





Lot details are provided in the table below.

Table 1: CT details

| LOT NUMBER | VOLUME | FOLIO | PLAN   | OWNER                           |
|------------|--------|-------|--------|---------------------------------|
| 1107       | 1110   | 618   | 250063 | Holmes Management Group Pty Ltd |

#### Existing Development

The site comprises the Masonmill Gardens development, which includes a restaurant, beer garden, function venue and European-style gardens.

The property was previously used as a rose nursery and café for many years which are uses permitted under the existing zoning of *Rural Conservation*. As such, a few structures were already located on site associated with the nursery shop and the café. Recently other applications for planning and building licences have been approved.

Existing uses approved on site include:

- The original dwelling
- Restaurant and associated office
- Tavern - alfresco and servery areas, beer garden
- Reception areas - colonnade and retractable roof gardens
- Craft Shop (not constructed)
- Garden features such as gazebos and retaining walls
- Ancillary outbuildings - water tank.

#### Local Planning Framework

##### Local Planning Scheme

The site is zoned *Rural Conservation* in the Shire of Kalamunda Local Planning Scheme No. 3 (refer to Table 2 below). The objectives of this zone and how the development application relates to these objectives are discussed in the following table.

Table 2: Rural Conservation Objectives and comment

| OBJECTIVE                                                                                                                                                                         | COMMENT                                                                                                                                                                                                                                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Ensure development is in harmony with the natural environment.</i>                                                                                                             | The development has been designed to be sensitive to the existing environmental to have minimal impact. The impact on the natural environment will be low.                                                                                                                                |
| <i>Ensure that land uses, activities and land management practices are consistent with natural resources conservation and are compatible with public water supply objectives.</i> | The site has been developed for many years as a rose nursery and café before being transformed into its current state as a restaurant, function venue and gardens. The development currently operates with minimal impact on conservation values. The site is not located within a PDWSA. |
| <i>Conserve and preserve the bushland status of private freehold and Crown land within the zone.</i>                                                                              | The continued operation of existing development proposed as part of this application does not require clearing of bushland or native vegetation and will not have an impact on the status of bushland on the property.                                                                    |

| OBJECTIVE                                                                                 | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Conserve indigenous flora and fauna to ensure the viability of natural ecosystems.</i> | The property has historically been modified for use as a rose garden and café and has little native vegetation remaining. Existing development will not have a detrimental impact on native flora and fauna and viability of natural ecosystems.                                                                                                                                                                        |
| <i>Encourage the reduction of bush fire hazard.</i>                                       | The development proposed will not result in an increase in risk. A Bushfire Management Plan prepared for the site and was supported in approval of the uses through Amendment to the scheme to allow additional uses. The proposal does not include additional development areas and conforms with BFP. Management of vegetation on site will be required as part of the bushfire management procedures for the site. . |
| <i>To retain large lot sizes.</i>                                                         | No subdivision is proposed as part of the application.                                                                                                                                                                                                                                                                                                                                                                  |

The Scheme also identifies the site as being within a *Bushfire Prone Area* and within a *Water Catchments* area. The purpose of the Bushfire Prone Area identified in the Scheme is to identify land that is bushfire prone, to ensure development is in accordance with Australian Standards 3959, to facilitate improved strategic bushfire planning and to implement the requirements of State Planning Policy 3.7 and the Planning for Bushfire Protection Guidelines. A Bushfire Management Plan has been prepared for the site and used to support Amendment No 85. It identifies the bushfire risk and the Bushfire Attack Levels (BALs) as suitable for all existing development and is considered suitable for assessment of this application. A copy of the BMP is attached.

#### Amendment 85

The property is also subject to *Additional Use A32* recently approved by the Minister for Planning via Amendment No 85 which requested the additional uses and conditions for A32 to be replaced with the following:

- *Reception centre*
- *Tavern*
- *Shop*
- *Garden Centre*
- *Private Recreation*
- *Caretakers Dwelling*
- *Tourism-related uses.*

### Proposal details

The development and uses on site and in this application, are in accordance with the additional uses listed in A32 and supported by the Rural Conservation Zone. Table 3 below provides a description of all existing and approved uses as now classified by the scheme in Schedule 2 A 32. Column 5 refers to an area of existing development reflected on the site plan the subject of this application. (See attached Site Plan MGO-A.01). Also see the legend on the site plan for the reference of the plans relating to all structures the subject of each use.

