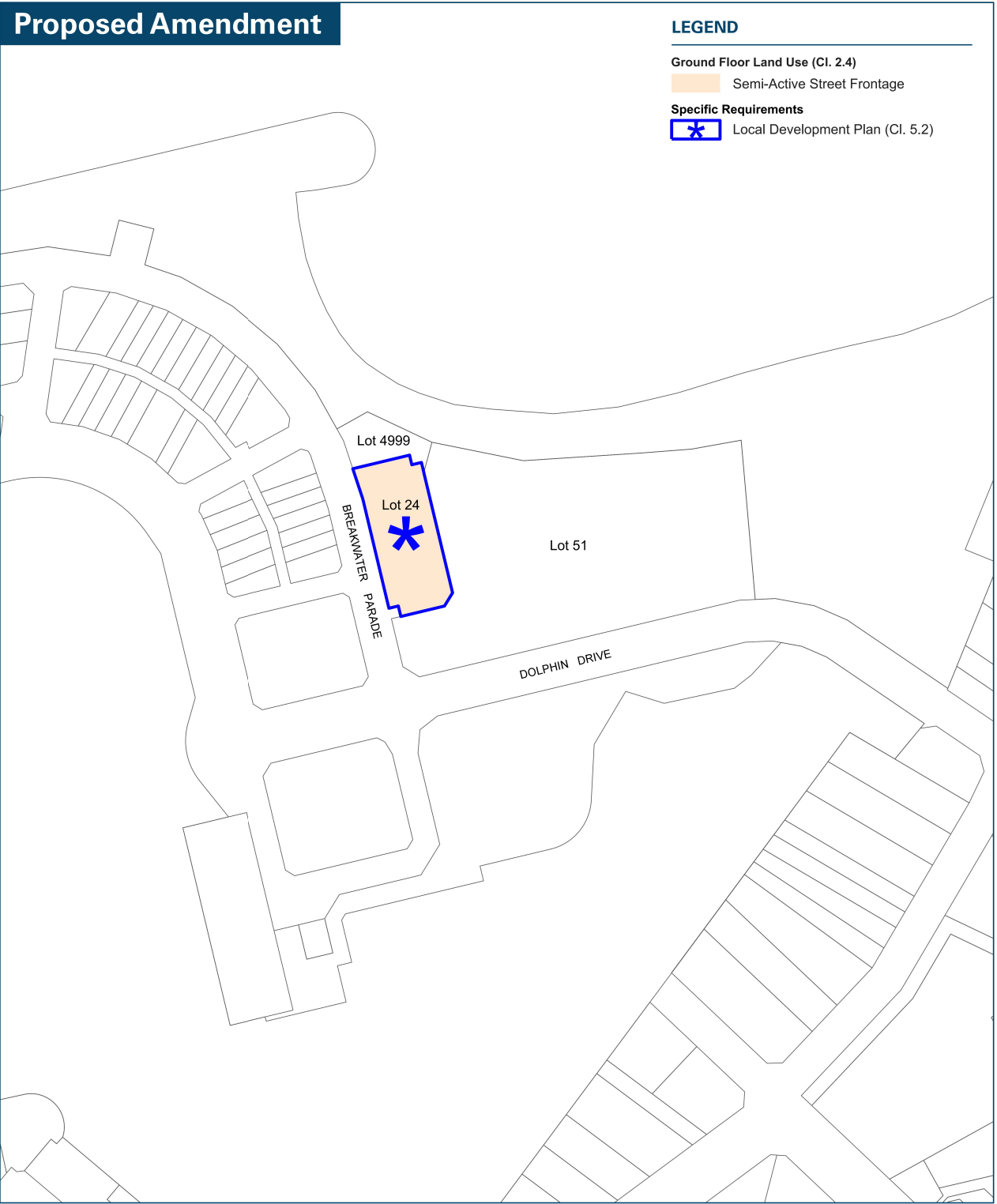
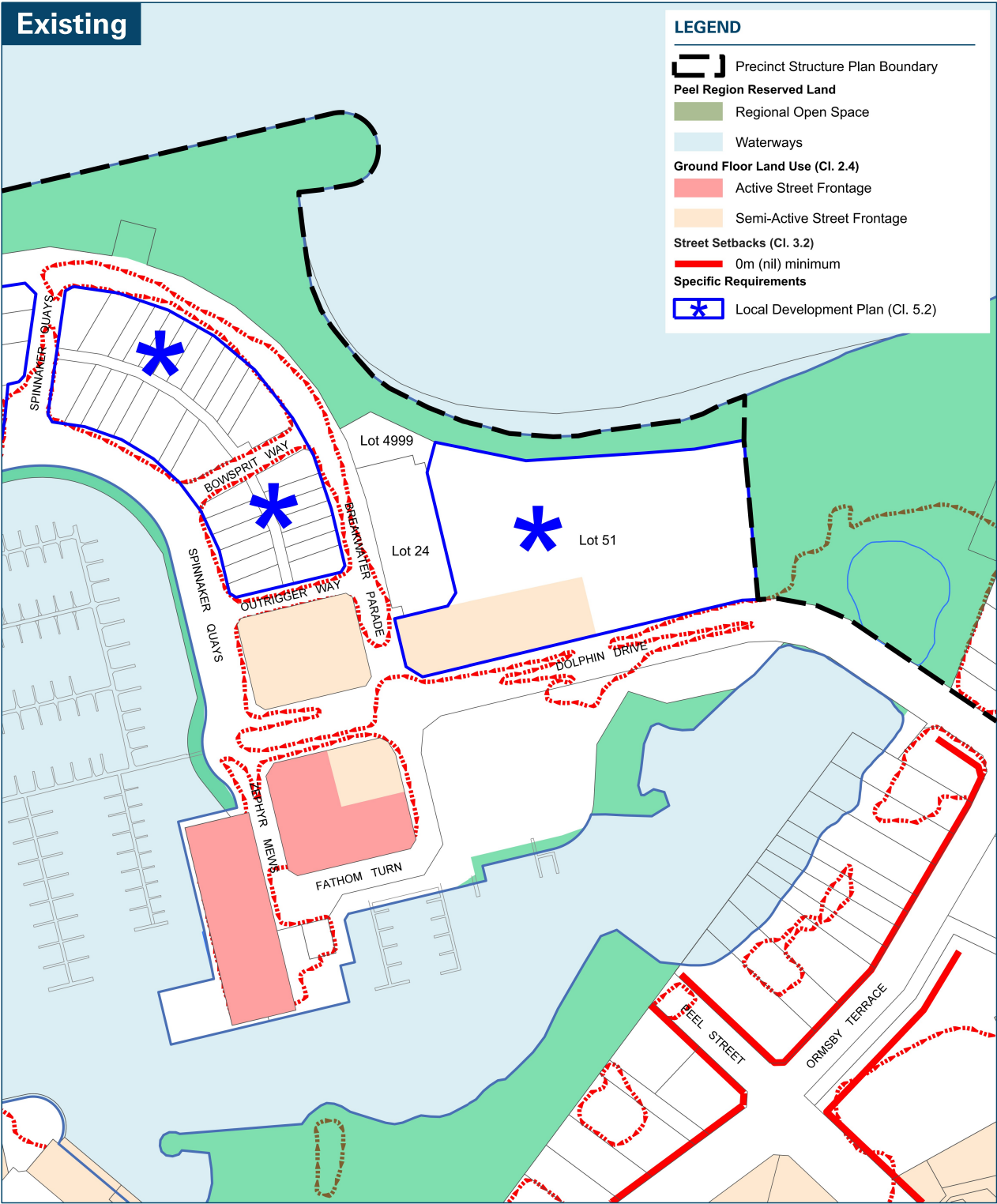
TBB Planning Level 7, 160 St Georges Terrace Perth WA 6000 T (08) 9226 4276 E admin@tbbplanning.com.au tbbplanning.com.au	Scale 1:4000 @A4 1:2000 @A2 0 20 40 60m N	Date 3/02/2026	Plan 13/076/005A Grid MGA-50	Drawn MH Approved JD
---	--	--------------------------	---	---

© Copyright TBB Planning Pty Ltd. All rights reserved. No part of this plan may be reproduced or used for any purpose without express written consent of TBB Planning Pty Ltd.
n.b. All areas and dimensions are preliminary only, and may alter following detailed survey.

PLAN 3 - Development Height Plan
MANDURAH STRATEGIC CENTRE PRECINCT STRUCTURE PLAN

CITY OF MANDURAH





TBB Planning
Level 7, 160 St Georges Terrace
Perth WA 6000
T (08) 9226 4276
E admin@tbbplanning.com.au
tbbplanning.com.au

Scale
1:4000 @A4
1:2000 @A2

Date
3/02/2026

Plan
13/076/005A

Grid
MGA-50

Drawn
MH

Approved
JD

0 20 40 60m



© Copyright TBB Planning Pty Ltd. All rights reserved. No part of this plan may be reproduced or used for any purpose without express written consent of TBB Planning Pty Ltd.
n.b. All areas and dimensions are preliminary only, and may alter following detailed survey.

PLAN 4 - Additional Development Controls
MANDURAH STRATEGIC CENTRE PRECINCT STRUCTURE PLAN





Appendix C

INDICATIVE MASSING CONCEPT





TBB

**INDICATIVE
MASSING
CONCEPT**

**LOT 24
BREAKWATER
PARADE &
PORTION OF
STRATA LOT 107
DOLPHIN DRIVE,
MANDURAH**

**Seashells
Mandurah
Ocean Marina**

Scale
NTS

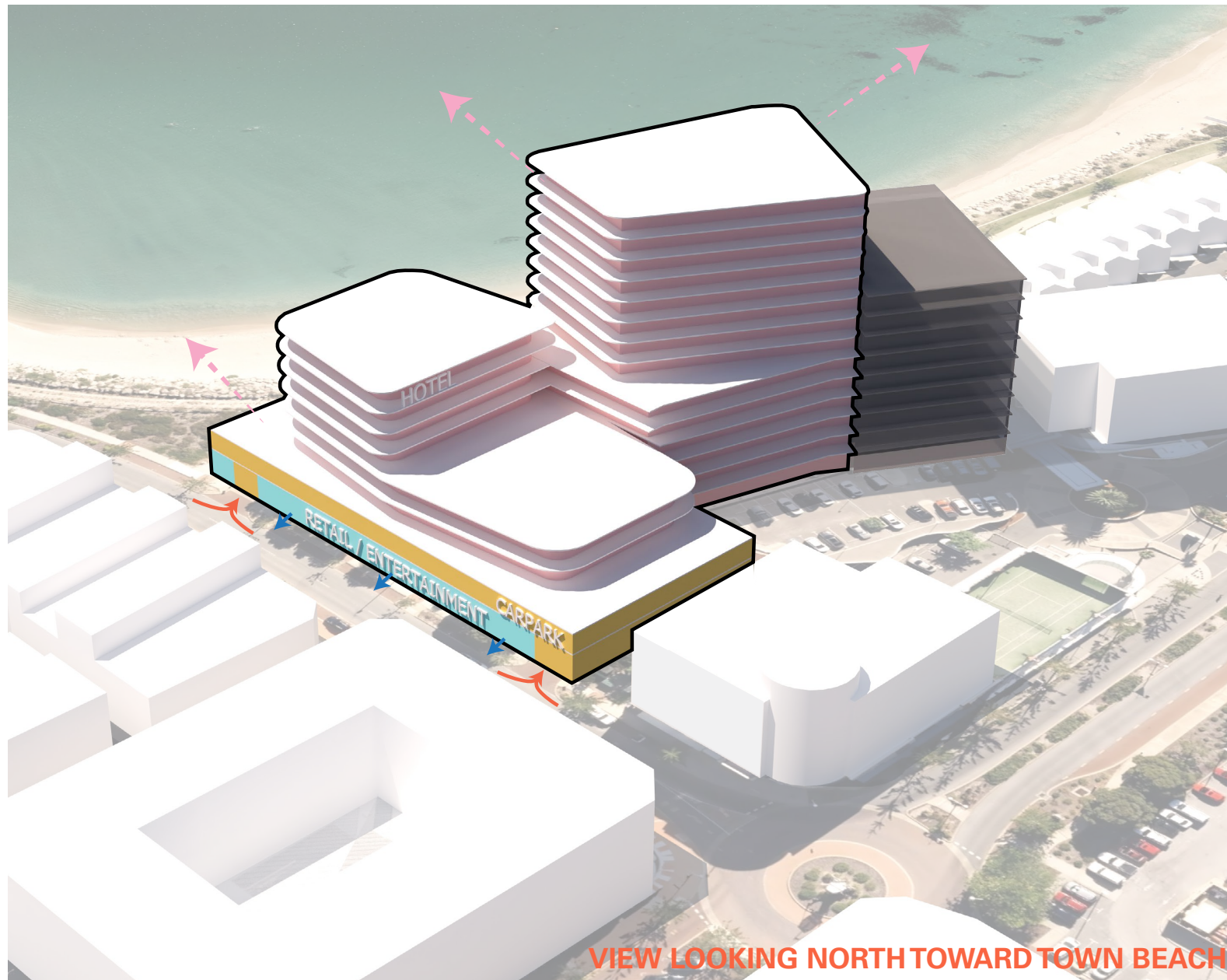


Plan
13_076_008_BENV_[007]

Date
01/04/2026

TBB Planning
T (08) 9226 4276
E admin@tbbplanning.com.au
tbbplanning.com.au

© Copyright TBB Planning Pty Ltd. All rights reserved. No part of this plan may be reproduced or used for any purpose without express written consent of TBB Planning Pty Ltd. N.B. All areas and dimensions are preliminary only, and may alter following detailed survey.



TBB

**INDICATIVE
MASSING
CONCEPT**

**LOT 24
BREAKWATER
PARADE &
PORTION OF
STRATA LOT 107
DOLPHIN DRIVE,
MANDURAH**

**Seashells
Mandurah
Ocean Marina**

Scale
NTS



Plan
13_076_008_BENV_[007]

Date
01/04/2026

TBB Planning
T (08) 9226 4276
E admin@tbbplanning.com.au
tbbplanning.com.au

© Copyright TBB Planning Pty Ltd. All rights reserved. No part of this plan may be reproduced or used for any purpose without express written consent of TBB Planning Pty Ltd. N.B. All areas and dimensions are preliminary only, and may alter following detailed survey.

VIEW LOOKING NORTH TOWARD TOWN BEACH

Proposed Mandurah Strategic Centre Precinct Structure Plan – Amendment No.1 (Seashells Site): Schedule of Submissions

No.	Summary of Submission	Local Government Response
1.	Seeking clarification on whether the City's lease over the car park until 2039 means redevelopment cannot commence before that date, or whether it could occur sooner. Currently preparing a complex home modification application through the NDIS. As NDIS generally funds these modifications only once, the timing of any redevelopment is important to future decisions. Advises they may cancel the application and sell the property if construction is likely to commence within the next few years. States the development, particularly the construction phase, would have a significant impact on them. Refers to the recent seawall construction and the associated noise and dust and states they would find it difficult to cope with a similar construction period. Objects to the proposed building heights of 8 storeys on Lot 24 and 14 storeys within the Dolphin Drive precinct. Considers the proposed heights inconsistent with the existing scale and character of the marina area. Raises concerns regarding visual bulk, overshadowing, reduced sunlight and impacts on the coastal character of the area. Concerned the proposal may affect the marina character and surrounding property values. Raises concerns regarding parking impacts, including potential loss of parking, multi-storey public car parks and future paid parking. Raises concerns regarding noise, air pollution, and social and safety impacts associated with increased development. Supports development that better reflects the existing scale and character of the Mandurah Ocean Marina area.	The existing public parking licence over Lot 24 remains in place until 2039 and is not affected by the amendment. Any redevelopment before the licence expires would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site. The amendment requires a minimum of 50 publicly accessible parking bays if Lot 24 is redeveloped. This will result in an ongoing public parking outcome. The amendment sets the planning rules for future redevelopment. It does not approve any specific development or determine when redevelopment will occur. The proposed height controls for Lot 24 provide a transition in building height. Development is limited to 4 storeys along Breakwater Parade and the foreshore. The 8 storey area is set back behind these frontages and applies only to the northern part of Lot 24. The southern part of the site remains limited to 4 storeys. The proposed 14 storey height for the undeveloped part of Strata Lot 107 is also set further back from the foreshore and surrounding streets. Potential impacts relating to visual bulk, overshadowing, sunlight access, privacy, noise, air quality and wind cannot be fully assessed through this amendment. These matters depend on the detailed design of any future development. They will be assessed through any future development application, supported by the necessary technical studies. Temporary construction impacts, including noise, dust and vibration would be managed through future development approvals and other applicable legislation. Property values are not a material planning consideration. The form and management of parking, including multi-storey or paid parking, are outside the scope of the amendment.

No.	Summary of Submission	Local Government Response
2.	Objects to the proposed 14 storey building height. Raises concerns regarding overshadowing and privacy impacts. Considers the building height should be more consistent with the height of Seashells Resort.	The proposed 14 storey height applies only to the undeveloped part of Strata Lot 107, which is set further back from Breakwater Parade and the foreshore. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. The amendment sets maximum building heights only and does not approve a specific development. Privacy and overshadowing impacts will depend on the detailed design of any future development and cannot be fully assessed through this amendment. These matters will be assessed through any future development application, supported by the necessary technical studies.
3.	Raises concerns regarding the proposed reduction in public parking on Lot 24 from 116 bays to 50 bays. Considers existing parking is heavily used, particularly on weekends and public holidays. Raises concerns regarding building height impacts on views and property value. Considers Lot 24 should remain as a public car park.	Public parking on Lot 24 is currently secured through a licence until 2039. The amendment does not affect this licence. Any redevelopment before the licence expires would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site. The amendment requires a minimum of 50 publicly accessible parking bays if Lot 24 is redeveloped. This will result in an ongoing public parking outcome. The proposed height controls provide an appropriate transition in building height. Development on Lot 24 is limited to 4 storeys along Breakwater Parade and the foreshore, with the 8 storey area set back behind these frontages. The proposed 14 storey height applies only to the undeveloped part of Strata Lot 107, which is set further back from Breakwater Parade and the foreshore. Loss of private views and impacts on property values are not material planning considerations.
4.	Objects to the proposed redevelopment of Lot 24 and the reduction in parking provision from 100 to 50 bays. Considers the existing parking arrangements and caveat should be retained until 2039. Raises concerns regarding the future ownership, management and long-term protection of Lot 24 as land serving a public function, including public access and parking, and potential future paid or restricted parking. Supports a maximum building height of 4 storeys along Breakwater Parade, substantial upper-level setbacks and a 25m foreshore setback. Raises concerns regarding overshadowing, wind impacts, traffic, noise, loss of coastal character, and coastal hazards. Questions the consistency of the proposal with the Southern Beaches Coastal Hazard Risk Management and Adaptation Plan (CHRMAP). Requests developer funded upgrades to foreshore infrastructure, pathways, landscaping and public amenities.	Public parking on Lot 24 is secured through a licence until 2039. The amendment does not affect this licence. Any redevelopment before the licence expires would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking. The amendment requires a minimum of 50 publicly accessible parking bays if Lot 24 is redeveloped. This will result in an ongoing public parking outcome. Matters relating to future ownership, management and operation of the site, including paid or restricted parking, are outside the scope of the amendment. The proposed height controls provide an appropriate transition in building height. Development on Lot 24 is limited to 4 storeys along Breakwater Parade and the foreshore. The 8 storey area is set back behind these frontages. The proposed 14 storey height applies only to the undeveloped part of Strata Lot 107, which is set further back from Breakwater Parade and the foreshore. The amendment establishes the planning rules only and does not approve development. Overshadowing, wind, traffic, noise, coastal character and public

No.	Summary of Submission	Local Government Response
		realm impacts depend on the detailed design of any future development. These matters will be assessed through any future development application, supported by the necessary technical studies. Any future development application will also be required to address coastal hazards in accordance with State Planning Policy 2.6. The subject land is within Planning Unit 2B of the Northern Beaches Coastal Hazard Risk Management and Adaptation Plan (CHRMAP). Future development will be assessed against the planning framework in place at the time. Requests for foreshore, pathway, landscaping and public amenity upgrades may be considered through any future development proposal.
5.	Supports redevelopment of the site, subject to the concerns raised being addressed. Raises concerns regarding the proposed 14 storey building height and considers development should be consistent with the existing scale and character of the marina precinct. Raises concerns regarding existing traffic congestion and considers a comprehensive traffic management strategy should be required. Supports adequate foreshore setbacks to maintain public access, sightlines and coastal character. Considers the development should provide inclusive public spaces and community benefits for a broad range of users.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. The amendment establishes the planning framework only and does not approve a specific development. Traffic management, foreshore setbacks, public access, sightlines and public spaces will be considered, as relevant, through any future development proposal.
6.	Raises concerns regarding existing parking constraints and the ability of the proposal to accommodate future parking demand. Raises concerns regarding traffic safety and vehicle access at the T-junction entry to the Mandurah Ocean Marina precinct. Supports investigation of traffic management improvements, including a roundabout or traffic signals. Supports consideration of resident parking measures in Breakwater Parade and surrounding streets. Raises concerns regarding vehicle queuing associated with basement parking access on Breakwater Parade. Raises concerns regarding pedestrian safety for people crossing Breakwater Parade at the roundabout.	Existing parking, traffic and pedestrian safety issues within the marina precinct are acknowledged. Vehicle access, parking demand, queuing and intersection performance will be considered, as relevant, through the assessment of any future development proposal. Requests for traffic management measures, road network upgrades and resident parking controls are outside the scope of the amendment.
7.	Objects to the proposed building heights. Raises concerns regarding the loss of parking and potential impacts on businesses at Dolphin Quay. Raises concerns regarding impacts on views and surrounding property values.	The proposed height controls for Lot 24 provide an appropriate transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Public parking on Lot 24 is currently secured through a licence until 2039. Redevelopment prior to expiry of the licence would require the licence

No.	Summary of Submission	Local Government Response
		arrangements to be addressed separately. Beyond 2039, there is no obligation to retain public parking on the site. The amendment requires a minimum of 50 publicly accessible parking bays on Lot 24 should redevelopment occur, providing an ongoing public parking outcome. Loss of private views and potential impacts on property values are generally not material planning considerations.
8.	Does not support additional hotel accommodation, considering there is sufficient accommodation in Mandurah. Considers facilities and services for young people should be prioritised, including recreational facilities such as a ten-pin bowling centre. Considers additional accommodation for people with dementia is needed.	The Mandurah Strategic Centre – City Centre Needs Analysis forecasts demand for an additional 110–240 hotel and similar accommodation rooms by 2035 and a potential shortfall of 180–320 rooms if supply does not increase. The study also identifies capacity to support an additional 4–4.5 star hotel or resort within the catchment. The alternative community needs identified by the submitter are acknowledged. However, the amendment has been assessed based on the proposal submitted.
9.	Supports the proposal.	Noted.
10.	Supports the proposal. Considers the development would support tourism and attract younger visitors to Mandurah. Considers the proposed building height is compatible with surrounding development.	Noted.
11.	Supports the proposed planning amendments, subject to parking and transport issues being addressed. Raises concerns regarding existing parking constraints within the marina precinct and the potential for increased parking demand. Considers Lot 24 should continue to provide public parking, with long-term protection of parking numbers and accessibility. Supports the provision of a multi-storey public car park within the marina precinct and consideration of private investment partnerships to deliver additional parking. Supports improved public transport connectivity to the marina precinct.	Existing parking demand within the marina precinct is acknowledged. Public parking on Lot 24 is currently secured through a licence until 2039. Redevelopment of Lot 24 prior to expiry of the licence would require the licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site. The amendment requires a minimum of 50 publicly accessible parking bays on Lot 24 should redevelopment occur, providing an ongoing public parking outcome. Matters relating to investments in additional parking and transport initiatives within the marina precinct are outside the scope of this amendment.
12.	Considers the existing car park is an important resource for visitors, particularly during events. Raises concerns regarding the replacement of the existing car park with undercroft parking and its impacts on views from neighbouring properties. Supports development within the existing Seashells site, including development at a height similar to or a few stories higher than the existing resort, subject to further consultation.	The contribution of the existing car park to visitor parking, particularly during peak periods and events, is acknowledged. Public parking on Lot 24 is currently secured through a licence until 2039. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site. The amendment requires a minimum of 50 publicly accessible parking bays on Lot 24 should redevelopment occur, providing an ongoing public parking outcome. The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location.

