

DEVELOPMENT APPROVAL APPLICATION 2025/43 ASSESSMENT REPORT			
Description	HOLIDAY ACCOMMODATION (X 4 Chalets)	Owner	KAREN BIRKBECK
Location	Lot 99 (#385) South Coast Highway, Ocean Beach (formerly Lot 304)	Applicant	WILLIAMS CONSULTING
Assessing Officer	Craig Pursey Manager Development Services	Date Received	23/04/2025
File Ref	A3905	R Code	
TPS Zoning	RURAL	Permissibility	SA
TPS Land Use	Holiday Accommodation	Site Visit	Yes
Bushfire Prone Area	Yes, BMP received		
Relevant TPS Policies	LPP7 Second Dwellings/Additional Houses and Chalet Developments on Rural Zoned Lots		
National, State or Local Heritage	N/A		
Aboriginal Site Survey	Nil		
LPS Designation	Land is designated Rural & Special Control Area – Visual Landscape		
Effluent/Sewer?	On site effluent disposal required		
Conflict of Interest	Nil		
Assessment Report:			
<u>Proposal</u>			
The applicant seeks to develop four chalets with management located off site at Lot 98 Wentworth Road.			
<ul style="list-style-type: none">• The chalets are effectively Tiny Homes on Wheels (THOW) with an attached patio and deck which the applicant has undertaken to have certified under the building code as Class 1b buildings.• The chalets are to be clad in timber materials and earthy colours (colourbond), all chalets are self-contained.• Access is proposed from the existing driveway to South Coast Highway and a new internal driveway through to link to Lot 1 Privett Road and Richardson Road, as recommended in the Bushfire Management Plan. Individual driveways are proposed to each chalet with turnarounds for emergency services vehicles.• Two 20Kl communal water tanks for firefighting are proposed at the northern and southern extent of the lot to be available in an emergency.• The chalets are to be managed by the company Heyscape which is a subsidiary of RAC.			
<u>Process</u>			
The development application was advertised for 21 days to surrounding landowners, and Main Roads WA, during which time 6 submissions were received. Issues raised included concerns with access, hydrology, amenity, adequacy of gravels roads and wider concerns regarding the sustainability of providing additional tourist accommodation.			
The submissions are addressed in a schedule of submissions appended to the Council item.			
Main Roads WA raised no objection to utilising the existing driveway, which is shared with the Denmark-Nornalup Heritage Trail. Main Roads recommended considering installing suitable “signage prior to and the access may be a condition of approval and subject to Main Roads review.”			
<u>Assessment</u>			
Holiday Accommodation proposals in the Rural zone are assessed against the requirements of Town Planning Scheme No.3 and LPP 7.			
Town Planning Scheme 3			
Setbacks for the Rural zone have been met with all development greater than 50m from South Coast Hwy and 15m from side boundaries.			

Local Planning Policy No.7

The proposed Holiday Accommodation has been assessed against the requirements of Local Planning Policy No.7 as follows:

Policy requirement	Comment
(1) Chalets will require a source of potable water to a capacity of 92,000 litres for each chalet. (As per Department of Agriculture Guidelines.)	<p>The application states: <i>"Due to small size of the development, it is anticipated water storage capacity will be dealt with through the building permit process."</i></p> <p>92Kl has been a standard water tank requirement to ensure a sustainable amount of water is available to development without regular trucking of water.</p> <p>The footprint of the proposed chalets is small and capturing adequate water from the roof catchment alone will make it difficult to meet the requirements of the policy.</p> <p>However, the water use at the chalet remains similar to a 'standard chalet' with a kitchen, toilet and bathroom generating similar water demands.</p> <p>A condition should be applied seeking 92Kl rainwater or similar alternate arrangement.</p>
<p>(2) In rural areas, Council will only approve chalets that have frontage to a sealed road of a minimum width of 3.7 metres. If the road is not sealed, upgrading will be required as a condition of approval.</p> <p>In the event that the chalets are approved for land fronting a gravel road, Council will impose a condition that the developer seal this road to Council's satisfaction to a minimum width of 4.0 metres between the existing bitumen road and the access point of the development site.</p>	<p>Complies</p> <p>Four chalets are proposed.</p> <p>South Coast Highway is sealed.</p> <p>However, given the manager's residence is on Wentworth Road and the property is also accessed from Richardson Road, then the standard of Richardson Road is inadequate to support additional tourist traffic.</p> <p>As additional tourist traffic will impact the road and cause a need for additional maintenance, it is recommended that Richardson Road is upgraded to install open drains and bring gravel in to form up the road to the Shire's satisfaction.</p>
(3) All chalet development will be sited in a manner that will not impinge on the amenity or character of the area. Council may require additional vegetation screening to be planted and established prior to approval of the proposal.	<p>Complies</p> <p>Holiday accommodation chalets are proposed in a location that will be largely screened from South Coast Highway by roadside vegetation and the southernmost chalets screened from Richardson Road by large areas of vegetation within the property.</p> <p>No additional landscaping and/or screening considered necessary.</p>
(4) In giving consideration, Council considers that each chalet will be a maximum of 2 bedrooms.	<p>Achieved.</p> <p>Chalets have 1 bedroom.</p>
(5) External building materials must be compatible with the site's surroundings.	<p>Achieved.</p> <p>Timber materials and earthy colours are proposed.</p>
(6) The method of effluent disposal will be designed so that it has no detrimental impact upon the immediate environment of the site or neighbouring properties, i.e.	<p>The applicant has proposed to address on-site effluent disposal requirements at the building permit stage.</p> <p>A condition of approval requiring a Site and Soil Evaluation (SSE) prepared by a suitably qualified professional will be applied.</p>

pollution of water courses, springs, soaks, creeks and/or dams etc.	
(7) Council shall determine on application the need for fire protection measures such as firebreaks, escape routes, clearing of vegetation and standpipe and hose facilities if necessary and in consultation with the Bush Fires Brigade.	Complies A combined and comprehensive bushfire management plan (BMP) and Bushfire Emergency Plan from an appropriately accredited bushfire professional has been received. The BMP details additional access tracks, provides strategic firefighting water on each lot, identifies dams and an 'onsite safer place'. The BMP complies with the requirements of the Shire and state bushfire planning framework.
(8) Council shall determine on application that if warranted, a deceleration lane shall be constructed by the developer on the public road to Council standards to enhance traffic safety.	N/A Main Roads WA have accepted the use of the existing crossover and have not flagged any requirements for upgrading.
(9) On the basis that Council can approve two (2) dwellings on a Rural lot, up to four (4) chalets may be approved by Council on an "SA" basis provided that:- (a) one (1) house is occupied by persons involved in the farming of the property; and (b) the other house is occupied by a Manager/Caretaker.	There are two existing houses on Lot 99, the four chalets are proposed in addition to these. Subsequent to the application being lodged, the applicant, landowner and operator brought a proposal to have a single manager's residence located on Lot 98 Wentworth Road rather than dispersing individual caretaker's dwellings across Raintree Estate. In this case, the low density of the chalets spread across 356ha, the comprehensive bushfire management planning, and the highly transportable nature of the chalets (i.e. they can be easily removed at the end of the development's lifecycle) lead to a recommendation to support a single managers residence, rather than multiple caretakers across every individual lot. Effectively, the number of chalets proposed generally complies with the recommendations of LPP7, but it would seem overly complicated to require individual caretakers' residences on each lot when the farm effectively presents as a single landholding. A condition should be applied that requires the removal of the chalets should the manager's residence on Lot 98 Wentworth Road not be available.
(9) Council requires that all developers of chalets provide and maintain a register of all persons that utilise the holiday accommodation during the year to Council's satisfaction. A receipt book must also be kept. The development must be registered as a "Holiday Accommodation Premises" and the fee payable will be utilised to undertake the yearly inspection of facilities.	Achieved. Standard condition of development to be applied to ensure proposal meets policy requirements.

Local Planning Strategy 2024

Local Planning Strategy 2024 clarifies the appropriate scale of tourism land uses in the Rural zone and the issues that should be addressed. The relevant strategies and actions for rural tourism include:

"1. Support rural tourism as secondary, incidental land use only while preserving agricultural production and conservation as the primary uses of land with the Shire's rural areas."

The application responds to this consideration (& protection of visual landscape values) by seeking to locate chalets

adjacent to areas of remnant vegetation but outside of cleared areas used for grazing and other farming practices.

Conclusion:

The application be approved subject to conditions.

Officer Recommendation:

☐ Approve

That Council grant Development Approval for the HOLIDAY ACCOMMODATION (X 4 Chalets) at Lot 99 (#385) South Coast Highway, Ocean Beach (formerly Lot 304) subject to the following conditions:

1. The development shall be carried out and fully implemented in accordance with the stamped approved plans and details dated 23 April 2025 unless varied by a condition of approval.
2. The chalets hereby permitted shall be removed from the site on or before 30 June 2036 and the land reinstated in agreement with and to the satisfaction of the Shire of Denmark.
3. The chalets hereby approved shall be managed/hosted from a central, dedicated manager's residence at Lot 98 Wentworth Road, Ocean Beach.
4. The manager's residence at Lot 98 Wentworth Road, Ocean Beach must be complete and operational prior to occupation of the proposed chalets.
5. Should the manager's residence at Lot 98 Wentworth Road, Ocean Beach become unavailable all chalets on Lot 99 (#385) South Coast Highway, Ocean Beach shall be removed within 35 days or an alternate, management arrangement is approved to the satisfaction of the Chief Executive Officer.

Prior to Issuing of Building Permit

6. Prior to the issuance of a building permit, the landowner/ applicant is to provide a Site and Soil Evaluation to determine the type of on-site sewage treatment system required and the appropriate location for on-site sewage disposal.
7. Prior to the lodgement of a Building Permit, a waste management plan shall be submitted to and approved by the Shire of Denmark (Environmental Health Services). The waste management plan shall be implemented at all times to the satisfaction of the Shire of Denmark (Environmental Health Services).
8. Prior to lodgement of a Building Permit, a schedule of materials and colours for roof and wall finishes shall be submitted to the Shire of Denmark (Planning Services) for approval. The use of reflective materials such as unpainted Zinalume, white and off-white tones (including Colourbond "Surfmist", "Dover White" and "Southerly" or such equivalent) are not permitted to be used on the roof or external wall materials.
9. The bushfire management plan and bushfire emergency plan are to be updated to recognise and describe the role of the centrally located manager's residence in any bushfire emergency response.

Prior to Occupation

10. The vehicle crossovers shall be suitably constructed and drained to the satisfaction and specifications of the Shire of Denmark (Infrastructure Services) prior to occupation of the chalets and thereafter maintained (refer Advice Note C).
11. Provision of 92,000l water tank per chalet or an alternate, equivalent water supply provided prior to occupation of the chalet to the satisfaction of the Chief Executive Officer.
12. A minimum of one car parking bay per chalet is to be provided on-site in accordance with the requirements of Australian Standard AS2890.1:2004 Parking Facilities – Off-street Car Parking and the Building Code of Australia.
13. Prior to occupancy, the following road upgrades are to be undertaken at the developer's expense to the satisfaction of the Shire of Denmark (Infrastructure Services):
 - Richardson Road is to be upgraded between Wentworth Road and the furthest entry driveways to the development which includes the establishment of open drains, importation of gravel and improvements to

the road formation.

- Wentworth Road from the end of the bitumen seal on Wentworth Road through to the intersection with Richardson Road which includes the establishment of open drains, importation of gravel and improvements to the road formation.
14. The measures contained in Section 6; Table 6.1 of the bushfire management plan “Raintree Agri-tourism hub for Lots 1, 2 and 304 South Coast Hwy, Lot 305 Wentworth Road, Ocean Beach, Lots 2617 and 2618 Richardson Road, Lot 3468 Privett Road” are to be completed prior to occupancy of the chalets. A completed ‘Compliance Certificate’ prepared by the bushfire planning practitioner is to be submitted prior to occupation of the development.
15. Prior to occupation of the premises as holiday accommodation (chalets), the following fire safety measures are to be implemented to the satisfaction of the Shire of Denmark (Community Emergency Services Manager):
- The Bushfire Emergency Evacuation Plan shall be displayed in the chalet in a highly visible and easily accessible location;
 - Provision of fire extinguishers, fire blankets and internal hardwired smoke alarms;
 - Maintenance of Asset Protection Zone (equivalent to BAL-29 rating) around the buildings; and
 - The development is to comply with the requirements of the Shire’s annual Fire Management Notice (as amended).
16. Immediately prior to the occupation of the site and/or buildings for their approved purpose, the proponent shall notify the Shire of Denmark (Planning Services), in writing, of the effective completion of the approved development such that a Final Inspection can be carried out to determine compliance with the conditions contained on this Planning Consent.

Ongoing

17. The holiday accommodation (chalets) can only be rented for a maximum period of three (3) months to any one person in any twelve (12) month period.
18. Owner/operators must provide and maintain a register of all people who utilise the holiday accommodation (chalet) during the year to Council’s satisfaction. A receipt book must be kept.
19. The lot the subject of this approval, and the adjoining locality, has an endorsed/approved Bushfire Management Plan that is required to be implemented, and the on-going provisions of such endorsed/approved Bushfire Management Plan shall thereafter be permanently maintained at all times to the satisfaction of the Shire of Denmark (Emergency Services/Planning Services).
20. Provision being made for disabled access and facilities in accordance with the provisions contained in the Building Code of Australia and Australian Standard 1428.
21. All stormwater and drainage run off from all roofed and impervious areas is to be retained on-site.
22. The approved development shall be connected to an approved effluent disposal system to the satisfaction of the Shire of Denmark (Environmental Health Services).
23. The installation of any outdoor lighting on the building and/or in the car parking area(s) shall be in accordance with the requirements of Australian Standard AS4282-1997: Control of the Obtrusive Effects of Outdoor Lighting.

Advice Notes

- A. It is the responsibility of the applicant to ensure that building setbacks correspond with the legal description of the land. This may necessitate re-surveying and re-pegging the site. The Shire of Denmark will take no responsibility for incorrectly located buildings.
- B. It is the responsibility of the applicant/owner to search the title of the property to ascertain the presence of any easements and/or restrictive covenants that may apply.
- C. The crossover from South Coast Highway is required to be upgraded to a sealed standard to the satisfaction of the Shire of Denmark and Main Roads WA. Consultation and an agreement on crossover design with Main Roads WA is required prior to commencement.
- D. All signs proposed to be erected on-site may require the separate approval of the Shire of Denmark (Planning

Approval and/or Signs Licence). Please liaise with Planning Services in regards to what approvals may be required.

.....Date: 16/06/25

Officer

DEVELOPMENT APPROVAL APPLICATION 2025/44 ASSESSMENT REPORT

Description	HOLIDAY ACCOMMODATION (x 2 chalets)	Owner	SHAUN ROWAN JENKIN
Location	No. 7 (Lot 2618) RICHARDSON ROAD, OCEAN BEACH	Applicant	WILLIAMS CONSULTING
Assessing Officer	Craig Pursey ManagerDevelopment Services	Date Received	23/04/2025
File Ref	A5932	R Code	
TPS Zoning	RURAL	Permissibility	SA
TPS Land Use	Holiday Accommodation	Site Visit	Yes
Bushfire Prone Area	Yes		
Relevant TPS Policies	LPP7 Second Dwellings/Additional Houses and Chalet Developments on Rural Zoned Lots		
National, State or Local Heritage	Nil		
Aboriginal Site Survey	Nil		
LPS Designation	Land is designated Rural & Special Control Area – Visual Landscape		
Effluent/Sewer?	On site effluent disposal required		
Conflict of Interest	Nil		

Assessment Report:

Proposal

The applicant seeks to develop two chalets with management located off site at Lot 98 Wentworth Road.

- The chalets are effectively Tiny Homes on Wheels (THOW) with an attached patio and deck which the applicant has undertaken to have certified under the building code as Class 1b buildings.
- The chalets are to be clad in timber materials and earthy colours (colourbond), all chalets are self-contained.
- Access is proposed from Richardson Road. Individual driveways are proposed to each chalet with turnarounds for emergency services vehicles.
- A 20Kl communal water tank for firefighting is proposed to be available in an emergency.
- The chalets are to be managed by the company Heyscape which is a subsidiary of RAC.

Process

The development application was advertised for 21 days to surrounding landowners, during which time 6 submissions were received. Issues raised included concerns with access, hydrology, amenity, adequacy of gravels roads and wider concerns regarding the sustainability of providing additional tourist accommodation.

The application has been referred to Council for a decision as alternate arrangements regarding on-site management and water provision are proposed.

The submissions are addressed in a schedule of submissions appended to the Council item.

Assessment

Holiday Accommodation proposals in the Rural zone are assessed against the requirements of Town Planning Scheme No.3 and LPP 7.

Town Planning Scheme 3

Setbacks for the Rural zone have been met with all development greater than 50m from Richardson Road and 15m from side boundaries.

Local Planning Policy No.7

The proposed Holiday Accommodation has been assessed against the requirements of Local Planning Policy No.7 as follows:

Policy requirement	Comment
(1) Chalets will require a source of potable water to a capacity of 92,000 litres for each chalet. (As per Department of Agriculture Guidelines.)	<p>The application states: <i>"Due to small size of the development, it is anticipated water storage capacity will be dealt with through the building permit process."</i></p> <p>92Kl has been a standard water tank requirement to ensure a sustainable amount of water is available to development without regular trucking of water.</p> <p>The footprint of the proposed chalets is small and capturing adequate water from the roof catchment alone will make it difficult to meet the requirements of the policy.</p> <p>However, the water use at the chalet remains similar to a 'standard chalet' with a kitchen, toilet and bathroom generating similar water demands.</p> <p>A condition should be applied seeking 92Kl rainwater or similar alternate arrangement.</p>
<p>(2) In rural areas, Council will only approve chalets that have frontage to a sealed road of a minimum width of 3.7 metres. If the road is not sealed, upgrading will be required as a condition of approval.</p> <p>In the event that the chalets are approved for land fronting a gravel road, Council will impose a condition that the developer seal this road to Council's satisfaction to a minimum width of 4.0 metres between the existing bitumen road and the access point of the development site.</p>	<p>Complies</p> <p>Two chalets are proposed.</p> <p>However, given the manager's residence is on Wentworth Road and the property is also accessed from Richardson Road, then the standard of Richardson Road is inadequate to support additional tourist traffic.</p> <p>As additional tourist traffic will impact the road and cause a need for additional maintenance, it is recommended that Richardson Road is upgraded to install open drains and bring gravel in to form up the road to the Shire's satisfaction.</p>
(3) All chalet development will be sited in a manner that will not impinge on the amenity or character of the area. Council may require additional vegetation screening to be planted and established prior to approval of the proposal.	<p>Complies</p> <p>Holiday accommodation chalets are proposed in a location that will be largely screened from Richardson Road by roadside vegetation.</p> <p>However, there is an existing residence on the north side of Richardson Road that may overlook the proposed chalets, additional screening vegetation is recommended.</p>
(4) In giving consideration, Council considers that each chalet will be a maximum of 2 bedrooms.	<p>Achieved.</p> <p>Chalets have 1 bedroom.</p>
(5) External building materials must be compatible with the site's surroundings.	<p>Achieved.</p> <p>Timber materials and earthy colours are proposed.</p>
(6) The method of effluent disposal will be designed so that it has no detrimental impact upon the immediate environment of the site or neighbouring properties, i.e. pollution of water courses, springs, soaks,	<p>The applicant has proposed to address on-site effluent disposal requirements at the building permit stage.</p> <p>A condition of approval requiring a Site and Soil Evaluation (SSE) prepared by a suitably qualified professional will be applied.</p>

creeks and/or dams etc.	
(7) Council shall determine on application the need for fire protection measures such as firebreaks, escape routes, clearing of vegetation and standpipe and hose facilities if necessary and in consultation with the Bush Fires Brigade.	Complies A combined and comprehensive bushfire management plan (BMP) and Bushfire Emergency Plan from an appropriately accredited bushfire professional has been received. The BMP details additional access tracks, provides strategic firefighting water on each lot, identifies dams and an 'onsite safer place'. The BMP complies with the requirements of the Shire and state bushfire planning framework.
(9) On the basis that Council can approve two (2) dwellings on a Rural lot, up to four (4) chalets may be approved by Council on an "SA" basis provided that:- (a) one (1) house is occupied by persons involved in the farming of the property; and (b) the other house is occupied by a Manager/Caretaker.	There are two existing houses on Lot 2618 used to support the existing the farming practices , the two chalets are proposed in addition to these. Subsequent to the application being lodged, the applicant, landowner and operator brought a proposal to have a single manager's residence located on Lot 98 Wentworth Road rather than dispersing individual caretaker's dwellings across Raintree Estate. In this case, the low density of the chalets spread across 356ha, the comprehensive bushfire management planning, and the highly transportable nature of the chalets (i.e. they can be easily removed at the end of the development's lifecycle) lead to a recommendation to support a single managers residence, rather than multiple caretakers across every individual lot. Effectively, the number of chalets proposed generally complies with the recommendations of LPP7, but it would seem overly complicated to require individual caretakers' residences on each lot when the farm effectively presents as a single landholding. A condition should be applied that requires the removal of the chalets should the manager's residence on Lot 98 Wentworth Road not be available.
(9) Council requires that all developers of chalets provide and maintain a register of all persons that utilise the holiday accommodation during the year to Council's satisfaction. A receipt book must also be kept. The development must be registered as a "Holiday Accommodation Premises" and the fee payable will be utilised to undertake the yearly inspection of facilities.	Achieved. Standard condition of development to be applied to ensure proposal meets policy requirements.

Local Planning Strategy 2024

Local Planning Strategy 2024 clarifies the appropriate scale of tourism land uses in the Rural zone and the issues that should be addressed. The relevant strategies and actions for rural tourism include:

"1. Support rural tourism as secondary, incidental land use only while preserving agricultural production and conservation as the primary uses of land with the Shire's rural areas."

The application responds to this consideration (& protection of visual landscape values) by seeking to locate chalets adjacent to areas of remnant vegetation but outside of cleared areas used for grazing and other farming practices.

Conclusion:

The application be approved subject to conditions.