Table 3: Proposal summary

| Additional Use     | Definition                                                                                                                                 | Approved Development                                                    | Retrospective or change of use                                                                                                                                                                                                                                                                                                                                                                         | Area on Site Plan                                                                             |
|--------------------|--------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| Recreation Private | premises that are - (a) used for indoor or outdoor leisure, recreation or sport; and (b) not usually open to the public without charge     |                                                                         | 18 hole Mini Golf                                                                                                                                                                                                                                                                                                                                                                                      | Area A<br>(details as per site plan)                                                          |
| Reception Centre   | premises used for hosted functions on formal or ceremonial occasions.                                                                      | Retractable Shelter<br>Colanade<br>Wedding Gardens                      | Grassed area, Railway carriage, landscape Gardens and associated server and store area to be recognized as "Reception area – Outdoor"<br><br>Change portion of Existing Dwelling to "Reception Centre" operate as a support area to external garden reception areas.<br><br>Recognise external garden areas and the approved colande area of the existing dwelling as a reception area (change of use) | Area B<br>(MG11-A01; MG12-A01)<br><br>Area E<br>(MG3- A01 + A02; MG6-A01 + LS1)<br><br>Area E |
| Tavern             | premises the subject of a tavern licence granted under the Liquor Control Act 1988.                                                        | Alfresco and servery<br>Beer Garden associated with approved Restaurant |                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                               |
| Shop               | premises other than a bulky goods showroom, a liquor store large or a liquor store - small used to sell goods by retail, to hire goods, or | Craft shop( not developed)                                              | Garden Shed to Pro Shop                                                                                                                                                                                                                                                                                                                                                                                | Area D<br>(MG10-A01)                                                                          |

| Additional Use      | Definition                                                                                                                                                                                                                                                                                                        | Approved Development    | Retrospective or change of use                                                                                            | Area on Site Plan                                 |
|---------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|---------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|
|                     | to provide services of a personal nature, including hairdressing or beauty therapy services.                                                                                                                                                                                                                      |                         |                                                                                                                           |                                                   |
| Caretakers Dwelling | means a dwelling on the same site as a building, operation or plant, and occupied by a supervisor of that building, operation or plant                                                                                                                                                                            |                         | Change portion of existing dwelling to Caretakers dwelling                                                                | Area E (MG3- A01)                                 |
| Garden Centre       | means premises used for the propagation, rearing and sale of plants, and the storage and sale of products associated with horticulture and gardens.                                                                                                                                                               | N/A to this application |                                                                                                                           |                                                   |
| Tourist Development | means a building, or a group of buildings forming a complex, other than a bed and breakfast, a caravan park or holiday accommodation, used to provide –<br>(a) short-term accommodation for guests; and<br>(b) onsite facilities for the use of guests; and (c) facilities for the management of the development; | Water tanks<br>Office   | Ancillary facilities to support management of development includes<br>Carparking<br>Temporary toilets<br>Maintenance shed | Area C<br><br>MG16-01;<br>MG8-01; MG<br>15 – A01) |

#### Private Recreation

This use comprises an existing 18 Hole Mini Golf adjacent to Mason Mill Road towards the south-east corner of the site. *Private Recreation* is a use now permitted in accordance with the Scheme (A32) following gazettal of Amendment 85. This use does not include carparking ratios under the Scheme, however at absolute full capacity the 18-hole golf course would cater for 72 people. To apply a car parking ratio such as for community purpose at 1 bay per 5 people, would then require 14 carparking bays.

The landowner acknowledges that the Mini golf course encroaches into the Mason Mill road reserve. The landowner respectfully requests consideration by council to approve the use as currently observed on site and use of the road reserve. The Landowner will prepare a Traffic Impact assessment report as condition of this application and to support of subsequent Local Development Plan to detail the arrangement and impact on any services. The landowner accepts that in the case of an arrangement not being satisfactorily agreed upon that modifications to the development footprint may be required.

#### Outdoor Reception Area 1

This use comprises landscaped gardens, grassed area and ancillary amenities including the railway carriage, servery and store room to be recognised as an outdoor reception area. Given the large expanse of gardens it is our contention that the carparking ratio per *floorspace* would not apply. Nevertheless, for the purposes of this application it may be considered that a function on average may accommodate 100 persons. For this reception area a maximum of 25 bays would be required.