No.	Summary of Submission	Local Government Response
		The amendment establishes the planning rules only. The design of any future parking, including undercroft parking, will be considered through a future development application.
13.	Supports the proposal and considers the development should proceed.	Noted.
14.	Supports the developer's proposal for both sites.	Noted.
15.	Objects to the proposal. Raises concerns regarding impacts on views and changes to the existing character of the area.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Loss of private views is generally not a material planning consideration.
16.	Objects to the proposed 14 storey building height. Considers the height is not consistent with the character of Mandurah Quays. Raises concerns regarding overshadowing impacts on neighbouring properties.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location.
	Supports increased activity within the marina precinct, provided residential amenity is protected.	Amenity impacts are dependent on the future built form and cannot be fully assessed at this stage. These matters will be assessed through any future development application.
17.	Generally, supports the proposal. Considers the development would improve the appearance of the area and enhance Mandurah's appeal. Supports the provision of additional public parking as part of the development. Notes the proposal may increase use of the beach area and demand for Council maintenance.	Noted.
18.	Raises concerns regarding undercroft parking on Lot 24 and the potential for occupation by homeless people if the area is not appropriately secured.	The design, security and management of any parking areas, including appropriate security measures, would be determined through a future development proposal.
19.	Objects to the proposal. Considers Town Beach should remain in public ownership and accessible for public use. Raises concerns regarding the loss of parking and access serving the marina, local businesses and beach users. Raises concerns regarding impacts on views and overshadowing of neighbouring properties.	The amendment does not affect ownership of Town Beach or public access to the foreshore. Public parking on Lot 24 is currently secured through a licence until 2039. Any redevelopment prior to expiry of the licence would require the licence arrangements to be addressed separately. The amendment requires a minimum of

No.	Summary of Submission	Local Government Response
		50 publicly accessible parking bays should redevelopment occur, providing an ongoing public parking outcome beyond 2039. Loss of private views is generally not a material planning consideration. Amenity impacts are dependent on the future built form and cannot be fully assessed at this stage. These matters will be assessed through any future development application.
20.	Acknowledges the potential economic benefits of the proposal. Raises concerns regarding impacts on local amenity, liveability and the environment. Considers local residents should have significant input into the decision on the proposal.	Detailed impacts on amenity, liveability and the environment are dependent on the future built form and cannot be fully assessed at this stage. These matters will be assessed through any future development application, where relevant. Public consultation was undertaken for 42 days in accordance with the public advertising requirements.
21.	Supports growth and revitalisation, subject to concerns being addressed. Raises concerns regarding increased building height, density, character and amenity. Raises concerns regarding traffic congestion, parking demand, limited public transport and the loss of car parking. Questions whether existing infrastructure and services can support increased development. Identifies potential environmental impacts, including effects on waterways, foreshore areas, tree canopy and climate resilience. Raises concerns regarding impacts on Town Beach, surrounding foreshore areas and the local character of the precinct. Supports infrastructure upgrades, environmental protection, retention of view corridors and ongoing consultation with residents and local businesses.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Taller development has previously been contemplated on the broader Seashells site. Privacy, overshadowing, traffic, infrastructure and environmental impacts are dependent on the future built form and cannot be fully assessed at this stage. Public parking on Lot 24 is currently secured through a licence until 2039. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no obligation to retain public parking on the site. The amendment requires a minimum of 50 publicly accessible parking bays on Lot 24 should redevelopment occur, providing an ongoing public parking outcome. Loss of private views is generally not a material planning consideration.
22.	Supports the provision of additional public parking. Raises concerns regarding the removal of parking while increasing demand within the area.	Public parking on Lot 24 is currently secured through a licence until 2039. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no obligation to retain public parking on the site. The amendment requires a minimum of 50 publicly accessible parking bays on Lot 24 should redevelopment occur, providing an ongoing public parking outcome. The adequacy of parking provision will be assessed through any future development proposal.
23.	Supports a maximum building height of 3 storeys on both sites. Considers taller buildings would adversely impact shoreline amenity and be inconsistent with the prevailing scale and character of development within the precinct.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part

No.	Summary of Submission	Local Government Response
		of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Taller development has previously been contemplated on the broader Seashells site. The proposed building height controls are considered appropriate having regard to the Marina Precinct context. Amenity impacts are dependent on the future built form and cannot be fully assessed at this stage. These matters will be assessed through any future development application.
24.	Supports development of the site adjacent to Seashells Resort. Raises concerns regarding development of the existing car park site and the loss of parking within the marina precinct.	Public parking on Lot 24 is currently secured through a licence until 2039. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no obligation to retain public parking on the site. The amendment requires a minimum of 50 publicly accessible parking bays on Lot 24 should redevelopment occur, providing an ongoing public parking outcome.
25.	Does not support additional apartment development on the site. Considers the area would be better utilised for public recreation, events and tourism related activities. Considers the proposed building height is not consistent with the existing character of the area.	The amendment has been assessed based on the proposal submitted. The Mandurah Strategic Centre Needs Analysis identifies demand for an additional 110–240 hotel and similar accommodation rooms by 2035 and a potential shortfall of 180–320 rooms if supply does not increase. The study also identifies capacity to support an additional 4–4.5 star hotel or resort within the catchment. The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location.
26.	Does not support high rise development near the coast and waterways. Considers more natural areas should be provided in preference to additional built development.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. The amendment has been assessed based on the proposal submitted. Detailed landscaping, environmental outcomes and the interface with surrounding waterways and foreshore areas will be considered through any future development proposal.

No.	Summary of Submission	Local Government Response
27.	Raises concerns regarding parking constraints within the Mandurah Ocean Marina precinct. Considers existing parking infrastructure is not keeping pace with growth and demand, resulting in traffic congestion, impacts on local businesses, parking overflow into surrounding streets and limited parking availability for staff. Supports additional public parking, improved traffic management, staff parking solutions and investigation of multi-level parking options.	Existing parking constraints within the marina precinct are acknowledged. Public parking on Lot 24 is currently secured through a licence until 2039. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site. The amendment requires a minimum of 50 publicly accessible parking bays on Lot 24 should redevelopment occur, providing an ongoing public parking outcome. Traffic generation, parking demand, access arrangements and the adequacy of parking provision will require assessment through any future development proposal. Traffic management, staff parking and any additional parking infrastructure, including multi-level parking, are outside the scope of this amendment.
28.	Supports the provision of a continuous shared path connection between Stewart Street and Henson Reserve. Considers the pathway would improve pedestrian and cyclist safety, accessibility and connectivity. Notes the pathway would support active transport and improve access to recreational areas.	The provision of a shared path connection between Stewart Street and Henson Reserve falls outside the scope of the amendment however is recognised in the Integrated Transport Strategy and City Centre Master Plan and requires further concept planning to progress. Pedestrian and cyclist connectivity, public realm outcomes and the interface with the foreshore will be considered, where relevant, through any future development proposal.
29.	Supports the proposed planning amendments and development at Town Beach. Considers any development should provide adequate public parking for beach users. Considers a surf club would be an appropriate addition to the area.	Public parking on Lot 24 is currently secured through a licence until 2039. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no obligation to retain public parking on the site. The amendment requires a minimum of 50 publicly accessible parking bays on Lot 24 should redevelopment occur, providing an ongoing public parking outcome. The amendment has been assessed based on the proposal submitted.
30.	Objects to the reduction in parking provision. Notes the existing car park is heavily used, particularly during summer and weekends. Expresses concerns regarding access to local businesses and the ability of visitors to access the area if parking is reduced.	Public parking on Lot 24 is currently secured through a licence until 2039. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no obligation to retain public parking on the site. The amendment requires a minimum of 50 publicly accessible parking bays on Lot 24 should redevelopment occur, providing an ongoing public parking outcome.
31.	Objects to the proposal. Considers existing parking and transport infrastructure is inadequate to support additional development.	Existing parking and transport constraints within the marina precinct are acknowledged. The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade

No.	Summary of Submission	Local Government Response
	Expresses concerns regarding impacts on coastal and ocean views, residential amenity and property values. Considers the proposed height, bulk and density are inconsistent with the coastal character of the precinct. Questions whether cumulative infrastructure impacts have been adequately addressed. Considers the proposal may set an undesirable precedent for future foreshore development. Supports reductions in the scale, height and density of the proposal, together with improvements to parking and infrastructure.	and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Amenity and infrastructure impacts cannot be fully assessed at this stage and will be considered through any future development proposal. Loss of private views and potential impacts on property values are generally not material planning considerations. Future development proposals are assessed on their individual merits.
32.	Objects to the proposal. Expresses concerns regarding impacts on views, property values, traffic and access to sunlight. Notes concerns regarding alleged unpaid strata levies and other outstanding financial obligations associated with the landowner.	Loss of private views, impacts on property values, strata levies and other private financial arrangements are generally not relevant planning considerations. Traffic and sunlight impacts are dependent on the future built form and cannot be fully assessed at this stage.
33.	Supports the proposed High Density Residential, Commercial and Tourism development.	Noted.
34.	Highlights the importance of retaining parking within the area. Does not support building heights exceeding the previous plans, even by 2 storeys. Requests additional information to assist the community in understanding the proposal. Supports measures to reduce environmental impacts, including impacts on native and migratory wildlife.	Public parking on Lot 24 is currently secured through a licence until 2039. Redevelopment of Lot 24 prior to expiry of the licence would require the licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site. The amendment requires a minimum of 50 publicly accessible parking bays on Lot 24 should redevelopment occur, providing an ongoing public parking outcome. The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Information relating to the amendment was made available during the public advertising period. Environmental impacts, including impacts on native and migratory wildlife, will be considered through any future development proposal where required.
35.	Supports a maximum building height of 8 storeys. Considers any development of the existing car park site should retain public parking to support access to the beach, Dolphin Quay and the Mandurah Ocean Marina. Notes existing parking constraints within the area.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from

No.	Summary of Submission	Local Government Response
		Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Existing parking constraints within the marina precinct are acknowledged. Public parking on Lot 24 is currently secured through a licence until 2039. Redevelopment prior to expiry of the licence would require the licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site. The amendment requires a minimum of 50 publicly accessible parking bays on Lot 24 should redevelopment occur, providing an ongoing public parking outcome.
36.	Objects to the proposal. Expresses concerns regarding impacts on views and property values. Considers the proposal would increase pressure on Comet Bay Beach and surrounding public open spaces. Notes concerns regarding parking availability, traffic congestion and limited access to and from the marina precinct. Questions whether sewerage, environmental, utility and telecommunications infrastructure can accommodate the proposed development. Expresses concerns regarding noise, increased visitor activity and impacts on residential amenity. Considers the scale of the development would result in excessive energy demand and an increased carbon footprint. Raises concerns that profits generated by the development may not remain within the local economy.	Loss of private views and potential impacts on property values are generally not material planning considerations. Traffic, parking, environmental and amenity impacts are dependent on the future built form and cannot be fully assessed at this stage. Sewerage, utility and telecommunications capacity will be assessed through any future development proposal in consultation with the relevant servicing authorities. Matters relating to business profitability and the distribution of economic benefits are generally not material planning considerations.
37.	Supports the proposal. Considers the development would attract additional business activity and tourism to the marina precinct.	Noted.
38.	Supports the proposal. Considers the development would support Mandurah's growth, tourism and local residents.	Noted.
39.	Objects to the proposed 14 storey building height. Supports a maximum building height of 10 storeys. Considers the proposed height would impact sunlight access, property values and the amenity of nearby residents. Notes increased activity within the Dolphin Quay area is generally acceptable and may encourage additional businesses to open to meet demand.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Amenity impacts are dependent on the future built form and cannot be fully assessed at this stage. Loss of private views and potential impacts on property values are generally not material planning considerations.

No.	Summary of Submission	Local Government Response
40.	Objects to the proposal. Considers the development would reduce the value of nearby residential properties. Opposes the reduction in parking provision on Lot 24 and notes existing parking shortages, particularly on weekends. Considers reduced parking would impact local businesses within Dolphin Quay. Questions the tourism need for the proposal, noting existing tourist accommodation is not fully utilised. Considers ratepayers should not be disadvantaged by the proposal.	Potential impacts on property values are generally not material planning considerations. Existing parking demand within the marina precinct is acknowledged. Public parking on Lot 24 is currently secured through a licence until 2039. Redevelopment of Lot 24 prior to expiry of the licence would require the licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site. The amendment requires a minimum of 50 publicly accessible parking bays on Lot 24 should redevelopment occur, providing an ongoing public parking outcome. The Mandurah Strategic Centre Needs Analysis identifies demand for an additional 110–240 hotel and similar accommodation rooms by 2035 and a potential shortfall of 180–320 rooms if supply does not increase. The study also identifies capacity to support an additional 4–4.5 star hotel or resort within the catchment. The amendment has been assessed on its planning merits.
41.	Objects to the proposal. Opposes the proposed 14 storey height on the undeveloped portion of Strata Lot 107 and considers it excessive. Opposes the proposed 8 storey height on Lot 24 and considers it inconsistent with the surrounding residential context. Notes potential impacts on views, outlook, sunlight access, privacy, property values, wind conditions and construction related impacts. Considers purchasers had no reasonable expectation that Lot 24 would be developed to the proposed scale. Opposes the reduction in parking provision on Lot 24 and supports replacement parking on a like-for-like basis. Questions whether the proposed minimum of 50 public parking bays is adequate. Considers key technical assessments, including shadow, wind, view, traffic and parking studies, should be completed before the amendment is determined. Supports further consultation once technical studies are available. Considers the proposed height limits should be reduced and that assessment of key development impacts should not be deferred to the Local Development Plan process.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Amenity impacts are dependent on the future built form and cannot be fully assessed at this stage. Loss of private views and potential impacts on property values are generally not material planning considerations. Temporary construction impacts are not relevant to the assessment of the amendment and would be addressed through future development approvals and other applicable legislation. Public parking on Lot 24 is currently secured through a licence until 2039. Redevelopment prior to expiry of the licence would require the licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site. The amendment requires a minimum of 50 publicly accessible parking bays on Lot 24 should redevelopment occur, providing an ongoing public parking outcome. Detailed technical investigations, including traffic, parking, servicing, wind, shadow and environmental assessments (where required), will accompany any future development application. The City will assess all supporting technical information before determining any future development application.
42.	Submission received 15 June 2026 On behalf of Seashells Resort Mandurah and interests within Strata Lot 107. Supports development of Lot 107 in principle and remains interested in an	Submission received 15 June 2026 The City notes the submitter's support for the redevelopment of Lot 107 in principle.

No.	Summary of Submission	Local Government Response
	appropriate development outcome. Considers additional consultation with owners within Strata Lot 107 is required prior to progressing the proposal. Notes any future development may have implications for the strata scheme and existing owners. Identifies concerns regarding public parking, traffic, building height, amenity and impacts on views. Notes concerns regarding the sale process for Lot 24 and the absence of a public tender process. Supports an extension of the consultation period to allow further owner consultation and preparation of a consolidated submission.	Matters relating to the strata scheme are private matters and are not planning considerations relevant to the assessment of the amendment. The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location.
		The detailed design of any future development will be assessed through the development application process. This includes traffic, parking and amenity impacts. The assessment will be supported by the necessary technical studies. Loss of private views is generally not a material planning consideration.
		Public parking on Lot 24 is currently secured through a licence until 2039. The amendment does not affect this licence. Redevelopment prior to expiry of the licence would require the licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site. The amendment requires a minimum of 50 publicly accessible parking bays on Lot 24 should redevelopment occur, providing an ongoing public parking outcome.
		Lot 24 was previously owned by the State Government. The City was not involved in the sale of the land. The sale process is not relevant to the assessment of this planning amendment. This includes whether a public tender occurred.
	Submission received 24 July 2026	Submission received 24 July 2026
	Does not object to the strategic intent of tourism and mixed-use redevelopment within the Mandurah Ocean Marina precinct. Seeks amendments to the planning framework to require future assessment of impacts on marina and ocean views, vehicular access and traffic, overshadowing, parking and the interface with adjoining properties.	The amendment identifies the land uses, building heights and development requirements for the site. Loss of private views is generally not a material planning consideration.
	Requests ongoing consultation with adjoining landowners during future planning and development processes.	Future development applications will be assessed against the relevant State Planning Policies, Local Planning Scheme No. 12 and the Mandurah Strategic Centre Precinct Structure Plan, including matters such as traffic and access, parking, overshadowing, privacy, built form and the interface with adjoining properties.
	Supports strengthening the planning framework to provide greater certainty for future redevelopment outcomes.	A site-specific Local Development Plan is also required before any development occurs and will establish site-specific design requirements for the redevelopment of the site.
43.	Objects to the proposed building heights on Lot 24 and Strata Lot 107. Considers the proposed scale and bulk are inconsistent with the character of the Mandurah Ocean Marina and would dominate the waterfront setting. Notes potential impacts on views, public amenity, openness and the coastal character of the precinct.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part

No.	Summary of Submission	Local Government Response
	Considers the proposal may increase overshadowing of the foreshore, beach, public pathways and open spaces. Notes concerns regarding the potential precedent for further height increases within the marina precinct. Supports lower building heights that are more consistent with the surrounding area and waterfront context.	of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Amenity impacts are dependent on the future built form and cannot be fully assessed at this stage. Loss of private views is generally not a material planning consideration. Future development proposals are assessed on their individual merits having regard to the applicable planning framework.
44.	Objects to the proposal. Considers the development would adversely impact the coastal character of the area. Notes concerns regarding increased population density, traffic congestion and the limited road access to the marina precinct. Considers infrastructure planning should occur alongside future development.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Traffic and servicing impacts are dependent on the future built form and cannot be fully assessed at this stage. Infrastructure capacity will be assessed through any future development application in consultation with the relevant servicing authorities.
45.	Objects to the proposal. Questions the statement that the proposed 14 storey height on Strata Lot 107 is only two storeys higher than previously approved development and requests clarification. Considers the proposed building heights on Lot 24 and Strata Lot 107 are excessive and inconsistent with the existing character of the marina precinct. Notes concerns regarding impacts on views, building bulk, overshadowing and precinct character. Opposes the reduction in public parking on Lot 24 and considers it would adversely impact access to Town Beach, the marina precinct and surrounding businesses. Questions whether the proposed parking provision is adequate. Considers the proposed increase in density would adversely impact traffic, road access and infrastructure capacity. Notes concerns regarding the single access point to the marina precinct and emergency access. Considers the proposal would result in unacceptable shadow impacts on public spaces and adjoining properties. Supports retention of the existing height limits on Strata Lot 107 and rejection of the proposed amendments on public interest grounds.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. A previous approval allowed development of up to 12 storeys on part of Strata Lot 107. Amenity, traffic, access and infrastructure impacts are dependent on the future built form and cannot be fully assessed at this stage. Loss of private views is generally not a material planning consideration. Existing parking demand within the marina precinct is acknowledged. Public parking on Lot 24 is currently secured through a licence until 2039. Redevelopment prior to expiry of the licence would require the licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site. The amendment requires a minimum of 50 publicly accessible parking bays on Lot 24 should redevelopment occur, providing an

No.	Summary of Submission	Local Government Response
		ongoing public parking outcome. The adequacy of parking provision and access arrangements will require assessment through any future development proposal.
46.	Objects to the proposed 8 storey building height. Considers the proposed height would adversely impact the character and appearance of the precinct. Supports building heights consistent with the existing Seashells Resort.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Taller development has previously been contemplated on the broader Seashells site, including a 12 storey approval within the resort precinct. The additional building height is considered appropriate having regard to the site's strategic waterfront location.
47.	Objects to the proposal. Considers the amendment documentation does not adequately address the potential financial, governance and strata implications for existing owners within SP48817, including impacts on unit entitlements, levy contributions, voting rights, management arrangements and use of common facilities. Notes concerns regarding the proposed building heights and increased development intensity on Lot 107. Considers existing owners may be exposed to additional operational, maintenance, insurance and reserve fund liabilities. Requests further assessment of the strata, governance and financial implications prior to determination of the amendment.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Matters relating to unit entitlements, levy contributions, voting rights, management arrangements, use of common facilities, insurance, reserve funds and other financial or governance matters are not planning matters relevant to the assessment of the amendment. The amendment proposes planning controls only and does not approve development.
48.	Objects to building heights exceeding 8 storeys and does not support higher buildings being used as a precedent for future development. Supports a greater focus on residential development within the city centre and surrounding areas. Considers mixed-use development should be limited to uses that support permanent residents, including retail, health care and residential services. Opposes the reduction in public parking associated with beach access and notes existing parking areas are heavily used during peak periods. Considers improvements to active transport infrastructure are required to reduce reliance on private vehicles.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Future development proposals are assessed on their individual merits having regard to the applicable planning framework.