Officer Recommendation:

☐ **Approve**

That Council grant Development Approval for the HOLIDAY ACCOMMODATION (x 2 chalets) at Lot 2618 (#7) Richardson Road, Ocean Beach subject to the following conditions:

- 1. The development shall be carried out and fully implemented in accordance with the stamped approved plans and details dated 23 April 2025 unless varied by a condition of approval.**
- 2. The chalets hereby permitted shall be removed from the site on or before 30 June 2036 and the land reinstated in agreement with and to the satisfaction of the Shire of Denmark.**
- 3. The chalets hereby approved shall be managed/hosted from a central, dedicated manager's residence at Lot 98 Wentworth Road, Ocean Beach.**
- 4. The manager's residence at Lot 98 Wentworth Road, Ocean Beach must be complete and operational prior to occupation of the proposed chalets.**
- 5. Should the manager's residence at Lot 98 Wentworth Road, Ocean Beach become unavailable all chalets on Lot 2618 (#7) Richardson Road, Ocean Beach shall be removed within 35 days or an alternate, management arrangement is approved to the satisfaction of the Chief Executive Officer.**

Prior to Issuing of Building Permit

- 6. Prior to the issuance of a building permit, the landowner/ applicant is to provide a Site and Soil Evaluation to determine the type of on-site sewage treatment system required and the appropriate location for on-site sewage disposal.**
- 7. Prior to the lodgement of a Building Permit, a waste management plan shall be submitted to and approved by the Shire of Denmark (Environmental Health Services). The waste management plan shall be implemented at all times to the satisfaction of the Shire of Denmark (Environmental Health Services).**
- 8. Prior to lodgement of a Building Permit, a schedule of materials and colours for roof and wall finishes shall be submitted to the Shire of Denmark (Planning Services) for approval. The use of reflective materials such as unpainted Zinalume, white and off-white tones (including Colourbond "Surfmist", "Dover White" and "Southerly" or such equivalent) are not permitted to be used on the roof or external wall materials.**
- 9. Prior to lodgement of a Building Permit, the bushfire management plan and bushfire emergency plan are to be updated to recognise and describe the role of the centrally located manager's residence in any bushfire emergency response.**

Prior to Occupation

- 10. The vehicle crossover shall be suitably constructed and drained to the satisfaction and specifications of the Shire of Denmark (Infrastructure Services) prior to occupation of the chalets and thereafter maintained.**
- 11. Provision of 92,000l water tank per chalet or an alternate, equivalent water supply provided prior to occupation of the chalet to the satisfaction of the Chief Executive Officer.**
- 12. A minimum of one car parking bay per chalet is to be provided on-site in accordance with the requirements of Australian Standard AS2890.1:2004 Parking Facilities – Off-street Car Parking and the Building Code of Australia.**
- 13. Prior to occupancy, the following road upgrades are to be undertaken at the developer's expense to the satisfaction of the Shire of Denmark (Infrastructure Services):**
 - Richardson Road is to be upgraded between Wentworth Road and the furthest entry driveways to the development which includes the establishment of open drains, importation of gravel and improvements to the road formation.**
 - Wentworth Road from the end of the bitumen seal on Wentworth Road through to the intersection with Richardson Road which includes the establishment of open drains, importation of gravel and improvements to the road formation.**

14. The measures contained in Section 6; Table 6.1 of the bushfire management plan “Raintree Agri-tourism hub for Lots 1, 2 and 304 South Coast Hwy, Lot 305 Wentworth Road, Ocean Beach, Lots 2617 and 2618 Richardson Road, Lot 3468 Privett Road” are to be completed prior to occupancy of the chalets. A completed ‘Compliance Certificate’ prepared by the bushfire planning practitioner is to be submitted prior to occupation of the development.
15. Prior to occupation of the premises as holiday accommodation (chalets), the following fire safety measures are to be implemented to the satisfaction of the Shire of Denmark (Community Emergency Services Manager):
 - The Bushfire Emergency Evacuation Plan shall be displayed in the chalet in a highly visible and easily accessible location;
 - Provision of fire extinguishers, fire blankets and internal hardwired smoke alarms;
 - Maintenance of Asset Protection Zone (equivalent to BAL-29 rating) around the buildings; and
 - The development is to comply with the requirements of the Shire’s annual Fire Management Notice (as amended).
16. Immediately prior to the occupation of the site and/or buildings for their approved purpose, the proponent shall notify the Shire of Denmark (Planning Services), in writing, of the effective completion of the approved development such that a Final Inspection can be carried out to determine compliance with the conditions contained on this Planning Consent.

Ongoing

17. The holiday accommodation (chalets) can only be rented for a maximum period of three (3) months to any one person in any twelve (12) month period.
18. Owner/operators must provide and maintain a register of all people who utilise the holiday accommodation (chalet) during the year to Council’s satisfaction. A receipt book must be kept.
19. The lot the subject of this approval, and the adjoining locality, has an endorsed/approved Bushfire Management Plan that is required to be implemented, and the on-going provisions of such endorsed/approved Bushfire Management Plan shall thereafter be permanently maintained at all times to the satisfaction of the Shire of Denmark (Emergency Services/Planning Services).
20. Provision being made for disabled access and facilities in accordance with the provisions contained in the Building Code of Australia and Australian Standard 1428.
21. All stormwater and drainage run off from all roofed and impervious areas is to be retained on-site.
22. The approved development shall be connected to an approved effluent disposal system to the satisfaction of the Shire of Denmark (Environmental Health Services).
23. The installation of any outdoor lighting on the building and/or in the car parking area(s) shall be in accordance with the requirements of Australian Standard AS4282-1997: Control of the Obtrusive Effects of Outdoor Lighting.

Advice Notes

- A. It is the responsibility of the applicant to ensure that building setbacks correspond with the legal description of the land. This may necessitate re-surveying and re-pegging the site. The Shire of Denmark will take no responsibility for incorrectly located buildings.
- B. It is the responsibility of the applicant/owner to search the title of the property to ascertain the presence of any easements and/or restrictive covenants that may apply.
- C. All signs proposed to be erected on-site may require the separate approval of the Shire of Denmark (Planning Approval and/or Signs Licence). Please liaise with Planning Services in regards to what approvals may be required.

.....Date: 16/06/25

Officer

DEVELOPMENT APPROVAL APPLICATION 2025/46 ASSESSMENT REPORT

Description	HOLIDAY ACCOMMODATION (X 3 Chalets) AND MANAGER'S RESIDENCE	Owner	KAREN BIRKBECK
Location	Lot 98 WENTWORTH ROAD, OCEAN BEACH	Wentworth road, ocean beach	WILLIAMS CONSULTING
Assessing Officer	Craig Pursey Manager Development Services	Date Received	23/04/2025
File Ref	A3905	R Code	
TPS Zoning	RURAL	Permissibility	SA
TPS Land Use	Holiday Accommodation & Single House	Site Visit	Yes
Bushfire Prone Area	Yes, BMP received		
Relevant TPS Policies	LPP7 Second Dwellings/Additional Houses and Chalet Developments on Rural Zoned Lots		
National, State or Local Heritage	Nil		
Aboriginal Site Survey	Nil		
LPS Designation	Land is designated Rural & Special Control Area – Visual Landscape		
Effluent/Sewer?	On site effluent disposal required		
Conflict of Interest	Nil		

Assessment Report:

Proposal

The applicant seeks to develop three chalets and a manager's residence at Lot 98 Wentworth Road.

- The chalets are effectively Tiny Homes on Wheels (THOW) with an attached patio and deck which the applicant has undertaken to have certified under the building code as Class 1b buildings.
- The chalets are to be clad in timber materials and earthy colours (colourbond), all chalets are self-contained.
- Access is proposed from a new crossover and driveway from Wentworth Road. Individual driveways are proposed to each chalet with turnarounds for emergency services vehicles.
- A 20Kl communal water tank for firefighting are proposed.
- The chalets are to be managed by the company Heyscape which is a subsidiary of RAC.

Chalets 19 on the site plan is identified as the Caretakers Dwelling that will be occupied permanently by a caretaker responsible for cleaning and maintaining the holiday accommodation. The caretakers dwelling will serve as an administration/entry point for visitors utilising the subject chalets and any other chalets constructed within the Raintree Estate.

During the processing time on this application the boundary realignment between formerly Lots 304 & 305 was completed. The subject site is now Lot 98 which includes the remaining tourism development on the northern side of the Denmark-Nornalup Heritage Trail known as 'the Dam'.

The southern side of the Denmark-Nornalup Heritage Trail is zoned Rural and the development of this portion of Lot 98 has been assessed effectively as a Rural zone lot on its own merit, separate to the Tourism zoned and to the north.

Process

The development application was advertised for 21 days to surrounding landowners, and Main Roads WA, during which time 6 submissions were received. Issues raised included concerns with access, hydrology, amenity, adequacy of gravels roads and wider concerns regarding the sustainability of providing additional tourist accommodation.

The application has been referred to Council for a decision as alternate arrangements regarding on-site management and water provision are proposed.

The submissions are addressed in a schedule of submissions appended to the Council item.

Assessment

Holiday Accommodation proposals in the Rural zone are assessed against the requirements of Town Planning Scheme No.3 and LPP 7.

Town Planning Scheme 3

Setbacks for the Rural zone have been met with all development greater than 50m from Wentworth Road and 15m from side boundaries except for proposed chalet #29 which is 9m from the western boundary. This should be increased to ensure that the APZ for this chalet can be entirely accommodated within Lot 98.

Local Planning Policy No.7

The proposed Holiday Accommodation has been assessed against the requirements of Local Planning Policy No.7 as follows:

Policy requirement	Comment
(1) Chalets will require a source of potable water to a capacity of 92,000 litres for each chalet. (As per Department of Agriculture Guidelines.)	<p>The application states: <i>"Due to small size of the development, it is anticipated water storage capacity will be dealt with through the building permit process."</i></p> <p>92Kl has been a standard water tank requirement to ensure a sustainable amount of water is available to development without regular trucking of water.</p> <p>The footprint of the proposed chalets is small and capturing adequate water from the roof catchment alone will make it difficult to meet the requirements of the policy.</p> <p>However, the water use at the chalet remains similar to a 'standard chalet' with a kitchen, toilet and bathroom generating similar water demands.</p> <p>A condition should be applied seeking 92Kl rainwater or similar alternate arrangement.</p>
<p>(2) In rural areas, Council will only approve chalets that have frontage to a sealed road of a minimum width of 3.7 metres. If the road is not sealed, upgrading will be required as a condition of approval.</p> <p>In the event that the chalets are approved for land fronting a gravel road, Council will impose a condition that the developer seal this road to Council's satisfaction to a minimum width of 4.0 metres between the existing bitumen road and the access point of the development site.</p>	<p>Three chalets and a manager's residence are proposed.</p> <p>Wentworth Road is sealed through to the northern side of the Denmark-Nornalup Heritage Trail.</p> <p>Whilst Wentworth Road is in reasonable condition, LPP7 recommends that more than 2 chalets front a sealed road.</p> <p>In this case, as the chalets are transportable and effectively temporary in nature, it may be less important to require the sealing of Wentworth Road. However, both Wentworth Road and Richardson Road should be of a suitable standard and structurally sound to handle the extra tourism traffic that would otherwise not be present.</p> <p>Therefore, it is recommended that Wentworth Road is upgraded to install open drains and bring gravel in to form up the road to the Shire's satisfaction.</p>
(3) All chalet development will be sited in a manner that will not impinge on the amenity or character of the area. Council may require	<p>Complies</p> <p>Holiday accommodation chalets are proposed in a location that will be largely screened from Wentworth Road by roadside vegetation</p>

additional vegetation screening to be planted and established prior to approval of the proposal.	No additional landscaping and/or screening considered necessary.
(4) In giving consideration, Council considers that each chalet will be a maximum of 2 bedrooms.	Achieved. Chalets have 1 bedroom.
(5) External building materials must be compatible with the site's surroundings.	Achieved. Timber materials and earthy colours are proposed.
(6) The method of effluent disposal will be designed so that it has no detrimental impact upon the immediate environment of the site or neighbouring properties, i.e. pollution of water courses, springs, soaks, creeks and/or dams etc.	The applicant has proposed to address on-site effluent disposal requirements at the building permit stage. A condition of approval requiring a Site and Soil Evaluation (SSE) prepared by a suitably qualified professional will be applied.
(7) Council shall determine on application the need for fire protection measures such as firebreaks, escape routes, clearing of vegetation and standpipe and hose facilities if necessary and in consultation with the Bush Fires Brigade.	Complies A combined and comprehensive bushfire management plan (BMP) and Bushfire Emergency Plan (BEP) from an appropriately accredited bushfire professional has been received. The BMP details additional access tracks, provides strategic firefighting water on each lot, identifies dams and an 'onsite safer place'. The BMP complies with the requirements of the Shire and state bushfire planning framework. The BMP and BEP should be updated to identify the manager's residence and clarify it's role in an emergency.
(9) On the basis that Council can approve two (2) dwellings on a Rural lot, up to four (4) chalets may be approved by Council on an "SA" basis provided that:- (a) one (1) house is occupied by persons involved in the farming of the property; and (b) the other house is occupied by a Manager/Caretaker.	Complies Lot 98 as a standalone development has three chalets and a manager's residence which meets the requirements of LPP7. Lot 98 has a 'split zoning' that makes it more complicated to assess development proposals when considering Lot 98 as a whole. In this case it seems reasonable to assess the southern portion of Lot 98 as a stand-alone Rural zoned portion of land as it is physically split from the Tourist zoned land by the Heritage Trail and therefore reads as a separate lot. It should be noted that the manager's residence is proposed to function as the manager for other chalet applications across the Raintree Estate.
(9) Council requires that all developers of chalets provide and maintain a register of all persons that utilise the holiday accommodation during the year to Council's satisfaction. A receipt book must also be kept. The development must be registered as a "Holiday Accommodation Premises" and the fee payable will be utilised to undertake the yearly inspection of facilities.	Achieved. Standard condition of development to be applied to ensure proposal meets policy requirements.

Local Planning Strategy 2024

Local Planning Strategy 2024 clarifies the appropriate scale of tourism land uses in the Rural zone and the issues that should be addressed. The relevant strategies and actions for rural tourism include:

“1. Support rural tourism as secondary, incidental land use only while preserving agricultural production and conservation as the primary uses of land with the Shire’s rural areas.”

The application responds to this consideration (& protection of visual landscape values) by seeking to locate chalets adjacent to areas of remnant vegetation but outside of cleared areas used for grazing and other farming practices.

Conclusion:

The application be approved subject to conditions.

Officer Recommendation:

☐ Approve

That Council grant Development Approval for the HOLIDAY ACCOMMODATION (X 3 Chalets) AND CARETAKERS UNIT at LOT 98 WENTWORTH ROAD, OCEAN BEACH subject to the following conditions:

1. The development shall be carried out and fully implemented in accordance with the stamped approved plans and details dated 23 April 2025 & 16 June 2025 unless varied by a condition of approval.
2. The chalets hereby permitted shall be removed from the site on or before 30 June 2036 and the land reinstated in agreement with and to the satisfaction of the Shire of Denmark.
3. The manager’s residence must be complete and operational prior to occupation of the proposed chalets.
4. Should the manager’s residence become unavailable all chalets on Lot 98 Wentworth Road, Ocean Beach shall be removed within 35 days or an alternate, management arrangement is approved to the satisfaction of the Chief Executive Officer.

Prior to Issuing of Building Permit

5. Prior to the issuance of a building permit, the landowner/ applicant is to provide a Site and Soil Evaluation to determine the type of on-site sewage treatment system required and the appropriate location for on-site sewage disposal.
6. Prior to the lodgement of a Building Permit, a waste management plan shall be submitted to and approved by the Shire of Denmark (Environmental Health Services). The waste management plan shall be implemented at all times to the satisfaction of the Shire of Denmark (Environmental Health Services).
7. Prior to lodgement of a Building Permit, a schedule of materials and colours for roof and wall finishes shall be submitted to the Shire of Denmark (Planning Services) for approval. The use of reflective materials such as unpainted Zinalume, white and off-white tones (including Colourbond “Surfmist”, “Dover White” and “Southerly” or such equivalent) are not permitted to be used on the roof or external wall materials.
8. The bushfire management plan and bushfire emergency plan are to be updated to recognise and describe the role of the manager’s residence in any bushfire emergency response.
9. Prior to the issuance of a building permit, amended plans showing an increased setback to the western boundary are to be provided to the satisfaction of the Shire of Denmark so that the Asset Protection Zone for the chalet is entirely within the subject site.

Prior to Occupation

10. The vehicle crossovers shall be suitably constructed and drained to the satisfaction and specifications of the Shire of Denmark (Infrastructure Services) prior to occupation of the chalets and thereafter maintained (refer Advice Note C).
11. Provision of 92,000l water tank per chalet or an alternate, equivalent water supply provided prior to occupation of the chalet to the satisfaction of the Chief Executive Officer.
12. A minimum of one car parking bay per chalet is to be provided on-site in accordance with the requirements of Australian Standard AS2890.1:2004 Parking Facilities – Off-street Car Parking and the Building Code of Australia.

13. Prior to occupancy, the following road upgrades are to be undertaken at the developer's expense to the satisfaction of the Shire of Denmark (Infrastructure Services):
- Wentworth Road is to be upgraded from the end of the sealed portion of Wentworth Road and the new entry driveway to the development which includes the establishment of open drains, importation of gravel and improvements to the road formation.
14. The measures contained in Section 6; Table 6.1 of the bushfire management plan "Raintree Agri-tourism hub for Lots 1, 2 and 304 South Coast Hwy, Lot 305 Wentworth Road, Ocean Beach, Lots 2617 and 2618 Richardson Road, Lot 3468 Privett Road" are to be completed prior to occupancy of the chalets. A completed 'Compliance Certificate' prepared by the bushfire planning practitioner is to be submitted prior to occupation of the development.
15. Prior to occupation of the premises as holiday accommodation (chalets), the following fire safety measures are to be implemented to the satisfaction of the Shire of Denmark (Community Emergency Services Manager):
- The Bushfire Emergency Evacuation Plan shall be displayed in the chalet in a highly visible and easily accessible location;
 - Provision of fire extinguishers, fire blankets and internal hardwired smoke alarms;
 - Maintenance of Asset Protection Zone (equivalent to BAL-29 rating) around the buildings; and
 - The development is to comply with the requirements of the Shire's annual Fire Management Notice (as amended).
 - Immediately prior to the occupation of the site and/or buildings for their approved purpose, the proponent shall notify the Shire of Denmark (Planning Services), in writing, of the effective completion of the approved development such that a Final Inspection can be carried out to determine compliance with the conditions contained on this Development Approval.

Ongoing

16. The holiday accommodation (chalets) can only be rented for a maximum period of three (3) months to any one person in any twelve (12) month period.
17. Owner/operators must provide and maintain a register of all people who utilise the holiday accommodation (chalet) during the year to Council's satisfaction. A receipt book must be kept.
18. The lot the subject of this approval, and the adjoining locality, has an endorsed/approved Bushfire Management Plan that is required to be implemented, and the on-going provisions of such endorsed/approved Bushfire Management Plan shall thereafter be permanently maintained at all times to the satisfaction of the Shire of Denmark (Emergency Services/Planning Services).
19. Provision being made for disabled access and facilities in accordance with the provisions contained in the Building Code of Australia and Australian Standard 1428.
20. All stormwater and drainage run off from all roofed and impervious areas is to be retained on-site.
21. The approved development shall be connected to an approved effluent disposal system to the satisfaction of the Shire of Denmark (Environmental Health Services).
22. The installation of any outdoor lighting on the building and/or in the car parking area(s) shall be in accordance with the requirements of Australian Standard AS4282-1997: Control of the Obtrusive Effects of Outdoor Lighting.

Advice Notes

- A. It is the responsibility of the applicant to ensure that building setbacks correspond with the legal description of the land. This may necessitate re-surveying and re-pegging the site. The Shire of Denmark will take no responsibility for incorrectly located buildings.
- B. It is the responsibility of the applicant/owner to search the title of the property to ascertain the presence of any easements and/or restrictive covenants that may apply.
- C. All signs proposed to be erected on-site may require the separate approval of the Shire of Denmark (Planning Approval and/or Signs Licence). Please liaise with Planning Services in regards to what approvals may be required.

.....Date: 16/06/25

Officer

DEVELOPMENT APPROVAL APPLICATION 2025/47 ASSESSMENT REPORT

Description	HOLIDAY ACCOMMODATION 1 x Chalet	Owner	RAINTREE ESTATES PTY LTD
Location	LOT 2617 RICHARDSON ROAD, OCEAN BEACH	Applicant	WILLIAMS CONSULTING
Assessing Officer	Craig Pursey Manager Sustainable Development	Date Received	23/04/2025
File Ref	A5931	R Code	
TPS Zoning	RURAL	Permissibility	SA
TPS Land Use	Holiday Accommodation	Site Visit	Yes
Bushfire Prone Area	Yes, BMP received		
Relevant TPS Policies	LPP7 Second Dwellings/Additional Houses and Chalet Developments on Rural Zoned Lots		
National, State or Local Heritage	Nil		
Aboriginal Site Survey	Nil		
LPS Designation	Land is designated Rural & Special Control Area – Visual Landscape		
Effluent/Sewer?	On site effluent disposal required		
Conflict of Interest	Nil		

Assessment Report:

Proposal

The applicant seeks to develop a single chalet with management located off site at Lot 98 Wentworth Road.

- The chalet is effectively two Tiny Homes on Wheels (THOW) with an attached patio and deck which the applicant has undertaken to have certified under the building code as Class 1b building.
- The chalet is to be clad in timber materials and earthy colours (colourbond), all chalets are self-contained.
- Access is proposed from Richardson Road and through Lot 2618. The driveways is to provide a turnaround for emergency services vehicles.
- A 10Kl communal water tank for firefighting is proposed to be available in an emergency.
- The chalets are to be managed by the company Heyscape which is a subsidiary of RAC.

Note: The original proposal is for a caretaker's dwelling to be built to a Class 1A standard. Following discussions with the landowner/proponent and applicant this has been changed to a single chalet managed remotely from Lot 98 Wentworth Road.

Process

The development application was advertised for 21 days to surrounding landowners, during which time 5 submissions were received. Issues raised included concerns with access, hydrology, amenity, adequacy of gravels roads and wider concerns regarding the sustainability of providing additional tourist accommodation.

The application has been referred to Council for a decision as alternate arrangements regarding on-site management and water provision are proposed.

The submissions are addressed in a schedule of submissions appended to the Council item.

Assessment

Holiday Accommodation proposals in the Rural zone are assessed against the requirements of Town Planning Scheme No.3 and LPP 7.

Town Planning Scheme 3

Setbacks for the Rural zone have been met with all development greater than 15m from boundaries.

A single chalet is proposed. However, the floor plan for the proposed chalet has two kitchens. Whilst this would appear to be the result of bringing two tiny homes together, two kitchens would intimate that the development could be used as two individual units. One kitchen should be decommissioned.