#### Tourist Development (Ancillary uses) Carparking

Carparking areas providing 103 bays and 4 motorcycle bays and associated service area have been developed to support the approved uses on site. The carpark areas are accessed from Masonmill Road.

The maintenance shed and temporary toilets support the overall uses on site as Tourist Development.

#### Shop

Change of Use related to the existing building adjacent to the mini golf (Private Recreation use) to be included as *Shop* use. The shop will accommodate golf supplies and gifts. Given the floorspace is approximately 150m<sup>2</sup> would require approximately 7 car parking bays.

#### Reception Centre and Caretakers –

Change of use of the existing dwelling and formal gardens immediately adjacent from *Dwelling* to *Reception Centre* and *Caretakers Dwelling*. The proposal includes modifications to the dwelling to include a caretaker dwelling and separate and self-contained support area for the *Reception Centre* use as outlined on the floor plan. The *Reception Centre* component could assume the requirement for 25 bays along with 2 bays for the caretakers dwelling.

### **Car Parking Considerations**

Carparking is provided on site in three areas that service the range of uses currently occurring on site. The existing sealed and drained carpark access from the northern entrance provides approximately 57 bays, and a further 21 bays (9 sealed and drained part of this approval) are provided to the rear of the approved restaurant/ tavern. An additional carparking area on the south-east boundary provides 25 bays. This provides a total of 103 existing bays.

An assessment of car parking requirements/provisions has been provided in Table 4 (below) based on scheme standards, assumptions and floor space. The table suggests that the maximum parking required at full capacity of all current and proposed uses simultaneously would be approximately 140 bays. If reciprocity of parking need was assumed for various times of the day and for various uses (such as mini-golf and associated shop and evening/late afternoon use of reception areas and restaurant versus day time use of private recreation) a parking dispensation of up to 50% may be applied, thus requiring 70 bays in total for the current and proposed uses (this consideration can be further addressed in the future LDP and subsequent applications). As such, for the current development on site the provision of 103 bays is considered adequate.

It should be noted that there is also ample non-marked areas available for overflow car parking should the demand increase for one off occasions. These overflow areas have never been required to date and on balance carparking is considered to be well provided. To support this view, a Traffic Impact Assessment (TIA) was prepared and supported for the consideration of Amendment 85, which took into account all existing and proposed uses. This TIA was supported as part of the scheme amendment process.

Table 4: Carparking Requirements Extracted from the Scheme

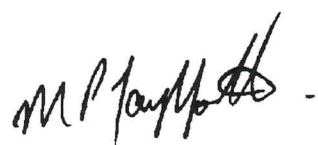
| Use                 | Carparking Requirements                                                                                                    | Parking requirements              |
|---------------------|----------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| Reception Centre    | 1 bay for every 4 persons to be accommodated, or 1 bay for every 5 square metres of dining area, whichever is the greater. | 2 reception areas approx. 50 bays |
| Tavern              | 1 bay for every 5m2 of bar and public area                                                                                 | 60 bays (existing use)            |
| Shop                | 5 bays per 100m2 of NLA.                                                                                                   | 7 bays                            |
| Caretakers Dwelling | As per R codes                                                                                                             | 2 bays                            |
| Garden Centre       | 2 bays per 100m2 display and sales plus 1 bay per staff member                                                             |                                   |
| Recreation Private  | No description in scheme                                                                                                   | 14 bays                           |
| Tourist Development | No description in scheme                                                                                                   | N/A                               |
| Restaurant          | 1 bay for every 4 persons to be accommodated.                                                                              | 10 bays                           |
|                     |                                                                                                                            | (142 @ 50%) –<br>71 bays          |

#### Conclusion

It is requested that the City of Kalamunda provide Development Approval for the proposals as outlined in this letter and attached plans. I trust this information satisfies the requirements of the City of Kalamunda and the proposal can be supported.

Should you have any queries or require anything further please don't hesitate to contact Janine Eriksson on 04048901192 or via [janine@landinsights.com.au](mailto:janine@landinsights.com.au). I look forward to hearing from you in due course.

Yours sincerely,



**Michael Taylforth**  
Land Insights  
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23 November 2017