No.	Summary of Submission	Local Government Response
		Public parking on Lot 24 is currently secured through a licence until 2039. Redevelopment prior to expiry of the licence would require the licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site. The amendment requires a minimum of 50 publicly accessible parking bays on Lot 24 should redevelopment occur, providing an ongoing public parking outcome. The importance of active transport infrastructure is recognised. It is not specifically proposed through this amendment.
49.	Objects to the proposed building heights on Lot 24 and Strata Lot 107. Considers the proposed scale and bulk are inconsistent with the character of the Mandurah Ocean Marina and waterfront setting. Notes potential impacts on views, amenity and the openness of the foreshore. Considers the proposal would result in increased overshadowing of the foreshore, beach, public spaces and surrounding streets. Notes concerns regarding the potential precedent for further height increases within the marina precinct. Supports lower building heights that are more consistent with the existing character and scale of the area.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Amenity impacts are dependent on the future built form and cannot be fully assessed at this stage. Loss of private views is generally not a material planning consideration. Future development proposals are assessed on their individual merits having regard to the applicable planning framework.
50.	Objects to the proposal. Considers the proposed 14 storey height is inconsistent with the established character and scale of Strata Plan 48817 and the surrounding area. Supports building heights consistent with the existing Seashells Resort development. Notes concerns regarding traffic, parking demand, infrastructure capacity and residential amenity, view loss and excessive building bulk. Questions the ownership and approval process relating to Lot 24, including whether affected owners were appropriately notified and consulted. Questions the legal and planning basis for development of Lot 107 within Strata Plan 48817 and considers these matters should be resolved prior to determination of the proposal. Supports further investigation of these matters before the proposal proceeds.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Amenity impacts are dependent on the future built form and cannot be fully assessed at this stage. Loss of private views is generally not a material planning consideration. Traffic, parking demand and infrastructure capacity will require assessment through any future development proposal. Matters relating to ownership, strata administration and legal arrangements are not planning matters relevant to the assessment of the amendment.
51.	Objects to the proposal. Considers the proposed building heights on Lot 24 and Strata Lot 107 are excessive and inconsistent with the character of the Mandurah Ocean Marina. Notes concerns regarding, overshadowing, wind effects, privacy and view loss.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from

No.	Summary of Submission	Local Government Response
	Opposes the reduction in public parking and considers it would adversely affect access to Town Beach, the marina precinct and surrounding businesses. Considers the amendment is not supported by sufficient technical information, including traffic, parking, visual impact, wind, overshadowing and infrastructure assessments. Questions whether the proposed planning concessions are justified by a demonstrated public benefit. Notes concerns regarding the precedent for similar height increases elsewhere within the marina precinct. Supports retaining adequate public parking, protecting waterfront access and limiting building heights to a scale consistent with the existing precinct character.	Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Amenity impacts are dependent on the future built form and cannot be fully assessed at this stage. Loss of private views is generally not a material planning consideration. Public parking on Lot 24 is currently secured through a licence until 2039. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site. The amendment requires a minimum of 50 publicly accessible parking bays on Lot 24 should redevelopment occur, providing an ongoing public parking outcome beyond 2039. Detailed technical investigations, including traffic, parking, servicing, wind, shadow and environmental assessments (where required), will accompany any future development application. The City will assess all supporting technical information before determining any future development application. Future development proposals are assessed on their individual merits having regard to the applicable planning framework.
52.	Objects to the proposed building height increases on Lot 24 and Strata Lot 107. Considers the proposed heights are inconsistent with the character of the Mandurah Ocean Marina and would impact views and sunlight access. Questions whether the proposed increase in development intensity, including the reduction in public parking, is justified. Supports retaining development controls that protect the character and public benefits of the marina precinct.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Amenity impacts are dependent on the future built form and cannot be fully assessed at this stage. Public parking on Lot 24 is secured through a licence until 2039, which is unaffected by the amendment. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. The amendment does not establish a redevelopment timeframe. Beyond 2039, there is no planning requirement to retain public parking on the site. The amendment requires a minimum of 50 publicly accessible parking bays on Lot 24 should redevelopment occur, providing an ongoing public parking outcome beyond 2039.
53.	Objects to the proposal. Considers the proposed building heights are excessive and inconsistent with the character of the Mandurah Ocean Marina. Supports building heights consistent with the existing scale of development. Opposes the loss of public parking and supports the retention or replacement of public parking within	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part

No.	Summary of Submission	Local Government Response
	the precinct. Considers the proposal may set an undesirable precedent for future high-rise development along the Mandurah coastline.	of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Public parking on Lot 24 is secured through a licence until 2039, which is unaffected by the amendment. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. The amendment does not establish a redevelopment timeframe. Beyond 2039, there is no planning requirement to retain public parking on the site. The amendment requires a minimum of 50 publicly accessible parking bays on Lot 24 should redevelopment occur, providing an ongoing public parking outcome beyond 2039. Future development proposals will be assessed on their individual merits having regard to the applicable planning framework.
54.	Supports appropriate development within the marina precinct. Objects to the proposed building heights on Lot 24 and Strata Lot 107. Considers the proposed heights are inconsistent with the character of the Mandurah Ocean Marina. Notes concerns regarding impacts on views, overshadowing, wind effects, traffic and parking. Considers the proposal may set a precedent for further height increases within the marina precinct. Supports a lower scale of development that maintains the character of the area.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Amenity, traffic and parking impacts are dependent on the future built form and cannot be fully assessed at this stage. Loss of private views is generally not a material planning consideration. Public parking on Lot 24 is secured through a licence until 2039, which is unaffected by the amendment. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. The amendment does not establish a redevelopment timeframe. Beyond 2039, there is no planning requirement to retain public parking on the site. The amendment requires a minimum of 50 publicly accessible parking bays on Lot 24 should redevelopment occur, providing an ongoing public parking outcome beyond 2039. Future development proposals will be assessed on their individual merits having regard to the applicable planning framework.
55.	Objects to the proposal. Considers the proposed building heights are excessive and inconsistent with the character of the Mandurah Ocean Marina. Opposes the loss of public parking and supports the retention of adequate public parking within the precinct. Considers the proposal may set an undesirable precedent for future high rise development along the Mandurah coastline.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location.

No.	Summary of Submission	Local Government Response
		Public parking on Lot 24 is secured through a licence until 2039, which is unaffected by the amendment. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. The amendment does not establish a redevelopment timeframe. Beyond 2039, there is no planning requirement to retain public parking on the site. The amendment requires a minimum of 50 publicly accessible parking bays on Lot 24 should redevelopment occur, providing an ongoing public parking outcome beyond 2039. Future development proposals will be assessed on their individual merits having regard to the applicable planning framework.
56.	Supports appropriate development of Lot 24 and Strata Lot 107, subject to parking, traffic, building height and public amenity impacts being appropriately addressed, including protection of public access to the foreshore.	Noted.
57.	Objects to the proposal. Considers the proposed building heights on Lot 24 and Strata Lot 107 are excessive and inconsistent with the character of the Mandurah Ocean Marina. Notes concerns regarding overshadowing, wind impacts, privacy and views. Opposes the reduction in public parking. Considers the amendment is not supported by sufficient evidence or technical assessment and does not demonstrate a clear public benefit. Notes concerns regarding the precedent for future development within the marina precinct.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Amenity impacts are dependent on the future built form and cannot be fully assessed at this stage. Loss of private views is generally not a material planning consideration. Detailed technical investigations, including traffic, parking, servicing, wind, overshadowing and environmental assessments (where required), will accompany any future development application. Public parking on Lot 24 is secured through a licence until 2039, which is unaffected by the amendment. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. The amendment does not establish a redevelopment timeframe. Beyond 2039, there is no planning requirement to retain public parking on the site. The amendment requires a minimum of 50 publicly accessible parking bays on Lot 24 should redevelopment occur, providing an ongoing public parking outcome beyond 2039. Future development proposals will be assessed on their individual merits having regard to the applicable planning framework.
58.	Objects to development exceeding the height of the existing Seashells Resort. Considers the proposal would result in loss of views. Notes concerns regarding parking availability, traffic congestion and the capacity of the existing road network. Considers the proposal would primarily benefit the developer rather than existing residents.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from

No. Summary of Submission	Local Government Response
59. Objects to the proposal. Opposes the reduction in public parking and considers it is inconsistent with the increased demand generated by additional residents and visitors. Considers the proposed building heights and density are excessive and inconsistent with the existing character of the precinct. Notes concerns regarding traffic congestion, impacts on views, beach access and local infrastructure. Considers the proposal may adversely impact the coastal environment and set a precedent for increased building heights along the coastline. Supports completion of Lot 107 but not in the form proposed.	Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Loss of private views is generally not a material planning consideration. Traffic and parking impacts are dependent on the future built form and cannot be fully assessed at this stage. Public parking on Lot 24 is secured through a licence until 2039, which is unaffected by the amendment. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. The amendment does not establish a redevelopment timeframe. Beyond 2039, there is no planning requirement to retain public parking on the site. The amendment requires a minimum of 50 publicly accessible parking bays on Lot 24 should redevelopment occur, providing an ongoing public parking outcome beyond 2039. The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Public parking on Lot 24 is secured through a licence until 2039, which is unaffected by the amendment. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. The amendment does not establish a redevelopment timeframe. Beyond 2039, there is no planning requirement to retain public parking on the site. The amendment requires a minimum of 50 publicly accessible parking bays on Lot 24 should redevelopment occur, providing an ongoing public parking outcome beyond 2039. Traffic, infrastructure, environmental and coastal character impacts are dependent on the future built form and cannot be fully assessed at this stage. Loss of private views is not a material planning consideration. Future development proposals are assessed on their individual merits having regard to the applicable planning framework. Future development proposals will be assessed on their individual merits having regard to the applicable planning framework.
60. Objects to the proposal. Considers the proposed building heights are excessive and incompatible with the marina precinct. Notes concerns regarding traffic congestion, road capacity and pedestrian safety. Opposes the reduction in public parking and	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade

No.	Summary of Submission	Local Government Response
	considers it would adversely impact access to Town Beach and surrounding businesses. Notes concerns regarding construction impacts, including noise, dust and vibration.	and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Public parking on Lot 24 is secured through a licence until 2039, which is unaffected by the amendment. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. The amendment does not establish a redevelopment timeframe. Beyond 2039, there is no planning requirement to retain public parking on the site. The amendment requires a minimum of 50 publicly accessible parking bays should redevelopment occur, securing an ongoing public parking outcome beyond 2039. Traffic, road capacity and pedestrian safety impacts are dependent on the future built form and cannot be fully assessed at this stage. Temporary construction impacts, including noise, dust and vibration, will be addressed through future development approvals and other applicable legislation.
61.	Supports redevelopment in principle. Concerned with the reduction in public parking on Lot 24 (approximately 110 existing bays to a proposed minimum of 50 public bays). Concerned with the proposed 8 and 14 storey height limits adjacent to existing 2 to 4 storey development. Notes no supporting traffic, parking demand, overshadowing, loss of views or wind impact assessments have been provided. Identifies an inconsistency between proposal documents regarding the land subject to the 14 storey height allowance (Lot 51 versus part of Strata Lot 107). Requests further assessment and clarification before the amendment proceeds, including: • Traffic and parking impacts. • Overshadowing, loss of views and wind impacts. • Land subject to the 14 storey height limit. • Future public parking provision and allocation. • Existing car park licence arrangements and any restrictive covenant. • Current and proposed zoning of Lot 24. • Applicable parking requirements. • Whether previous approvals contemplated an 8 storey or 12 storey building. • Planning provisions to be carried forward to future approval stages. • Purpose of the unlabelled dark grey tower shown in Appendix C.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. References to Lot 51 in the proposal documents are incorrect and will be amended to refer to Lot 107. Previous approvals contemplated a 12 storey building for Stage 2 of the Seashells Resort. The unlabelled dark grey tower shown in Appendix C is an indicative representation of potential future built form on the undeveloped part of Strata Lot 107 and does not represent an approved development. Amenity impacts are dependent on the future built form and cannot be fully assessed at this stage. Loss of private views is generally not a material planning consideration. Detailed technical investigations, including traffic, parking, servicing, wind, shadow and environmental assessments (where required), will accompany any future development application. The City will assess all supporting technical information before determining any future development application. Public parking on Lot 24 is currently secured through a licence until 2039. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site. The amendment requires a minimum of 50 publicly accessible parking bays on Lot 24 should redevelopment occur, providing an ongoing public parking outcome beyond 2039.

No.	Summary of Submission	Local Government Response
		The Certificate of Title also records a restrictive covenant and a caveat affecting the land. These are separate legal matters and do not affect the planning assessment of the amendment. Lot 24 is zoned Strategic Centre under Local Planning Scheme No. 12. Under the Mandurah Strategic Centre Precinct Structure Plan, it is currently identified as a Public Parking Node within the Medium Density Residential Precinct. The amendment proposes to retain the Public Parking Node and apply Mixed Use and Tourism precinct classifications, together with an R-AC1 density code and site-specific development controls. Further details of the proposed planning framework are provided in the body of the report. Applicable parking requirements and the relevant Precinct Structure Plan provisions will be applied through any future development application.
62.	Objects to the amendment. Considers the proposed 14 storey building inconsistent with the character of the area and previous height limits. Concerned the reduction in public parking will affect marina users and local businesses. Considers the development may increase traffic, create overshadowing and wind impacts, and adversely affect neighbouring properties.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Public parking on Lot 24 is currently secured through a licence until 2039. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site. The amendment requires a minimum of 50 publicly accessible parking bays on Lot 24 should redevelopment occur, providing an ongoing public parking outcome beyond 2039. Traffic and amenity impacts are dependent on the future built form and cannot be fully assessed at this stage. Potential impacts on commercial competition are generally not material planning considerations.
63.	Objects to the amendment. Considers the proposed 14 storey height on Strata Lot 107 and 8 storey height on Lot 24 excessive and inconsistent with the surrounding built form. Notes no supporting technical assessments have been provided to demonstrate impacts on amenity. Considers the proposal will adversely affect views, privacy, overshadowing, wind conditions and character. Opposes the reduction of public parking on Lot 24 from 110 bays to a minimum of 50 bays. Notes Lot 24 is currently identified as a Public Parking Node and considers existing owners had a reasonable expectation the site would remain available for public parking. Requests reduced building heights, retention of public parking, completion of technical studies, and further consultation before the amendment is determined.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Amenity impacts are dependent on the future built form and cannot be fully assessed at this stage. Detailed technical investigations, including traffic, parking,

No. Summary of Submission	Local Government Response
64. Objects to the amendment. Notes Lot 24 and Lot 107 provide important public parking serving the marina precinct. Considers existing parking is already insufficient and any reduction will adversely affect visitors, local businesses and tourism. Notes hotel and tourism development is likely to increase parking demand. Considers alternative parking options are limited, particularly for elderly and mobility impaired visitors. Requests retention of public parking and consideration of community impacts before further development proceeds.	wind and overshadowing assessments, will accompany any future development application. Loss of private views is generally not a material planning consideration. The amendment retains the Public Parking Node on Lot 24 while also applying Mixed Use and Tourism precinct classifications and site-specific development controls. Public parking on Lot 24 is currently secured through a licence until 2039, which is unaffected by the amendment. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site. The amendment requires a minimum of 50 publicly accessible parking bays on Lot 24 should redevelopment occur, providing an ongoing public parking outcome beyond 2039. Public consultation was undertaken for 42 days in accordance with the public advertising requirements. Existing parking constraints within the marina precinct are acknowledged. Public parking on Lot 24 is currently secured through a licence until 2039, which is unaffected by the amendment. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site. The amendment requires a minimum of 50 publicly accessible parking bays on Lot 24 should redevelopment occur, providing an ongoing public parking outcome beyond 2039. The adequacy of parking provision will be assessed through any future development application.
65. Objects to the amendment. Considers the proposed 14 storey height on Lot 107 and 8 storey height on Lot 24 excessive and inconsistent with the existing character of the area. Considers the increased building heights will adversely affect amenity. Opposes the reduction of public parking from 110 bays to 50 bays and considers this will reduce access to Town Beach and the marina precinct. Notes future development is likely to increase parking demand. Requests the amendment be refused in its current form.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Amenity impacts are dependent on the future built form and cannot be fully assessed at this stage. Public parking on Lot 24 is currently secured through a licence until 2039, which is unaffected by the amendment. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site. The amendment requires a minimum of 50 publicly accessible parking bays on Lot 24 should redevelopment occur, providing an ongoing public parking outcome beyond 2039. The adequacy of parking provision will be assessed through any future development application.

No.	Summary of Submission	Local Government Response
66.	Objects to the amendment. Considers development on Lot 24 above two storeys will reduce sunlight to nearby properties. Considers the proposed buildings are excessive in scale and will dominate the beachfront. Notes increased traffic will worsen existing congestion. Supports the existing Seashells development form and considers the proposal provides insufficient setback and transition from the foreshore.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Amenity, traffic, and interface impacts are dependent on the future built form and cannot be fully assessed at this stage. Detailed technical assessments (where required) will accompany any future development application.
67.	Does not oppose redevelopment in principle. Concerned the proposal will reduce public parking and increase parking demand within the marina precinct. Notes the surrounding road network has limited capacity. Considers the proposed 14 storey height, scale and intensity are not adequately justified and may adversely affect the character of the marina precinct. Notes the amendment is not supported by traffic, parking, overshadowing, wind or visual impact assessments. Supports protection of public access, pedestrian connections and sightlines to the foreshore. Seeks long-term public parking and access arrangements to be secured through enforceable planning mechanisms. Considers any increase in development potential should deliver clear and measurable public benefits.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Public parking on Lot 24 is currently secured through a licence until 2039, which is unaffected by the amendment. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site. The amendment requires a minimum of 50 publicly accessible parking bays on Lot 24 should redevelopment occur, providing an ongoing public parking outcome beyond 2039. Traffic, parking, amenity and public realm outcomes, including pedestrian connections and foreshore access, are dependent on the future built form and cannot be fully assessed at this stage. Detailed technical investigations (where required) will accompany any future development application. The amendment establishes the planning framework only and does not approve a specific development.
68.	Objects to the amendment. Considers the proposed height and built form are excessive and inconsistent with the coastal character of the area. Concerned the development will result in loss of views, overshadowing and reduced privacy for nearby residents. Notes increased density will place additional pressure on parking, traffic and local infrastructure. Considers taller buildings may create adverse wind impacts and increase noise and activity within the precinct. Notes construction will cause disruption to residents. Considers the proposal may adversely affect property values and set a precedent for further height and density increases. Requests reduced building height and assessment of amenity, traffic, parking, infrastructure and environmental impacts before approval.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location.

No.	Summary of Submission	Local Government Response
		Loss of private views and potential impacts on property values are generally not material planning considerations. Amenity, traffic, infrastructure and environmental impacts are dependent on the future built form and cannot be fully assessed at this stage. Temporary construction impacts are not relevant to the assessment of the amendment and will be addressed through future development approvals and other applicable legislation. Future development proposals will be assessed on their individual merits having regard to the applicable planning framework.
69.	Objects to the amendment. Notes Lot 24 has historically functioned as public parking and considers redevelopment is inconsistent with community expectations for the site. Concerned the proposed zoning may introduce entertainment uses close to existing homes, resulting in amenity impacts. Notes Lot 24 provides important public access to Town Beach and the Surf Break and supports retention of convenient public parking and access. Requests consideration of the site's public function, residential amenity and existing parking arrangements before any changes to zoning or development potential are approved.	The amendment recognises the importance of maintaining public parking on Lot 24 by requiring a minimum of 50 publicly accessible parking bays if the site is redeveloped. Public parking on Lot 24 is currently secured through a licence until 2039, which is unaffected by the amendment. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site. Amenity and public access outcomes are dependent on the future built form and cannot be fully assessed at this stage.
70.	Objects to the amendment. Considers the proposed 14 storey height on Lot 107 excessive and inconsistent with the marina character. Concerned redevelopment of Lot 24 may reduce public parking in an area of high demand. Notes the proposal may adversely affect the coastal setting and waterfront amenity. Considers the height increase is not adequately justified and may set a precedent for further high rise development. Notes increased development intensity will place additional pressure on traffic and infrastructure.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. The amendment recognises the importance of maintaining public parking on Lot 24 by requiring a minimum of 50 publicly accessible parking bays if the site is redeveloped. Public parking on Lot 24 is currently secured through a licence until 2039, which is unaffected by the amendment. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site. Potential impacts on the coastal setting, waterfront amenity, traffic and infrastructure are dependent on the future built form and cannot be fully assessed at this stage. Future development proposals will be assessed on their individual merits having regard to the applicable planning framework.

No.	Summary of Submission	Local Government Response
71.	Objects to the amendment. Concerned the proposed built form may result in overshadowing, loss of sunlight and loss of ocean views. Notes no overshadowing assessment has been provided. Considers mixed-use and entertainment uses may adversely affect residential amenity. Considers the proposed parking provision is insufficient and will increase congestion.	Loss of private views is generally not a material planning consideration. Amenity impacts are dependent on the future built form and cannot be fully assessed at this stage. The amendment recognises the importance of maintaining public parking on Lot 24 by requiring a minimum of 50 publicly accessible parking bays if the site is redeveloped. Public parking on Lot 24 is currently secured through a licence until 2039, which is unaffected by the amendment. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site.
72.	Supports rezoning of Lot 24 to Tourism. Considers development on Lot 24 should be limited to 3 to 4 storeys, consistent with surrounding development. Opposes the proposed increase in height on Lot 107 beyond 8 storeys. Considers taller buildings will detract from the character of the marina precinct.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location.
73.	Objects to the amendment. Notes the existing car park is heavily used by visitors to Town Beach, the marina and surrounding businesses. Considers the loss of public parking will worsen existing parking shortages. Supports retaining Lot 24 as a public car park and limiting redevelopment to the undeveloped portion of Lot 107.	The amendment recognises the importance of maintaining public parking on Lot 24 by requiring a minimum of 50 publicly accessible parking bays if the site is redeveloped. Public parking on Lot 24 is currently secured through a licence until 2039, which is unaffected by the amendment. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site.
74.	Objects to the amendment. Considers the proposed increase in building heights will adversely affect the character of the foreshore and Town Beach. Considers the proposed built form is inappropriate for the location.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Built form outcomes are dependent on the future development proposal and cannot be fully assessed at this stage.
75.	Does not oppose redevelopment of Lot 24 and Lot 107 in principle. Considers the proposed scale is excessive and inconsistent with the existing area. Notes the development may place additional pressure on parking and infrastructure. Considers the proposed built form will adversely affect the beachfront and existing residential amenity. Supports a reduced scale of development more consistent with the surrounding area.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for

No.	Summary of Submission	Local Government Response
		additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. The amendment recognises the importance of maintaining public parking on Lot 24 by requiring a minimum of 50 publicly accessible parking bays if the site is redeveloped. Public parking on Lot 24 is currently secured through a licence until 2039, which is unaffected by the amendment. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site. Built form, infrastructure and amenity impacts are dependent on the future development proposal and cannot be fully assessed at this stage.
76.	Objects to the amendment. Considers redevelopment of Lot 24 and Lot 107 will adversely affect the character of the marina precinct and increase traffic within the surrounding area.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Traffic impacts are dependent on the future development proposal and cannot be fully assessed at this stage.
77.	Does not oppose redevelopment of the Seashells site. Opposes the loss of the existing 110 public parking bays and considers parking demand already exceeds available supply. Considers a reduction in parking will adversely affect access to the marina precinct and surrounding businesses. Notes nearby public car parks are already heavily used.	The amendment recognises the importance of maintaining public parking on Lot 24 by requiring a minimum of 50 publicly accessible parking bays if the site is redeveloped. Public parking on Lot 24 is currently secured through a licence until 2039, which is unaffected by the amendment. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site.
78.	Objects to the amendment. Considers the proposed 14 storey and 8 storey height limits excessive and inconsistent with the existing marina and foreshore character. Considers the proposed built form will adversely affect the amenity of the area. Opposes the reduction of public parking from 110 bays to 50 bays and considers this will adversely affect access to Town Beach, the marina precinct and surrounding businesses. Notes future development is likely to increase parking demand and congestion. Requests the amendment be refused or substantially revised.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Built form and amenity impacts are dependent on the future development proposal and cannot be fully assessed at this stage.