Local Planning Policy No.7

The proposed Holiday Accommodation has been assessed against the requirements of Local Planning Policy No.7 as follows:

Policy requirement	Comment
(1) Chalets will require a source of potable water to a capacity of 92,000 litres for each chalet. (As per Department of Agriculture Guidelines.)	<p>The application states:</p> <p><i>“Due to small size of the development, it is anticipated water storage capacity will be dealt with through the building permit process.”</i></p> <p>92Kl has been a standard water tank requirement to ensure a sustainable amount of water is available to development without regular trucking of water.</p> <p>The footprint of the proposed chalet is small and capturing adequate water from the roof catchment alone will make it difficult to meet the requirements of the policy.</p> <p>However, the water use at the chalet remains similar to a ‘standard chalet’ with a kitchen, toilet and bathroom generating similar water demands.</p> <p>A condition should be applied seeking 92Kl rainwater or similar alternate arrangement.</p>
(2) In rural areas, Council will only approve chalets that have frontage to a sealed road of a minimum width of 3.7 metres. If the road is not sealed, upgrading will be required as a condition of approval.	<p>Complies</p> <p>One chalet is proposed.</p> <p>However, given the manager’s residence is on Wentworth Road and the property is also accessed from Richardson Road, then the standard of Richardson Road is inadequate to support additional tourist traffic.</p> <p>As additional tourist traffic will impact the road and cause a need for additional maintenance, it is recommended that Richardson Road is upgraded to install open drains and bring gravel in to form up the road to the Shire’s satisfaction.</p>
In the event that the chalets are approved for land fronting a gravel road, Council will impose a condition that the developer seal this road to Council's satisfaction to a minimum width of 4.0 metres between the existing bitumen road and the access point of the development site.	
(3) All chalet development will be sited in a manner that will not impinge on the amenity or character of the area. Council may require additional vegetation screening to be planted and established prior to approval of the proposal.	<p>Complies</p> <p>Holiday accommodation chalet is proposed in a location that will be largely screened from Richardson Road by roadside vegetation.</p> <p>No additional landscaping and/or screening considered necessary.</p>
(4) In giving consideration, Council considers that each chalet will be a maximum of 2 bedrooms.	<p>Achieved.</p> <p>The chalet has 1 bedroom.</p>

(5) External building materials must be compatible with the site's surroundings.	Achieved. Timber materials and earthy colours are proposed.
(6) The method of effluent disposal will be designed so that it has no detrimental impact upon the immediate environment of the site or neighbouring properties, i.e. pollution of water courses, springs, soaks, creeks and/or dams etc.	The applicant has proposed to address on-site effluent disposal requirements at the building permit stage. A condition of approval requiring a Site and Soil Evaluation (SSE) prepared by a suitably qualified professional will be applied.
(7) Council shall determine on application the need for fire protection measures such as firebreaks, escape routes, clearing of vegetation and standpipe and hose facilities if necessary and in consultation with the Bush Fires Brigade.	Complies A combined and comprehensive bushfire management plan (BMP) and Bushfire Emergency Plan from an appropriately accredited bushfire professional has been received. The BMP details additional access tracks, provides strategic firefighting water on each lot, identifies dams and an 'onsite safer place'. The BMP complies with the requirements of the Shire and state bushfire planning framework. The BAL-29 APZ distance immediately to the north of the proposed chalet extends over the boundary with Lot 4630 Richardson Road. The APZ should be entirely within Lot 2618, therefore the chalet setback should be adjusted accordingly.
(8) Council requires that all developers of chalets provide and maintain a register of all persons that utilise the holiday accommodation during the year to Council's satisfaction. A receipt book must also be kept. The development must be registered as a "Holiday Accommodation Premises" and the fee payable will be utilised to undertake the yearly inspection of facilities.	Achieved. Standard condition of development to be applied to ensure proposal meets policy requirements.

Local Planning Strategy 2024

Local Planning Strategy 2024 clarifies the appropriate scale of tourism land uses in the Rural zone and the issues that should be addressed. The relevant strategies and actions for rural tourism include:

"1. Support rural tourism as secondary, incidental land use only while preserving agricultural production and conservation as the primary uses of land with the Shire's rural areas."

The application responds to this consideration (& protection of visual landscape values) by seeking to locate chalets adjacent to areas of remnant vegetation but outside of cleared areas used for grazing and other farming practices.

Conclusion:

The application be approved subject to conditions.

Officer Recommendation:

☐ Approve

That Council grant Development Approval for the HOLIDAY ACCOMMODATION 1 x Chalet at Lot 2618 Richardson Road, Ocean Beach subject to the following conditions:

- 1. The development shall be carried out and fully implemented in accordance with the stamped approved plans and details dated 23 April 2025 unless varied by a condition of approval.**

2. The chalet hereby permitted shall be removed from the site on or before 30 June 2036 and the land reinstated in agreement with and to the satisfaction of the Shire of Denmark.
3. The chalet hereby approved shall be managed/hosted from a central, dedicated manager's residence at Lot 98 Wentworth Road, Ocean Beach.
4. The manager's residence at Lot 98 Wentworth Road, Ocean Beach must be complete and operational prior to occupation of the proposed chalet.
5. Should the manager's residence at Lot 98 Wentworth Road, Ocean Beach become unavailable the chalet on Lot 2617 Richardson Road, Ocean Beach shall be removed within 35 days or an alternate, management arrangement is approved to the satisfaction of the Chief Executive Officer.

Prior to Issuing of Building Permit

6. Prior to the issuance of a building permit, the landowner/ applicant is to provide a Site and Soil Evaluation to determine the type of on-site sewage treatment system required and the appropriate location for on-site sewage disposal.
7. Prior to the lodgement of a Building Permit, a waste management plan shall be submitted to and approved by the Shire of Denmark (Environmental Health Services). The waste management plan shall be implemented at all times to the satisfaction of the Shire of Denmark (Environmental Health Services).
8. Prior to lodgement of a Building Permit, a schedule of materials and colours for roof and wall finishes shall be submitted to the Shire of Denmark (Planning Services) for approval. The use of reflective materials such as unpainted Zinalume, white and off-white tones (including Colourbond "Surfmist", "Dover White" and "Southerly" or such equivalent) are not permitted to be used on the roof or external wall materials.
9. Prior to lodgement of a Building Permit, the bushfire management plan and bushfire emergency plan are to be updated to recognise and describe the role of the centrally located manager's residence in any bushfire emergency response.
10. Building Permit plans are to show a single kitchen only.
11. Prior to the issuance of a building permit, amended plans showing an increased setback to the northern boundary to 21m are to be provided to the satisfaction of the Shire of Denmark so that the Asset Protection Zone for the chalet is entirely within the subject site.

Prior to Occupation

12. The driveways nominated on the site plan and the bushfire management plan shall be suitably constructed and drained to the satisfaction and specifications of the Shire of Denmark (Infrastructure Services) prior to occupation of the chalets and thereafter maintained.
13. Prior to the occupation of the development, the landowner of Lot 2618 shall establish an easement over Lot 2617 Richardson Road, Ocean Beach securing ongoing access in favour of Lot 2618 to the satisfaction of the Shire of Denmark. The easement is to be registered on the relevant Certificate of Titles as an encumbrance.
14. Provision of 92,000l water tank per chalet or an alternate, equivalent water supply provided prior to occupation of the chalet to the satisfaction of the Chief Executive Officer.
15. A minimum of one car parking bay per chalet is to be provided on-site in accordance with the requirements of Australian Standard AS2890.1:2004 Parking Facilities – Off-street Car Parking and the Building Code of Australia.
16. Prior to occupancy, the following road upgrades are to be undertaken at the developer's expense to the satisfaction of the Shire of Denmark (Infrastructure Services):
 - Richardson Road is to be upgraded between Wentworth Road and the furthest entry driveways to the development which includes the establishment of open drains, importation of gravel and improvements to the road formation.
 - Wentworth Road from the end of the bitumen seal on Wentworth Road through to the intersection with Richardson Road which includes the establishment of open drains, importation of gravel and improvements to the road formation.

17. The measures contained in Section 6; Table 6.1 of the bushfire management plan “Raintree Agri-tourism hub for Lots 1, 2 and 304 South Coast Hwy, Lot 305 Wentworth Road, Ocean Beach, Lots 2617 and 2618 Richardson Road, Lot 3468 Privett Road” are to be completed prior to occupancy of the chalets. A completed ‘Compliance Certificate’ prepared by the bushfire planning practitioner is to be submitted prior to occupation of the development.
18. Prior to occupation of the premises as holiday accommodation (chalets), the following fire safety measures are to be implemented to the satisfaction of the Shire of Denmark (Community Emergency Services Manager):
 - The Bushfire Emergency Evacuation Plan shall be displayed in the chalet in a highly visible and easily accessible location;
 - Provision of fire extinguishers, fire blankets and internal hardwired smoke alarms;
 - Maintenance of Asset Protection Zone (equivalent to BAL-29 rating) around the buildings; and
 - The development is to comply with the requirements of the Shire’s annual Fire Management Notice (as amended).
19. Immediately prior to the occupation of the site and/or buildings for their approved purpose, the proponent shall notify the Shire of Denmark (Planning Services), in writing, of the effective completion of the approved development such that a Final Inspection can be carried out to determine compliance with the conditions contained on this Development Approval.

Ongoing

20. The holiday accommodation (chalets) can only be rented for a maximum period of three (3) months to any one person in any twelve (12) month period.
21. Owner/operators must provide and maintain a register of all people who utilise the holiday accommodation (chalet) during the year to Council’s satisfaction. A receipt book must be kept.
22. The lot the subject of this approval, and the adjoining locality, has an endorsed/approved Bushfire Management Plan that is required to be implemented, and the on-going provisions of such endorsed/approved Bushfire Management Plan shall thereafter be permanently maintained at all times to the satisfaction of the Shire of Denmark (Emergency Services/Planning Services).
23. Provision being made for disabled access and facilities in accordance with the provisions contained in the Building Code of Australia and Australian Standard 1428.
24. All stormwater and drainage run off from all roofed and impervious areas is to be retained on-site.
25. The approved development shall be connected to an approved effluent disposal system to the satisfaction of the Shire of Denmark (Environmental Health Services).
26. The installation of any outdoor lighting on the building and/or in the car parking area(s) shall be in accordance with the requirements of Australian Standard AS4282-1997: Control of the Obtrusive Effects of Outdoor Lighting.

Advice Notes

- A. It is the responsibility of the applicant to ensure that building setbacks correspond with the legal description of the land. This may necessitate re-surveying and re-pegging the site. The Shire of Denmark will take no responsibility for incorrectly located buildings.
- B. It is the responsibility of the applicant/owner to search the title of the property to ascertain the presence of any easements and/or restrictive covenants that may apply.

.....Date: 16/06/25

Officer

DEVELOPMENT APPROVAL APPLICATION 2025/57 ASSESSMENT REPORT

Description	HOLIDAY ACCOMMODATION (X 2 Chalets)	Owner	KAREN BIRKBECK
Location	Lot 3468 Privett Road, William Bay	Applicant	WILLIAMS CONSULTING
Assessing Officer	Craig Pursey, Manager Development Services	Date Received	23 April 2025
File Ref	A3905	R Code	
TPS Zoning	RURAL	Permissibility	SA
TPS Land Use	Holiday Accommodation	Site Visit	Yes
Bushfire Prone Area	Yes, BMP received		
Relevant TPS Policies	Local Planning Policy No.7		
National, State or Local Heritage	Nil		
Aboriginal Site Survey	Nil		
LPS Designation	Land is designated Rural and Visual Landscape Protection		
Effluent/Sewer?	On-site sewerage disposal required.		
Conflict of Interest	Nil		

Assessment Report:

Proposal

The applicant seeks to develop two chalets with management located off site at Lot 98 Wentworth Road.

- The chalets are effectively Tiny Homes on Wheels (THOW) with an attached patio and deck which the applicant has undertaken to have certified under the building code as Class 1b buildings.
- The chalets are to be clad in timber materials and earthy colours (colourbond), all chalets are self-contained.
- Access is proposed from Richardson Road. Individual driveways are proposed to each chalet with turnarounds for emergency services vehicles.
- A 20kl communal water tank for firefighting is proposed to be available in an emergency.
- The chalets are to be managed by the company Heyscape which is a subsidiary of RAC.

Process

The development application was advertised for 21 days to surrounding landowners, during which time 5 submissions were received. Issues raised included concerns with access, hydrology, amenity, adequacy of gravels roads and wider concerns regarding the sustainability of providing additional tourist accommodation.

The application has been referred to Council for a decision as alternate arrangements regarding on-site management and water provision are proposed.

The submissions are addressed in a schedule of submissions appended to the Council item.

Assessment

Holiday Accommodation proposals in the Rural zone are assessed against the requirements of Town Planning Scheme No.3 and LPP 7.

Town Planning Scheme 3

Setbacks for the Rural zone have been met with all development greater than 50m from Richardson Road and 15m from side boundaries.

Local Planning Policy No.7

The proposed Holiday Accommodation has been assessed against the requirements of Local Planning Policy No.7 as follows:

Policy requirement	Comment
(1) Chalets will require a source of potable water to a capacity of 92,000 litres for each chalet. (As per Department of Agriculture Guidelines.)	<p>The application states: <i>"Due to small size of the development, it is anticipated water storage capacity will be dealt with through the building permit process."</i></p> <p>92Kl has been a standard water tank requirement to ensure a sustainable amount of water is available to development without regular trucking of water.</p> <p>The footprint of the proposed chalets is small and capturing adequate water from the roof catchment alone will make it difficult to meet the requirements of the policy.</p> <p>However, the water use at the chalet remains similar to a 'standard chalet' with a kitchen, toilet and bathroom generating similar water demands.</p> <p>A condition should be applied seeking 92Kl rainwater or similar alternate arrangement.</p>
<p>(2) In rural areas, Council will only approve chalets that have frontage to a sealed road of a minimum width of 3.7 metres. If the road is not sealed, upgrading will be required as a condition of approval.</p> <p>In the event that the chalets are approved for land fronting a gravel road, Council will impose a condition that the developer seal this road to Council's satisfaction to a minimum width of 4.0 metres between the existing bitumen road and the access point of the development site.</p>	<p>Complies</p> <p>Two chalets are proposed.</p> <p>However, given the manager's residence is on Wentworth Road and the property is also accessed from Richardson Road, then the standard of Richardson Road is inadequate to support additional tourist traffic.</p> <p>As additional tourist traffic will impact the road and cause a need for additional maintenance, it is recommended that Richardson Road is upgraded to install open drains and bring gravel in to form up the road to the Shire's satisfaction.</p> <p>Importantly, Lot 3468 has no access to a road reserve and must secure access through adjoining lots (Lot 1 Privett Road and Lot 2 Richardson Road).</p> <p>The BMP proposes constructing and securing access through both Lot 1 & 2, this should be completed prior to occupation of the chalets.</p>
(3) All chalet development will be sited in a manner that will not impinge on the amenity or character of the area. Council may require additional vegetation screening to be planted and established prior to approval of the proposal.	<p>Complies</p> <p>Holiday accommodation chalets are proposed in a location that will be largely screened from Richardson Road by roadside vegetation.</p> <p>However, there is an existing residence on the north side of Richardson Road that may overlook the proposed chalets, additional screening vegetation is recommended.</p>
(4) In giving consideration, Council considers that each chalet will be a maximum of 2 bedrooms.	<p>Achieved.</p> <p>Chalets have 1 bedroom.</p>
(5) External building materials must be compatible with the site's surroundings.	<p>Achieved.</p> <p>Timber materials and earthy colours are proposed.</p>
(6) The method of effluent disposal will be designed so that it has no detrimental impact upon the immediate environment of the site or neighbouring properties, i.e.	<p>The applicant has proposed to address on-site effluent disposal requirements at the building permit stage.</p> <p>A condition of approval requiring a Site and Soil Evaluation (SSE) prepared by a suitably qualified professional will be applied.</p>

pollution of water courses, springs, soaks, creeks and/or dams etc.	
(7) Council shall determine on application the need for fire protection measures such as firebreaks, escape routes, clearing of vegetation and standpipe and hose facilities if necessary and in consultation with the Bush Fires Brigade.	Complies A combined and comprehensive bushfire management plan (BMP) and Bushfire Emergency Plan from an appropriately accredited bushfire professional has been received. The BMP details additional access tracks, provides strategic firefighting water on each lot, identifies dams and an 'onsite safer place'. The BMP complies with the requirements of the Shire and state bushfire planning framework.
(9) On the basis that Council can approve two (2) dwellings on a Rural lot, up to four (4) chalets may be approved by Council on an "SA" basis provided that:- (a) one (1) house is occupied by persons involved in the farming of the property; and (b) the other house is occupied by a Manager/Caretaker.	Two chalets are proposed with off-site management. Subsequent to the application being lodged, the applicant, landowner and operator brought a proposal to have a single manager's residence located on Lot 98 Wentworth Road rather than dispersing individual caretaker's dwellings across Raintree Estate. In this case, the low density of the chalets spread across 356ha, the comprehensive bushfire management planning, and the highly transportable nature of the chalets (i.e. they can be easily removed at the end of the development's lifecycle) lead to a recommendation to support a single managers residence, rather than multiple caretakers across every individual lot. Effectively, the number of chalets proposed generally complies with the recommendations of LPP7, but it would seem overly complicated to require individual caretakers' residences on each lot when the farm effectively presents as a single landholding. A condition should be applied that requires the removal of the chalets should the manager's residence on Lot 98 Wentworth Road not be available.
(9) Council requires that all developers of chalets provide and maintain a register of all persons that utilise the holiday accommodation during the year to Council's satisfaction. A receipt book must also be kept. The development must be registered as a "Holiday Accommodation Premises" and the fee payable will be utilised to undertake the yearly inspection of facilities.	Achieved. Standard condition of development to be applied to ensure proposal meets policy requirements.

Local Planning Strategy 2024

Local Planning Strategy 2024 clarifies the appropriate scale of tourism land uses in the Rural zone and the issues that should be addressed. The relevant strategies and actions for rural tourism include:

"1. Support rural tourism as secondary, incidental land use only while preserving agricultural production and conservation as the primary uses of land with the Shire's rural areas."

The application responds to this consideration (& protection of visual landscape values) by seeking to locate chalets adjacent to areas of remnant vegetation but outside of cleared areas used for grazing and other farming practices.

Conclusion:

The application be approved subject to conditions.

Officer Recommendation:

☐ Approve ☐ Refuse ☐ Consult ☐ Defer ☐ Council

That Council grant Development Approval for the HOLIDAY ACCOMMODATION (X 2 Chalets) at Lot 3468 Privett Road, William Bay subject to the following conditions:

1. The development shall be carried out and fully implemented in accordance with the stamped approved plans and details dated 23 April 2025 unless varied by a condition of approval.
2. The chalets hereby permitted shall be removed from the site on or before 24 June 2035 and the land reinstated in agreement with and to the satisfaction of the Shire of Denmark.
3. This development approval relates to the land the subject of the application and the current landowner only and cannot be assigned to any other person or transferred to any other property or premises. Should the property be sold, the approved chalets are to be removed from the property within 35 days or an alternate, management arrangement is approved to the satisfaction of the Chief Executive Officer.
4. The chalets hereby approved shall be managed/hosted from a central, dedicated manager's residence at Lot 98 Wentworth Road, Ocean Beach.
5. The manager's residence at Lot 98 Wentworth Road, Ocean Beach must be complete and operational prior to occupation of the proposed chalets.
6. Should the manager's residence at Lot 98 Wentworth Road, Ocean Beach become unavailable all chalets on Lot 2618 (#7) Richardson Road, Ocean Beach shall be removed within 35 days or an alternate, management arrangement is approved to the satisfaction of the Chief Executive Officer.

Prior to Issuing of Building Permit

7. Prior to the issuance of a building permit, the landowner/ applicant is to provide a Site and Soil Evaluation to determine the type of on-site sewage treatment system required and the appropriate location for on-site sewage disposal.
8. Prior to the lodgement of a Building Permit, a waste management plan shall be submitted to and approved by the Shire of Denmark (Environmental Health Services). The waste management plan shall be implemented at all times to the satisfaction of the Shire of Denmark (Environmental Health Services).
9. Prior to lodgement of a Building Permit, a schedule of materials and colours for roof and wall finishes shall be submitted to the Shire of Denmark (Planning Services) for approval. The use of reflective materials such as unpainted Zinalume, white and off-white tones (including Colourbond "Surfmist", "Dover White" and "Southerly" or such equivalent) are not permitted to be used on the roof or external wall materials.
10. Prior to lodgement of a Building Permit, the bushfire management plan and bushfire emergency plan are to be updated to recognise and describe the role of the centrally located manager's residence in any bushfire emergency response.

Prior to Occupation

11. Prior to the occupation of the development, easements securing legal access to Lot 3468 Privett Road, William Bay to a constructed road are to be established to the satisfaction of the Shire of Denmark. The easement(s) is to be registered on the relevant Certificate of Titles as an encumbrance.
12. The driveways nominated on the site plan and the bushfire management plan shall be suitably constructed and drained to the satisfaction and specifications of the Shire of Denmark (Infrastructure Services) prior to occupation of the chalets and thereafter maintained.
13. Provision of 92,000l water tank per chalet or an alternate, equivalent water supply provided prior to occupation of the chalet to the satisfaction of the Chief Executive Officer.
14. A minimum of one car parking bay per chalet is to be provided on-site in accordance with the requirements of Australian Standard AS2890.1:2004 Parking Facilities – Off-street Car Parking and the Building Code of Australia.

15. Prior to occupancy, the following road upgrades are to be undertaken at the developer's expense to the satisfaction of the Shire of Denmark (Infrastructure Services):
- Richardson Road is to be upgraded between Wentworth Road and the furthest entry driveways to the development which includes the establishment of open drains, importation of gravel and improvements to the road formation.
 - Wentworth Road from the end of the bitumen seal on Wentworth Road through to the intersection with Richardson Road which includes the establishment of open drains, importation of gravel and improvements to the road formation.
16. The measures contained in Section 6; Table 6.1 of the bushfire management plan "Raintree Agri-tourism hub for Lots 1, 2 and 304 South Coast Hwy, Lot 305 Wentworth Road, Ocean Beach, Lots 2617 and 2618 Richardson Road, Lot 3468 Privett Road" are to be completed prior to occupancy of the chalets. A completed 'Compliance Certificate' prepared by the bushfire planning practitioner is to be submitted prior to occupation of the development.
17. Prior to occupation of the premises as holiday accommodation (chalets), the following fire safety measures are to be implemented to the satisfaction of the Shire of Denmark (Community Emergency Services Manager):
- The Bushfire Emergency Evacuation Plan shall be displayed in the chalet in a highly visible and easily accessible location;
 - Provision of fire extinguishers, fire blankets and internal hardwired smoke alarms;
 - Maintenance of Asset Protection Zone (equivalent to BAL-29 rating) around the buildings; and
 - The development is to comply with the requirements of the Shire's annual Fire Management Notice (as amended).
18. Immediately prior to the occupation of the site and/or buildings for their approved purpose, the proponent shall notify the Shire of Denmark (Planning Services), in writing, of the effective completion of the approved development such that a Final Inspection can be carried out to determine compliance with the conditions contained on this Planning Consent.

