Minutes of the Planning and Community Consultation Committee Meeting

held on

Tuesday 18 August 2026 at 5:30 pm

in the Council Chambers, 83 Mandurah Terrace, Mandurah

Present:

Mayor	A Kearns	
Councillor	J Cumberworth	Coastal Ward
Councillor	O Mulder	Coastal Ward
Councillor	J Green	East Ward
Councillor	D Wilkins	East Ward
Councillor	S Wright	East Ward
Councillor	P Jackson	North Ward
Councillor	R Burns	Town Ward
Councillor	D Schumacher	Town Ward

Members Observing:

Deputy Mayor Smith	Coastal Ward

City Officers in Attendance:

Ms C Mihovilovich	Chief Executive Officer
Mrs T Jones	Director Business Services
Mr J Campbell-Sloan	Director Strategy and Economic Development
Mrs S Luxton	Acting Manager Governance and Legal Services
Ms L Grieve	Minute Officer

Confirmed

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1 OPENING OF MEETING AND ANNOUNCEMENT OF VISITORS

The Presiding Member welcomed everyone to the Planning and Community Consultation Committee meeting and declared the meeting open at 5:30 pm.

2 ACKNOWLEDGEMENT OF COUNTRY

The Presiding Member acknowledged that the meeting was being held on the traditional land of the Bindjareb people, and paid his respects to their Elders past and present.

3 APOLOGIES

Leave of Absence	Apologies
Cr A Zilani	Nil

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

Not required.

7 PUBLIC QUESTION TIME

The Presiding Member opened Public Question Time at 5:33 pm.

The Presiding Member closed Public Question Time at 5:33 pm.

8 PRESENTATIONS

Nil

9 DEPUTATIONS

9.1.1 Mr L Hoek: 14.1 Mandurah Strategic Centre Precinct Structure Plan - Amendment No.1 (Seashells Site)

Mr Hoek presented a deputation relating to item 14.1 Mandurah Strategic Centre Precinct Structure Plan - Amendment No.1 (Seashells Site) speaking in opposition of the recommendation.

9.1.2 Ms R Chapman 14.1 Mandurah Strategic Centre Precinct Structure Plan - Amendment No.1 (Seashells Site)

Ms Chapman presented a deputation relating to item 14.1 Mandurah Strategic Centre Precinct Structure Plan - Amendment No.1 (Seashells Site) speaking in support of the recommendation.

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9.1.3 Mr W Greaves 14.2 Proposed Amendment No.5 to Local Planning Scheme 12

Mr Greaves presented a deputation relating to 14.2 Proposed Amendment No.5 to Local Planning Scheme 12 speaking in support of the recommendation.

10 CONFIRMATION OF MINUTES

10.1 Planning and Community Consultation Committee Meeting 10 November 2025

PCC26/1 Committee Resolution

MOTION
Moved: **Mayor A Kearns**
Seconded: **Cr D Schumacher**

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

CARRIED: 9/0
For: Cr P Jackson, Cr R Burns, Cr J Cumberworth, Cr D Schumacher, Cr O Mulder, Cr D Wilkins, Cr J Green, Cr S Wright and Mayor A Kearns
Against: Nil

11 DECLARATIONS OF INTERESTS

There were none.

12 QUESTIONS FROM COMMITTEE MEMBERS

12.1 Questions of which due notice has been given

There were none.

12.2 Questions of which notice has not been given

There were none.

13 BUSINESS LEFT OVER FROM PREVIOUS MEETING

Nil

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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.

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)

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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) 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.* *(b) 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.*
Lot 24 Breakwater Parade		(a) *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. *(b) 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.* *(c)* The development *shall* provide 50 car parking bays for the public.

(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:

Site	*Requirements*
Lot 24 Breakwater Parade and Lot 1 Dolphin Drive	*(a) The Local Development Plan shall provide that future development on Lot 24 Breakwater Parade shall provide 50 car parking bays for the public.* *(b) The Local Development Plan shall identify the allocation of permanent residential component and tourist*

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	development by levels (or buildings) as outlined in Section 4.6.2 of the Precinct Structure Plan.

(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.

PCC26/2 Committee Resolution

MOTION
Moved: Cr J Cumberworth
Seconded: Cr S Wright

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):

(e) 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.	*(c) 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.* *(d) Where the development is proposed to a maximum height allowed for in Plan 3 of the Precinct Structure Plan,*

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		development above 8 storeys shall be 100% tourist development.
Lot 24 Breakwater Parade		**(d)** ***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.** ***(e) 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.*** ***(f)*** **The development *shall* provide 50 car parking bays for the public.**

(f) 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*."

(g) 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:

Site	*Requirements*
Lot 24 Breakwater Parade and Lot 1 Dolphin Drive	***(c) The Local Development Plan shall provide that future development on Lot 24 Breakwater Parade shall provide 50 car parking bays for the public.*** ***(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.***

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(h) 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.

CARRIED: 9/0
For: Cr P Jackson, Cr R Burns, Cr J Cumberworth, Cr D Schumacher, Cr O Mulder, Cr D Wilkins, Cr J Green, Cr S Wright and Mayor A Kearns
Against: Nil

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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.

Officer Recommendation

That the Planning and Community Consultation Committee recommend 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

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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.

PCC26/3 Committee Resolution

MOTION
Moved: Cr J Cumberworth
Seconded: Cr O Mulder

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

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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.

CARRIED: 7/2
For: Cr P Jackson, Cr J Cumberworth, Cr D Schumacher, Cr O Mulder, Cr D Wilkins, Cr S Wright and Mayor A Kearns
Against: Cr R Burns and Cr J Green

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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.

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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 —

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(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*

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(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:

4.

(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*

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No	*Description of Land*	*Additional Use*	*Conditions*
			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.

(b) Amending the Scheme Maps accordingly.

PCC26/4 Committee Resolution

MOTION
Moved: Cr J Cumberworth
Seconded: Mayor A Kearns

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;

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(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:

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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:

4.

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

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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 development for the site, having regard to the prevailing form of development surrounding the site, and ensure an appropriate interface to existing residential development.***

(b) Amending the Scheme Maps accordingly.

CARRIED: 9/0
For: Cr P Jackson, Cr R Burns, Cr J Cumberworth, Cr D Schumacher, Cr O Mulder, Cr D Wilkins, Cr J Green, Cr S Wright and Mayor A Kearns
Against: Nil

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15 LATE AND URGENT BUSINESS ITEMS

Nil

16 CONFIDENTIAL ITEMS

Nil

17 CLOSE OF MEETING

There being no further business, the Presiding Member declared the meeting closed at 6:14 pm.

CONFIRMED..... (CHAIRPERSON)

Confirmed

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