No.	Summary of Submission	Local Government Response
		The amendment recognises the importance of maintaining public parking on Lot 24 by requiring a minimum of 50 publicly accessible parking bays if the site is redeveloped. Public parking on Lot 24 is currently secured through a licence until 2039, which is unaffected by the amendment. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site. Traffic and parking impacts are dependent on the future development proposal and cannot be fully assessed at this stage.
79.	Objects to the amendment. Notes the proposed building heights are excessive and inconsistent with the existing marina character. Identifies potential amenity impacts. Opposes the reduction of public parking and notes the proposed provision is insufficient to meet existing and future demand. Requests the amendment be refused or substantially revised.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. The amendment recognises the importance of maintaining public parking on Lot 24 by requiring a minimum of 50 publicly accessible parking bays if the site is redeveloped. Public parking on Lot 24 is currently secured through a licence until 2039, which is unaffected by the amendment. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site. Amenity and parking impacts are dependent on the future development proposal and cannot be fully assessed at this stage.
80.	Objects to the amendment. Notes the proposed 14 storey height on part of Strata Lot 107 exceeds the established scale of surrounding development. Identifies potential impacts on views, sunlight access, overshadowing and wind conditions. Notes the proposed height exceeds previously approved limits and no justification has been provided for the increase. Supports retaining the existing approved height limits and ensuring future development remains compatible with the surrounding area.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Taller development has previously been contemplated on the broader Seashells site, including Council approvals for development up to 9 storeys in 2002 and 12 storeys in 2004. Loss of private views is generally not a material planning consideration. Built form and amenity impacts are dependent on the future development proposal and cannot be fully assessed at this stage.

No.	Summary of Submission	Local Government Response
81.	Objects to the amendment. Notes parking within the marina precinct is already insufficient. Supports retention of Lot 24 as public parking and opposes the proposed zoning changes.	The amendment recognises the importance of maintaining public parking on Lot 24 by requiring a minimum of 50 publicly accessible parking bays if the site is redeveloped. Public parking on Lot 24 is currently secured through a licence until 2039, which is unaffected by the amendment. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site.
82.	Objects to the amendment. Notes development above four storeys near Town Beach is inappropriate. Identifies potential impacts on the character and amenity of the beachfront and wider Mandurah area.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Built form and amenity impacts are dependent on the future development proposal and cannot be fully assessed at this stage.
83.	Supports the amendment. Notes additional tourism accommodation will support tourism growth in Mandurah. Supports increased building heights. Recommends a mix of one to four-bedroom apartments to accommodate a range of residents and visitors.	Noted.
84.	Objects to the amendment. Notes the proposed building heights will obstruct views and result in overshadowing. Opposes the loss of the existing public car park and notes existing parking is insufficient during peak periods. Identifies potential impacts on access to Town Beach and nearby residential amenity.	Loss of private views is generally not a material planning consideration. Built form, residential amenity and access impacts are dependent on the future development proposal and cannot be fully assessed at this stage. The amendment recognises the importance of maintaining public parking on Lot 24 by requiring a minimum of 50 publicly accessible parking bays if the site is redeveloped. Public parking on Lot 24 is currently secured through a licence until 2039, which is unaffected by the amendment. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site.
85.	Objects to the amendment. Questions the need for additional tourism accommodation, noting the submitter's view that the existing Seashells Hotel is largely vacant. Notes the proposed development is excessive in scale and increased activity may adversely affect the character of the area.	The Mandurah Strategic Centre – City Centre Needs Analysis forecasts demand for an additional 110–240 hotel and similar accommodation rooms by 2035 and a potential shortfall of 180–320 rooms if supply does not increase. The study also identifies capacity to support an additional 4–4.5 star hotel or resort within the catchment. The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part

No.	Summary of Submission	Local Government Response
		of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Built form, character, amenity and access impacts are dependent on the future development proposal and cannot be fully assessed at this stage.
86.	Objects to the amendment. States the loss of public parking will adversely affect local businesses and marina visitors. Identifies traffic impacts at the Ormsby Terrace intersection.	The amendment recognises the importance of maintaining public parking on Lot 24 by requiring a minimum of 50 publicly accessible parking bays if the site is redeveloped. Public parking on Lot 24 is currently secured through a licence until 2039, which is unaffected by the amendment. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site. Traffic impacts are dependent on the future development proposal and cannot be fully assessed at this stage.
87.	Objects to the amendment. Identifies the proposed development as excessive in scale for the site. States the local road network has limited capacity to accommodate additional traffic. Opposes the reduction in public parking serving Town Beach. Identifies potential impacts on the character of the marina precinct from increased development intensity.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Public parking on Lot 24 is currently secured through a licence until 2039, which is unaffected by the amendment. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site. Should Lot 24 be redeveloped, the amendment requires a minimum of 50 publicly accessible parking bays, providing an ongoing public parking outcome beyond 2039. Traffic, built form and character impacts are dependent on the future development proposal and cannot be fully assessed at this stage.
88.	Objects to the amendment. Identifies the proposed building heights and scale on Lot 24 and Lot 107 as excessive and incompatible with the surrounding marina precinct. Notes potential impacts on residential amenity, character and the marina precinct, including overshadowing, privacy, views, wind effects and noise. Raises concerns about Town Beach, coastal hazards, groundwater and excavation impacts. States the local road network and parking supply are insufficient to accommodate additional development. Notes property values may be adversely affected. Supports limiting development on Lot 107 to the height of the existing	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location.

No.	Summary of Submission	Local Government Response
	Seashells Resort and ensuring future development does not adversely affect sunlight access, traffic, parking or the coastal environment.	Public parking on Lot 24 is currently secured through a licence until 2039, which is unaffected by the amendment. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site. Should Lot 24 be redeveloped, the amendment requires a minimum of 50 publicly accessible parking bays, providing an ongoing public parking outcome beyond 2039. Built form, amenity, traffic, parking and environmental impacts are dependent on the future development proposal and cannot be fully assessed at this stage. Loss of private views and property values are generally not material planning considerations.
89.	Objects to the amendment. Recommends a maximum building height of 8 storeys and opposes further high rise development. Prefers residential uses and services that meet the needs of permanent residents. States the existing public car park is important for beach access and already reaches capacity during peak periods. Opposes any reduction in parking unless active transport is substantially improved.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. The Mandurah Strategic Centre – City Centre Needs Analysis forecasts demand for an additional 110–240 hotel and similar accommodation rooms by 2035 and identifies capacity to support an additional 4–4.5 star hotel or resort within the catchment. The amendment supports a mix of tourism and residential uses, with permanent residential development limited to a maximum of 40% of the total dwellings across Lot 24 and the undeveloped part of Strata Lot 107. Public parking on Lot 24 is currently secured through a licence until 2039, which is unaffected by the amendment. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site. Should Lot 24 be redeveloped, the amendment requires a minimum of 50 publicly accessible parking bays, providing an ongoing public parking outcome beyond 2039. Traffic and transport impacts are dependent on the future development proposal and cannot be fully assessed at this stage.
90.	Objects to the amendment. Supports tourism development but opposes increasing approved building heights. Notes the proposal does not provide an appropriate balance between tourism, housing and the coastal environment. States the loss of public parking will reduce access to Town Beach.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for

No.	Summary of Submission	Local Government Response
		additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. The amendment supports tourism and residential uses, with permanent residential development limited to a maximum of 40% of the total dwellings across Lot 24 and the undeveloped part of Strata Lot 107. Public parking on Lot 24 is currently secured through a licence until 2039, which is unaffected by the amendment. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site. Should Lot 24 be redeveloped, the amendment requires a minimum of 50 publicly accessible parking bays, providing an ongoing public parking outcome beyond 2039.
91.	Objects to the amendment. Identifies potential traffic and parking impacts associated with access to Town Beach. Notes the proposed building heights may reduce sunlight to properties along Breakwater Parade. States the proposed built form will adversely affect the character of the beachfront. Identifies potential noise impacts associated with future tourism development.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Public parking on Lot 24 is currently secured through a licence until 2039, which is unaffected by the amendment. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site. Should Lot 24 be redeveloped, the amendment requires a minimum of 50 publicly accessible parking bays, providing an ongoing public parking outcome beyond 2039. Built form, amenity, traffic and parking impacts are dependent on the future development proposal and cannot be fully assessed at this stage.
92.	Objects to the amendment. States existing accommodation facilities are adequate and additional hotel development is unnecessary. Identifies potential impacts on foreshore erosion. States the proposed reduction in public parking, combined with increased development intensity, will create parking shortages. Notes limited public transport options and potential impacts on existing tourism and hospitality businesses.	The Mandurah Strategic Centre – City Centre Needs Analysis forecasts demand for an additional 110–240 hotel and similar accommodation rooms by 2035 and identifies capacity to support an additional 4–4.5 star hotel or resort within the catchment. Public parking on Lot 24 is currently secured through a licence until 2039, which is unaffected by the amendment. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site. Should Lot 24 be redeveloped, the amendment requires a minimum of 50 publicly accessible parking bays, providing an ongoing public parking outcome beyond 2039.

No.	Summary of Submission	Local Government Response
		Traffic, parking and environmental impacts are dependent on the future development proposal and cannot be fully assessed at this stage. Public transport provision is outside the scope of the amendment. Commercial competition between businesses is generally not a material planning consideration.
93.	Objects to the amendment. Identifies the proposed development as excessive in height and density for the marina precinct. States the proposal will adversely affect the character of Town Beach, the marina setting and the wider Mandurah landscape.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location.
94.	Objects to the amendment. Notes the proposed development will reduce public parking on Lot 24, which is heavily used during peak periods. States Lot 24 should continue to provide public parking. Identifies the proposed built form as excessive in scale. Recommends development be limited to the height already approved for Lot 107.	Public parking on Lot 24 is currently secured through a licence until 2039, which is unaffected by the amendment. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site. Should Lot 24 be redeveloped, the amendment requires a minimum of 50 publicly accessible parking bays, providing an ongoing public parking outcome beyond 2039. The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location.
95.	Notes the existing car park is an important access point for surfing and foiling activities. States users rely on waterfront parking and open space to prepare equipment. Supports retention of the front row of car parking along the foreshore.	Public parking on Lot 24 is currently secured through a licence until 2039, which is unaffected by the amendment. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site. Should Lot 24 be redeveloped, the amendment requires a minimum of 50 publicly accessible parking bays, providing an ongoing public parking outcome beyond 2039.
96.	Objects to the amendment. Opposes the loss of the existing public car park and notes parking shortages during peak periods. Identifies existing traffic congestion within the area. Recommends development on Lot 107 be limited to two storeys and opposes late-night pubs and taverns.	Public parking on Lot 24 is currently secured through a licence until 2039, which is unaffected by the amendment. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no obligation to retain public parking on the site. Should Lot 24 be redeveloped, the amendment requires a minimum of 50 publicly accessible parking bays, providing an ongoing public parking outcome beyond 2039.

No.	Summary of Submission	Local Government Response
		Traffic impacts will be assessed as part of any future development application. The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. The amendment proposes an Additional Use for a tavern on Lot 24. Traffic, parking and amenity impacts, including those associated with any future tavern, are dependent on the future development proposal and cannot be fully assessed at this stage.
97.	Objects to the amendment. Identifies the proposed building heights as excessive and inappropriate for the marina precinct. Notes concerns regarding environmental, erosion, drainage and infrastructure impacts. States the proposed built form will adversely affect views, the coastal setting and the character of Mandurah. Questions the tourism benefits of the proposal and identifies potential benefits to property investors. Recommends development be limited to the height of the existing Seashells Resort, or a maximum of 8 to 10 storeys.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Environmental, erosion, drainage, infrastructure, built form, character and coastal setting impacts are dependent on the future development proposal and cannot be fully assessed at this stage. Loss of private views is generally not a material planning consideration. The Mandurah Strategic Centre – City Centre Needs Analysis forecasts demand for an additional 110–240 hotel and similar accommodation rooms by 2035 and identifies capacity to support an additional 4–4.5 star hotel or resort within the catchment.
98.	Objects to the amendment. Identifies the proposed building heights and scale on Lot 24 and Lot 107 as excessive and inconsistent with the marina precinct. Notes potential impacts on residential amenity, including sunlight access, privacy, views and noise. States the proposal will increase traffic and parking pressures around Town Beach and affect property values.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Amenity, built form, character, traffic, parking and construction impacts are dependent on the future development proposal and cannot be fully assessed at this

No.	Summary of Submission	Local Government Response
		stage. Loss of private views and property values are generally not material planning considerations.
99.	Does not object to the amendment. Supports the proposed 14 storey height limit and increased density within the marina precinct. Notes the amendment relates to the planning framework rather than a specific development proposal. Identifies opportunities for future redevelopment to incorporate multi-deck parking and improve parking provision. Notes detailed design and amenity matters can be addressed through future planning processes.	Noted.
100.	Objects to the amendment. Identifies the proposed built form as inappropriate for the Town Beach setting and likely to adversely affect the character of the area. States insufficient information has been provided regarding the proposed development to enable informed public comment.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Amenity, built form and character impacts are dependent on the future development proposal and cannot be fully assessed at this stage.
101.	Objects to the amendment. Identifies potential overshadowing impacts from the proposed building heights. Recommends development be limited to the existing approved height and directed to more suitable locations. Notes the proposal is inconsistent with the character of Mandurah.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Amenity impacts are dependent on the future development proposal and cannot be fully assessed at this stage.
102.	Objects to the amendment. Identifies the proposed building scale as inconsistent with the existing built form. Notes potential impacts on beach access, parking, views and overshadowing.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Beach access, parking and amenity impacts are dependent on the future development proposal and cannot be fully assessed at this stage. Loss of private views is generally not a material planning consideration.

No.	Summary of Submission	Local Government Response
103.	Objects to the amendment. Identifies the proposed scale as inconsistent with the character of the marina precinct and recommends a stepped built form with a maximum height of 8 storeys. Questions whether the proposal will deliver benefits to the local community and economy. Recommends retention of at least 100 public parking bays.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. The Mandurah Strategic Centre – City Centre Needs Analysis forecasts demand for an additional 110–240 hotel and similar accommodation rooms by 2035 and identifies capacity to support an additional 4–4.5 star hotel or resort within the catchment. Public parking on Lot 24 is currently secured through a licence until 2039, which is unaffected by the amendment. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site. Should Lot 24 be redeveloped, the amendment requires a minimum of 50 publicly accessible parking bays, providing an ongoing public parking outcome beyond 2039.
104.	Does not object to the amendment. Supports redevelopment, permanent residential apartments and increased building heights. Identifies the need for construction traffic management, improved cycling infrastructure and sufficient on-site parking to minimise impacts on surrounding public parking areas.	Noted.
105.	Objects to the amendment. Opposes the proposed increase in building height and loss of public parking. Recommends development be limited to the height of the existing Seashells Resort and retain parking for at least 100 vehicles.	The proposed height controls for Lot 24 provide a transition in building height. Development along Breakwater Parade and the foreshore is limited to 4 storeys. The 8 storey area is set back behind the 4 storey frontages of Breakwater Parade and the foreshore. The proposed 14 storey height applies to the undeveloped part of Strata Lot 107, which is located behind Lot 24 and is set further back from Breakwater Parade and the foreshore, making it a more appropriate location for additional building height. The proposed height controls are considered appropriate having regard to the site's strategic waterfront location. Previous planning approvals for the broader Seashells site also contemplated a 12 storey development within this part of the site. Public parking on Lot 24 is currently secured through a licence until 2039, which is unaffected by the amendment. Redevelopment prior to expiry of the licence would require the existing licence arrangements to be addressed separately. Beyond 2039, there is no planning requirement to retain public parking on the site. Should Lot 24 be redeveloped, the amendment requires a minimum of 50 publicly accessible parking bays, providing an ongoing public parking outcome beyond 2039.

Subject: 14.2 Proposed Amendment No. 5 to Local Planning Scheme 12

Summary

Council is requested to resolve to support an amendment with modification (Amendment 5) to the City of Mandurah Local Planning Scheme No 12 (Scheme 12). The purpose of the amendment is to correct an administrative error that occurred in 2003, where a condition of subdivision was cleared prior to the execution of a Deed of Agreement which ensured the parking constructed on Lot 1302 Port Quays remained at the benefit of the commercial tenancies on the adjacent mixed-use development on Lot 1301 Port Quays.

The amendment seeks to amend Scheme 12 so that Lot 1302 is included in the 'Specific Site Requirements Table' in Schedule 1 of Scheme 12 with the development conditions requiring the provision of a minimum of 24 parking bays to the benefit of Lot 1301. Initially the proposal was to seek 20 bays, however since the consultation period, it was identified that an additional 4 bays would be required to ensure a minimum number of bays to accommodate parking that included any development of Strata Lot 5 of Lot 1301. Minor wording changes to the proposal are recommended based on legal advice and to provide clarity.

This report will demonstrate and discuss that the subject property was always intended to serve as a parking facility for Lot 1301. The availability of this parking is essential to effective functioning of the "Local Centre." It is noted the proposed amendment would still allow for development to occur on Lot 1302.

Council adopted the proposed amendment for the purpose of commencing advertising on 28 November 2023 and after receiving advice from the Environmental Protection Authority (EPA) and Western Australian Planning Commission (WAPC), the City advertised the proposal and received four submissions.

It is recommended Council resolve to support the amendment with modification from that advertised and forward this recommendation to the WAPC for their consideration prior to determination by the Minister for Planning.

Disclosure of Interest

Nil.

Location



Property Details

Owner:	Mike Keeley Pty Ltd
Scheme No 12 Zoning:	Local Centre
Peel Region Scheme Zoning:	Urban Development
Lot Size:	1445m ²
Topography:	Flat
Land Use:	Currently developed as a car park

Previous Relevant Documentation

- PCC.3.10/11/25 10 November 2025 Planning and Community Consultation Committee deferred consideration of the item to the Planning and Community Consultation Committee meeting to be scheduled in December 2025.
- G.12/11/23 28 November 2023 Council resolved to support adopting the proposed Amendment for the purpose of advertising.
- G.22/6/20 23 June 2020 Council resolved to proceed Scheme 12 to final approval by the Western Australian Planning Commission and the Minister for Planning.
- G. 18/4/19 30 April 2019 Council adopted a modified Scheme 12 and Local Planning Strategy which incorporated changes suggested by the EPA.
- G.6/01/17 24 January 2017 Council adopted draft Local Planning Scheme and Strategy for forwarding to the Western Australian Planning Commission and the Environmental Protection Authority for consent to advertise the draft Scheme.
- G.22/8/16 9 August 2016 Council granted conditional approval for a Tavern at Strata Lot 5, (No 4) Port Quays. This approval was granted subsequent to the securing of Lot 1302 Port Quays for parking.
- G.30/8/01 21 August 2001 Council adopted the Northport Outline Development Plan and Design Guidelines subject to conditions.

Background

The subject property is within the 'Northport Outline Development Plan' (ODP) (refer **Attachment 1.1**) which was approved in 2001 and Northport Village ODP (refer **Attachment 1.2**). The subject property was identified as 'Retail Precinct' and indicatively showed the development, including the built form and parking area. A small portion of the area developed as parking is shown on the ODP as 'Possible Future Retail' including a note that suggests ground floor shops fronting Port Quays with residential use above the ground floor.

In December 2002, the City granted development approval for a mixed-use development comprised of commercial tenancies and apartments on Lot 1288 Port Quays. The parking relating to the residential component of the development was contained on the southern portions within the area accommodating the built form (now Lot 1301), with the parking for the commercial tenancies developed in the northern portion of the lot (now Lot 1302) which included 45 parking bays.

In 2003, the Western Australian Planning Commission (WAPC) granted a subdivision approval which created Lots 1301 (mixed-use development and residential parking) and Lot 1302 (commercial parking). The approved subdivision included the following condition requiring a legal agreement to be entered with the City of Mandurah that related to the provision of 45 parking bays:

3. *"The applicant entering into an agreement with the City of Mandurah to ensure reciprocal rights are established for proposed Lot 1301 to utilise proposed Lot 1302 for car parking to the satisfaction of the Western Australian Planning Commission."*

Further to condition 3 above, there was the following advice note:

"In respect to condition 3, the Reciprocal Rights agreement should also allow redevelopment over Lot 1302, provided the same number of parking bays (45) remain available to Lot 1301."

This legal agreement was drafted; however, the clearance of the condition was issued to the applicant in 2005 prior to the agreement having been executed.

In 2016, a proposed Tavern was approved by Council for Strata Lot 5 in Lot 1301 Port Quays. While this approved development did not progress, it is important to note the proposal was not considered until the consent of the owner of Lot 1302 (at the time) for the provision of parking to the benefit of Lot 1301 was obtained. This was received and a condition requiring the formalisation of the parking agreement between Lot 1301 and Lot 1302 was added. This further demonstrates the intent for parking to be provided on Lot 1302.

In 2019, the City approved a development proposal for multiple dwellings on a portion of Lot 1302 and through this assessment it was negotiated and conditioned that an agreement was entered into to provide twelve parking bays to the benefit of Lot 1301. It is important to note, that in the absence of supporting planning instruments, this parking was a negotiated outcome with a developer who, at the time, was willing to provide 12 bays. This development approval has not progressed and lapsed in November 2023.

The current owner of Lot 1302 purchased the site in September 2024 and has owned Strata Lot 5 of Lot 1301 since May 2024. In July 2022, the City granted a change of use approval for the development of two apartments on Strata Lot 5 of Lot 1301. This approval included a condition requiring the residential parking and storeroom to be provided on Lot 1302. This development was never realised and lapsed in July 2024. This results in the tenancy possibly being used for commercial purposes such as café/ restaurant which may not require a future development approval, based on them being defined as a 'P' (permitted) under the provisions of the Local Planning Scheme.

This ground floor tenancy has had numerous applications over the past two decades, including applications for a café/ restaurant and tavern. It is important to note a modification to the recommendation that was initially advertised is recommended to include the four-bays for Strata Lot 5 of Lot 1301 Port Quays residential development. Strata Lot 5 of Lot 1301 was most recently sold to the current owner in May 2024. The total amount recommended is twenty-four bays for the benefit of Lot 1301, to ensure Lot 1301 can function as a "Local Centre".

It is considered the proposed parking required (24 bays) balances the opportunity for future development potential while supporting the commercial development within the "Local Centre"

Comment

Scheme 12 zones the subject property as 'Local Centre' and as such, the City could receive applications to develop Lot 1302. Without the legal mechanism in place, the City's ability to ensure parking provided to benefit Lot 1301 containing commercial tenancies remains uncertain, and based on advice from commercial operators, the absence of secured parking availability for patrons gives rise to a risk to the viability and functionality of the Local Centre. It is considered the proposed amendment to Scheme 12 will provide greater security to the commercial tenants on Lot 1301 that parking will have ongoing availability.