Ongoing

19. The holiday accommodation (chalets) can only be rented for a maximum period of three (3) months to any one person in any twelve (12) month period.
20. Owner/operators must provide and maintain a register of all people who utilise the holiday accommodation (chalet) during the year to Council's satisfaction. A receipt book must be kept.
21. The lot the subject of this approval, and the adjoining locality, has an endorsed/approved Bushfire Management Plan that is required to be implemented, and the on-going provisions of such endorsed/approved Bushfire Management Plan shall thereafter be permanently maintained at all times to the satisfaction of the Shire of Denmark (Emergency Services/Planning Services).
22. Provision being made for disabled access and facilities in accordance with the provisions contained in the Building Code of Australia and Australian Standard 1428.
23. All stormwater and drainage run off from all roofed and impervious areas is to be retained on-site.
24. The approved development shall be connected to an approved effluent disposal system to the satisfaction of the Shire of Denmark (Environmental Health Services).
25. The installation of any outdoor lighting on the building and/or in the car parking area(s) shall be in accordance with the requirements of Australian Standard AS4282-1997: Control of the Obtrusive Effects of Outdoor Lighting.

Advice Notes

- A. It is the responsibility of the applicant to ensure that building setbacks correspond with the legal description of the land. This may necessitate re-surveying and re-pegging the site. The Shire of Denmark will take no responsibility for incorrectly located buildings.
- B. It is the responsibility of the applicant/owner to search the title of the property to ascertain the presence of any easements and/or restrictive covenants that may apply.

.....Date: 16/06/25

Officer

12 January 2025

Chief Executive Officer
Shire of Denmark
PO Box 183
Denmark WA 6333

Dear Sir/Madam,

DEVELOPMENT APPLICATION: LOT 304 SOUTH COAST HIGHWAY, OCEAN BEACH

This application has been prepared by Williams Consulting on behalf of the owner of Lot 304 South Coast Highway, Ocean Beach (the 'site') – Karen Birkbeck. The application seeks planning consent from the Shire of Denmark for the following development on the subject site:

- 3 x Holiday Accommodation dwellings
 - 1 Caretaker's Dwelling
 - ~~Relocate the existing crossover onto South Coast Highway further west~~
- NB: Now a chalet**
- Landowner advised no longer part of proposal**

The owner is collaborating with accommodation provider Heyscape to deliver this product. Heyscape's mission is to unlock off-grid nature escapes for WA locals and visitors alike, allowing people to stay in picturesque premium locations across the state with everything they need and more. Heyscape manages similar holiday accommodation across the southwest including Busselton, Avon Valley, Chittering, Serpentine, Denmark, Esperance and Yallingup.

Heyscape has identified a niche in the tourism market and have built a solid reputation for providing accommodation that emulates the natural aspect of camping but delivers an off-grid premium experience that remains accessible to everyone.

The site forms part of a wider group of landholdings known as Raintree, a 356-hectare Agri-tourism hub in which both economic and social entities work together to produce innovation, economic growth and environmental benefits. This application seeks to expand upon the approval of similar holiday accommodation that was approved by the shire on Lot 1 Privett Road William Bay for three (3) holiday accommodation dwellings and one (1) caretakers' residence.

SUBJECT LAND AND LOCALITY

The site is located 12km (approx.) west of Denmark town centre via South Coast Highway, in an undulating rural area. Various tourist attractions are located nearby, including; William Bay National Park, The Dam and Denmark Chocolate Company.

The site has 240m of frontage onto South Coast Highway (sealed), and 140m (approx.) of frontage onto Richardson Road (unsealed). Existing development on the site is limited to one single dwelling and several outbuildings associated with primary production activities. Primary access to the site is via the crossover onto South Coast Highway.

The site slopes gently from 158m AHD (approx.) in the southeast down to 100m AHD (approx.) in the northwest and has been historically cleared (except for multiple stands of trees) to support agricultural production. The site has four dams providing water to livestock. The site has no permanent water courses, wetlands, cliffs or other significant environmental attributes.

An aerial photo of the site is shown in **Figure 1**.

Lot 304 South Coast Highway, Ocean Beach

Details of the site are provided in **Table 1** below. A copy of the Certificate of Title is provided at **Appendix A**.

Lot No.	Plan	Vol.	Folio	Area (Ha)	Zone
304	75450	2809	899	73.3418	Rural

Table 1: Site details



Figure 1: Lot 304 South Coast Highway, Ocean Beach

(source: DPLH)

Background

The site forms part of the Raintree Estate which incorporates 356 hectares of surrounding land holdings including Lot 305 on the northern side of the Denmark-Nornalup Heritage Trail. Lot 305 is zoned Tourist (T 15) under the Shire of Denmark's Local Planning Scheme No.3 and contains 'The Dam', which is a thriving and highly frequented tourist destination.

As part of The Dam's expansion subdivision approval was granted by the WAPC (ref: 162745) to amalgamate a portion of the subject site into lot 305 to accommodate essential infrastructure. Progression of WAPC subdivision approval (#162745) is progressing, with the revised lot boundary locations shown in **Figure 2**.

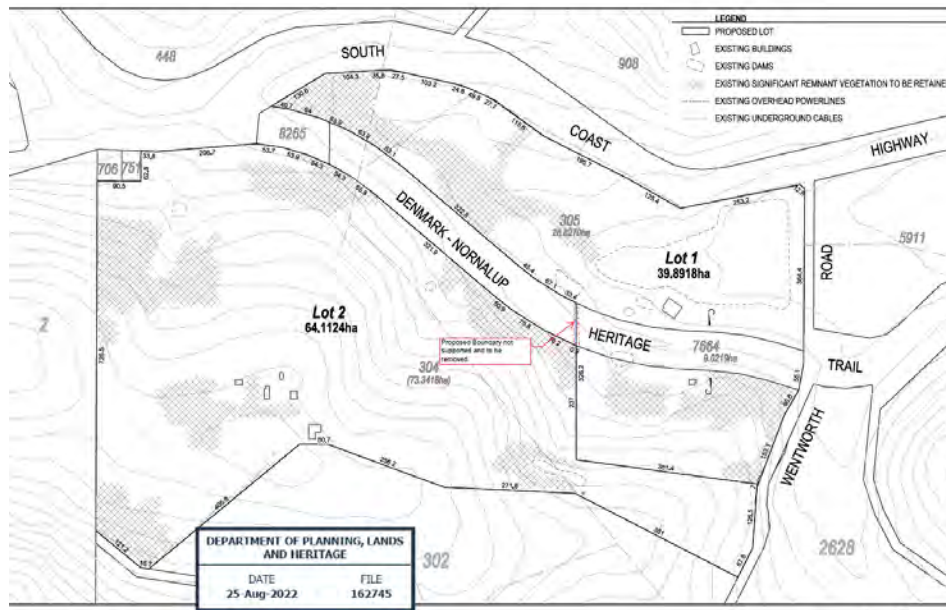


Figure 2: Approved boundary realignment

(source: WAPC)

PROPOSED DEVELOPMENT

This application seeks approval for the following development on the subject site:

- 3 x Holiday Accommodation dwellings
- 1 Caretaker's Dwelling
- Relocate the existing crossover onto South Coast Highway further west

The Holiday Accommodation dwellings (aka 'tiny house cabins') have a usable floor space of 17m² (approx.) plus an outdoor deck providing a defined outdoor living area. They will be available to visitors and tourists on a short stay basis.

The Caretakers Dwelling has an internal usable floor area of 24m² (approx.) plus outdoor deck. The Caretaker Dwelling will be occupied permanently by a caretaker responsible for cleaning and maintaining the holiday Accommodation dwellings.

All dwellings are provided with a bathroom, living area, kitchen and bedroom, and include:

- bathroom vanity
- indoor shower
- outdoor bath
- kitchen sink
- flushable toilet

An indicative illustration of the building typologies is provided in **Figure 3**. A copy of the floor plans and elevations are included at **Appendix B**.

To provide increased safety to residents and visitors accessing and leaving the site, the existing crossover onto South Coast Highway is proposed to be relocated further to the west. The posted speed limit on this section of South Coast Hwy adjacent the subject site is 80km/hr.

Holiday Accommodation



Caretakers Dwelling



Figure 3: Indicative dwelling typologies

(source: Heyscape.com.au)

The buildings will be located on the subject site to ensure each dwelling is provided with a suitable level of privacy, views and amenity. Each building has a significant setback to the street boundary and is well screened from neighbouring properties via vegetation screening and landform. Inclusion of timber materials and earthy colour schemes to the exterior of each building will further assist the buildings to blend in with the surrounding environment.

Each location has been selected to minimise visual impacts on the surrounding landscape, comply with the bushfire regulations and minimise any potential for land use conflict to occur.

A location plan showing the location of the proposed development is included in **Figure 4**.



Figure 4: Location Plan

(source: Landgate)

PLANNING FRAMEWORK

Local Planning Framework

Shire of Denmark Local Planning Scheme No. 3

The subject site is zoned Rural under the Shire of Denmark Local Planning Scheme No. 3 (LPS 3). Clause 3.1.3 (g) of LPS 3 acknowledges the purpose and intent of the Rural zone is *for the range of normal rural activities conducted in the Shire and to protect such land from inappropriate uses*.

Table 1 of LPS 3 identifies *Holiday Accommodation* as a "SA" land use in the Rural zone, meaning that the Council may (at its discretion) permit the use in the zone after giving notice of the application in accordance with Clause 6.4 (i.e. – after 21 days of public advertising).

Furthermore, Table 1 of LPS 3 identifies a *Caretakers Dwelling* as an "AA" land use in the Rural zone, meaning that the Council may (at its discretion) permit the use in the zone (without a requirement for public advertising).

Accordingly, the proposed development may be considered and approved under LPS 3.

Shire of Denmark Town Planning Scheme Policy No. 7 - Second dwellings / Additional Houses and Chalet Developments on Rural Zoned Lots (TPSP 7)

The Shire of Denmark's TPSP 7 enables Council to apply discretion and approve one residential dwelling and one chalet on a single (vacant) lot within the rural zone. This policy echoes the difficulties associated with obtaining a sustainable income on small rural lots (comparative to lot sizes in surrounding local Shires) and provides landowners the opportunity to supplement their income through complementary development.

TPSP 7 identifies the level of approval required for proposals involving second dwellings, additional houses and/or chalet developments on land holdings within the rural zone. The policy identifies that "Specific Approval" is required for the proposed development subject to this application (i.e. – one residential caretaker dwellings and three holiday accommodation chalets).

Table 2 lists the applicants' responses to the applicable special conditions of TPSP 7.

TPSP 7 SPECIFIC APPROVAL CONDITIONS	
TPSP 7	APPLICANT RESPONSE
<p>Condition 1</p> <p>In rural areas, Council will only approve chalets that have frontage to a sealed road of a minimum width of 3.7 metres. If the road is not sealed, upgrading will be required as a condition of approval.</p> <p>In the event that the chalets are approved for land fronting a gravel road, Council will impose a condition that the developer seal this road to Council's satisfaction to a minimum width of 4.0 metres between the existing bitumen road and the access point of the development site.</p>	<p>Access to the site will be via South Coast Highway, which is a sealed freight/traffic route.</p> <p>The existing crossover on to South Coast Highway is proposed to be relocated further west to provide increased safety to residents and visitors.</p> <p>This application is compliant with Condition 1.</p>
<p>Condition 2</p> <p>All proposals will be advertised once in a paper circulating in the area seeking public comment for a period of not less than 21 days.</p>	<p>Public advertising by Shire of Denmark.</p> <p>This application can comply with Condition 2.</p>
<p>Condition 3</p> <p>Chalets will require a source of potable water with a storage capacity of 92,000 litres for each chalet. (As per Department of Agriculture Guidelines)</p>	<p>Due to the small size of the development, it is anticipated water storage capacity will be dealt with through the building permit process.</p> <p>This application can comply with Condition 3.</p>
<p>Condition 4</p> <p>All chalet development will be sited in a manner that will not impinge on the amenity or character of the area. Council may require additional vegetation screening to be planted and established prior to approval of the proposal.</p>	<p>The dwellings will be located to ensure each dwelling achieves a suitable level of privacy, rural views and a high level of bucolic amenity.</p> <p>Each location has been selected to minimise visual impacts on the surrounding landscape and comply with the bushfire regulations.</p> <p>This application will comply with Condition 4.</p>
<p>Condition 5</p> <p>External building materials must be compatible with the site's surrounding.</p>	<p>Each building will blend in with the surrounding environment by incorporating timber materials and earthy colour schemes to the building's exterior.</p> <p>This application will comply with Condition 5.</p>
<p>Condition 6</p> <p>The method of effluent disposal will be designed so that it has no detrimental impact upon the immediate environment of the site or neighbouring properties, i.e. pollution of water courses, springs, soaks, creeks and/or dams etc.</p>	<p>Details of onsite wastewater disposal to be dealt with through the building permit process.</p> <p>This application will comply with Condition 6.</p>

<p>Condition 7</p> <p>Council shall determine on application the need for fire protection measures such as firebreaks, escape routes, clearing of vegetation and standpipe and hose facilities if necessary and in consultation with the Bush Fires Brigade.</p>	<p>A Bushfire Management Plan (BMP), including recommended fire protection measures, is being prepared and will be submitted to the Shire.</p> <p>This application will comply with Condition 7.</p>
<p>Condition 8</p> <p>Council shall determine on application that if warranted, a deceleration lane shall be constructed by the developer on the public road to Council standards to enhance traffic safety.</p>	<p>Access/egress to the site is via South Coast Hwy. This application seeks to relocate the existing crossover to a safer location. Accordingly, the requirement for a deceleration lane is not deemed necessary.</p> <p>This application can comply with Condition 8.</p>
<p>Condition 9</p> <p>On the basis that Council can approve two (2) dwellings on a Rural lot, up to four (4) chalets may be approved by Council on an "SA" basis provided that: -</p> <p>(a) one (1) house is occupied by persons involved in the farming of the property; and</p> <p>(b) the other house is occupied by a Manager/Caretaker.</p>	<p>The existing dwelling will be retained with occupants involved in the farming of the property. The Caretaker residence will be occupied by a Manager/Caretaker.</p> <p>This application seeks approval for the following:</p> <ul style="list-style-type: none"> - 3 x Holiday Accommodation chalets - 1 x Caretaker residence <p>This application is compliant with Condition 9.</p>
<p>Condition 10</p> <p>Council requires that all developers of chalets will provide and maintain a register of all persons that utilise the holiday accommodation during the year to Council's satisfaction. A receipt book must also be kept. The development must be registered as a "Holiday Accommodation Premises" and the fee payable will be utilised to undertake the yearly inspection of facilities.</p>	<p>It is anticipated the Shire would apply a standard condition to any planning approval to enforce this condition.</p> <p>This application can comply with Condition 10.</p>

State Planning Framework

State Planning Policy 2.5 - Rural Planning

State Planning Policy 2.5 - Rural Planning (SPP 2.5) seeks to protect and preserve rural land assets due to the importance of their economic, natural resource, food production, environmental and landscape values.

Section 2.1 of the Rural Planning Guidelines acknowledges that a variety of land uses are able to successfully operate within rural zones, including intensive/extensive agriculture, animal premises, biodiversity conservation, natural resource management and tourism.

The site is currently used for primary production (i.e. – livestock grazing) and will continue to be used for this purpose in the future. As acknowledged in contemporary planning practice and policy, tourism is generally accepted as a compatible land use within the rural zone.

The proposed development has minimal potential to impact on primary production occurring onsite in the future. The small scale of development considering the lot size means there is sufficient space for primary production to occur without impacting on the holiday homes (and vice versa). Further, each holiday accommodation cabin will be fenced off within a 200m² plot to prevent close interaction with livestock.

A cost benefit analysis undertaken by the owner identifies that a 0.3% loss in gross revenue associated with locating 13 dwellings on the Raintree Estate would be offset by a 50% increase in farm productivity, lifting revenues by 165% from \$129,000 to \$343,917 p.a. – primarily through value adding to the Agritourism market. A copy of the cost benefit analysis is included at **Appendix C**.

State Planning Policy 3.7 - Bushfire

The subject site has been deemed bushfire prone by the Commissioner of Fire and Emergency Services (DFES). State Planning Policy 3.7 – Bushfire (SPP 3.7) requires a Bushfire Attack Level (BAL) assessment or Bushfire Management Plan (BMP) to accompany planning applications identified as bushfire prone.

SPP 3.7 seeks to minimise and/or mitigate the risks to people, property and infrastructure, to ensure the risks are acceptable and appropriate to the land use and the location. A BMP is currently being prepared and will be provided to the Shire and assist with the assessment of this application.

As the proposed development is considered a vulnerable land use a Bushfire Emergency Plan (BEP) will need to be prepared and approved by the Shire prior to occupation. It is anticipated may be enforced via a condition of approval.

State Planning Policy 5.4 - Road and Rail Noise

The subject site is located within the 200m trigger distance of State Planning Policy 5.4 – Road and Rail Noise (SPP 5.4), as this policy identifies South Coast Hwy as '*other significant freight / traffic route*'.

As all buildings will be located beyond the 200m trigger distance to South Coast Hwy, it is anticipated that traffic noise will not impact any of the buildings, in accordance with the findings of the Road and Rail Noise Guidelines.

SERVICING

Power

Each building will be provided with an off-grid power solution consisting of solar panels and storage batteries.

Gas

Gas appliances will be connected to gas bottles stored in the utility room.

Potable Water Supply

As the subject site is outside of Water Corporations reticulated water and wastewater network, rainwater harvesting and storage will occur as with surrounding properties.

Stormwater runoff will be captured and stored onsite. Given the small size of the buildings and limited number of occupants at any given time, it is anticipated rainwater tank capacity can be determined through the building permit process.

Any shortfall in water storage will be supplemented via water carting to ensure there is always an appropriate level of potable water available.

Wastewater Disposal

It is anticipated details of the wastewater disposal arrangements can be dealt with through the building permit process.

CONCLUSION

This application seeks approval for the following development on the subject site:

- 3 x Holiday Accommodation dwellings
- 1 Caretaker's Dwelling
- Relocate the existing crossover onto South Coast Highway further west

This application demonstrates the proposed development can comply with the relevant planning framework and will provide complementary holiday accommodation close to many existing tourist attractions. The proposed development will create new employment opportunities and contribute to the Shire's local economy.

Should you have any queries relating to this application or would like to discuss the application in more detail, please do not hesitate to contact me at your convenience.