It is considered the proposed amendment is consistent with what was intended on the site from when it was originally developed. This position is evidenced by the following:

- The approved ODP shows the subject site being developed as parking, with the possibility to develop a portion of the site,
- The original development approval shows the provision of the parking on the subject site; and
- The conditions of subdivision required a legal agreement to ensure the reciprocal access to parking to the benefit of Lot 1301 and further advised that any development should provide the same number of lots for that purpose.

Parking Requirement

Scheme 12 provides the required parking ratios for commercial land uses, with the most parking required for uses like 'shop' in a local centre being a ratio of 4.5 bays for every 100m² nett lettable area (NLA). The tenancies within the precinct that are currently used for a commercial purpose have an aggregate NLA of 437m² excluding Strata Lot 5, which results in a parking requirement of 20 bays.

Strata Lot 5 of Lot 1301 had been granted a change of use for two apartments, which included a condition requiring the provision of two bays and storage for each apartment on Lot 1302. This development was never finalised. Planning legislation now provides that a change of use where the intended use is 'P' (permitted) in the zone, is exempt from requiring a planning approval. This means that if a use such as a cafe or restaurant was to be opened in Strata Lot 5 of Lot 1301, there is no opportunity to assess or apply conditions. As such, despite the residential apartments no longer being a valid approved land use (having expired), the four bays that were applicable to the apartments have been added to the above calculation, resulting in a total of 24 bays being required. In effect, this action secures four bays applicable to that tenancy, where otherwise there could be zero.

Development Potential

As mentioned above, the ODP which guided the original development indicates that a portion of the area occupied by Lot 1302 could be developed, which is also reflected in the advice note provided by the WAPC at the time Lot 1302 was created. The WAPC advice suggested the redevelopment could occur subject to the same number of bays being provided (which WAPC determined to be 45 bays). Acknowledging the proposed amendment seeks to only require enough parking to suit the current commercial tenants (24 bays), based on the currently developed parking area and leaving 24 bays as constructed, it is estimated a development footprint of between 500-600m² remains. This footprint could allow for the development of two or three storeys mixed-use commercial / residential development.

MEAG Comment

This item does not have any significant impact on the natural environment and therefore has not been referred to Mandurah Environmental Advisory Group for comment.

Consultation

The proposed Scheme Amendment was publicly advertised to surrounding landowners between 20 May 2025 until 4 July 2025. Four (4) submissions were received within the public consultation period, with two (2) submissions being from the same person.

Submission (Summarised comments)	Comment
Submission One: a. Requests confirmation on the number of car bays being formalised being 24 bays and not a minimum 20, as this is how it could be interpreted. Suggest more specific wording. b. Request clarification on how the City of Mandurah decided on the number car bays being 20. c. Suggest the provision of visitor car parking bays for the residential apartments at Lot 1301 needed to be provided. d. Request clarification around the 2 existing ACROD bays and if they are to remain. e. Suggest changes to the wording to ensure the 14 owners within Lot 1301 are not compromised and are acknowledged.	a. Agreed. The recommendation seeks to incorporate the additional four parking bays and increase the requirement to 24 bays as a result of the lapsing of the previously approved residential development on Strata Lot 5 of Lot 1301. b. As outlined within this report, the calculation is based on the parking requirements that apply to commercial property within Scheme 12, which requires 4.5 bays for every 100m² of nett lettable area (NLA). The City has calculated the NLA of existing commercial development to be 437m² (excluding Strata Lot 5) and as such require 20 bays. The recommendation now includes the incorporation of the additional four bays previously attributed to the residential development on Strata Lot 5 of Lot 1301 which has since lapsed. c. The visitor bays for the existing residential development should be contained within the Residential Development site and the focus of this amendment is securing parking for commercial operations. d. The Building Codes of Australia would require at least one accessible bay is provided. It is recommended the amendment is amended to reflect the need to supply at least one universally assessable bay. e. Noted, however it is considered there is no adverse impact or compromise to the 14 owners of Lot 1301 as the requirement proposed relates to the commercial tenancies supported by parking on Lot 1302.
Submission Two: a. Request the wording change to “a minimum of 2 car parking bays for Strata Lot 5 and a Total provision of a minimum of 24 car parking bays for Lot 1301”.	a. Agreed. The recommendation includes a change to require 24 bays for the benefit of Lot 1301.
The City should adopt a consultative approach and resolve issues by agreement. Benefitting one group of property owners at the expense of another.	Noted. The City is proposing the amendment to correct an administrative error that occurred over 20 years ago and protect the access to parking for existing commercial development as was intended for the land in question.

The proposal is limiting the development potential of 2 Port Quays and will impose a financial burden on the owner. The owner would be liable to pay rates and taxes for the benefit of others whilst not being compensated for the land that can no longer be developed.	Noted. The subject property was intended to be used as parking to benefit Lot 1301 as shown on Outline Development Plans and subdivision conditions. There remains development potential on Lot 1302. The deed would include outgoings as was contemplated in the original agreement.
--	--

The Environmental Protection Authority (EPA) advised there was no adverse impact on the environment resulting from the proposed amendment and consented to the City consulting.

In addition, the Department of Planning Lands and Heritage (DPLH) consented to the City advertising the proposed amendment and recently advised that the proposed modification to the amendment to include the additional four bays would not warrant the proposal needing to be readvertised.

Post Advertising Actions

Subsequent to the consultation period arising from commentary and concerns raised by the landowner, City officers have been involved in discussions with all parties relating to the following aspects:

- The number of bays – The commercial tenants would prefer a greater number than 24 while the landowner has suggested a maximum provision of 16.

Officer Comment

As previously mentioned in this report, 24 bays is considered the number of bays required to meet the Scheme requirements.

- Maintenance costs – The landowner has expressed willingness for parking to be provided on Lot 1302 as proposed (although at a lesser number) but has also suggested the costs of maintenance for these lots should be borne by those benefitting.

Officer Comment

This is agreed and through discussions held with the commercial tenants, there has been a willingness to contribute to the maintenance costs involved. The mechanism to address the attribution of costs and other requirements and terms is the Agreement referred to in the proposed amendment. This Agreement would be required as a condition of any development approval, should the Scheme Amendment be gazetted.

- Subdivision and Purchase of Lot 1302 – It is open to the tenants or the strata of Lot 1301 to purchase all or part of Lot 1302 and amalgamate them into one singular lot. While it is understood this option has been investigated, it has not yet been realised.

Officer Comment

This action would provide parking security, however as it has not occurred to date, and the lot could be sold to a different buyer, The Scheme Amendment provides the best statutory security to ensure the vision of the local centre is realised.

Statutory Environment

The proposed amendment is undertaken in accordance with the *Planning and Development Act 2005* and the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Subject Council resolving to support the amendment, it will be forwarded to the Western Australian Planning Commission along with Council's recommendation for consideration before being presented to the Minister for Planning for final determination.

The City has sought legal advice as to the most appropriate way to resolve this situation. It is considered amendment to Local Planning Scheme 12 as being the most appropriate mechanism.

It should be noted there is a minor wording change in the Site Specific Table proposed compared to the wording advertised based on legal advice and to provide greater clarity on the requirement.

Policy Implications

Nil

Financial Implications

The City considers the availability of parking for commercial tenancies is essential for the viability of the Local Centre.

The requirement for 24 bays to be provided on Lot 1302 for the benefit of Lot 1301, will have implications for the future development of Lot 1302. The requirement for parking has been contemplated and known.

Economic Implications

As noted, the Local Centre as detailed provides an important commercial hub for the local community. The uncertainty around parking availability to service commercial tenancies is not suitable and requires resolution.

Environmental Implications

There are no environmental implications associated with this scheme amendment.

Risk Analysis

The proposed amendment is considered to secure an outcome for the existing commercial business and reduce the risk of a decline in visitation through inadequate parking provision.

The current landowner has objected to the proposed amendment detailing the potential implications for development potential on Lot 1302.

The proposed amendment seeks to provide clarity for all concerned on parking requirements for the Local Centre.

Given the history of the site there is some legal risk both in failing to resolve the issue and also in the amendment to scheme provisions. The imposition of a development requirement via a scheme amendment does not give rise to a claim for compensation under the *Planning and Development Act 2005* (PD Act) because it is within the power of the relevant agencies, and does not cause injurious affection (as defined by the PD Act).

Strategic Implications

The following community outcomes from the City of Mandurah Strategic Community Plan 2024 – 2044 are relevant to this report:

Economy:

- Local jobs to retain our people and attract skilled workers
- A diversified economy that supports growth sectors
- Well-planned, sustainable urban development
- A thriving city that residents are proud to call home and people want to visit
- A supportive business environment where investment is encouraged, and entrepreneurship prospers

Leadership:

- A clear and shared vision for Mandurah's future
- Sound decisions based on evidence and meaningful engagement

Conclusion

The proposed Amendment 5 to Local Planning Scheme 12 is recommended to be resolved for support by Council given it reflects the original intended use for the subject property. Based on calculations of parking requirements within Scheme 12, the minimum provision of 24 bays will still allow for meaningful development to occur on Lot 1302 while providing certainty for the commercial businesses which secures sufficient parking in the area. Subject to Council support the proposed amendment will be forwarded to the WAPC for their consideration and recommendation to the Minister for Planning.

NOTE:

RECOMMENDATION

Officer Recommendation

That Council:

1. In accordance with Section 75 of the *Planning and Development Act 2005*, resolves to adopt Amendment No. 5 of the City of Mandurah Local Planning Scheme No. 12 as follows:

**PLANNING AND DEVELOPMENT ACT 2005
RESOLUTION DECIDING TO AMEND A TOWN PLANNING
SCHEME CITY OF MANDURAH LOCAL PLANNING SCHEME NO.
12
AMENDMENT NO 5.**

Resolved that the Council, in pursuance of Section 75 of the *Planning and Development Act 2005*, amends Local Planning Scheme No. 12 by:

- a) Modifying the Specific Site Requirements Table in Local Planning Scheme Schedule 1 to add the following:

No	Description of Land	Requirement
----	---------------------	-------------

8. **Lot 1302 Port Quays Wannanup** Any development of the land must include 24 car parking bays that are permanently available for the use of the commercial tenancies at Lot 1301 Port Quays. A condition of development approval will be imposed to the effect that the owner of the land must enter into a deed to secure the permanent availability of the car parking bays in terms satisfactory to the local government

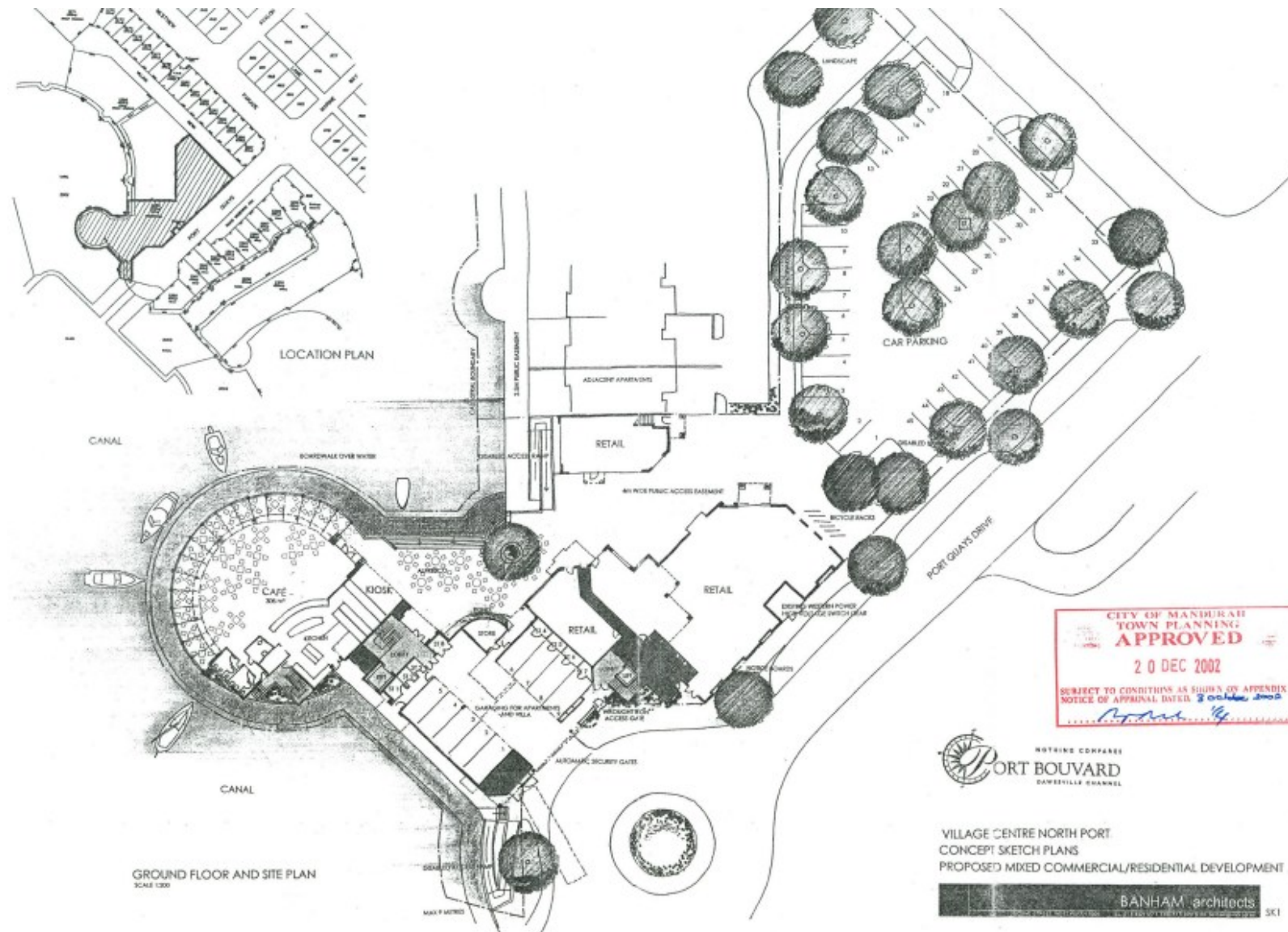
(b) Amending the Scheme Maps accordingly.

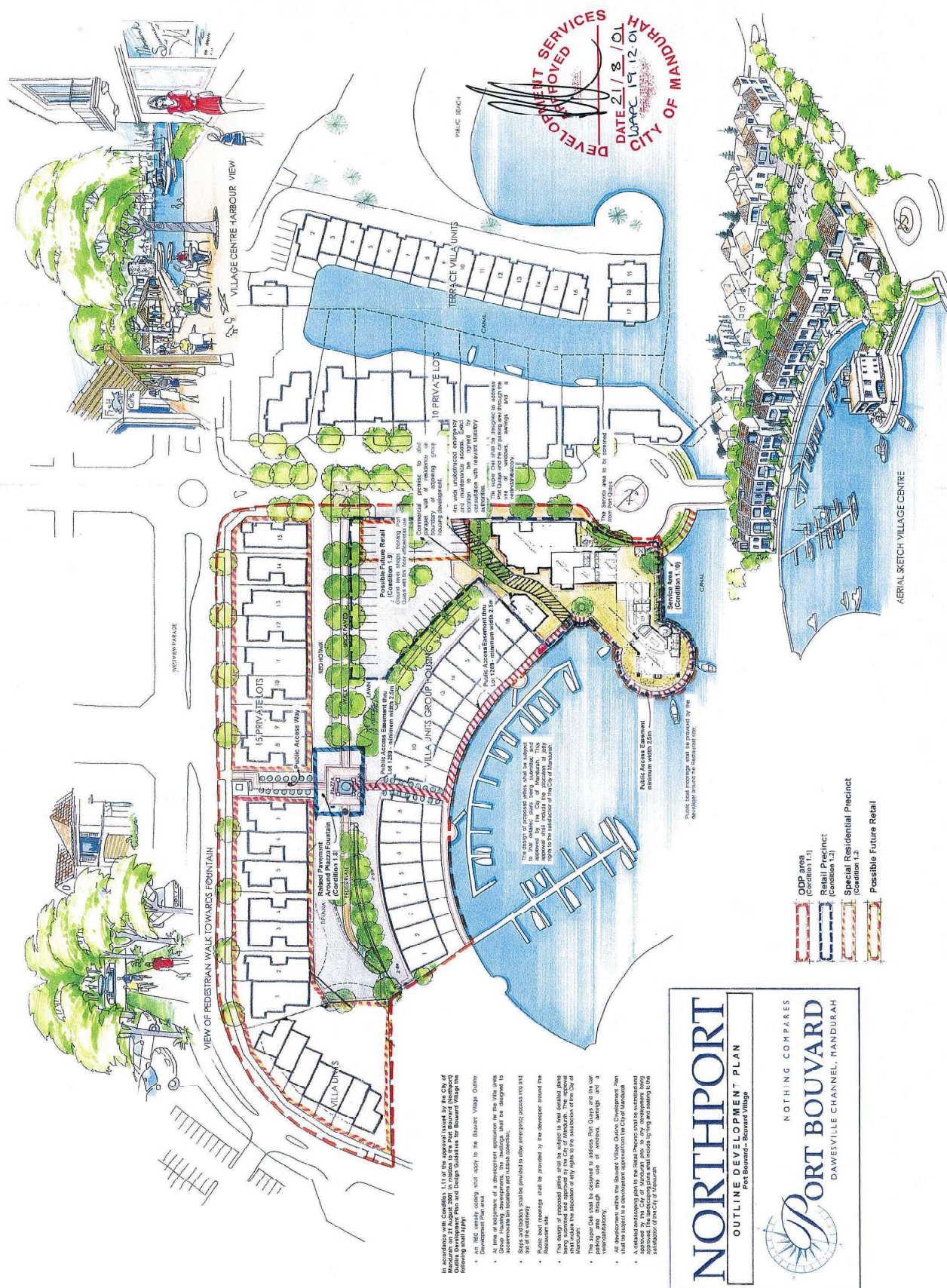
Dated this xxx Day of August 2026
CHIEF EXECUTIVE OFFICER”

2. In accordance with Regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, determines that Amendment No. 5 of the City of Mandurah Local Planning Scheme No. 12 is a standard amendment for the following reasons:
- a) the amendment relates to a zone that is consistent with the objectives identified in the scheme for that zone;
 - b) the amendment is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;
 - c) an amendment to the scheme so that it is consistent with the region planning scheme that applies to the scheme area;
 - d) the amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment;
 - e) the amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and
 - f) is not an amendment that is a complex or basic amendment.;
3. Authorises the Chief Executive Officer (through the Coordinator Planning and Lands) to prepare the necessary Scheme Amendment documentation for Amendment No. 5 to the City of Mandurah Local Planning Scheme No. 12.

Attachments

- 1. Northport Village DA [14.2.1 - 1 page]
- 2. Northport Village ODP [14.2.2 - 5 pages]





BOUVARD VILLAGE DESIGN GUIDELINES

1. Application

These design guidelines have been adopted under the provisions of Clause 7.11 of Town Planning Scheme No. 3 and shall be used in the assessment of all planning applications with the Bouvard Village Outline Development Plan as adopted by Council and the Western Australian Planning Commission.

In assessing an application for planning approval with the area covered by the Outline Development Plan, Council shall have regard to the Design Guideline's Statement of Intent and the objectives of Town Planning Scheme No. 3.

Except as otherwise provided for in the design guidelines, the provisions of Town Planning Scheme No. 3 shall apply.

2. Statement of Intent

- The purpose of these Guidelines is to ensure the built form within the Bouvard Village evokes a feeling of a Mediterranean seaside village.
- Designs should be simple in nature and reflect the maritime qualities of the seaside and canal location and to address the climatic conditions of the Peel Region.
- The area covered by the Bouvard Village Outline Development Plan should function in such a way as to integrate all of the components of the Village allowing for and protecting both public and private amenity
- Public access throughout the Village shall be encouraged whilst at the same time protecting the privacy and amenity of residents within the Bouvard Village.

3. Land Uses and Zoning

3.1 The following uses shall be classed as a 'P' use for area shown as 'Retail Precinct' on the approved Outline Development Plan:

- Additional Accommodation
- Arts and Craft Display
- Bank
- Bed and Breakfast Accommodation
- Canal & Retaining Walls and Fencing
- Car Park
- Chalets, Holiday Flats and Cabins
- Child Family Care Centre
- Civic Use
- Club Premises

- Consulting Room
- Convenience Store
- Corner Shop
- Dwelling (Single, Group, Multi)
- Display Home Centre
- Eating House
- Health Studio
- Home Occupation
- Licensed Restaurant
- Liquor Store
- Marina
- Medical Clinic
- Office
- Office Air Display
- Reception
- Restaurant
- Service Premises
- Shop
- Take Away Food Outlet

3.2 The following uses shall be classed as a 'P' use for area shown as 'Special Residential' on the approved Outline Development Plan:

- Additional Accommodation
- Bed and Breakfast Accommodation
- Child Family Care Centre
- Consulting Room
- Convenience Store
- Corner Shop
- Display Home Centre
- Home Occupation
- Office
- Shop

3.3 Where a use of the land for a particular purpose is not specifically mentioned in Section 3.1 and 3.2, Council may consider the use in accordance with Clause 3.2.3 of Town Planning Scheme No. 3 using the objectives and purposes of the Statement of Intent under Section 2 of these Design Guidelines.

4. Site Coverage and Open Space

The site coverage requirements for the "Private Lots" fronting Westview Parade shall be a maximum of 60% and a minimum open space of 40%, provided that a minimum courtyard area of 24 square metres is provided.

5. Setbacks

- 5.1 The front setback to Westview Parade shall be a minimum of 3 metres with some variation to the front building line setback being achieved;
- 5.2 The rear setback for the “Private Lots” fronting Westview Parade shall be a minimum of 1.0 metres, with the garage having a maximum setback of 1.5 metres;
- 5.3 The development of living areas above garages shall be encouraged for the “Private Lots”.
- 5.4 The side setback for the “Private Lots” fronting Westview Parade may have a nil setback to one side boundary for part or all of the length of the boundary without consultation with an adjoining landowner. Setbacks for the other side boundary shall be as per the Residential Planning Codes, including Clause 1.5.8(f). In determining the appropriateness of a nil setback Council shall have regard to overlooking, overshadowing and solar orientation;
- 5.5 The front and rear setbacks for the “Villa Units Group Housing” shall be as shown and generally in accordance with the Bouvard Village Outline Development Plan.

Setbacks to the canal wall for the “Villa Units Group Housing” shall be subject to the requirements of Table 11 of Town Planning Scheme No. 3;
- 5.6 Open Sided Balconies may be permitted to the front and rear of all dwellings with a minimum setback of 1.5 metres;
- 5.7 Non-residential development fronting Port Quays shall be a nil setback, with awnings and verandahs provided over the footpath, subject to Council’s policy.

6. Building Heights

Consideration to overlooking, overshadowing, amenity and the elevations provided on the Bouvard Village Outline Development Plan shall be taken into consideration in the assessment of building heights.

7. Solar Orientation

Dwellings should be sited and designed to utilise passive solar principles. This shall include appropriate eave treatments to shelter windows on north facing walls and the provision of useable courtyard and private open space areas that have access from a habitable room.

8. Fencing

- 8.1 The style of the external boundary fence, walls and screens shall be compatible with the design of the dwelling and the streetscape. The proposed fence matches the architectural style, colour and materials of the dwelling and shall be constructed of limestone, brick, or masonry materials.
- 8.2 Fences between any dwelling and Westview Parade and any dwelling and the canal shall be solid to a maximum height of 1.0 metre, and visually permeable to a height of 1.8 metres. Above 1.0 metre, the fencing shall be of wrought iron or tubular steel.
- 8.3 No boundary fence or screen wall shall exceed 1.8 metres in height above the lowest ground level adjacent to the fence or screen;

9. Outbuildings and Other Structures

- 9.1 All outbuildings shall be integrated and be compatible with the main building;
- 9.2 Refuse and bin storage areas shall be screened from public view.

10. Vehicles Parking and Accommodation

- 10.1 A minimum of 2 car parking bays shall be provided for each of the "Private Lots", with a minimum single garage, incorporating a storage area.
- 10.2 Access to the garages for the "Private Lots" shall be from the rear of the lots and not from Westview Parade.
- 10.3 For any group dwelling development, car parking shall be in accordance with the Residential Planning Codes.

Subject: 14.3 Amendments No 8 and 9 to Local Planning Scheme 12 – Short Term Rental Accommodation and Tourist Development on Golf Course Sites

Summary

The State Government's planning reforms for short-term rental accommodation came into effect on 18 September 2024 via *Planning and Development (Local Planning Schemes) Amendment (Short Term Rental Accommodation) Regulations 2024* ('STRA Regulations').

As a result, local governments are required to amend their local planning schemes to ensure a consistent approach to short term rental accommodation ('STRA'). In addition, a number of sites where tourist development was previously permitted and could be developed under Town Planning Scheme 3 require update and review.

As a result, two Amendments are proposed to Local Planning Scheme No 12:

- Amendment No 8: Short Term Rental Accommodation (STRA) modifications; and
- Amendment No 9: Tourist Accommodation on Private Community Use Zoned Land.

Amendment No 8 to Local Planning Scheme No 12 ('Scheme 12') is required to ensure alignment with the new 'deemed' and 'model' land use classes and general definitions introduced into the state planning framework. Most significantly, it includes amendments to reflect the 'deemed' land use classes previously identified as 'holiday homes' as:

- 'hosted short-term rental accommodation' and
- 'unhosted short-term rental accommodation',

together with the removal of superseded land uses.

These changes are a result of extensive review from industry and State Government, discussion papers, parliamentary reviews, and regulatory change. Amendment 8 was adopted as a 'basic' amendment with no need for advertising and there is no change to the Council's previous approach to 'holiday homes'.

Amendment No 9 proposes to reinstate tourist development opportunities on two development sites that adjoin and are a part of The Cut Golf Course and Meadow Springs Golf Course which were permitted in the previous Town Planning Scheme 3, however in aligning standard land use zones from the model provisions for local planning schemes, these uses are no longer permitted. Amendment 9 seeks to reinstate these uses being permitted on these sites as 'additional uses'.

Amendment No 8 and 9 were adopted by Council in May 2025, however the Western Australian Planning Commission required a change to Amendment 8 to become a 'standard' amendment due to a land use change proposal in the Tourist zone and therefore subject to advertising and requirement that both Amendments were advertised concurrently.

Both Amendments were advertised from 6 May 2026 to 19 June with 2 submissions being received for Amendment No 8 and 6 for Amendment No 9. Whilst a number of key elements were received in submissions, due to the STRA Regulations and the context and history to both golf course sites, both Amendments are recommended for final approval and forwarding to the Western Australian Planning Commission for the Minister for Planning's final approval.

Disclosure of Interest

The Manager, Strategic Planning and Urban Design declares an impartiality interest as a family member is employed on a casual basis by Ten Golf, owners and operators of The Cut Golf Course.

Previous Relevant Documentation

G.4/05/25	27 May 2025	Council resolved to adopt Amendment No 8 and No 9 to Local Planning Scheme 12. Amendment No 8 as a 'basic' amendment and Amendment No 9 as a 'standard' amendment.
P.8/8/17	1 August 2017	Council resolved to continue to take an approach which limits its involvement in the approval process of Holiday Homes but remain responsive to complaints received, consistent with its position of 2015.
G.19/6/15	23 June 2015	Council adopted a 'Responsive Action' approach to Holiday Homes
G.17/03/15	24 March 2015	Council resolved that Officers report back to Council to initiate a Local Law and relevant town planning amendment in addition to detailing observations over Easter and complaints received in relation to Holiday Homes.

Background

Amendment No 8: Short-Term Rental Accommodation (STRA)

Short-Term Rental Accommodation (STRA) refers to the practice of renting out a property (or part of a property) for a relatively short period of time, usually on a nightly or weekly basis. This type of accommodation is usually booked through online platforms and is popular among travellers and visitors seeking temporary lodging for holidays, business trips or other short stays. The State Government has committed to various initiatives to deliver better regulation of the short-term rental accommodation sector.

In November 2023, the Western Australian Planning Commission released its *Position Statement: Planning for Tourism and Short-Term Rental Accommodation* (Position Statement) and associated Guidelines. The release of the Position Statement complemented other whole-of-government reforms relating to STRA, responding to recommendations made in the 2019 parliamentary enquiry *Levelling the Playing Field: Managing the impact of the rapid increase of short-term rentals in Western Australia*. This included development of a state-wide registration scheme for STRA, as well as an incentive scheme to encourage transition of properties from the short to long term rental market.

Alongside the registration scheme, which sits separately to the planning system and is mandatory for all STRA, amendments to planning regulations were flagged as a key part of the State Government's goal to ensure a fairer and more consistent treatment of STRA from both a legal and practical standpoint. The planning changes, which have triggered the need for the City to amend its scheme, aim to provide greater consistency across the state in relation to what approvals are needed for STRA proposals as well as how these uses are defined in local planning schemes.

State Planning Framework

The State Government's planning reforms for short-term rental accommodation are being implemented predominantly through the *Planning and Development (Local Planning Schemes) Regulations 2015 amendment – Planning and Development (Local Planning Schemes) Amendment (Short-Term Rental Accommodation) Regulations 2024* (STRA Regulations), which in turn have been informed by policy direction provided through the Position Statement.

Local Planning Context

Local Planning Scheme No.12 was gazetted on 11 April 2022.

Historically in Mandurah, properties have been used as Holiday Homes, either by families in family-owned properties, or by owners renting properties on a short-term basis. Anecdotally, observations have been made that holiday homes have transitioned to a more business-based approach than has previously been the case and these properties are more easily accessible via the many national and international holiday home websites that are available.

Council considered reports in March and June 2015 in relation to issues surrounding the operation of Holiday Homes within the City. A number of options for the management of Holiday Homes were considered including:

1. The introduction of a Local Law similar to the City of Busselton model which would require all Holiday Homes to obtain an approval under the Local law and the planning scheme.
2. Amending the Town Planning Scheme to introduce definitions for Holiday Homes, an approval process akin to that which is currently in place in relation to the operation of Home Occupations.
3. Improving the City's response procedures to address community concern.

At the time, it was determined that it was difficult to determine whether a dwelling is being utilised for holiday purposes or by the owners. It was found that many of these dwellings had no visual differentiation between each other and other residential properties on the street, with car proliferation being minimal and in keeping with expectations for standard residential properties.

Following consideration of the various options for addressing the operation of holiday homes, Council resolved to adopt a 'Responsive Action' response that included recording known Holiday Home locations, giving complaints in relation to noise, vehicle parking and refuse associated with known Holiday Homes a high priority, and preparing a brochure outlining procedures to be followed if issues in relation to the operation of a Holiday Home should arise. Extensive work was undertaken to research and identify operative holiday homes and maintaining a register to aid communication with owners to prioritise addressing of complaints.

In the 10 years of operation of this approach, very limited concern or impacts of holiday homes in residential areas have eventuated and they remain exempt for planning approval in Scheme 12.

However, in July 2024, a state-wide STRA Register (*'the Register'*) came into effect, implemented to gather information on the STRA sector in Western Australia (WA), in accordance with the *'Short-Term Rental Accommodation Act 2024'*. The information collected from the Register will be used to enable data driven decision making, allowing for more informed policy and regulatory responses to be made. As of 1 January 2025, it is a mandatory requirement that all STRA operating within WA must be registered with the State Government. This information replaces the need for the City to have its own register of holiday homes.

The register is maintained through the Department of Local Government, Industry Regulation and Safety (LGIRS) and based on publicly available information, there are 647 premises in Mandurah currently registered.

Position Statement

The Western Australian Planning Commission produced a Position Statement that foreshadowed a series of amendments to the *Planning and Development (Local Planning Schemes) Regulations 2015* ('LPS Regulations') with the overall aim of providing more certainty and consistency across jurisdictions in respect to the treatment of STRA.

Key changes flagged in this document included dedicated land use classes for STRA to ensure a clear delineation between this use and traditional accommodation types, as well as a state-wide exemption for *hosted* STRA (where the owner-occupied is on site during a stay) and a 90-night exemption for *unhosted* STRA (where the site is rented out and the owner-occupied is not on site during a stay) within the Perth Metropolitan Area.

The Position Statement also included guidance on strategic and statutory planning matters for both tourism and STRA, as well as local planning policy development.

Local Planning Scheme (LPS) Regulations

The LPS Regulations are a key component of Western Australia's planning system comprising of three major parts:

- Regulations proper, which set out the process for preparing or amending a local planning scheme;
- 'Model' provisions, set out in Schedule 1, which are to be used by local governments in preparing or amending a local planning scheme; and
- 'Deemed' provisions, set out in Schedule 2, read automatically into all local planning schemes, and override any existing scheme provision to the extent of any inconsistencies. Where there is a conflict between these provisions and the scheme, the deemed provisions prevail.

Amendments to both Schedules 1 and 2 of the LPS Regulations have been made to facilitate the necessary planning changes of the State Government's short-term rental accommodation (STRA) reform initiatives, as envisaged by the Position Statement.

These changes, most notably, include:

- new 'deemed' land use classes (which means that they apply to all planning schemes without a further modification required to the local planning scheme) of 'hosted short-term rental accommodation' and 'unhosted short-term rental accommodation' to ensure these accommodation types are classified as dedicated land use classes in planning schemes and are consistent for all local planning schemes;
- new 'deemed' general terms (which means that they apply to all planning schemes without a further modification required to the local planning scheme) to define 'short-term rental accommodation' and link to the overarching *Short-Term Rental Accommodation Act 2024*, which provides the legal framework for the STRA Register;
- a new 'model' land use class of 'tourist and visitor accommodation' (which means that they apply to all planning schemes when an amendment or new scheme is proposed) to differentiate these use types from STRA, and consolidate a number of existing land use terms for tourist and visitor accommodation (aside from 'hotel'), as well as other changes to general definitions;
- a state-wide development approval exemption for 'hosted short-term rental accommodation' (this includes ancillary dwellings); and

- a 90-night (cumulative) exemption within a 12-month period for ‘unhosted’ short-term rental accommodation in the Perth metropolitan area; however, in regional areas (including the Peel Region), local governments have discretion to determine permissibility within their own local planning scheme.

Council was required to initiate an amendment to Scheme 12 as soon as possible with the amendment expected to be finalised by mid - 2025, – however due to other changes to Amendments 8 and 9, including the need for referral to the Environmental Protection Authority and advertising, this date was not achieved. Other than inconsistency between definitions in the Deemed Provisions being inconsistent with the land use table in Scheme 12, there are no major issues with these timeframes,

Council Adoption of Scheme Amendment No 8 (STRA) (May 2025)

With the introduction of the new deemed land use classes into planning schemes associated with short-term rental accommodation, local governments are required to amend their local planning schemes to modify and delete various land use and general definitions to Scheme 12. There are new exemptions that are also ‘deemed’ and as such are already operative, and this amendment proposes changes to the zoning table to reflect the hosted STRA exemption as a permitted use.

Whilst the new ‘deemed’ land use classes are automatically read into the Scheme 12 through the LPS Regulations, these uses are being incorporated into scheme zoning tables to ensure absolute clarity from an interpretation perspective, particularly given these uses replace previous land use classes within the City’s planning framework.

In addition to the STRA Regulations, the Position Statement and Planning Bulletin 115 provide further direction for how STRA should be dealt with in local planning schemes from a permissibility standpoint. To reflect these requirements, this amendment proposes the following designations for these new land use classes:

- ‘Hosted short-term rental accommodation’ is to be a Permitted use in all zones where any type of ‘dwelling’ is capable of approval, to reflect the state-wide exemption in the ‘deemed provisions.’ Hosted Short Term Rental Accommodation has historically been called a ‘Bed and Breakfast’ in local planning schemes and have been exempt from the need for development approval in Mandurah for a significant period of time.
- ‘Unhosted short-term rental accommodation’ (previously called ‘holiday homes’) within the Perth Metropolitan Area are exempt from requiring development approval for a period of up to 90-nights within a 12-month period from the date of registration. Use beyond requires a development approval from the local government.

For local governments outside the Metropolitan Region Scheme, zoning table and scheme provisions for unhosted short term rental accommodation regardless of the number of nights used in a 90-day period are at the discretion of the individual local governments. This is in recognition of the need to provide greater flexibility for regional local governments, acknowledging that there are various approaches dependent on local community demographics, housing availability and tourism markets. In Scheme 12, holiday homes are included in the Scheme as a permitted use within a range of zones where a house is permitted and due to the extensive history of dealing with ‘holiday homes’, this is proposed to continue for ‘unhosted short-term rental accommodation’.

- A new model land use class of ‘Tourist and Visitor Accommodation’ has been introduced to supersede various traditional accommodation land use types and provide a clearer delineation between these traditional formal tourist uses and ‘short-term rental accommodation’.

‘Tourist and Visitor Accommodation is defined as (as per the model provisions):

- (a) *means a building, or a group of buildings forming a complex, that —*
- (i) *is wholly managed by a single person or body; and*
 - (ii) *is used to provide accommodation for guests, on a commercial basis, with no individual guest accommodated for a period or periods exceeding a total of 3 months in any 12-month period; and*
 - (iii) *may include on-site services and facilities for use by guests; and*
 - (iv) *in the case of a single building — contains more than 1 separate accommodation unit or is capable of accommodating more than 12 people per night;*
- and*
- (b) *includes a building, or complex of buildings, meeting the criteria in paragraph (a) that is used for self-contained serviced apartments that are regularly serviced or cleaned during the period of a guest's stay by the owner or manager of the apartment or an agent of the owner or manager; but*
- (c) *does not include any of the following —*
- (i) *an aged care facility as defined in the Land Tax Assessment Act 2002 section 38A(1);*
 - (ii) *a caravan park;*
 - (iii) *hosted short-term rental accommodation;*
 - (iv) *a lodging-house as defined in the Health (Miscellaneous Provisions) Act 1911 section 3(1);*
 - (v) *a park home park;*
 - (vi) *a retirement village as defined in the Retirement Villages Act 1992 section 3(1);*
 - (vii) *a road house;*
 - (viii) *workforce accommodation;*

Note: Underlined terms are defined elsewhere in the local planning scheme.

In the context of Scheme 12, this implies the deletion of the following uses within the zoning table, various Special Use zones and parking requirements tables to align to the new definitions:

- Motel – specifically referenced in the new land use class definition;
- Serviced apartment – specifically referenced in the new land use class definition;
- Tourist development – directly replaced by the new use class; and
- Holiday accommodation – directly replaced by the new class.

A summary of the proposed changes (compared to existing) is as follows (as adopted by Council for advertising):

Existing Use Class	Proposed Use Class	Land Use Permissibility (see below for definition of D, X, P and I)
• Bed and Breakfast Accommodation	• Hosted Short-Term Rental Accommodation	• D in Centre Zones • X in Business Zones • P in Residential Zones • I in Tourism Zone (note – see ‘comment’ section below on changes)
• Holiday Home	• Unhosted Short-Term Rental Accommodation	• D in Centre Zones • X in Business Zones • P in Residential Zones • I in Tourism Zone (note – see ‘comment’ section below on changes)
• Motel • Serviced Apartment • Tourist Development • Holiday Accommodation	• Tourist and Visitor Accommodation	• P in Neighbourhood Centre • D in Local Centre • X in Business Zones • A in Residential Zones • P in Tourism Zone
• Hotel	(No Change)	

Notes:

- *P is Permitted (no approval required); D is Discretionary (approval required); A is Discretionary but must be advertised; I is Incidental (meaning it is ancillary to the main use); X is Not Permitted*
- *Centre Zones: Neighbourhood Centre and Local Centre*
- *Business Zones: Service Commercial and General Industry*
- *Residential Zones: Mixed Use, Residential, Rural Residential, Rural Smallholdings, Rural*
- *Strategic Centre and District Centre zones reference are provided in Precinct Structure Plans*

There are also some consequential changes required to general terms used in Scheme 12 as they are not included in the Deemed Provisions for Local Schemes.

These changes are reflected in the Amendment Text and summarised as follows:

Existing	Proposed
cabin <i>means a dwelling forming part of a tourist development or caravan park that is:</i> (a) <i>an individual unit other than a chalet; and</i> (b) <i>designed to provide short-term accommodation for guests.</i>	<i>means a building that -</i> (a) <i>is an individual unit other than a chalet; and</i> (b) <i>forms part of –</i> (i) <i>tourist and visitor accommodation; or</i> (ii) <i>a caravan park</i>

Existing	Proposed
	and (c) <i>if the unit forms part of a caravan park - is used to provide accommodation for persons, on a commercial basis, with no individual person accommodated for a period or periods exceeding a total of 3 months in any 12-month period</i>
chalet <i>means a dwelling forming part of a tourist development or caravan park that is -</i> (a) <i>a self-contained unit that includes cooking facilities, bathroom facilities and separate living and sleeping areas; and</i> (b) <i>designed to provide short-term accommodation for guests.</i>	<i>means a building that —</i> (a) <i>is a self-contained unit that includes cooking facilities, bathroom facilities and separate living and sleeping areas; and</i> (b) <i>forms part of –</i> (i) <i>tourist and visitor accommodation; or</i> (ii) <i>a caravan park</i> (c) <i>and if the unit forms part of a caravan park - is used to provide accommodation for persons, on a commercial basis, with no individual person accommodated for a period or periods exceeding a total of 3 months in any 12-month period.</i>
short-term accommodation <i>means temporary accommodation provided either continuously or from time to time with no guest accommodated for periods totalling more than 3 months in any 12-month period.</i>	<i>definition deleted</i>

Amendment No 9: Tourist Accommodation on selected Private Community Uses Zoned Land

Under Town Planning Scheme No 3 (Scheme 3), land located adjacent to, or a part of existing golf courses were included in zones that allowed for or provided for additional development opportunities to allow for tourist accommodation:

- Lot 3000 Meadow Springs Drive (north-west corner) – Meadow Springs Golf Course

The land was zoned Urban Development and identified as ‘golf course’ within the Meadow Springs Structure Plan, with prior concepts for the master planning of the Meadow Springs estate identifying tourist development opportunities close to the club house and around the remaining vacant land on the corner of Meadow Springs Drive and Oakmont Avenue. No further considerations or discussion have been made for an extended period on the development potential of this land, however, as it is zoned land, it is expected, over time, that opportunities may arise for further dialogue to activate this development site.



- Lot 400 and 401 Country Club Drive, Dawesville – The Cut Clubhouse site

Originally one site, the site was subdivided into two lots to facilitate a tourist / serviced apartment site on Lot 401 in 2015 under previous ownership of the golf course and clubhouse. The golf course itself sits on two separate sites – Lot 1500 (owned in freehold) and Reserve 2851 (lease over a Crown Reserve).

Lots 400 and 401 were zoned Urban Development in Scheme 3, with the Southport Structure Plan identifying these lots as 'Clubhouse' together with a requirement for this site and adjoining sites to be subject to a Development Guide Plan to determine land use, development outcomes, height, and scale. The subject lots were identified as 'Clubhouse Site' with a height of 6 storeys to allow for 34 short stay apartments. Whilst this Development Guide Plan can continue to be referenced as a Local Development Plan for this location, the land use provisions have been replaced by Scheme 12 provisions.



In preparing the then draft Scheme 12, initial drafts included these sites in a 'special use' zone to allow for a range of tourist and golf course related development outcomes, however, the final version was required to align with the Model Provisions for Local Planning Schemes, and these sites, together with private schools and the Mandurah Greyhounds site within the 'Private Community Uses' zone. The objectives of this zone are as follows:

- To provide sites for privately owned and operated recreation, and education premises.
- To integrate private recreation areas with public recreation areas wherever possible.
- To provide for a range of privately owned community facilities and uses that are incidental and ancillary to the provision of those facilities, which are compatible with surrounding development.
- To ensure that the standard of development is in keeping with surrounding development and protects the amenity of the area.
- To provide for the educational and private recreation requirements of the wider region without unduly impacting on local amenity.

- To provide for the controlled development of existing educational institutions and identified private recreation facilities within the Town, including private educational facilities, sports grounds with facilities for spectators, and recreation activities of a similar nature.
- To ensure that the activities on these sites do not unduly affect the residential amenity of the locality including, but not limited to, traffic and parking.

In preparing the land use table for this zone to cover privately owned recreation and education premises was challenging, given the extensive differences in context of a private school in a suburban and residential location to sites that have recreational and high level of visitation.

As a result, the land use table is generally designed to align with the private education perspective in a residential context. Notably, residential and tourist development uses are not permitted in the Private Community Uses zone in Scheme 12.

Council Adoption of Amendment No 9 (May 2025)

Since Scheme 12 must adhere to the model provisions for local schemes and lacks specific provisions to address the conflict between previous scheme controls and the need to manage both private education sites and privately run golf courses within a single zone, a logical approach is required.

This involves identifying additional uses suitable for selected sites and establishing a requirement for a local development plan. This plan will manage development controls such as height, scale, access, and setbacks, serving as a precursor to detailed design for development outcomes. The Department of Planning, Lands and Heritage has supported this approach. Consequently, modifications to Table 4 of Scheme 12 are proposed to address these issues as follows:

No	Description of Land	Additional Use	Conditions
A2	<i>Lot 3000 Meadow Springs Drive, Meadow Springs</i>	<i>P Uses:</i> <i>Tourist and Visitor Accommodation</i>	<i>(a) Where Tourist and Visitor Accommodation Uses are proposed, the site shall be subject to a Local Development Plan as per Part 6 of the Deemed Provisions to determine the location, form and scale of development for the site, having regard to the prevailing form of development surrounding the site, and ensure an appropriate interface to existing residential development.</i>
A3	<i>Lot 400 and 401 Country Club Drive, Dawesville</i>	<i>P Uses:</i> <i>Tourist and Visitor Accommodation</i>	<i>(a) Where Tourist and Visitor Accommodation Uses are proposed, the site shall be subject to a Local Development Plan as per Part 6 of the Deemed Provisions to determine the location, form and scale of development for the site, having regard to the</i>

No	Description of Land	Additional Use	Conditions
			<i>prevailing form of development surrounding the site, and ensure an appropriate interface to existing residential development.</i>

Comment

Following Council's adoption of Amendment 8 and 9 in May 2025, relevant Scheme Amendment documents were prepared, and subsequent steps were taken in regard to the Planning and Development Act. Local Planning Scheme Regulations were undertaken including the requirements to receive the Minister for Planning's consent to advertise and approval to advertise by the Environment Protection Agency.