Kind regards,



Sam Williams

Town Planner

APPENDIX A - Certificate of Title

WESTERN



AUSTRALIA

TITLE NUMBER

Volume

Folio

2809

899

RECORD OF CERTIFICATE OF TITLE

UNDER THE TRANSFER OF LAND ACT 1893

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

BGRoberts
REGISTRAR OF TITLES



LAND DESCRIPTION:

LOT 304 ON DEPOSITED PLAN 75450

REGISTERED PROPRIETOR: (FIRST SCHEDULE)

KAREN BIRKBECK OF PO BOX 332, DENMARK

(AF M224676) REGISTERED 28/3/2013

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS: (SECOND SCHEDULE)

1. O754364 MORTGAGE TO NATIONAL AUSTRALIA BANK LTD REGISTERED 1/6/2021.
2. P190711 EASEMENT BENEFIT FOR WATER SUPPLY PURPOSES - SEE DEPOSITED PLAN 422021 REGISTERED 23/6/2022.
3. P190712 EASEMENT BENEFIT FOR WATER SUPPLY PURPOSES - SEE DEPOSITED PLAN 422021 REGISTERED 23/6/2022.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: DP75450
PREVIOUS TITLE: 2597-798, 2597-800
PROPERTY STREET ADDRESS: 2269 SOUTH COAST HWY, OCEAN BEACH.
LOCAL GOVERNMENT AUTHORITY: SHIRE OF DENMARK

NOTE 1: P544125 DEPOSITED PLAN 425634 LODGED

APPENDIX B - Floor Plans and Elevations



Lot 304 - Site plan

Drawing:

DC-001

DELUXE CABIN

REV: A

Date: 11/01/23

SHEET SIZE: A3

COVER PAGE



HEYSCAPE
TINY CABINS

1/21 Jacquard Way, Port Kennedy WA 6172
www.heysscape.com.au

Drawing:

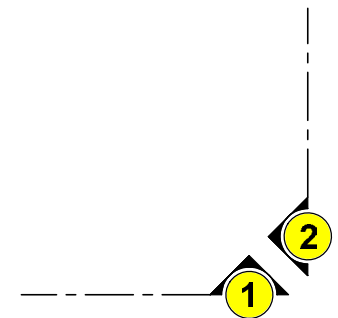
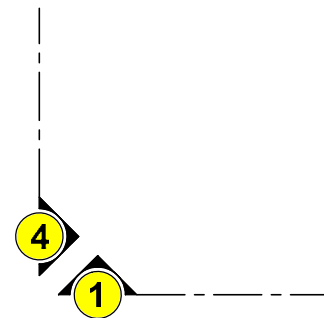
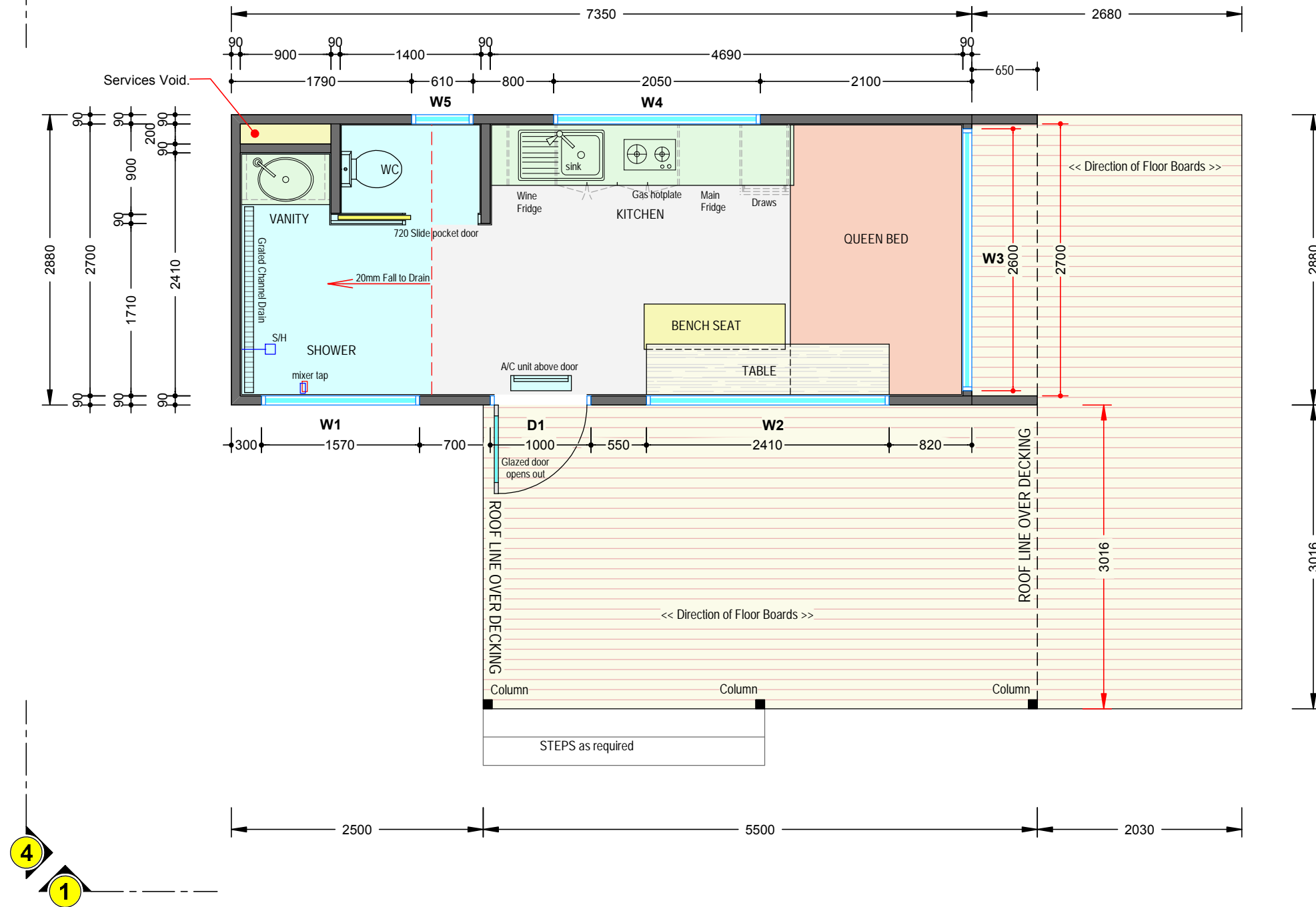
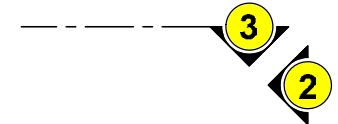
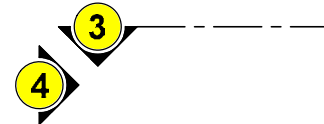
DELUXE CABIN

REV: A

Date: 11/01/23

SHEET SIZE: A3

P1 of 8



FLOOR PLAN VIEW

Scale 1:50



1/21 Jacquard Way, Port Kennedy WA 6172
www.heidscape.com.au

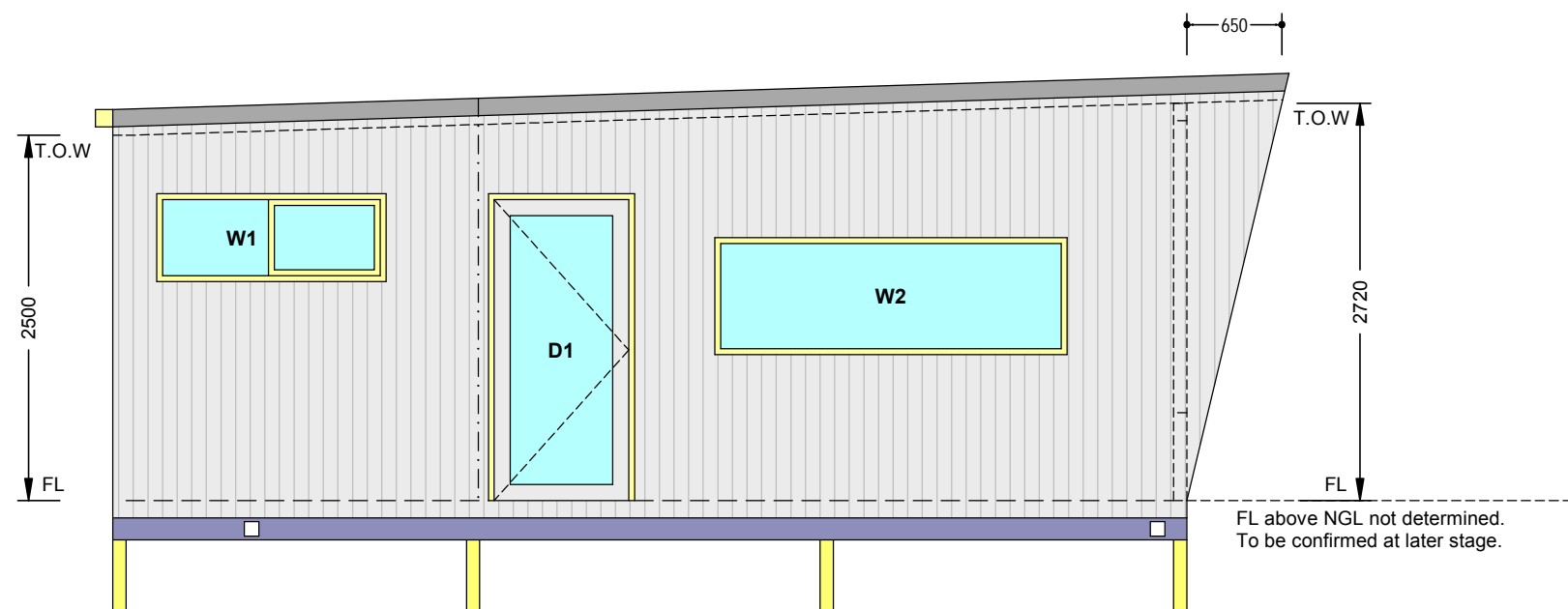
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DELUXE CABIN

REV: A

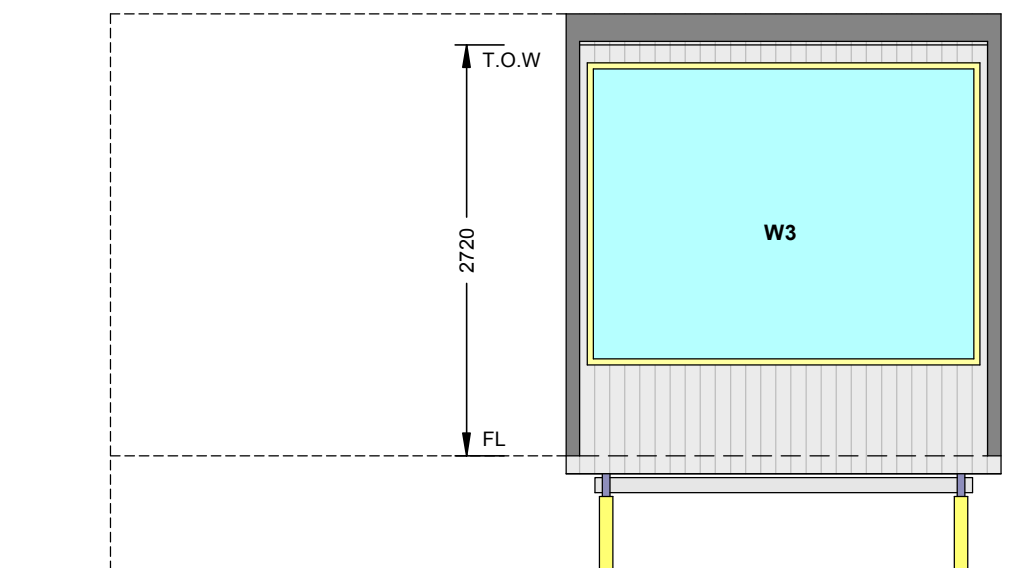
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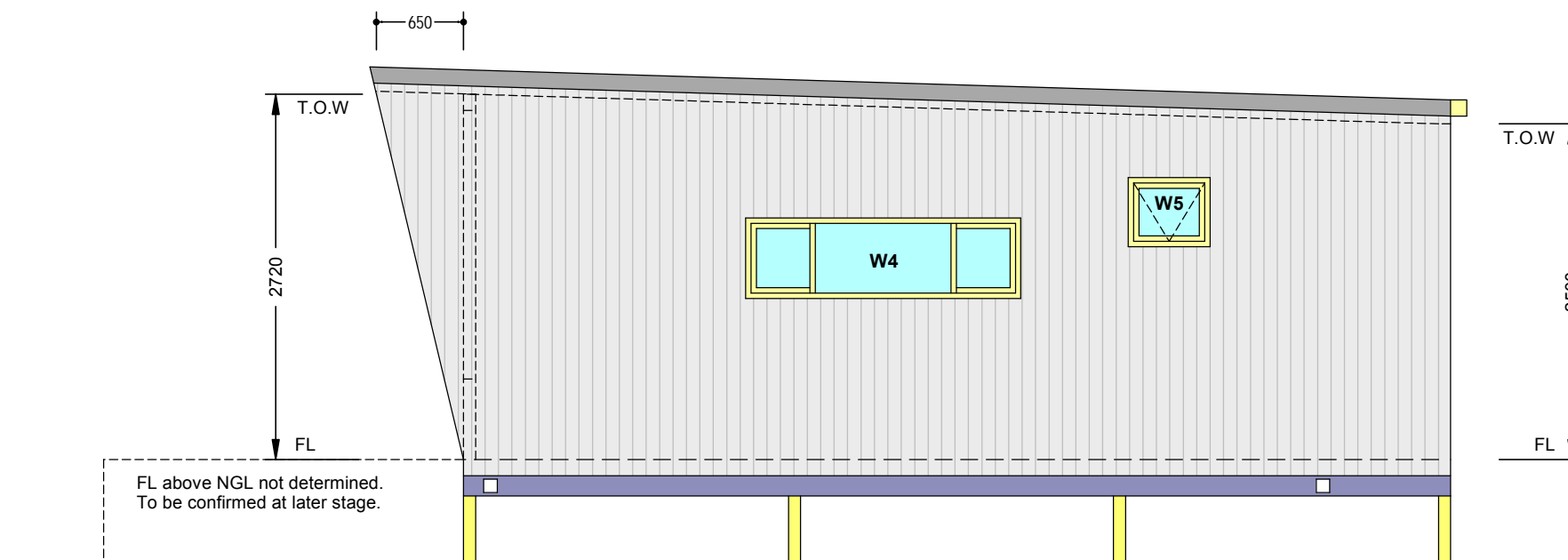
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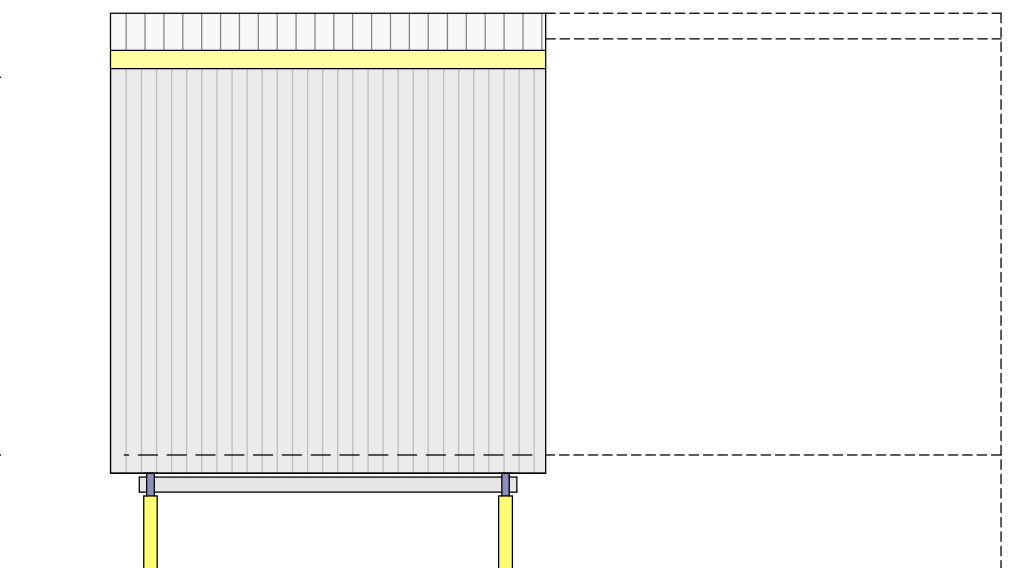
VIEW 1



VIEW 2



VIEW 3



VIEW 4

CABIN ELEVATIONS

Scale 1:50



HEYSCAPE
TINY CABINS

1/21 Jacquard Way, Port Kennedy WA 6172
www.heyscape.com.au

Drawing:
DELUXE CABIN

REV: A
Date: 11/01/23
SHEET SIZE: A3
P3 of 8

APPENDIX C - Cost Benefit Analysis

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RAINTREE / Heyscape
Off The Grid Nature Based Retreat

AGRI- Tourism Impact on FARM Productivity

In September 2021 Councillor Gibson put forward a motion that the Denmark Council declare a climate emergency. Council supported the motion, believing that Government has a responsibility at all tiers to contribute to climate change mitigation through climate change adaptation strategies.

As a result, the Shire of Denmark is a signatory to WALGA's Declaration on Climate Change as stipulated in Shire Policy P100512 & supports climate change action as part of a broader sustainable development agenda.

The Shires biggest contributor to its carbon footprint is its agricultural sector. Cattle and sheep contribute an estimated 10.8% of Australia's greenhouse gas emissions, mainly as methane and carbon dioxide. On average, cattle produce an estimated 49 kg methane per head per year. Climate change requires Denmark farmers to be innovative & rise to the task of taking the sometimes more challenging path to a low carbon future.

Over the last 4 years RAINTREE Agri-tourism Hub has worked with the Shires executive on a tourism vision for its William Bay and Ocean Beach holdings and continues to support investing in tourism rezoning as per the original priority locations (Lots 1,2 and 304) identified by Council (May 2024).

The Raintree Agri-tourism Hub is using the existing rural policy framework to develop 9 x short term stay and X 4 caretaker tiny cabins in a low cluster that will assist bring in increased revenues from Agri-tourism to facilitate investment into improved planning (eg tourism rezoning) & environmental outcomes (eg renewable power for manufacturing goods) & is centering its Appellation (origins & brand) around low carbon farming practices and meeting 10 of the 17 Sustainable Development Goals of the UNPD.

It is my hope that we differentiate our services & products generated in the Agri-tourism sector to the international marketplace based on a low carbon economy. The RAC subsidiary Heyscape offer exciting synergies in joining the Raintree Agri-tourism Hub to meet this objective & I am proud to be their partner.

Stephen Tjamu Birkbeck

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EXECUTIVE SUMMARY

Agricultural Productivity Improvement of 50%

SUSTAINABLE farm productivity is measured in the increased value of agricultural goods & services divided by the labor & carbon footprint.

Each cabin requires 760 sq m of land (cabin, parking and entry road) therefore 15 cabins require 1.14 Ha of land that reduces farm gross output/revenue by \$ 452 p.a. (0.35%), this is offset by the Cabins impact on value adding farmed produce at a premium, resulting in increasing farm produce revenue by \$ 214,196 (an increase of 16.5%) to \$ 343,796.

On an assumed gross margin of \$ 64,259 (30%) on value added farm income after cost of goods this is a productivity gain of 50%.

Cabin Footprint - Producing a Loss of 1.14 Ha of Land

Each cabin requires 760 sq m of land, therefore 15 cabins require 1.14 Ha of land for the cabin, grounds & access roads that impacts two registered cattle producers and one marron farm in the RAINTREE Agri-Tourism Hub.

When this footprint is subtracted from the current farm model of running Angus cattle & producing store weaners with dams full of marron, building these 15 cabins on 1.14 Ha of pasture with no water loss reduces farm gross revenue by \$ 452 p.a. (0.35%).

After taking into account the 15 cabins financial loss of 0.35% of gross production of prime farm land this would be offset by immersive experiences that create demand for beef (3.6 ton) & marron (0.5 ton) liveweight used paddock to plate by Heyscape Guests.

BEEF - This would generate additional farm revenue & see gross income increase from \$ 129,600 to \$ 193,496 after taking into account the loss of 0.35% of revenue from the cabins footprint.

MARRON - 500 Kg's of marron pulled through via the immersive experience from existing dams would add an additional \$ 150,300 of farm gate revenue.

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History

The Birkbeck family built their first regional food appellation on the west coast of France in 1992, supplying emu meat from their custom built Chateaubriand Abattoir to the Grand Chefs of France.

Between 1993 & 1997 the Mt Romance Emu Farm on the Kent River in West Denmark went through dramatic expansion value adding it's farm produce on the Tindale Road farm; exporting to France, New Zealand, Chile, Thailand, Japan, China & Singapore.

Mt Romance became renowned as an Agri-tourism pioneer & went on to win over 30 prestigious national awards, culminating in being WA's first Inductee into the Export Hall of Fame.

To this day there is no other Denmark Shire farming enterprise that has generated the exports, capital investments, recognition & direct reach into the UN, UNCBD & UNDP. In 2006 and 2019 it won major UN awards & in 2019 the UNDP invited Steve Birkbeck to address world leaders at the UN AGM and climate summit in New York where he challenged the Morrison/Joyce Government's stance on Adaptation and Resilience and in 2021 disputed Barnaby Joyces rejection of the Glasgow Accord's cattle industry methane reduction targets.

Mt Romance (1988) first offered short term accommodation 37 years ago (1988) & established Raintree in 1998, which is now one of the longest standing Agri-tourism tourism enterprises in the Denmark Shire & a founding member of the Salt Laced Beef Farming Co-operative.

Impact of Climate Change & the Need for Adaptation & Resilience

Farm gate prices for beef in the Denmark Shire collapsed in October 2023. The driest six months in the last 50 years compounded the market crisis. The districts feed stockpiles of hay & silage ran out & hay was trucked in from around the State at prices that caused financial hardship. For the first time since the 1970's farmers (including RAINTREE) were shooting cattle in the paddock. The water table dropped & the forests started to dry off & die, the stress on our farming community was severe.

RAINTREE stood up in the crisis & provided leadership & support to it's peers. At the request of DFES, the Bushfire Ready team & the Salt Laced Beef Farming co-operative THE DAM drew in farm leaders from across WA & put on the drought buster strategic workshop & dinner in August 2024, to share stories, blow off some stress and adapt after the winter rains finally broke the drought.

The consensus from this meeting was that the bush fires of 2022 & 2023 drought have had a massive impact on the farming fabric of our district & we need to recalibrate our farming practices. This was followed by the news that Dardenup Abattoir would close off contract processing of livestock.

Traditional beef production models must be changed to decarbonize the planet & derisk Denmark primary producers against climate change, processing bottlenecks & market fluctuations.

The RAINTREE Agri-Hub paddock to plate vision is gaining broad farming support through DPIRD, Agri Futures, GSDC, TWA, DBCA & the grass roots farming community that recognize the importance of the Agri-tourism case study.

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Green Print for Improved Farm Productivity Outcomes via Agri-Tourism

Stephen & Karen Birkbeck founded the RAINTREE Agri-tourism Hub that is a unique cluster of food producers & landowners in the Ocean Beach & William Bay Districts of Denmark Shire that is regenerating the land on seven traditional cattle farms, operating with a lower carbon & methane footprint while improving agricultural productivity & building a unique William Bay brand that is linked to unique points of difference from its origin & artisan methodologies (Appellation).

The core aim of the RAINTREE Agri-Hub

To lower its carbon footprint, reduce methane emissions, enhance biodiversity & waterway health through reducing stocking rates, retaining temperate rainforest & sequestering carbon through industrial hemp & enhanced Agri forestry photosynthesis of carbon via mycorrhizal associations in a paddock to plate circular economy / buy local philosophy to improve farm productivity & give enhanced environmental outcomes.

Value Proposition

The RAINTREE Agri-tourism Hub has been trying to mitigate, adapt & assist its industry become more resilient.

Long standing commercialization undertaken by the RAINTREE Agri-tourism Hub on paddock to plate premium foods has demonstrated that by converting 20% of farmland into a strategic Agri-tourism activity, the farming community can improve agricultural productivity by 50%, while reducing the carbon & methane footprint of traditional farming models.

William Bay Appellation

To identify and conserve the regions strengths based on the characteristics built from the place of origin; the cultural history, terroir, waterways and natural environment. To build Agri-systems using farmers, artisans with unique techniques, husbandry and philosophical points of difference.

Agricultural Review of How we Manage Prime Farmland in Denmark

Traditional calving & rearing of milk fed baby beef sold as feedstock for intensive feedlots is the main use of farmland today in the Shire of Denmark. This form of primary production is carbon intensive hurting biodiversity corridors & waterways & not profitable on small holdings of less than 200 Ha.

The 2023 drought has shown traditional beef production models can lead to catastrophic economic, environmental & social outcomes when impacted by climate change

As outlined by the Denmark Salt Laced Beef Co-operative to the Minister of Primary Industry in September 2024, our region needs to reduce reliance on this store weaner market that is reliant on grain feed lotter & graziers to buy our cattle & finish them off. As we saw in drought conditions these markets can evaporate, underlining the need to adapt our farming practices to produce a higher ratio of finished grass fed beef value added and marketed under regional appellations (place of origin branding

Heyscape Cabin Impact - Reducing Breeder Herd Size & Value Adding Weaner Cattle

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RAINTREE beef productivity will improve as a result of the proposed Agri-tourism infrastructure (short term stay Cabins) that will underwrite the value adding & branding of a select 5% of (minimum) livestock to be grown out to + 450 Kg's & processed, value added & sold locally (paddock to plate) as a local branded premium beef product.