Amendment No 8

In forwarding Amendment No 8 to the WAPC for final approval, under delegation, the Department of Planning, Lands and Heritage (the Department), in regard to Amendment No. 8, resolved to:

- 1) *require the local government to modify the scheme amendment in the following manner:*
 - (a) *Amend the land use permissibility for 'Hosted Short-term Rental Accommodation' under Clause 3.2 Zoning Table to a 'P' use in the Neighbourhood Centre, Local Centre and Tourism zones.*
 - (b) *Amend the land use permissibility for 'Unhosted Short-term Rental Accommodation' under Clause 3.2 Zoning Table to a 'P' use in the Tourism zone.*
- 2) *require the local government to resubmit the modified amendment for approval to advertise in accordance with section 83A(2)(a) of the Planning and Development Act 2005.*

The local government is also advised:

- a. *That the Western Australian Planning Commission considers the scheme amendment to be a **standard** amendment in accordance with Regulation 59 of the Planning and Development (Local Planning Schemes) Regulations 2015.*
- b. *That it must comply with Section 84 of the Planning and Development Act 2005, and the relevant procedures set out under Part 5 Division 3 of the Planning and Development (Local Planning Schemes) Regulations 2015, as the proposed scheme amendment is a standard amendment.*
- c. *While a preliminary assessment has been undertaken, this should not be construed as support for the amendment or that further modifications cannot be required following advertising.*

The Scheme Amendment text has been updated accordingly.

One one submission received raised a number of context, history and ongoing management challenges within Lot 507 Apollo Place. For some background, the subject development was approved in December 1998.

The City has sought legal advice on options to explore mechanisms to regulate residential and short-term rental accommodation at this location under the provisions of the *Planning and Development Act 2005* and *Building Act 2011*. Subsequent advice has been provided to the strata, property owners and operators. There are a range of matters concerning the conditions imposed on the

development at the time including, non-conforming land use and the enforceability of the above legislation in this situation that are not directly linked to Scheme Amendment 8.

Local Planning Strategy

As part of the original December 2009 Local Tourism Planning Strategy and then reflected in the current Local Planning Strategy that was largely prepared in 2013 but not finalised until 2021, a key focus was to transition from a very generic zoning for Tourism development to a focused one for protection of key tourism sites and precincts to ensure an ongoing tourism function remains in place.

The Local Planning Strategy identifies a number of key sites relating to tourism and provides the following commentary:

The majority of identified tourism sites are located within the Mandurah Strategic Centre and will be protected via a tourism designation within the Precinct Structure Plan, with site specific requirements applicable to each tourism site, to specify permitted uses and maximum residential occupancy. For those sites located outside the Mandurah Strategic Centre, the 'Tourism' zone and the 'Special Use' zone are proposed to be utilised within Scheme 12, to ensure future land uses are consistent with the specified tourism function of each site.

A range of tourism type uses (including holiday houses, tourist accommodation and eco-tourism) will also continue to be permitted across a number of zones within both Scheme 12 and the relevant Precinct Structure Plans. This will provide the flexibility to consider tourism proposals in appropriate locations, as well as provide for a variety of accommodation options within Mandurah.

Hosted STRA and Unhosted STRA as 'Permitted Use' in the Tourism Zone

The objective of the Tourism zone is as follows:

- *To promote and provide for tourism opportunities.*
- *To provide for a variety of holiday accommodation styles and associated uses, including retail and service facilities where those facilities are provided in support of the tourist accommodation and are of an appropriate scale where they will not impact detrimentally on the surrounding or wider area.*
- *To allow limited residential uses where appropriate.*
- *To encourage the location of tourist facilities so that they may benefit from existing road services, physical service infrastructure, other tourist attractions, natural features and urban facilities.*

To maintain primacy of the zone, limited areas outside the Mandurah Strategic Centre Precinct Structure Plan area are zoned Tourism and in regard to residential uses, a single house is an 'X' use (so therefore not permitted); and grouped and multiple dwellings are a 'D' use (so there is discretion to approve against objectives of the Scheme).

As a result of the above, 'bed and breakfast' (now to be called 'hosted STRA') and 'holiday home' (now to be called 'un-hosted' STRA) were allocated as 'I' uses which means they are 'incidental' to the main predominant use of the land.

By definition of hosted STRA and unhosted STRA now published in the deemed provisions in the LPS Regulation, the definition of 'short term rental accommodation' **'means a dwelling provided, on a commercial basis, for occupation under a short-term rental arrangement.'**

The net result of the above means the DPLH's requirement to change hosted STRA and unhosted STRA to a 'permitted' use in the Tourism zone is at odds with the objectives of the Tourism zone and the existing land use permissibility for residential uses in the Tourism zone and therefore, should continue to be incidental and not permitted uses. The DPLH's recommended change has also

resulted in this Amendment changing from a 'basic' to a 'standard' amendment that has resulted in the need to advertise and undertake additional administrative actions to modify.

Amendment No 9

Amendment 9 was granted to consent to advertise in late January 2026 subject to a small administrative error in the documents that required correction. Together with the advice, Amendment No. 9 is required to be advertised and considered either concurrently with or following advertising/consideration of Amendment No. 8 which was actioned.

Six submissions were received for Amendment 9 as follows:

- One from the landowner of both golf course sites in support of the proposal
- One objection from a landowner adjacent to the Meadow Springs Golf Course
- Two objections from landowners close to The Cut Golf Course Clubhouse site
- Two asking questions about the amendment and/or next steps in the process.

Most of the matters raised in submissions can be resolved at subsequent stages of development, however in the context of The Cut Golf Course, a few matters of historical context to the area are relevant to Amendment 9.

The original master planning for the development and around the Dawesville Channel had a significant area on the south-western quadrant identified for tourist development and golf course, with a hotel and resort originally identified at the location that is now occupied by the small canal adjacent to the Channel. In the later part of the 1990s' the Structure Plan was modified to move this 'resort' to the area around the location of the now golf course clubhouse for an area of approximately 4ha and being subject to future planning to allow the remaining residential areas around the golf course to progress.

During 2007 / 2008, the 'Southport Resort Development Guide Plan' was developed for this area – comprising:

- Lot 369 for the Clubhouse
- Lot 370 for residential housing
- Lot 371 development of up to 8 storey apartments (now developed as the Oceanique Apartments and were restricted to this height due to a state policy in place at the time) and
- Lot 372 in two parts – a resort hotel up to 8 storeys and accommodating 180 rooms; and the eastern portion for 25 short stay serviced apartments up to two storeys.

In 2011, this plan was modified to provide clarity over land use and added the provision for 34 apartments (permanent or short stay over 6 storeys) on the Clubhouse lot (Lot 369).

In 2012, this plan was modified to allow for residential subdivision of all or part of Lot 372 which then resulted in the residential subdivision of lots adjacent to Country Club Drive, Resort View, Caddy Lane and Buggy Lane and one remaining vacant site now zoned residential at Lot 9000.

In exchange, Lot 370 (being located between The Clubhouse site and Oceanique apartments site) was allocated as being the tourist development site. A development approval was issued for 71 serviced apartments over four storeys on this site in 2015. The site has since been zoned Tourism in Scheme 12 and remains vacant.

Essentially, submissions on reintroducing tourism development to Lot 369 have raised that the area was not designed for tourist development – however, it was originally designed and planned for tourist development that has not to date eventuated. This Amendment is seeking to correct an anomaly in the fitting in the previous planning for the location into the standard zones in Scheme 12.

MEAG Comment

This item does not have any impact on the natural environment and therefore has not been referred to Mandurah Environmental Advisory Group for comment.

Consultation

As required by the DPLH, Amendment 8 was changed to a 'standard' amendment and therefore required advertising and the consent to advertise both Amendments required them to be advertised concurrently.

Advertising was undertaken from 6 May 2026 to 19 June 2026 via direct mail (email if available) to 180 landowners (after duplicates removed) surrounding both golf courses and/or to previous direct correspondence with landowners and residents in regard to the City's management of STRA. All relevant details were provided on Mandurah Matters and included in public notices.

Comments and responses relating to the submissions are addressed in the comment section and in the Schedule of Submissions (Attachments 1 & 2).

Statutory Environment

The *Local Planning Schemes Regulations 2015* ('Regulations') identifies three different levels of Scheme amendments – basic, standard, and complex. The provisions of Regulation 35(2) of the Regulations requires Council's resolution to specify the level of the amendment and provide justification of the selected scheme amendment level.

Under Planning Bulletin 115, the WAPC however outlined that the classification of amendments is at the discretion of the individual local government, however, the following provides a guide on scenarios where a 'basic' or 'standard' amendment stream might apply with the following options:

- (a) Scheme amendments that propose to replace superseded land use classes with the new STRA land uses, without changes to permissibility in the zoning table, can generally be processed as a 'basic' amendment.
- (b) If an amendment introduces or changes permissibility for new STRA and traditional accommodation uses, or introduces supplemental development standards or other scheme provisions, it will generally be progressed as a 'standard' amendment.

As a result of the above, Amendment No 8 was only proposing to replace superseded land use classes uses, without changes to permissibility in the zoning table, and was to be a 'basic' amendment. A basic amendment can be forwarded direct to the Western Australian Planning Commission with no further advertising and referral to external agencies. However, as the WAPC required changes to the Zoning Table, Amendment 8 was changed to a 'standard' amendment and required advertising.

Following Council's consideration of Amendment 8 and 9, the amendments will be forwarded to DPLH for a recommendation to the WAPC and Minister for Planning for final consideration.

Policy Implications

Nil

Financial Implications

Nil

Economic Implications

The proposed scheme amendment will result in a contemporary and current local planning scheme and provide consistency and certainty within the tourism industry which in turn will support economic growth.

Environmental Implications

The Amendment No 8 does not have any significant environmental impact and as such, no internal referrals have been undertaken. Development outcomes arising from Amendment No 9 will be dealt with through subsequent stages of planning through development application process.

Risk Implications

If the proposed scheme amendment is not adopted, there is risk in Scheme 12 not being consistent with the STRA Regulations.

Strategic Implications

The following strategies from the City of Mandurah Strategic Community Plan 2024-2044 are relevant to this report:

Economy

- A diversified economy that supports growth sectors
- Well-planned, sustainable urban development
- A thriving city that residents are proud to call home and people want to visit
- A supportive business environment where investment is encouraged, and entrepreneurship prospers

Leadership

- Sound decisions based on evidence and meaningful engagement

Conclusion

The State Government's planning reforms for short-term rental accommodation came into effect on 18 September 2024 via *Planning and Development (Local Planning Schemes) Amendment (Short Term Rental Accommodation) Regulations 2024* ('STRA Regulations'). As a result, local governments are required to amend their local planning schemes to ensure a consistent approach to short term rental accommodation ('STRA').

Amendment No 8 and 9 were adopted by Council in May 2025 to implement these changes, together with bringing previously permitted tourist land uses back to two golf course sites.

Both Amendments were advertised from 6 May 2026 to 19 June 2026, with two submissions being received for Amendment No 8 and six for Amendment No 9. Whilst a number of key elements were received in submissions, due to the STRA Regulations and the context and history to both golf course sites, both Amendments are recommended for final approval and forwarding to the Western Australian Planning Commission for the Minister for Planning's final approval.

Officer Recommendation

That the Planning and Community Consultation Committee recommend that Council:

- 1. in accordance with Regulation 41(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, notes the submissions received in respect to Amendment**

No 8 and 9 to the City of Mandurah Local Planning Scheme No. 12 and endorses the response to the submissions as contained in Attachments 1 and 2.

2. in accordance with Regulation 41(3)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015* determines to **SUPPORT WITH PROPOSED MODIFICATIONS** to Amendment No 8 to the City of Mandurah Local Planning Scheme No. 12 and forward the amendment to the Western Australian Planning Commission seeking final approval by the Minister for Planning with the Scheme Amendment text to read as follows:

(a) In Division 1, Clause 6.1, 'Terms Used':

- **delete the definition for 'short-term accommodation'.**
- **replace the general definition for 'cabin' to:**

means a building that -

(a) is an individual unit other than a chalet; and

(b) forms part of –

(i) tourist and visitor accommodation; or

(ii) a caravan park; and

(c) if the unit forms part of a caravan park - is used to provide accommodation for persons, on a commercial basis, with no individual person accommodated for a period or periods exceeding a total of 3 months in any 12-month period.

- **replace the general definition for 'chalet' to:**

means a building that —

(a) is a self-contained unit that includes cooking facilities, bathroom facilities and separate living and sleeping areas; and

(b) forms part of –

(i) tourist and visitor accommodation; or

(ii) a caravan park;

(c) and if the unit forms part of a caravan park - is used to provide accommodation for persons, on a commercial basis, with no individual person accommodated for a period or periods exceeding a total of 3 months in any 12-month period.

(b) In Division 2, Clause 6.2, 'Land Use Terms Used':

- **delete the definitions for:**

– **bed and breakfast**

– **holiday accommodation**

– **holiday house**

– **motel**

– **serviced apartment; and**

– **tourist development.**

- **Inserting the definitions for "tourist and visitor accommodation" as per Schedule 1 – Model Provisions:**

(a) means a building, or a group of buildings forming a complex, that —

(i) is wholly managed by a single person or body; and

- (ii) *is used to provide accommodation for guests, on a commercial basis, with no individual guest accommodated for a period or periods exceeding a total of 3 months in any 12-month period; and*
- (iii) *may include on-site services and facilities for use by guests; and*
- (iv) *in the case of a single building — contains more than 1 separate accommodation unit or is capable of accommodating more than 12 people per night; and*
- (b) *includes a building, or complex of buildings, meeting the criteria in paragraph (a) that is used for self-contained serviced apartments that are regularly serviced or cleaned during the period of a guest's stay by the owner or manager of the apartment or an agent of the owner or manager; but*
- (c) *does not include any of the following —*
 - (i) *an aged care facility as defined in the Land Tax Assessment Act 2002 section 38A(1);*
 - (ii) *a caravan park;*
 - (iii) *hosted short-term rental accommodation;*
 - (iv) *a lodging-house as defined in the Health (Miscellaneous Provisions) Act 1911 section 3(1);*
 - (v) *a park home park;*
 - (vi) *a retirement village as defined in the Retirement Villages Act 1992 section 3(1);*
 - (vii) *a road house;*
 - (viii) *workforce accommodation;*
- (c) *In Clause 3.2 'Zoning Table', insert in alphabetical order the following land uses and permissibility:*

Use Class	Neighbourhood Centre	Local Centre	Service Commercial	General Industry	Mixed Use	Residential	Rural Residential	Rural Smallholdings	Rural	Private Community Uses	Tourism
Hosted Short-Term Rental Accommodation	P	P	X	X	P	P	P	P	P	X	I
Unhosted Short-Term Rental Accommodation	D	D	X	X	P	P	P	P	P	X	I
Tourist and Visitor Accommodation	P	D	X	X	A	A	A	A	A	X	P

- (d) *In Clause 3.2 'Zoning Table'; Table 6 'Special Use Zones in Scheme Area'; Schedule 2 'Parking Requirements' delete references to:*

- **bed and breakfast;**
- **holiday accommodation;**
- **holiday house;**
- **motel;**
- **serviced apartment; and**
- **tourist development.**

(e) In Table 6, 'Special Use Zones in Scheme Area':

- **replace reference of 'bed and breakfast' to 'hosted short-term rental accommodation'; and**
- **replace reference of 'tourist development' with 'tourist and visitor accommodation'**

(f) In Schedule 2 'Parking Requirements':

- **replace reference of 'holiday house' with 'unhosted short-term rental accommodation'; and**
- **replace reference of 'tourist development' with 'tourist and visitor accommodation'**

3. in accordance with Regulation 41(3)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015* determines to SUPPORT WITH NO MODIFICATIONS to Amendment No 9 to the City of Mandurah Local Planning Scheme No. 12 and forward the amendment to the Western Australian Planning Commission seeking final approval by the Minister for Planning with the Scheme Amendment text to read as follows:

(a) Modifying Table 4: Specified Additional Use for Zoned Land in Scheme Area:

No	Description of Land	Additional Use	Conditions
A3	Lot 3000 Meadow Springs Drive, Meadow Springs	P Uses: Tourist and Visitor Accommodation	(a) Where Tourist and Visitor Accommodation Uses are proposed, the site shall be subject to a Local Development Plan as per Part 6 of the Deemed Provisions to determine the location, form and scale of development for the site, having regard to the prevailing form of development surrounding the site, and ensure an appropriate interface to existing residential development.
A4	Lot 400 and 401 Country Club Drive, Dawesville	P Uses: Tourist and Visitor Accommodation	(a) Where Tourist and Visitor Accommodation Uses are proposed, the site shall be subject to a Local Development Plan as per Part 6 of the Deemed Provisions to determine the location, form and scale of

No	Description of Land	Additional Use	Conditions
			<i>development for the site, having regard to the prevailing form of development surrounding the site, and ensure an appropriate interface to existing residential development.</i>

(b) Amending the Scheme Maps accordingly.

Attachments

1. Scheme Amendment No 8 Schedule of Submissions [**14.3.1** - 4 pages]
2. Scheme Amendment No 9 Schedule of Submissions [**14.3.2** - 8 pages]

Proposed Local Planning Scheme Amendments No 8 (Short Term Rental Accommodation): Schedule of Submissions

No.	Summary of Submission	Local Government Response
1.	Apollo Quay Apollo Place, Halls Head <i>a purpose-built mixed tourism/residential strata development, within which we operate the onsite letting services and caretaking business under management rights agreements</i> (a) Acquired the business in December 2021, relying on: - the original planning approval - building classification - the centrally managed operational structure - and the established serviced apartment tourism model Since that time, we have experienced a sustained and escalating breakdown in the operation of the scheme, directly linked to: - the introduction of LPS 12 in 2022; and - the increasing misapplication of STRA within the development Apollo Quay was approved as a 72 Unit Residential / Short Stay Accommodation Complex. This approval established a controlled and structured development, including: - a defined mix of residential and short stay accommodation - a cap on short stay use - a requirement for coordinated management The development (building code) is classified as: - Class 3 – Short Stay Accommodation (majority of lots) - Class 2 – Residential (limited lots) Class 3 accommodation is not a dwelling and cannot be used as a dwelling without approval. The development was designed and approved to operate as a centrally managed serviced apartment complex, supported by onsite reception; caretaker; letting agent and shared infrastructure	(a) Noted. Local Planning Scheme 12 has no impact on the development as non-conforming use rights were established via the previous development approval that was approved prior to LPS12 and its predecessor TPS3. This approval included a condition, issued in 1998, stating: <i>'only 40 units can be used for short stay accommodation and these units are to be nominated prior to the issue of the building licence'.</i> The Building Code of Australia provides that premises are able to move between these building classes unless building works are undertaken that trigger approvals under the Building Act 2011 or the units do not meet requirements through inadequate access to required facilities. This statement should be reviewed in the context of the developments Strata By-Laws which are not affected by this proposed Scheme Amendment.

No.	Summary of Submission	Local Government Response										
	This model is reinforced by Letting Services Agreement; Caretaking Agreement and Management Statement and By-Laws. The Strata Company must not permit competing accommodation businesses within the complex. Apollo Quay is not a generic tourism or residential site — it is a specific, approved development with a defined structure. (b) The introduction of LPS 12 applied a 75% tourism / 25% residential framework and classification (in the Tourism Strategy) as a Non-Strategic Tourism Site. The planning framework shifted from a specific, approval-based structure to a generalised, flexible zoning framework The 2022 changes did not override the original approval; did not alter building classification; did not recognise the centralised management model. The planning framework changed, but the development itself did not. We question who was consulted during the development of LPS 12? And whether any consultation occurred with the management rights operators, strata manager and existing tourism accommodation developments? At no time during due diligence discussions were we informed that the planning framework was evolving in a way that would materially impact the operation of the business. We met with the City of Mandurah and representatives of the Council of Owners before the business was assigned to us by the Strata Company (via the Strata Manager). (c) STRA – Fundamental Misapplication; STRA is a Dwelling-Based Use and STRA is defined as short-term rental of a dwelling. Apollo Quay is Not a Dwelling-Based Development; the majority of lots are Class 3 (not dwellings) and the development is structured as a centrally managed tourism complex. STRA is being applied to lots that are not capable of functioning as lawful dwellings. STRA Is Not a Tourism Accommodation Use There is a clear distinction between: <table><tr><td>Serviced Apartments</td><td>STRA</td></tr><tr><td>Centrally managed</td><td>Individually operated</td></tr><tr><td>Class 3</td><td>Dwelling-based</td></tr><tr><td>Integrated</td><td>Fragmented</td></tr><tr><td>Single business</td><td>Multiple competing businesses</td></tr></table>	Serviced Apartments	STRA	Centrally managed	Individually operated	Class 3	Dwelling-based	Integrated	Fragmented	Single business	Multiple competing businesses	(b) The Tourism Planning Strategy (in 2009), the Local Planning Strategy and Local Planning Scheme 12 went through extensive and thorough community and landowner engagement in late 2019 / early 2020. Advice was provided at the time of enquiries that the provisions of the planning framework had changed but would not alter the operations of the development unless significant changes or redevelopment were proposed given non-conforming use rights. As per standard provisions of local planning schemes, when the zoning or development requirements of a scheme change, the pre-existing and lawfully approved development that was considered under the previous Scheme have 'non-conforming use rights'. These non-conforming use rights continue to apply to the Property (as a whole) and the provisions of Scheme 12 do not displace those rights. (c) Yes these comments are correct, however in the context of the subject location, there is a mix of dwellings and short stay accommodation. The Class of Building in the Building Code Australia has no relevance to the use classes provided through a planning scheme and then development approval. The Building Code provides the ability to utilise Class 3 Buildings for residential purpose provided they meet requirements.
Serviced Apartments	STRA											
Centrally managed	Individually operated											
Class 3	Dwelling-based											
Integrated	Fragmented											
Single business	Multiple competing businesses											

No.	Summary of Submission	Local Government Response
	STRA is being incorrectly treated as tourism accommodation and STRA Has Exceeded Incidental Use as it is full-time; unhosted; commercial in scale and operated across multiple lots. STRA is a primary competing land use, not incidental. There are instances of dual key Class 3 apartments being split into separate STRA listings where facilities are shared and one component is not self-contained. These do not meet the definition of a dwelling and should not operate as independent STRA. (d) Impact on Development has resulted in Operational Impact has shown 290+ recorded interruptions; unmanaged guest access; reliance on central reception; contractor interference. • Governance Breakdown in alignment of STRA operators within Council of Owners and attempts to alter by-laws and governance (shut down with special resolution) and efforts to undermine central management • Commercial Impact of competing accommodation businesses within the scheme and erosion of the approved letting model. • Personal Impact - these issues have persisted for almost five years and have resulted in sustained stress; ongoing operational conflict; significant impact on wellbeing. (e) There is inconsistent and Inequitable Application of STRA Controls; The proposed framework applies: • Discretionary (D) status to STRA in Strategic Centre locations (e.g. Mandurah Marina developments such as Seashells and the Atrium); • Permitted (P) status in areas such as Apollo Quay Developments such as Apollo Quay; Seashells Mandurah and The Atrium share strata-titled ownership; centralised management structures and shared infrastructure STRA presents the same compatibility issues in all of these developments yet is treated differently based solely on zoning. Functionally identical strata-titled tourism developments are being subject to different planning controls. STRA permissibility should be determined by development type and compatibility, not location alone. We do not support STRA operating within Apollo Quay in any form, except where accommodation is managed through the approved onsite letting services business for the following reasons. Independent STRA: • conflicts with the original planning approval • is inconsistent with Class 3 building classification • undermines centralised management	(d) These matters are internal management / strata management issues. (e) Condition 20 of the original approval applies to the site – however it is recognised that the Scheme provisions of 75% Tourism/25% Residential conflict with the original approval granted for this site and until there is significant redevelopment proposal on the site this Scheme amendment and LPS12 does not apply to this site.