The intellectual property to build a circular economy with a buy local philosophy has been developed through THE DAM (2021-2024) & shared with Heyscape & the Salt Laced Beef Cooperative. The paddock to plate Agri-tourism Appellation case study at RAINTREE has built Agri-systems that;

- Increase Gross revenue from \$ 800 to \$ 8,000 per processed animal currently processed at the Dardenup, Gin Gin & Western Meat Packers Abattoirs.
- Reduce overall breeder numbers to give ;
 - Improved environmental outcomes.
 - Increase capacity to grow out 5% of store cattle as finished grass fed beef.
- Promotes the Salt laced Beef objective to commission a Mobile Abattoir on the south coast.

Denmark Shire Support of Heyscape Tourism Accommodation on Rural Zoned Lots

Heyscape (RAC) met with the Denmark Shire in August 2024 to gain support to relocate 15 off the grid cabins onto rural lots in the Shire of Denmark. The vision gained the support of the Shire as it fitted in with the Shire & State Governments Policies & strategic plans. The first 3 cabins were approved & have now been built on Karen Birkbeck's landholding, Lot 1, South Coast Highway in January 2025.

RAINTREE Agri-tourism Alignment with the Denmark Shire & State Policies

1. Investments align with the Shires Climate Emergency Declaration & mandate to meeting 2016 Paris Agreement Targets. (Council Resolution 030919).
2. Off the grid short term accommodation with the ability to create a new industry for Denmark to become a carbon sink that could be an attractive feature to the RAC's membership (1.4 million). This could a case study for the south west of Australia to offset the States heavy mining industry carbon footprint & scaled into a formal offset process.
3. Draw card for the region aligned with the State Government's WAVES 2033 vision for Western Australia "to be recognised as a world-class destination that immerses people in its unique cultures, communities & environment".
4. Agri-business value adding & production flowing from the proposed Agri-tourism investment aligned with DPIRD's agri-business value added objectives to reduce WA's reliance on imported products, supporting business growth & fostering innovation & job creation.
5. Through Heyscape & RAINTREE's promotion of immersive experiences & regional produce, develop a more mature tourism product leveraged off the regions trails, nature based attractions & a flourishing food & beverage industry.

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6. Offering corporate accommodation to enhance THE DAM's regular hosting of GSDC trade events such as The Great Southern Tourism & Trade Partnership between the GSDC, Australia's South West & the Australian Trade & Investment Commission (Austrade), that was formed to enhance the region's engagement with marketing & promotion, events, tourism product development, & destination development.
7. Relieving traffic congestion and improving road safety by incorporating walk & bike trails connecting accommodation to premium food & beverage producers, local beaches, forests & iconic regional trails, so that visitors can arrive & not have to get back in their cars if they want to unwind, unplug, & immerse themselves in Denmark's spectacular surrounds.
 - *Increasing levels of cycling & walking has wide-ranging benefits applicable to many government sectors, including health & of course transport. RAC's 2012 Cycling Business Case demonstrated that the returns on investment in cycling projects are between 3.4 & 5.4 times the costs incurred, higher than many other urban transport investments.*
8. Providing 4 star adventure based accommodation that is low impact & environmentally friendly, done without overdeveloping, mass clearing or damaging waterways, in line with the Denmark Sustainable Tourism Strategy.
9. Support the community to promote a circular economy & buy local philosophy, attracting businesses with a shared vision in sustainable transformation to Denmark, including eco-tourism in accordance with the key objectives of the Denmark Shires Equity & Local Economy objectives.
10. An incubator & showcase for regional innovation & attracting talent & skill to the region complimented by Tourism Amendment 148 to not put pressure on the towns housing crisis.
11. Heyscape brand and guests become the launching pad for the RAINTREE Agri-tourism Hub products and services based on low carbon sustainable farming in harmony with nature.

RAINTREE Review of Heyscape

The three trial cabins have now been opened by Local member Jane Kelsbie & Minister Whitby.

Their construction & occupancy has allowed RAINTREE to observe & refine future site locations & Cabin access roads, review the potential partnership & it's impact on farm productivity & potential to;

- Protect existing farming practice & improve future agricultural productivity.
- Increase demand for value added farm goods (beef, marron, hemp & truffles).
- Reduce it's low carbon Agri-tourism footprint & increase capability to offer carbon offsets.
- Differentiate it's experiences & products through associated branding.

The trial has determined that the 15 Heyscape Cabins are essential to build Denmark & the William Bay Agri-Tourism Hub into a world class Appellation for premium foods & beverages originating from William Bay. This is in line with consultation & planning investments made eg Denmark 2023/24 Community Consultation Report (+ 620 supporting submissions) presented to the Denmark Shire Council & Minister Carey (WAPC).

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William Bay RAINTREE Agri-Tourism Hub

Stephen & Karen Birkbeck are supporting their three daughters & partners develop interconnected Agri-tourism & well being enterprises in the William Bay district. This unique cluster is trying to continue the early Eco-Agri-Tourism work to regenerate the land & farm with a lower carbon & methane footprint while improving agricultural productivity & building a regional appellation (brand).

The RAINTREE Agri-Tourism Hub was first recognized by the McGowan Government as a cluster in 2018. A cluster is a community in which both economic & social entities work together, connected by networks, to produce innovation, economic growth & environmental benefit.

Agri-clusters are land ownership & business trading entities are legally independent entities that have formalized a working relationship to produce premium foods & Agri-experiences.

RAINTREE Agri-tourism Hub Collaboration with Heyscape re Land Ownership

15 cabins on 6 titles owned by three legally independent owners require 1.14 Ha of land for the cabin, grounds & access roads on land farmed under the William Bay Agri Hub Cluster.

Cabin Footprint of 15 Cabins Producing a Loss of 1.14 Ha of Land

Each cabin requires 760 sq m of land, therefore 15 cabins require 1.14 Ha of land for the cabin, grounds & access roads that impacts two registered cattle producers in the Agri-Tourism Hub.

- The 15 Cabins are proposed to be located on 3,000 square meters of farmland currently used for pasture (200 square meters per cabin fenced off from farming activity).
- To access these cabins requires 8,400 sq m of land be used for access roads. 2,100 meters of upgraded farm tracks that the Denmark shire requires a 4 meters wide gravel access road.

When this footprint is subtracted from the current farm model of running angus cattle & producing store weaners, building these 15 cabins on 1.14 Ha reduces farm gross revenue by \$ 452 p.a.

Farm Gate Assumptions

Calculated on revenues from the last two calendar years (2023 & 2024).

- 7 X Lots that total 332 Ha.
- Less 5 Ha on Lot 305 of Agri-tourism land used as a food & beverage venue & distillery.
- The net 327 Ha support 180 Angus breeders.
- Breeders have averaged a 90% net calving rate = 162 weaners.
- They have turned off 300 Kg store weaners that have averaged \$ 800 per head.
- This is a gross revenue of \$ 129,600 from 327 Ha.
- Average farm gate revenues of \$ 396 per Ha X 327 Ha in 2023 & 2024.
- The Marron operations lose no water to the Cabins establishment.
- The Oak, truffle & hemp operations lose no land to the Cabins establishment.
- The Oak, truffle & hemp operations improved productivity has not been estimated.
- Analysis on an increased productivity due to paddock to bottle (beverages) is WIP.

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Cabin's Benefit on Building Premium Denmark Food & Beverage Appellations

○ *Via Immersive Culinary Experiences*

Eco huts in line with the Heyscape Tiny Cabin were first designed to be presented to the Denmark Community by CBD Architects in 2023 in a series of community workshops at THE DAM. The low cluster location of 10-20 cabins was a key element of long term Tourism Amendment 148 plans to build trail linkages from Lot 305 to the William Bay National Park & integral to provide consumer education on emerging Denmark farm produce to launch & consolidate new premium foods & beverage appellations through staying on a working farm & engaging in immersive experiences.

Agricultural Losses Caused by Installing 13 Cabins on Rural Landscape

The loss of \$ 452 (0.35% of gross revenue) is marginal & offset by the significant economic, environmental & social benefits of building off the grid (low carbon footprint) cabins that are the cornerstone of development of the William Bay premium food & beverage Appellations (Provenance) for premium beef, marron, truffle & hemp foods & beverages.

Agricultural Productivity Improvement

Measured by revenue (less cost of sales) divided by overheads & the carbon footprint.

As presented to the Salt Laced Beef Co-operative & at various farm forums, the Paddock to plate work at THE DAM to date has seen gross revenue increase from \$ 800 to \$ 8,000 per processed animal subject to establishing streamlined processing, value adding & consumer demand.

The agricultural benefit of RAINTREE deploying 0.35% of it's farmland will build demand & awareness for the premium food & beverage producers in William Bay & the Denmark Shire through immersive farming & culinary experiences combined with the creation of a world class trails experience, linking the karri hinterland to the wilderness retreat.

After taking into account the 15 cabins financial loss of 0.35% of gross production (\$ 452) of prime farm land this would be offset by immersive experiences that create demand for value added beef, marron, truffles, hemp & oak products.

Assuming the Heyscape Cabins build demand for 5% of total farm store weaner production (8 head) that are grown out, processed & sold paddock to plate from 162 weaners breeders, this would generate additional farm revenue & see gross income increase from \$ 129,600 to \$ 193,496.

Modelling on the Launch of Heyscapes Marron Catch and Cook shows improved productivity through catching 500 Kg's of marron from existing dams & promoting & selling via the Heyscape immersive experiences is expected to add an additional \$ 150,300 of farm gate revenue giving gross revenue of beef & marron of \$ 343,796 that after cost of sales is a \$64,258 (50%) gain in productivity.

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Cabin's Benefit on Building Premium Denmark Food & Beverage Appellations

Via Immersive Culinary Experiences.

The cabins are a key part of the Birkbeck families long standing farming approach to provide consumer education on emerging Denmark farm produce to launch & consolidate new premium foods & beverages appellations through immersive experiences.

Immersive Marron Catch & Cook & Gourmet Cuisine Experiences

Through familiarizations with oversea journalists via Heyscape & Chimes, TWA expect the signature marron experience & dish (Marron pasta) to become one of the states most desirable & promoted experiences & the home made pasta dish developed to become an authentic WA gourmet dish that will assist WA attract high end overseas visitors to premium accommodation in the off peak season.

Description	Dishes	Kg's	Farm Gate Price
Marron Cook & catch	300	60	\$37,500.00
Signature Dish	1,600	320	\$92,800.00
Gourmet Packs	200	120	\$20,000.00
Total	2,100.00	500	\$150,300.00

Based on the success of Denmark's first gourmet Wagyu burger that when introduced in 2022 grew to 15,000 dishes a year, there is scope for a ten fold increase in this immersive experience. While RAINTREE Agri-tourism Hub could produce up to 50% of the potential 5 tons of marron demand, other local producers will benefit from the successful launch of this project.

Economic Impact of the Cabins

The loss of \$ 452 (0.35% of gross revenue) is marginal & offset by the significant economic, environmental & social benefits of building off the grid (low carbon footprint) cabins that are the cornerstone of development of the William Bay premium food & beverage appellations (Provenance) for premium beef, marron, truffle & hemp foods & beverages.

Based on this tourism infrastructure generating demand for the paddock to plate value proposition for beef & marron, this will provide a 50% improvement on farm productivity, lifting revenues by 165% from \$ 129,600 to \$ 343,796.

Examples of Appellations built from Immersive Farm Experiences & Produce

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Built in partnership with the Heyscape Cabins using local farm produce.

- Paddock to plate production of marbled beef for guests to Raintree & THE DAM.
- RAINTREE *Marron Cook & Catch* experience followed by a signature marron dish with home made pasta made at THE DAM that will be launched in January 2025 & will become a destination dish for Western Australia (advise of Tourism WA).
- Espresso Martini (in room home cocktail system) via Denmark's Stash coffee & Cannabis Botanical Distilleries vodka.
- Gourmet packs using broad range of Denmark grown fresh produce, eg marron, beef, avocados, fruit, vegetables, cheeses, pantry items & meat.
- Guided tours from the cabins. Eg Off the Beaten Track: 4-day, 3 night guided tour; includes 10 regional producers as part of their 4 day package, including: SingleFile Wines, The Dam, Denmark Chocolate Factory, Scenic Helicopters, The Lakehouse, Chimes Retreat, Flame Trees, Pepper & Salt, Denmark Farmhouse.

Beverage Division

The growth of crops that fix carbon in the soil and are used to produce sugars that are combined with the spring water of RAINTREE and processed into consumer beverages will be enhanced through the 15 cabins. The impact of this on productivity of farmed crops used for in-house beverages and brand enhancement is WIP.

Project Benefits

AS the tourism offering is scaled it will generate additional demand for premium foods and beverages, adding to the rich cultural tapestry of the Denmark Community for a range of wholesome foods such as farmed marron and Salty Laced Beef consumer products

Raintree is setting a precedent for Tourism operators in pristine country towns like Denmark across Australia, by showing that Agri-tourism projects can be a world-class draw card for regional Australia by providing a world class trails link between ocean & forest that promote existing & emerging regional Appellations as per the Birkbeck's pioneering Agri-tourism work in WA, Tasmania & France.

State Wide Model

Over time if the Project is successful, 20% of Raintree Agri-tourism Hub prime farm land integrated with strategic paddock to plate/paddock to bottle value adding will lead to increased farm productivity (eg 50%) and revenues (eg 165%) on lowered carbon inputs & reduced methane outputs.

Future Development

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The agricultural regional benefit of RAINTREE Agri-tourism Hub rezoning farmland into tourism beyond the 15 cabins applied for under existing rural policy on lots 1,2, 304 on Lots identified by the Tourism LPS Review (2020-2024) and on Lots 3468, 2617 and 2618 will need to be quantified.

It is assumed that 80% (minimum) of arable farmland will remain devoted to agriculture for premium food & beverage production that will build innovative new food clusters through immersive farming & culinary experiences combined with the creation of a world class trails experience, linking the karri hinterland to the wilderness retreat.

Conclusion

RAINTREE welcome's the chance to work with the Denmark Council & the Cook Government and attach Message in a Bottle as a reference for anyone in Council or on the executive that wants to know more about our contribution to our Shires rich agricultural heritage.

As the following attachments demonstrate we have the track record to speak with authority on Agri-tourism. We are genuine in our desire to leave our community a better place & open to any pragmatic suggestions to walk the talk with our council and build something we can all be proud of.

Attachments

1. Heyscape Immersive Agri-tourism Hub offerings.
2. Government & International Support Highlights.
3. Community Support Highlights.
4. Denmark Shire Agri-Tourism Legacy
5. Family 21st Century Regional Expansion.
6. Memoirs of Stephen Tjamu Birkbeck, Message in a Bottle, published in December 2024.
7. Denmark Salt Laced Beef Co-operative.
8. Denmark Sustainable Tourism Action Group.
9. Solutions to reducing congestion at Greens Pool in peak holiday periods.
10. Call To State Government to Improve Safety at William Bay National Park.
11. RAINTREE Agrifood Hub.
12. Denmark Tourism Collective.
13. Low Cluster Eco-huts 2023 July - December Community Consultation.
14. UN 2019 Climate Summit - UN Global Headquarters, New York.
15. December 2021 RAINTREE Challenge on then Glasgow Accord.
16. Tourism AWARDS.
17. AIEX Export Hero.

References

Extensive Library Available on Request

Qualification

Agri-tourism benefits from RAINTREE should not be assumed can be duplicated elsewhere. The above model has been built in this Shire over the last 5 decades.

1. Heyscape Immersive Agri-tourism Hub offerings

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'Dam' Good Extras and Packages

To book or enquire, please email reservations@raintree.com.au

Marron Catch & Cook Package – \$137 per person

Immerse yourself in an authentic hunter-gatherer experience at Raintree's pristine spring-fed dams. Try your hand at marron fishing, guided by the expert team at **The Dam**. Take your fresh catch back to your cabin and grill it on the barbecue. Whether you're seeking a new experience or a foodie looking to try fresh marron, this rustic experience is a must try in Denmark.

Inclusions:

500 grams of fresh caught marron, with guidance by an expert team member

Breakfast Box – \$72

Start your day with a nourishing breakfast box, carefully curated by The Dam's head chef, featuring locally grown ingredients:

- Four slices of house-baked sourdough
- Fresh Denmark eggs
- Local avocados
- A selection of dips and rich honey butter

Antipasto Box – \$94

Relax on your cabin's deck, sipping a wine and sampling a delicious antipasto box. The antipasto box is filled with local produce from The Dam and Denmark surrounds, including:

- House-baked sourdough
- A selection of premium cold meats
- Cured olives
- House-made crackers
- Muscatel grapes
- Two local cheeses
- A house-made dip and rich honey butter

Gourmet Dinner Box – \$119

Truly unwind and leave dinner plans to us with a Gourmet Dinner Box, designed for cooking on the barbecue while admiring the waves crashing against the shore. Each dinner box highlights quality local produce, featuring:

- Two hand selected steaks with a marble score of five and milk, paired with house-made jam and creamy butter to elevate the flavours.
- An assortment of sides including seasonal vegetables and a fresh salad.

The Whole Table – \$478

Arrive in Denmark to a fully stocked fridge, filled with breakfast, dinner, snacks and drinks, along with a set menu experience at The Dam restaurant. Leave your off-grid experience feeling calm, stress-free and nourished by the Whole Table package. An antidote to the busy work life.

Inclusions:

- 1 Breakfast Box
- 1 Gourmet Dinner
- 1 Antipasto Box
- 1 Distillery drinks package
- Set menu experience at The Dam Restaurant

The Tiny Essentials – \$357

Enjoy a day of nourishment carefully curated by us and the team at The Dam. Let us do the organising, while you focus on disconnecting from the stresses of daily life and reconnecting with yourself.

Inclusions:

- 1 Breakfast Box
- 1 Gourmet Dinner Box
- Paddock to plate set menu experience at The Dam Restaurant

Hey, it's a 'Dam' Good Summer – \$119

Balmy Denmark nights are better with drinks and snacks shared out on a cabin deck, accompanied by stellar views looking out to William Bay. Arrive at your accommodation in the afternoon to the mini fridge stocked with an antipasto spread and package of drinks made on property from the Cannabis Botanica! Distillery (CBD).

Inclusions:

- 1 Antipasto Box
- 1 Distillery drinks package

Tiny Tipple Drinks Package – \$27

Enjoy a 4-pack of the CBD distilled drinks made on property by the team at Raintree. Get a taste of CBD ginger beer, zero sugar ginger beer, pink lemonade, and rum and cola.

2. Government & International Support Highlights

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“Congratulations on the recent opening of The Dam, which I understand has added a new & exciting tourism & hospitality venue to the region... The Government welcomes approaches from operators to establish new tourism product that will enhance the States tourism offering & make it a more attractive destination, particularly in regional WA. I acknowledge the potential benefits of your proposed development on the local economy & broader tourism industry.”

Hon. Roger Cook, Premier of Western Australia

“Stephen was the inaugural Chairman of UWA’s Albany Foundation. He is one of Australia’s most decorated exporters & remains a trusted confidante of the Indigenous world as an architect of a new nature based economic approach to regional development. In 2008 Stephen conceptualized & co-founded the prestigious Paris based Presidents Circle (NRSC). In 2011 he was nominated by the French Government as an Australian Institute of Export (AIE) 2011 Export Hero for contributions to the national reputation of Australia.”

Australia. Australian Institute of Exports

“I appreciate the central role the NRSC has played in promoting sustainable practices within the beauty industry, & I am particularly grateful for your dedication to vetiver farmers in Haiti..... I commend your strong commitment to Haiti’s future, & I look forward to working with you to identify new opportunities for growth & development.”

William Jefferson Clinton 42nd President of the United States

“For 40 years (1980-2020) Stephen has championed WA Indigenous nature based solutions, & in July 2019 was honoured by the Birilbiru people in a traditional ceremony & formally named TJAMU (Grandfather) with whom he has a unique & profound 40 year relationship with the Muntijarra tribe of the Birilbiru people of the MARTU First Nation of Australia & in 2019 co-ordinated a UNDP submission that won new business of the year in New York UN AGM (UNDP Equator Awards).

David Hircock, Estee Lauder Watchdog & UNDP New York Advisor

“Raintree Solutions is a friend & asset through its capacity to provide advanced research & development skills to impoverished Indigenous communities that are trying to regain custodianship over their traditional lands. Tribal Link supports the Raintree Development application to continue to research & develop unique processes & products for the benefit of Indigenous people through designing Nature Based Solutions to complex climate change issues.”

Pamela Kraft (dec) Founder & Executive Director, Tribal Links New York UNDP NGO

“Over the years, Stephen Birkbeck has successfully built a strong working relationship with our City & the broader global perfume sector, assisting us in promoting a new way of doing business, particularly with local communities & Indigenous populations.”

Jean- Pierre Leleux, Senator-Major of Grasse

3. Community Support Highlights

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...Raintree Companies has a proven track record of dedication, passion, & expertise. Their commitment to excellence & their deep understanding of the market makes them highly qualified to execute this expansion project successfully. Their expansion plans align with the goals & values of our community, & I firmly believe that their success will have a positive impact on the entire region.

David King CEO Denmark Shire

Residents ...

“As someone who grew up in Denmark & returned home later in life to raise my children, I appreciate projects like this that focus on the future of our planet, our kids, the town & the community, whilst supporting a huge portion of working Mum’s in the region with flexible work options.”

“Daily I hear people ask if The Dam be looking into accommodation in the future as they’d love the ability to stay longer & learn more about the farm to plate ethos. We have 80,000 through our doors each year & there is huge dem& for what the Rezone will offer.”

“As a local, I know all too well how expensive it is to buy or rent a house in this area. It's forcing some people to leave which is not good for our community & businesses. People need affordable places to stay. This submission can only benefit the residents & visitors to our area.”

“As an Albany local, I feel like this development is pivotal to the growth of tourism in the region while at the same time having a positive impact on the environment.”

“Future development with companies dedicated to sustainable building & agricultural practices is a net positive from economics to local training & building with constant cost of living constraints.”

“The region needs to evolve with the times to maintain a space in the tourism window. The Denmark area is becoming somewhat stale & boring - nothing to attract new & old to the region (one we have lived in for over 7 years). This is a perfect opportunity to grow & blend.”

“The proponent/landowner, through his current track record with the successful development & operation of “The Dam” on site, has demonstrated the ability to provide a high-end tourist product, which promotes Tourism within the Shire of Denmark.”

“When we established South Coast Hemp Foods Steve & the team at The Dam were incredible support to us. They took on our products to be both stocked in their store at The Dam & for use in their restaurant. The Dam had options for the products they were to use but supported us because we were local & residing in the Denmark Shire. We consider the team at The Dam to be a greatest asset to The Shire & the region.”

4. Denmark Shire Agri-Tourism Legacy

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Raintree was named in 1919 by the first European settlers due to it's high altitude (160m) overlooking William Bay causing a rain belt from south westerly patterns.

The William Bay district was cleared in the late 19th & 20th Centuries for the hardwood timber & the cleared l& then used for beef & dairy production. Prime country with water in the 1960/70's was used for potatoes with a high use of heavy metal fertilizers, pesticides & herbicides.

In the 1980's the demographics in Denmark started to shift with alternate minded sea-changers moving into the Shire. In 1988 the Shire hosted three new export industries; the *Karri View Wines* (1986) *Misty Creek Marron Farm* (Grazulis family) & the *Mt Romance Emu Farm* (Birkbeck family) in west Denmark.

An important historical fact that has relevance today, is that the local marron & emu export success in the Shire of Denmark would not have been able to be achieved without agri-tourism.

The Mt Romance Emu Farm consumer product differentiation was the carbon impact of emus versus traditional European hard hoofed animals & groundbreaking royalty benefit flows to First Nations Mt Romance had a triple bottom line CSR approach (economic, environment & social) that resonated with consumers around Australia & underwent dramatic expansion. National sales went through the inbound duty free industry in the eastern states that were value added & branded at the farm on Tindale Road, this led to new regional export industry.

5. Birkbeck Family Regional Expansion

The Birkbeck family sold their Denmark farm & French based emu oil cosmetic brand (Mamukala) to expand & in 1997 purchased the Shalak's Aruyvedic Pharmaceutical Factory on Down Road Albany. Their first move was to open the factory up as a pioneer in Agri-Tourism". With-in two years the Birkbeck family were hosting over 80,000 guests per year, & in 2001 Mt Romance was awarded the Sir David Brand regional tourism business of the year.

In 2002 the Cone the Gong & the Bowl was opened at the sandalwood factory, & Denmark Yoga & Reiki specialists brought into run & train a team of apprentice gong masters. This wellbeing experience became a national destination point for the Great Southern.

Mt Romance became renowned as an Agri-tourism pioneer & went on to win over 30 prestigious national awards, culminating in being WA's first Inductee in to the Export Hall of Fame.

In his last speech as owner of Mt Romance when the WA & Federal Government inducted Mt Romance as the inaugural WA Export Hall of Fame recipient, Steve Birkbeck put down their success to an integrated Agri-tourism approach & thanked the residents of Denmark & Albany for their unwavering support.

6. Message in a Bottle

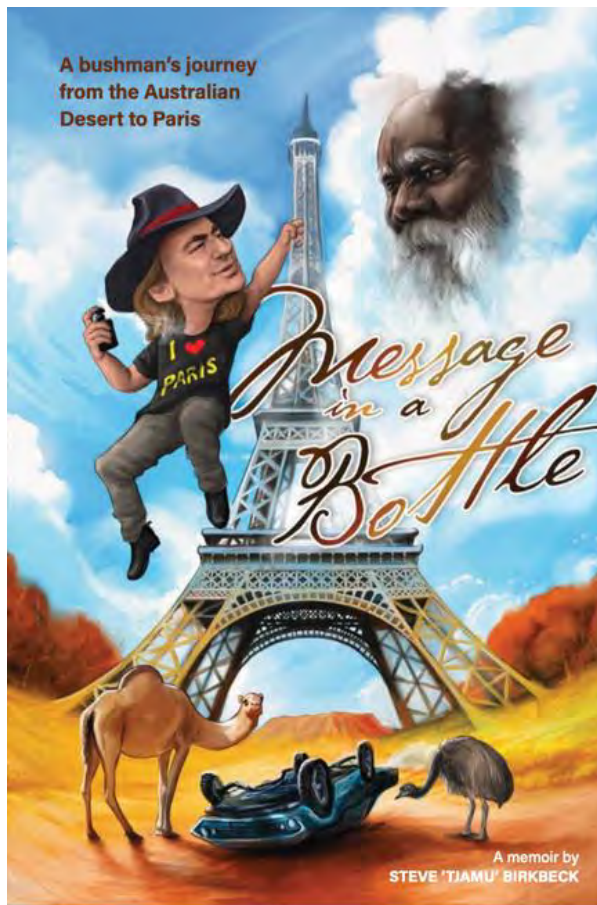
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The Denmark farming legacy has been documented in the memoir *Message in a Bottle*, published in December 2024, & available at THE DAM. It is a humorous insight into global affairs & Steve Birkbeck's clashes fighting for climate change in the UN & elsewhere.

In retirement Birkbeck went onto the public speaking circuit in the luxury industry (New York, Paris Cannes, Monte Carlo & Geneva) & conceptualized the Presiecents Circle. Linking President Clinton to world leaders in the UN & the Luxury Industry he was able to have a major impact on global supply chains.

Steve Birkbeck was nominated by Senator Leieux (French Government) & awarded lifetime status as an Export Hero by the Australian Institute of Export for his contributions to Australia's export reputation. In accepting the AIEEX Award in Brisbane, Birkbeck underlined the importance of an integrated agri-tourism value added approach to reducing our nations carbon footprint & stimulating a sustainable agricultural culture.



I will never forget the first time I met Steve and Karen Birkbeck at Hôtel Costes in Paris. I've met some characters in my life, oh yes... but no one, not one person, comes anywhere near him—not in spirit, transparency, tenacity, vision, and of course, a sense of adventure.

I've never laughed so hard either... Steve's personal stories and anecdotes are made of pure encounters, in a rugged, harsh terrain, because when a human has the purest of intentions, anything is possible. His journey will give you insight into a mind that stands alone and away from the crowds, a heart that is so filled with love and light that, regardless of who is near him, there's a sense of unity—a Federer of sorts.

I know that whoever reads this book will first shake their heads in disbelief. Why? Because it's impossible to invent stories like this.

I'm proud of my friend, the man, father, and grandfather that he is, and his profound love for this country of ours.

Get ready for the read of a lifetime.

Tina Arena



Tina Arena is approaching her fiftieth anniversary in the music industry. In 2011, Tina was the first Australian awarded a knighthood of the French National Order of National Merit for her contributions to French culture.

Tina is one of Australia's highest-selling artists ever, and in 2015 was inducted into the ARIA Hall of Fame 20 years after becoming the first female to win Album of the Year for her record Don't Ask. In her induction she brought attention to the struggles faced by female musicians and in 2016 was appointed a member in the General Division of the Order of Australia.

7. Denmark Salt Laced Beef Co-operative

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Over the last 2 years the farming community have been holding informal meetings at THE DAM in William Bay to exchange ideas.

- The economic beef crisis of 2023 / 24 has forced us to rethink how we can protect our livelihoods due to the south west suffering it's driest spring & summer in 50 years.
- As a result of this the Denmark Farming Community have formed a coalition of farmers on the south coast between Torbay & Walpole & with the advice & advisors are setting up a rural co-operative.

8. Denmark Sustainable Tourism Action Group (DSTAG).

At the request of community leaders I met with the Shire & DSTAG & attended DSTAG meetings to find middle ground and gave the closing address and supplied my minutes, observations and recommendations to DSTAG and the Denmark Council that are summarized in Points 8, 9 and 10.

Pertinent Facts

- Visitor numbers to the shire grew by 17.6% over the five years to June 2019.
- In 2019, 160,000 people made day trips to the Shire of Denmark & 167,000 people made overnight visits, staying a total of 591,000 nights.
- Four-year average annual visitor spend to 2019 was \$76 million per annum.
- International visitations represent less than 5% of total visits to Denmark.
- State Government announced \$ 165 million for adventure tourism.
 - Denmark received none of this pre-election cash splash.
 - Completing William Bay National Park bike trail remains unresolved.
 - I refer to minutes I took & tabled to the State Government (DBCA) in 2021.

9. Solutions to reducing congestion at Greens Pool in peak holiday periods.

1. **Explore.** If you are visiting in peak school holidays spread your wings. Remember we have over 84km of coastline with secluded beaches & turquoise waters fringed by white s&s as fine as silk underfoot.
2. **Adventure.** Wander in the Wild. What traffic congestion ? Give fossil fuels a holiday. Grab an e-bike or a horse, or simply walk along our regions iconic trails.
3. **Misty Winters.** Ever experienced Denmark between May & September ? Boots off in front of a fireplace, indulge in our regions premium food & beverages. Balance an active, healthy holiday with moments of rich indulgence & simple joys.
4. **Protect the Planet.** Support our children's request in Denmark to build a low carbon economy on renewable energy & support local businesses that are producing carbon conscious products, renewable energy & trails infrastructure to reduce fossil fuel holidays.

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10. Call To State Government to Improve Safety at William Bay National Park

The State has invested over \$ 10 m on road & carparking infrastructure at Greens pool but there is a missing final link, the *William Bay Road Bike Trail*. This is the final link on the William Bay National Park & will provide connectivity of the regions town & three iconic trails, improve safety & reduce traffic congestion.

Fulfill the 2021 commitment for the *William Bay Road Bike Trail*

In February 2021 the DBCA (McGowan Government) made a pledge at the Denmark Bowling Club to the Denmark Community to establish a safe bicycle pathway to connect the Munda Biddi & Denmark to Greens Pool & the Bibbulmun Trail to improve visitor & locals quality of experience.

There are six compelling reasons why this needs funding

1. Honouring prior commitment before funding new trail projects elsewhere.
2. Cost effective - linking existing assets rather than constructing new ones.
3. Safety, there have been cited instances of potential bike/car collisions.
4. Go a long way towards responding to the concerns of the Hometown movement.
5. Aligns with Tourism industry & Local Government priorities.
6. A key plank in the Denmark 2021 Sustainable Tourism Strategy.

11. Denmark Tourism Industry Collective

After attending the Denmark Sustainable Tourism Action Group final community meeting it became clear to me that the local tourism industry needed it's own voice in Denmark. Subsequently meetings held with leaders in the Denmark Tourism industry resulted in the formation of the Denmark Tourism Industry Collective.

- The inaugural meeting was held in December at the Chocolate Company.
- I nominated Christine Rumble as Chair, seconded by Single File & the motion passed.
- The collective agreement is to;
 - a. Support each other & be a voice to stand against any negativity which may be generated locally about tourism.
 - b. To communicate & educate the community & council on the contribution that tourism brings to the region.
 - c. To keep sustainability front of mind & share with the community that this is part of tourism operators focus, and a key reason for visitors to come to the region.
 - d. Build demand for more room nights in Denmark rather than day trippers, to achieve this by creating more attractions – giving reasons for people to stay longer.

12. RAINTREE Agrifood Hub

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The opportunities for Australia's agribusiness sector are accompanied by a growing community-wide awareness of the need to operate on a sustainable basis. Improving agriculture's sustainability credentials is a fundamental element of continued community support for the sector & ongoing licence to operate. On this basis, 'clustering' agribusiness is to facilitate & accelerate rates of a new approach to sustainability of business development, innovation & productivity.

Clusters & Sustainability. Agrifood hubs are a type of specialised industry cluster. In addition to an economic basis, it is essential to recognise that a cluster is not just a collection of co-located firms. A cluster is a community in which both economic & social entities work together, connected by networks, to produce innovation, economic growth & environmental benefit.

Reference Australian Agri-Food Hubs – Future Food Systems

13. Summary of Community Consultation Responses

Low Cluster Eco-huts 2023 July – December Community Consultation.



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[illegible]

Full report supplied to the Denmark Council and available on request.



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14. UN 2019 Climate Summit at UN Global Headquarters in New York

Extract from *Message in a Bottle*, Chapter 36

...

I was invited to the UN to participate in the climate summit. Former Prime Minister Scott Morrison's indifference toward the Climate Change Summit & the Equator Awards notwithstanding. Trump and our Prime Minister were "busy" at Malago, Morrison sent his envoy Patrick Suckling, the UN Environment Ambassador, instead of attending himself.

So there I was, inside the UN, listening to 500 world leaders discuss climate adaptation & resilience. Dr. Andrew Steer, President of the World Resources Institute, chaired the day; 107 countries backed the UK & Egypt's push for a Global Compact termed Adaptation & Resilience. Australia decided not to sign this noble, non-binding pact.

"I'll take two statements from non-signatory countries who can't be on the floor today. First, Kazakhstan, then Australia. Please keep your address to two minutes. Afterward, I'll open the floor for two questions."

Our intrepid Ambassador Suckling announced a \$200 million pledge to help Pacific nations manage rising sea levels. The response was flatter than a pancake run over by a steamroller. Our Pacific island neighbours were underwhelmed by the gesture.

The final question of the day was open to the audience and Dr Steer difected it to me.

"I am Stephen Tjamu Birkbeck, representing the Muntijara people of the Martu nation in Australia's central deserts, and I would like to address my question to the Australian Ambassador," I said, feeling the room's attention pivot sharply in my direction.

"We generally only take questions for the panel. Let me confer with my colleagues about protocol," Dr. Steer replied, leaning back to consult with a UN official. After a nod of approval, he granted me the floor.

"Ambassador, I take pride in our involvement with the UNDP Equator Awards, where Australia is finally participating. It's a historic recognition of the Central Desert people's innovative approach to tackling poverty & climate change through nature-based solutions, aligning with this year's climate action summit.

But today, I'm deeply disappointed. Our ice fields are melting, our rainforests are burning & our oceans are struggling. How can we, in good conscience, face our kids after such half-hearted efforts? We shouldn't be just sandbagging the Pacific Islands—they deserve better. Instead, we should embrace this noble accord fully & sign the accord. Only then does the planet win!"

The room stirred as murmurs rippled through the audience. Even the translators seemed to pause, as if they couldn't quite believe what they'd just heard.

"Lastly, where are our elected leaders? Why are they absent from this crucial meeting?" I finished, my voice echoing in the suddenly silent room.

Ambassador Suckling visibly reddened, his response curt & biting. He called me misinformed & disruptive before slamming his laptop shut & storming out, leaving 500 onlookers in shock. I was even taken aback myself...

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15. December 2021 RAINTREE Challenge on then Glasgow Accord



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16. Examples of Agri-Tourism AWARDS

1996

WA New Exporter of The Year, first Australian Exports of cosmetics to France.

1999

WA Design of The Year, WA Industry & Export Awards.

2001

WA Sir David Brand Tourism Award, Mt Romance, WA's most significant Regional Attraction.

2002

WA Regional Exporter of the Year.

2003

Australian Small to Medium Manufacturer of the Year.

WA Regional Exporter of the Year.

WA Small to Medium Exporter of the Year.

WA Premier's Award for Excellence.

Forestry IFWA Excellence in Marketing Initiative.

Forestry IFWA Excellence in Innovation Native Hardwood.

2004

Australian Regional Exporter of the Year.

WA Regional Exporter of the Year.

WA Small to Medium Manufacturer of the Year.

WA Ernst Young BIO-Tech Entrepreneur of the Year.

2005

WA Inaugural Hall of Fame (Rio Tinto was the second inductee in 2006).

2006

UN Inaugural Winner of the Cradle to Grave Award, Bonne Germany.

2011

AIEX EXPORT HERO, Presented by Governor General - Brisbane.

Nominated by the French Government for contributions to Australia's export reputation.

2012

Roosevelt Environmental Award, Night of Stars, New York (award presenter and guest speaker).

2014

WA Agri-business of The Year, Atlas Pearls & Perfumes (that we owned).

WA New Exporter of The Year, Atlas Pearls & Perfumes (that we owned.)

2017

Tasmanian Agri-business of the Year (Essential Oils of Tasmania that we owned).

Tasmanian Premiers Award for Excellence (Essential Oils of Tasmania that we owned).

WA The Temple Small Business of the Year - Carlyssa Birkbeck.

Great Southern Young Business Woman of the Year - Carlyssa Birkbeck.

2018

WA Small Business of the Year Australian Small Business of the Year.

2019

WA Exporter of the Year.

Australian Exporter of the Year.

UNITED NATIONS - Dutjahn / New Nature Based Economy. New York City Hall.

SEDEX Supply Chain Collaboration, London (I created Dutjahn for Indigenous desert elders).

2023

Business Start Up THE DAM at RAIN TREE.

ACCI Business of The Year THE DAM at RAIN TREE.

Young Business Person of the Year Chelsea Birkbeck.

Environmental Business of the Year. Cannabis Botanical Distillery.

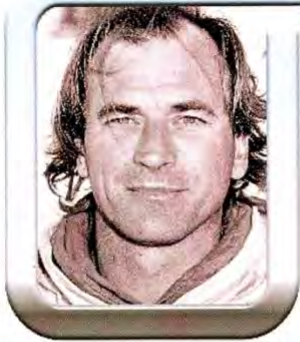
17. AIEX Export Hero

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MR STEVE Birkbeck

Regional Entrepreneur/Farmer

"Business people can change the world, by changing the way the world does business." - Dominique Counsiel, Aveda

Steve's early international trade business began in the early 1990's on an isolated cattle farm in the Denmark Shire on the south west coast of Australia. Despite such an isolated environment he launched the world's first range of emu oil based body care products and against the tyranny of distance Mount Romance became Australia's first exporter of cosmetics to France, a bit like selling ice to Eskimos!

In 1997, Steve sold the cosmetic brand to a French company and used the capital to explore a new frontier, the luxury perfume sector. Steve built an extensive perfume extraction facility and within five years of establishing this he pioneered Australia's footprint into the luxury perfume sector. In 2002 he by-passed seven layers of traders and barriers and started to export direct to the end of the supply chain and the world's largest supplier of luxury perfume compounds - Givaudan.

In 2005, Steve sold Mt Romance and was shortly after diagnosed with Acute Myeloid Leukemia. He was in intensive care for 4 months and as a testament to courage he survived and 18 months after selling Mt Romance the company was facing insolvency. Steve stepped in restructured the group and rebuilt the company before selling 14 months later for a considerable profit.

Throughout Steve's journey he has always sought to support the indigenous community and he is a strong advocate of supply chains joining forces to use their collective resources to improve regional communities' socio-economic prospects around the world. He has been asked to present in front of world leaders which led to establishing The President's Circle, supported by the United Nations Convention on Bio-Diversity.

Steve uses these networks that he has established over 20 years to support new emerging global industry standards that generate export demand for regional communities and build transparency into the ethical practices in the global supply chain. In December 2009 Steve took the Chair and majority shareholding in ASX pearling company Atlas South Sea Pearl Pty Ltd, and is in the middle of a three year reconstruction of this farming enterprise, introducing product innovation and a marketing culture to build a new, dynamic export industry for Australia.

"Over the years, Stephen Birkbeck has successfully built a strong working relationship with our City and the broader global perfume sector, assisting us in promoting a new way of doing business, particular with local communities and indigenous populations."

Jean-Pierre Leleux
Senator – Mayor of Grasse



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10 January 2025

Chief Executive Officer
Shire of Denmark
PO Box 183
Denmark WA 6333

Dear Sir/Madam,

DEVELOPMENT APPLICATION: LOT 2618 RICHARDSON ROAD, OCEAN BEACH

This application has been prepared by Williams Consulting on behalf of the owner of Lot 2618 Richardson Road, Ocean Beach (the 'site') - Kristie Birkbeck and Rowan Shaun Jenkin. The application seeks planning consent from the Shire of Denmark for the following development on the subject site:

- 2 x Holiday Accommodation dwellings
- 1 x new crossover onto Richardson Road to service the Holiday Accommodation buildings

The owner is collaborating with accommodation provider Heyscape to deliver this product. Heyscape's mission is to unlock off-grid nature escapes for WA locals and visitors alike, allowing people to stay in picturesque premium locations across the state with everything they need and more. Heyscape manages similar holiday accommodation across the southwest including Busselton, Avon Valley, Chittering, Serpentine, Denmark, Esperance and Yallingup.

Heyscape identified a niche in the tourism market and have built a solid reputation for providing accommodation that emulates the natural aspect of camping but delivers an off-grid premium experience that remains accessible to everyone.

The site forms part of a wider group of landholdings known as Raintree, a 356-hectare Agri-tourism hub in which both economic and social entities work together to produce innovation, economic growth and environmental benefits. This application seeks to expand upon the approval of similar holiday accommodation that was approved by the Shire on Lot 1 Privett Road William Bay for three (3) holiday accommodation dwellings and one (1) caretakers' residence.

SUBJECT LAND AND LOCALITY

The site is located 12km (approx.) west of Denmark town centre via South Coast Highway, in an undulating rural area. Various tourist attractions are located nearby, including; William Bay National Park, The Dam and Denmark Chocolate Company.

The site has 865m (approx.) of frontage onto Richardson Road (unsealed). Existing development on the site is limited to one single dwelling and several outbuildings associated with primary production activities. Primary access to the site is via the crossover onto Richardson Road.

The site is undulating with a central valley that runs in an east-west direction. The site slopes gently from 120m AHD (approx.) in the northeast down to 65m AHD (approx.) in the east and has been historically cleared (except for multiple stands of trees) to support agricultural production. The site has one dam that provides water to livestock. The site has no permanent water courses, wetlands, cliffs or other significant environmental attributes.

An aerial photo of the site is shown in **Figure 1**.

Details of the site are provided in **Table 1** below. A copy of the Certificate of Title is provided at **Appendix A**.

Lot 2618 Richardson Road, Ocean Beach

Lot No.	Plan	Vol.	Folio	Area (Ha)	Zone
2618	201805	2952	196	46.55546	Rural

Table 1: Site details



Figure 1: Lot 2618 Richardson Road, Ocean Beach

(source: DPLH)

Background

The site forms part of the Raintree Estate which incorporates 356 hectares of surrounding land holdings including Lot 305 on the northern side of the Denmark-Nornalup Heritage Trail. Lot 305 is zoned Tourist (T 15) under the Shire of Denmark's Local Planning Scheme No.3 and contains 'The Dam', which is a thriving and highly frequented tourist destination.

PROPOSED DEVELOPMENT

This application seeks approval for the following development on the subject site:

- 2 x Holiday Accommodation dwellings
- 1 x new crossover onto Richardson Road to service the Holiday Accommodation buildings

The Holiday Accommodation dwellings (aka 'tiny house cabins') have a usable floor space of 17m² (approx.) plus an outdoor deck providing a defined outdoor living area. They will be available to visitors and tourists on a short stay basis.

All dwellings are provided with a bathroom, living area, kitchen and bedroom, and include:

- bathroom vanity
- indoor shower
- outdoor bath
- kitchen sink
- flushable toilet

An indicative illustration of the building typology is provided in **Figure 2**. A copy of the floor plans and elevations are included at **Appendix B**.