No.	Summary of Submission	Local Government Response
	creates competing accommodation businesses (f) We do not support STRA as an incidental use; STRA as a permissible use; independent STRA operating from any lots within the scheme. We support short stay accommodation that is centrally managed and compliant with the approved development model. (g) We request that the City Clarify STRA application - Confirm STRA applies only to lawful dwellings; Recognise existing approvals - Ensure planning decisions respect original approval; building classification and management structures; Address consultation gap - Provide clarity on consultation undertaken and Restrict commercial STRA- Prevent multi-lot STRA businesses within the scheme (h) Apollo Quay is a purpose-built, centrally managed serviced apartment development with a defined operational structure. The issue is not that the development has changed — it is that the planning framework is now being applied in a way that disregards its approval, structure and purpose.	(f) In isolation, the DPLH has required Scheme 12 to apply consistency across the state and a 'Tourism' zone to have a STRA as a permitted use. As outlined in the report, it is difficult to understand how STRA (which means a dwelling used for short term rental accommodation) can be a 'P' use when a 'dwelling' is a 'D' use. Regardless, the existing approval for the subject site will have little bearing on whether STRA in a tourism zone is an I or P use. (g) STRA is to be applied to 'dwellings' being used for short term rental and then the application on these other locations will also be dependant on the original development approval issued and/or the strata management arrangements that would have been applied based on the planning framework applicable to these sites when their approvals were granted. So in effect STRA is determined by development type. (h) As the site is fully developed and has been operating as a mixed tourist and residential use, there are non-conforming use rights applicable to the Property. The conditions applied to the development apply to the site as a whole and even if an individual unit changes from residential to short term (or vice versa), that change of use does not require an application for development approval as it is still generally consistent with the use contemplated by the Approval for the entirety of the Development. Whilst there is a mathematical inconsistency between Condition 20 and Scheme 12 there is no contravention of Condition 20, unless a substantial number of units are not used at all for residential. Scheme 12 or the changes proposed under Amendment 8 will have no impact on the operations of the subject site, unless a proposed (re)-development of the site is proposed. Whilst it is under Strata ownership, this would seem extremely unlikely.
2.	This submission is in support of the Scheme Amendment (No.8) and commends the City on its continued pragmatic approach to permit holiday homes (unhosted short term rental accommodation) without the need for additional planning approval in residential areas, as it reflects the historical character of Mandurah. It is appreciated this can't be said for all areas of the State.	Noted and Supported.

Proposed Local Planning Scheme Amendments No 9 (Additional Use to Golf Course Sites): Schedule of Submissions

No.	General Location and Summary of Submission	Local Government Response
1.	<i>LK Advisory</i> <i>on behalf of our client, Ten Golf Group Pty Ltd: Registered proprietor of: Lot 3000 Meadow Springs Drive (Meadow Springs Golf and Country Club) and Lots 400 and 401 Country Club Drive, Dawesville (The Cut Golf Course).</i> (a) Amendment No. 9 to LPS 12 proposes to apply an Additional Use zone over our client's Lots 3000, 400 and 401 with corresponding provisions included in Table 4 of the Scheme (Additional Uses A3 and A4 respectively) to allow "Tourist and Visitor Accommodation" as a permitted land use subject to the preparation and approval of a Local Development Plan. Amendment No. 9 is being progressed concurrently with Amendment No. 8 to LPS 12, which seeks to introduce a new land use definition for "Tourist and Visitor Accommodation" and replace several existing use classes, including "Holiday Accommodation", "Motel" and "Tourist Development". We note the changes proposed by Amendment No. 8 will align LPS 12 with the deemed provisions and model land use definitions under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>. Together, Amendment Nos. 8 and 9 will facilitate development of tourist and visitor accommodation at both Meadow Springs Golf and Country Club and The Cut Golf Course. This will broaden the City's existing appeal as a tourism destination, promote recreation-based tourism, contribute to direct and indirect job creation in the tourism and recreation sector, and grow the local visitor economy by appealing to local, domestic and international visitors alike. Our client strongly supports both Scheme Amendments and commends the City's initiative to update LPS 12 in the manner proposed.	(a) Noted and Supported. It is encouraging that opportunities to explore additional tourist accommodation options are supported by the respective landowners.
2.	<i>Oakmont Avenue; Meadow Springs</i> (a) Object to potential about the future of what is to become of our area. - It will be more traffic and noise, the lighting is poor this end of road. Tourist should be in the city where all the action is - Pollution from Excavations noise of land clearance burnings of trees and vegetation where wildlife live.	(a) Noted The subject site remains available for additional development and these impacts are likely regardless of the type of development. The opportunity to provide some tourist accommodation in this location was part of the original master planning for Meadow Springs. The Scheme provisions proposed require a Local Development Plan to be prepared prior to development to address:

No.	General Location and Summary of Submission	Local Government Response
	- Complete upheaval from peace to noise which is why we moved down here in Meadow Springs - Also damage to the pavement and curbs currently happened with the heavy Vehicles from the last Excavation upgrade Power. It's becoming dangerous walking on broken pavers	<i>determine the location, form and scale of development for the site,</i> <i>having regard to the prevailing form of development surrounding the site,</i> <i>and ensure an appropriate interface to existing residential development.</i>
3.	<i>Sanctuary Circuit, Dawesville</i> (a) The Dawesville and The Cut precinct is currently experienced as a quiet coastal neighbourhood with low-density housing and a strong sense of residential stability. Introducing a higher-intensity visitor accommodation use at this site risks changing how the area functions on a day-to-day basis, particularly during weekends and holiday periods. - Residential amenity impacts: Short-stay accommodation typically brings increased turnover of occupants, unfamiliar visitors, and more variable activity patterns. Even if managed appropriately, this can reduce the sense of calm and consistency that currently defines the area. - Traffic and parking pressure: The surrounding road network appears limited in its ability to absorb additional visitor demand. Increased vehicle movements, parking pressure, and ride-share activity would likely be most heavily felt by nearby residents. - Gradual change in neighbourhood character: Allowing this type of use in a primarily residential-adjacent setting risks setting a precedent for further intensification over time. These incremental changes can collectively alter the character of a neighbourhood in ways that are difficult to reverse. - Location suitability: While the site sits within a golf course precinct, its close relationship to surrounding residential streets makes it a sensitive location for this type of use. - Long-term liveability: The key strength of Dawesville is its quiet coastal residential environment. Planning decisions should prioritise protecting that existing character and avoiding unnecessary pressure on local amenities.	(a) In the later part of the 1990s' the Structure Plan for Southport identified a 'resort' to the area around the location of now golf course clubhouse for an area of approximately 4ha and being subject to future planning to allow the remaining residential areas around the golf course to progress. The areas were subject to an approval for significant tourist development which was then modified in 2012 to allow some residential subdivision. In exchange, Lot 370 (being located between The Clubhouse site and Oceanique apartments site) was allocated as being the tourist development site. A development approval was issued for 71 serviced apartments over four storeys on this site in 2015. The site has been since zoned Tourism in Scheme 12 and remains vacant. Essentially, reintroducing tourism development to Lot 369 seeks to retain previously approved development that was missed in the preparation of Scheme 12 for an area that was designed for tourist development. The Scheme Amendment introduces the need for a Local Development Plan to address the following: <i>determine the location, form and scale of development for the site,</i> <i>having regard to the prevailing form of development surrounding the site,</i> <i>and ensure an appropriate interface to existing residential development.</i>
4.	<i>Resort View, Dawesville</i> (a) Does this draft plan allow redevelopment of 'The Cut' clubhouse to use as Accommodation?	(a) Yes, this Amendment reintroduces previously permitted uses to the site.

No.	General Location and Summary of Submission	Local Government Response
	(b) Does this draft plan change our ability to let our property (as holiday accommodation) if we choose to do so?	(b) No changes to previous approval approaches to Holiday Homes (now called 'unhosted short term rental accommodation') are proposed by this amendment – just a change in definition to align with state requirements.
5.	<i>Sanctuary Circuit, Dawesville</i> (a) Purchased in Dawesville because it is a quiet coastal residential community with a strong local character, low-density living, and a peaceful environment. Introducing intensified tourist accommodation into this area would fundamentally change the character of the neighbourhood and undermine the lifestyle expectations that attracted me to the area. • Loss of Residential Amenity: The proposed tourist accommodation use is not compatible with the established residential nature of Dawesville and The Cut precinct. Increased short-stay visitation typically brings higher noise levels, frequent turnover of occupants, late-night activity, and reduced neighbourhood cohesion compared to permanent residents. Made a decision to live here based on the expectation of a stable residential environment, not a tourism-focused precinct. • Traffic, Parking and Infrastructure Pressure: Country Club Drive and surrounding local roads were not designed to support increased tourism-related intensification. Additional short-stay accommodation will increase traffic volumes, parking demand, rideshare activity, and general congestion, particularly during peak holiday periods. • I am concerned that the proposal does not adequately address cumulative infrastructure impacts on local roads and surrounding community access. • Precedent for Further Development: Allowing tourist accommodation at this site sets a precedent for further commercialisation and tourism expansion within Dawesville. Once established in the planning framework, such uses are difficult to reverse and can lead to incremental overdevelopment over time. I chose Dawesville specifically for its residential and low-density coastal character, not as a destination precinct. • Inconsistency with Existing Neighbourhood Character: The appeal of Dawesville lies in its quiet coastal identity and natural environment. Intensified tourist accommodation near residential areas risks eroding these core characteristics. Planning decisions should prioritise long-term liveability and neighbourhood stability.	(a) In the later part of the 1990s' the Structure Plan for Southport identified a 'resort' to the area around the location of now golf course clubhouse for an area of approximately 4ha and being subject to future planning to allow the remaining residential areas around the golf course to progress. The areas were subject to an approval for significant tourist development which was then modified in 2012 to allow some residential subdivision. In exchange, Lot 370 (being located between The Clubhouse site and Oceanique apartments site) was allocated as being the tourist development site. A development approval was issued for 71 serviced apartments over four storeys on this site in 2015. The site has been since zoned Tourism in Scheme 12 and remains vacant. Essentially, reintroducing tourism development to Lot 369 seeks to retain previously approved development that was missed in the preparation of Scheme 12 for an area was designed for tourist development. The Scheme Amendment introduces the need for a Local Development Plan to address the following: • <i>determine the location, form and scale of development for the site,</i> • <i>having regard to the prevailing form of development surrounding the site,</i> • <i>and ensure an appropriate interface to existing residential development.</i>

No.	General Location and Summary of Submission	Local Government Response
	Insufficient Community Benefit: The proposal does not clearly demonstrate why this change is necessary or how it benefits existing residents. Any private development gain should not outweigh the long-term impacts on surrounding homeowners and community amenity.	
6.	<i>Country Club Drive, Dawesville</i> (a) Not opposed in principle to the clubhouse site being used productively. (b) Also recognise that the history here is genuinely awkward: a tourist accommodation use was specifically planned for this site back in 2015 under the previous scheme, and the transition to Scheme 12's model provisions appears to have inadvertently dropped that use altogether, leaving the City to "tidy up" an anomaly rather than introduce something entirely new. (c) Have purchased my property with a long-term view – I intend for this to be my retirement home, and a meaningful part of the appeal of this location was the relatively quiet, low-key, residential character of the streets around the golf course, alongside the obvious amenity of living next to a well-maintained course. (d) Have some questions and concerns below How the Local Development Plan requirement will actually operate My primary concern with Amendment No. 9 is less about the principle of allowing Tourist and Visitor Accommodation back onto Lots 400 and 401, and more about how the transition from "permitted use" to "approved building" will actually be managed, and what opportunity – if any – adjoining owners will have to comment on the design, scale and siting of any future development. As I understand it, the amendment proposes to insert a new entry into Table 4 (Specified Additional Use for Zoned Land in Scheme Area) for Lots 400 and 401, designating Tourist and Visitor Accommodation as a "P" (permitted) use, subject to the following condition: "Where Tourist and Visitor Accommodation Uses are proposed, the site shall be subject to a Local Development Plan as per Part 6 of the Deemed Provisions to determine the location, form and scale of development for the site, having regard to the prevailing form of development surrounding the site, and ensure an appropriate interface to existing residential development." I support the inclusion of this condition – it appears to be the main (and possibly only) mechanism by which the design, height, bulk, setbacks and residential interface of any future development on this site will be tested. However, I would appreciate clarification on the following: Will a new Local Development Plan be prepared and advertised, or will the City rely on the existing 2015 Development Guide Plan? The Scheme Amendment Report for Amendment No. 9 notes that the Development Guide Plan prepared	(a) Noted. (b) Noted. (c) See comments above on the history and need for a Local Development Plan to address integration with the surrounds. (d) Noted. The Scheme Amendment Report does state this and probably should state '2012' Guide Plan. The report should have also mentioned that a Local Development Plan (LDP) has an approval period of 10 years (from October

No.	General Location and Summary of Submission	Local Government Response
	for the Southport Structure Plan in 2015 – which identified the site as the "Clubhouse Site" with a height allowance of 6 storeys for 34 short-stay apartments – "can continue to be referenced as a Local Development Plan for this location." - Does the 2015 Development Guide Plan is considered to already satisfy the Local Development Plan condition attached to the new Table 4 entry, such that a development application for Tourist and Visitor Accommodation consistent with that document could proceed directly to assessment without a further Local Development Plan process; or - a new Local Development Plan, prepared and advertised under the current Part 6 Deemed Provisions, would still be required before any development application is lodged, regardless of the existence of the 2015 document. - would respectfully suggest this significantly changes the practical effect of the condition for adjoining owners. The 2015 document was prepared roughly a decade ago, under a different scheme, and – I assume – without reference to the residential development that has occurred around Country Club Drive since that time (including, potentially, my own property and others). A condition requiring "an appropriate interface to existing residential development" only has real substance if "existing" is read as meaning existing at the time of assessment, not existing in 2015. - If a new Local Development Plan is required, what consultation process applies? Assuming option (b) above, I understand that Local Development Plans prepared under Part 6 of the Deemed Provisions are generally required to be advertised for public comment for a minimum period (I believe 21 days is the standard, unless the local government determines the plan meets the threshold for a "minor" LDP not requiring advertising). Given the scale of development contemplated (a 6-storey building with up to 34 apartments, in an area otherwise characterised by low-rise residential housing), I would ask the City to confirm that any future Local Development Plan for this site would be treated as requiring full advertising, and that adjoining and nearby landowners – including residents along Country Club Drive – would be directly notified, rather than relying solely on general public notice. 1.3 – Will the Local Development Plan address matters beyond "interface", such as height, view impacts, overshadowing, and traffic? The condition as drafted refers to "location, form and scale of development... having regard to the prevailing form of development surrounding the site" and "an appropriate interface to existing residential development." - Would ask the City to confirm whether, as part of any future Local Development Plan process, matters such as the following would be specifically addressed: Building height relative to the predominant 1–2 storey character of surrounding residential development; Overshadowing and loss of view (including golf course views, which many adjoining properties – including mine – were purchased partly on the basis of); Setbacks from the boundary of adjoining residential lots;	2015) unless extended by the local government – so a new LDP will be required to be prepared and due to the nature of expected outcomes, advertising would appear likely to be required. - No - due to the 10 year approval period of the previous plan, a new LDP will be required. - Yes it will - Yes, agree. - A new LDP will be required to be prepared and due to the nature of expected outcomes, advertising would appear likely to be required. - Yes, these are matters for the LDP to address prior to a development application. However, noting that the original planning for the precinct allowed (and some were developed) for 8 storeys (Oceanique apartments) the original resort allowed up to 8, the tourist site (Lot 370) up to 4 storeys and the clubhouse site up to 6 – so some consideration to previously approved development height would be undertaken by a future proposal.

No.	General Location and Summary of Submission	Local Government Response
	Traffic generation and parking demand (addressed further below); and Noise and operational management of the tourist accommodation use once built (also addressed below). Recognise the City cannot pre-empt the outcome of an assessment process that hasn't yet occurred. My request here is simply for confirmation that these are the kinds of matters the Local Development Plan process is intended to capture, so that residents understand what opportunities for input will exist down the track, separate from this current scheme amendment consultation. (e) Traffic, access and road character Country Club Drive is, in my experience, a relatively quiet residential street that also serves as the access road to The Cut Golf Course and clubhouse. Traffic currently consists primarily of residents, golfers attending for a round, and occasional clubhouse functions (weddings, etc.). A development of up to 34 short-stay apartments – on top of whatever level of clubhouse/golf-related traffic already exists – represents a material increase in vehicle movements along this road, particularly if the accommodation operates with the kind of turnover typical of short-stay tourist accommodation (i.e. regular Friday/Saturday check-in and check-out peaks, rather than the steadier, lower-frequency traffic generated by permanent residents). I would ask the City to consider, and ideally clarify in response to this submission: Whether a traffic impact assessment will be required as part of any future development application or Local Development Plan for this site, and if so, whether it will specifically consider Country Club Drive's capacity, intersection performance, and any pinch points along the route from the main arterial road through to the clubhouse; Whether any upgrades to Country Club Drive (for example, sealed shoulders, passing areas, or pedestrian/cyclist provisions, given the road is also used recreationally by residents walking and cycling) would be considered as part of the assessment of any future proposal, and if so, who would bear responsibility for funding these; and Whether the cumulative traffic effect of both amendments – i.e. any growth in short-term rental accommodation across the broader area under Amendment 8, plus the reintroduction of tourist accommodation at the clubhouse site under Amendment 9 – has been or will be considered together, rather than each amendment being assessed in isolation. I raise this not because I think a modest increase in traffic is unreasonable in itself, but because Country Club Drive's current character – a quiet road serving a golf course and adjoining homes – is part of what makes this area attractive to residents, and a step-change in visitor traffic (delivery vehicles, taxis/rideshare, guest vehicles, contractors) is a legitimate planning consideration that I think deserves to be on the record. (f) Amenity, noise, and the residential character of the area – the existing level of activity associated with a functioning golf course and clubhouse (which I accept and have factored into my decision to live here); and The additional level of activity that would come with up to 34 short-stay apartments operating as a tourist	• • Yes, correct. (e) Yes, a Traffic Impact Statement will be required however it is noted the development outcomes in the broader area are a lot less than originally planning for in the master plan for the estate. (f) This is a level of detail that requires consideration at subject development and construction stages as there are no plans for the development at this stage. Management Plans are standard requirement for tourist development at development approval stage.

No.	General Location and Summary of Submission	Local Government Response
	accommodation business – potentially with their own check-in/out processes, housekeeping and servicing schedules, late-night arrivals (particularly relevant for coastal tourist destinations during peak holiday periods), and the general churn of unfamiliar visitors rather than members and regular golfers. The Western Australian Planning Commission's own Planning for Tourism and Short-term Rental Accommodation Guidelines (November 2024) recognise this kind of issue directly, and suggest that local governments may require management plans as a condition of development approval to address matters such as: A mitigation plan for noise and anti-social behaviour; A complaints management procedure with a contactable manager; Clear guest check-in and check-out procedures; and Management and provision of car parking. I would ask the City to confirm whether it intends to apply this kind of management plan framework to any future Tourist and Visitor Accommodation development on Lots 400/401, given the site's direct interface with established residential properties. I think this is a reasonable and proportionate way of balancing the legitimate reactivation of the clubhouse site with the legitimate expectations of nearby residents (including those, like me, who intend to live here permanently). I'd also note – again, simply as a question rather than an assertion – whether the City has given any thought to occupancy or operational caps for a development of this nature (for example, whether all 34 apartments operating as short-stay accommodation simultaneously is the only contemplated outcome, or whether a mixed model – some short-stay, some longer-stay or even some retained for golf members/staff accommodation – has been considered as part of the site's future). I raise this purely because the cumulative amenity impact of 34 units turning over on a Friday/Sunday cycle, every week, year-round, is quite different from a more staggered or mixed occupancy pattern, and I'd be interested to know whether this level of detail is something the City expects to be addressed at the Local Development Plan stage, the development application stage, or not at all under the planning framework. (g) Height and scale in the context of the surrounding area The predominantly low-rise (1–2 storey) character of residential development that now exists along Country Club Drive and the broader Southport/Dawesville area; The visual prominence of the clubhouse site, which sits adjacent to the golf course and is visible from a number of surrounding residential properties, recognise that tourist accommodation developments sometimes need a certain scale to be commercially viable, and that height can, in some circumstances, be used well if setbacks, landscaping and orientation are handled thoughtfully. Will height, bulk, and visual impact on adjoining residential properties be treated as a live issue to be tested at the Local Development Plan stage.	(g) This is a matter for the LDP to address prior to a development application. However, noting that the original planning for the precinct allowed (and some were developed) for 8 storeys (Oceanique apartments) the original resort allowed up to 8, the tourist site (Lot 370) up to 4 storeys and the clubhouse site up to 6 – so some consideration to previously approved development height would be undertaken by a future proposal.

No.	General Location and Summary of Submission	Local Government Response
	(h) Broader, cumulative considerations across Amendments 8 and 9 While my primary interest is in Lots 400 and 401, I note that Amendment 8 (the city-wide implementation of the State Government's short-term rental accommodation reforms) is being advertised concurrently. I understand that Amendment 8 is largely a technical/terminology exercise and does not, of itself, materially change the permissibility of short-term rental accommodation in residential zones around Country Club Drive. That said, I'd ask the City to consider – at a strategic level – whether the combined effect of (a) an increasingly active short-term rental accommodation market in residential areas under the new STRA framework, and (b) the reintroduction of a 34-unit tourist accommodation development at the clubhouse site, has been or will be considered together as part of the City's broader local planning strategy for the Dawesville/Southport area.	(h) The provision of tourist development across Mandurah is supported strategically due to the amenity, activity and long standing generational 'holiday' home destination that prevailed.

15 LATE AND URGENT BUSINESS ITEMS

16 CONFIDENTIAL ITEMS

17 CLOSE OF MEETING