Vehicle access to the holiday Accommodation dwellings is proposed via a new crossover adjacent the Holiday Accommodation dwelling location on Richardson Road.



Figure 2: *Indicative Holiday Accommodation illustration*

The buildings will be located on the subject site to ensure each Holiday accommodation dwelling is provided with a suitable level of privacy, views and amenity. Each building has a significant setback to the street boundary and is well screened from neighbouring properties via vegetation screening and landform. Inclusion of timber materials and earthy colour schemes to the exterior of each building will further assist the buildings to blend in with the surrounding environment.

Each location has been selected to minimise visual impacts on the surrounding landscape, comply with the bushfire regulations and minimise any potential for land use conflict to occur.

A location plan showing the location of the proposed development is included in **Figure 3**.



Figure 3: Location Plan

(source: Landgate)

PLANNING FRAMEWORK

Local Planning Framework

Shire of Denmark Local Planning Scheme No. 3

The subject site is zoned Rural under the Shire of Denmark Local Planning Scheme No. 3 (LPS 3). Clause 3.1.3 (g) of LPS 3 acknowledges the purpose and intent of the Rural zone is *for the range of normal rural activities conducted in the Shire and to protect such land from inappropriate uses*.

Table 1 of LPS 3 identifies *Holiday Accommodation* as a "SA" land use in the Rural zone, meaning that the Council may (at its discretion) permit the use in the zone after giving notice of the application in accordance with Clause 6.4 (i.e. - after 21 days of public advertising).

Accordingly, the proposed development may be considered and approved under LPS 3.

Shire of Denmark Town Planning Scheme Policy No. 7 - Second dwellings / Additional Houses and Chalet Developments on Rural Zoned Lots (TPSP 7)

The Shire of Denmark's TPSP 7 enables Council to apply discretion and approve one residential dwelling and one chalet on a single (vacant) lot within the rural zone. This policy echoes the difficulties associated with obtaining a sustainable income on small rural lots (comparative to lot sizes in surrounding local Shires) and provides landowners the opportunity to supplement their income through complementary development.

TPSP 7 identifies the level of approval required for proposals involving second dwellings, additional houses and/or chalet developments on land holdings within the rural zone. The policy identifies that "Specific Approval" is required for the proposed development subject to this application (i.e. -two holiday accommodation chalets).

Table 2 lists the applicants' responses to the applicable special conditions of TPSP 7.

TPSP 7 SPECIFIC APPROVAL CONDITIONS	
TPSP 7	APPLICANT RESPONSE
<p>Condition 1</p> <p>In rural areas, Council will only approve chalets that have frontage to a sealed road of a minimum width of 3.7 metres. If the road is not sealed, upgrading will be required as a condition of approval.</p> <p>In the event that the chalets are approved for land fronting a gravel road, Council will impose a condition that the developer seal this road to Council's satisfaction to a minimum width of 4.0 metres between the existing bitumen road and the access point of the development site.</p>	<p>Access to the site will be via Richardson Rd, which is an unsealed local road. As there are only two chalets proposed Wentworth Road and or Richardson Road will not be sealed. A contribution for upgrading can be considered.</p> <p>A new crossover is proposed further to the west of the existing crossover to service the holiday accommodation dwellings.</p> <p>This application is able to comply with Condition 1.</p>
<p>Condition 2</p> <p>All proposals will be advertised once in a paper circulating in the area seeking public comment for a period of not less than 21 days.</p>	<p>Public advertising by Shire of Denmark.</p> <p>This application is able to comply with Condition 2.</p>
<p>Condition 3</p> <p>Chalets will require a source of potable water with a storage capacity of 92,000 litres for each chalet. (As per Department of Agriculture Guidelines)</p>	<p>Due to the small size of the development, it is anticipated water storage capacity will be dealt with through the building permit process.</p> <p>This application is able to comply with Condition 3.</p>
<p>Condition 4</p> <p>All chalet development will be sited in a manner that will not impinge on the amenity or character of the area. Council may require additional vegetation screening to be planted and established prior to approval of the proposal.</p>	<p>The dwellings will be located to ensure each dwelling achieves a suitable level of privacy, rural views and a high level of bucolic amenity.</p> <p>Each location has been selected to minimise visual impacts on the surrounding landscape and comply with the bushfire regulations.</p> <p>This application will comply with Condition 4.</p>
<p>Condition 5</p> <p>External building materials must be compatible with the site's surrounding.</p>	<p>Each building will blend in with the surrounding environment by incorporating timber materials and earthy colour schemes to the building's exterior.</p> <p>This application will comply with Condition 5.</p>
<p>Condition 6</p> <p>The method of effluent disposal will be designed so that it has no detrimental impact</p>	<p>Details of onsite wastewater disposal to be dealt with through the building permit process.</p>

upon the immediate environment of the site or neighbouring properties, i.e. pollution of water courses, springs, soaks, creeks and/or dams etc.	This application will comply with Condition 6.
Condition 7 Council shall determine on application the need for fire protection measures such as firebreaks, escape routes, clearing of vegetation and standpipe and hose facilities if necessary and in consultation with the Bush Fires Brigade.	A Bushfire Management Plan (BMP), including recommended fire protection measures, is being prepared and will be submitted to the Shire. This application will comply with Condition 7.
Condition 8 Council shall determine on application that if warranted, a deceleration lane shall be constructed by the developer on the public road to Council standards to enhance traffic safety.	Access/egress to the site is via Richardson Rd. This application is able to comply with Condition 8.
Condition 9 On the basis that Council can approve two (2) dwellings on a Rural lot, up to four (4) chalets may be approved by Council on an "SA" basis provided that: - (a) one (1) house is occupied by persons involved in the farming of the property; and (b) the other house is occupied by a Manager/Caretaker.	The existing dwelling will be retained with occupants involved in the farming of the property and caretaking of the Holiday Accommodation. This application seeks approval for the following: <ul style="list-style-type: none"> - 2 x Holiday Accommodation chalets - 1 x new crossover This application is compliant with Condition 9.
Condition 10 Council requires that all developers of chalets will provide and maintain a register of all persons that utilise the holiday accommodation during the year to Council's satisfaction. A receipt book must also be kept. The development must be registered as a "Holiday Accommodation Premises" and the fee payable will be utilised to undertake the yearly inspection of facilities.	It is anticipated the Shire would apply a standard condition to any planning approval to enforce this condition. This application can comply with Condition 10.

State Planning Framework

State Planning Policy 2.5 - Rural Planning

State Planning Policy 2.5 - Rural Planning (SPP 2.5) seeks to protect and preserve rural land assets due to the importance of their economic, natural resource, food production, environmental and landscape values.

Section 2.1 of the Rural Planning Guidelines acknowledges that a variety of land uses are able to successfully operate within rural zones, including intensive/extensive agriculture, animal premises, biodiversity conservation, natural resource management and tourism.

The site is currently used for primary production (i.e. – livestock grazing) and will continue to be used for this purpose in the future. As acknowledged in contemporary planning practice and policy, tourism is generally accepted as a compatible land use within the rural zone.

The proposed development has minimal potential to impact on primary production occurring onsite in the future. The small scale of development considering the lot size means there is sufficient space for primary production to occur without impacting on the holiday homes (and vice versa). Further, each holiday accommodation cabin will be fenced off within a 200sqm plot to prevent close interaction with livestock.

A cost benefit analysis undertaken by the owner identifies that a 0.3% loss in gross revenue associated with locating 13 dwellings on the Raintree Estate would be offset by a 50% increase in farm productivity, lifting revenues by 165% from \$129,000 to \$343,917 p.a. – primarily through value adding to the Agritourism market. A copy of the cost benefit analysis is included at **Appendix C**.

State Planning Policy 3.7 - Bushfire

The subject site has been deemed bushfire prone by the Commissioner of Fire and Emergency Services (DFES). State Planning Policy 3.7 – Bushfire (SPP 3.7) requires a Bushfire Attack Level (BAL) assessment or Bushfire Management Plan (BMP) to accompany planning applications identified as bushfire prone.

SPP 3.7 seeks to minimise and/or mitigate the risks to people, property and infrastructure, to ensure the risks are acceptable and appropriate to the land use and the location. A BMP is currently being prepared and will be provided to the Shire and assist with the assessment of this application.

As the proposed development is considered a vulnerable land use a Bushfire Emergency Plan (BEP) will need to be prepared and approved by the Shire prior to occupation. It is anticipated may be enforced via a condition of approval.

SERVICING

Power

Each building will be provided with an off-grid power solution consisting of solar panels and storage batteries.

Gas

Gas appliances will be connected to gas bottles stored in the utility room.

Potable Water Supply

As the subject site is outside of Water Corporations reticulated water and wastewater network, rainwater harvesting and storage will occur as with surrounding properties.

Stormwater runoff will be captured and stored onsite. Given the small size of the buildings and limited number of occupants at any given time, it is anticipated rainwater tank capacity can be determined through the building permit process.

Any shortfall in water storage will be supplemented via water carting to ensure there is always an appropriate level of potable water available.

Wastewater Disposal

It is anticipated details of the wastewater disposal arrangements can be dealt with through the building permit process.

CONCLUSION

This application seeks approval for the following development on the subject site:

- 2 x Holiday Accommodation dwellings
- 1 x new crossover onto Richardson Road to service the Holiday Accommodation buildings

This application demonstrates that the proposed development can comply with the relevant planning framework and will provide complementary holiday accommodation close to many existing tourist attractions. The proposed development will create new employment opportunities and contribute to the Shire's local economy.

Should you have any queries relating to this application or would like to discuss the application in more detail, please do not hesitate to contact me at your convenience.

Kind regards,



Sam Williams

Town Planner

APPENDIX A – Certificate of Title

WESTERN



AUSTRALIA

TITLE NUMBER

Volume

Folio

2952

196

RECORD OF CERTIFICATE OF TITLE

UNDER THE TRANSFER OF LAND ACT 1893

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

BGRoberts
REGISTRAR OF TITLES



LAND DESCRIPTION:

LOT 2618 ON DEPOSITED PLAN 201805

REGISTERED PROPRIETOR: (FIRST SCHEDULE)

KRISTIE BIRKBECK
ROWAN SHAUN JENKIN
BOTH OF 7 RICHARDSON ROAD OCEAN BEACH WA 6333
AS JOINT TENANTS

(T O864017) REGISTERED 7/9/2021

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS: (SECOND SCHEDULE)

1. O864018 MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA REGISTERED 7/9/2021.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

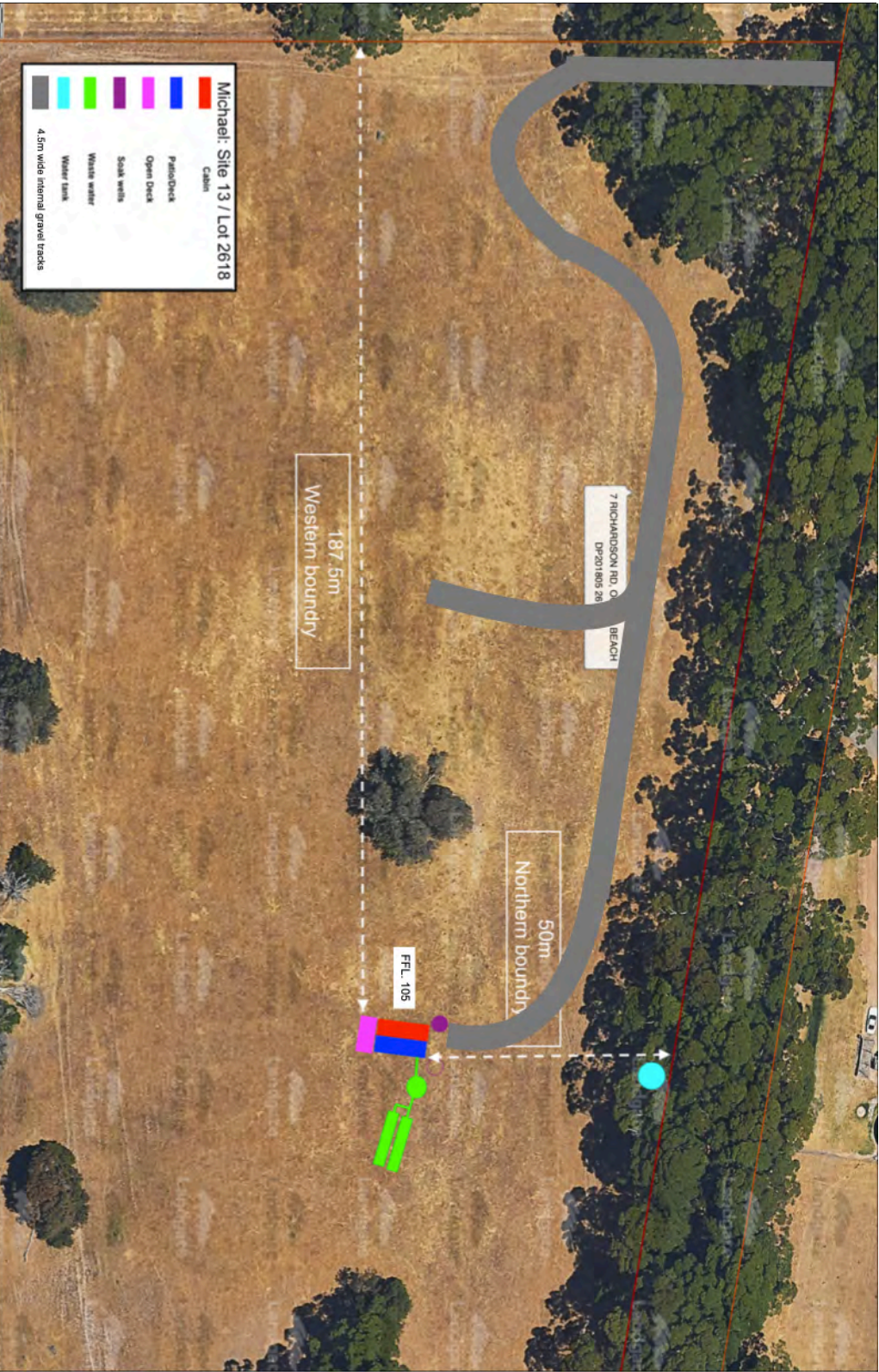
STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 1384-961 (2618/DP201805)
PREVIOUS TITLE: 1384-961
PROPERTY STREET ADDRESS: 7 RICHARDSON RD, OCEAN BEACH.
LOCAL GOVERNMENT AUTHORITY: SHIRE OF DENMARK

NOTE 1: P721063 DEPOSITED PLAN 424780 LODGED

APPENDIX B – Floor Plans and Elevations





LOFTY & LITTLE

DESIGNS

ADDRESS: Boyup Brook, WA 6244

TELEPHONE: 0436 843 384

EMAIL: loftyandlittle@outlook.com

WEBSITE: loftyandlittle.com.au

ABN: 38 689 599 733



HEYSCAPE

TINY CABINS

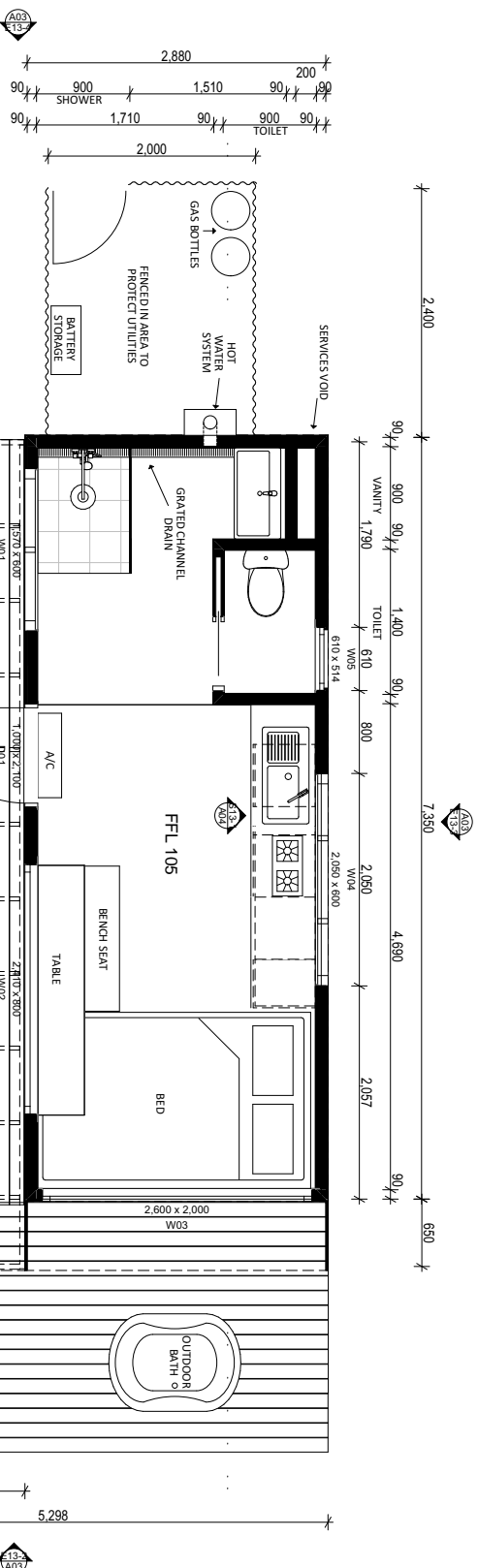
PROJECT: Raintree/Heyscape Cabins

SITE ADDRESS: Lot 1, (No. 43) Privett Road, William Bay

CLIENT: Heyscape Pty Ltd

DRAWING: Site Plan - Site 13

PROJECT No:	Lot 2618	REVISION:	
DATE:	6/03/2025	SCALE:	A5 SHOWN @A3
DAWN:	TS	DRAWING No:	A01
CHECKED:			



1. Floor Plan
1:50



LOFTY & LITTLE
DESIGNS

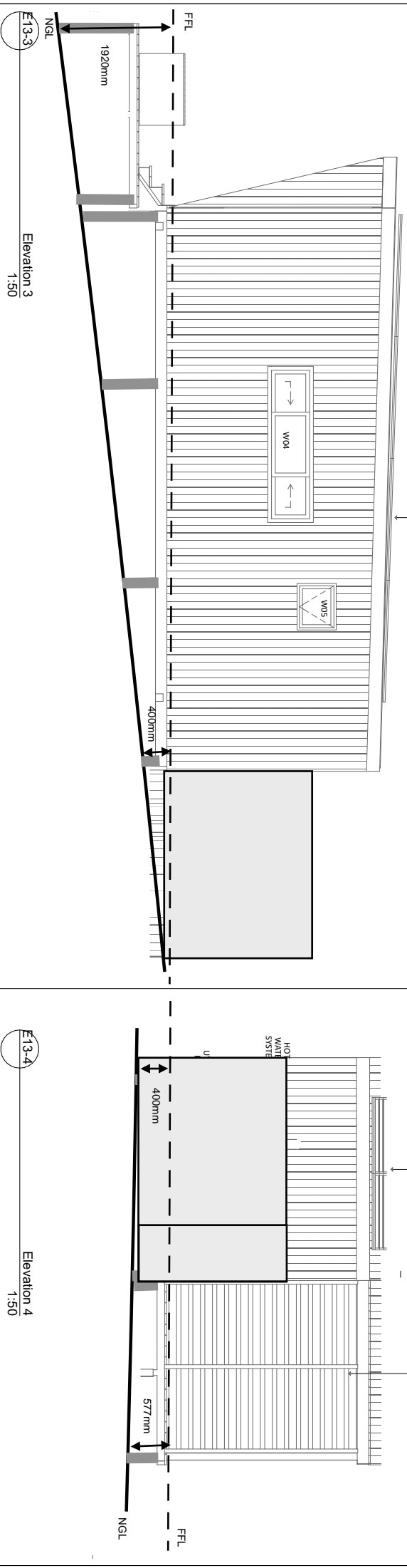
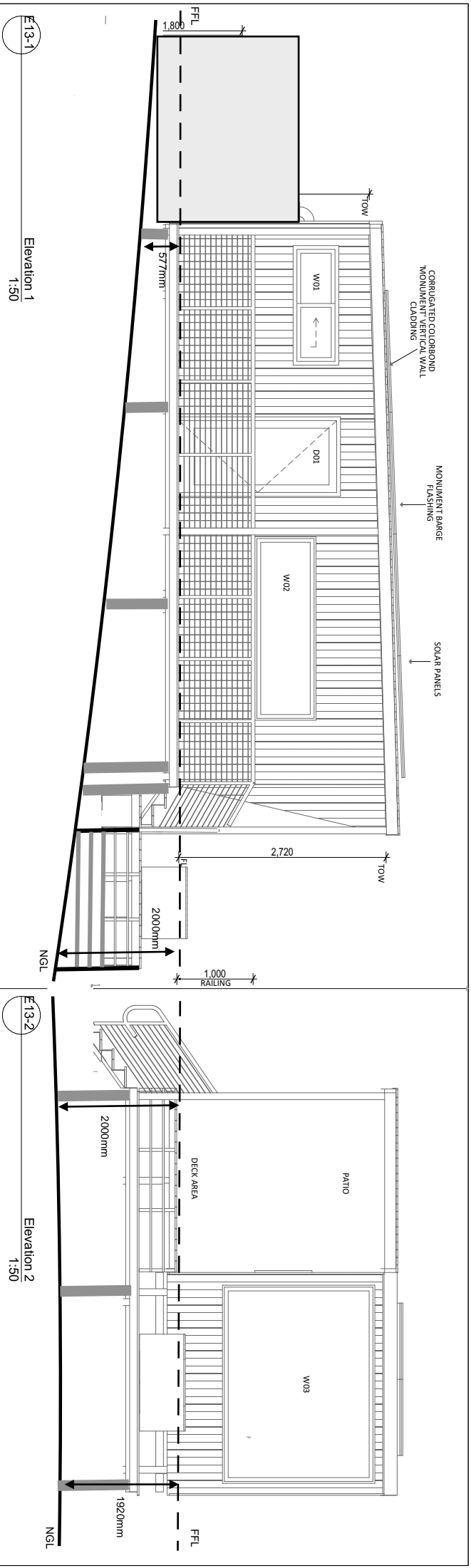
ADDRESS: Boyup Brook, WA 6244
TELEPHONE: 0436 843 384
EMAIL: loftyandlittle@outlook.com
WEBSITE: loftyandlittle.com.au
ABN: 38 689 599 733



HEYSCAPE
TINY CABINS

PROJECT: Raintree/Heyscape Cabins
SITE ADDRESS: Lot 1, (No. 43) Privett Road, William Bay
CLIENT: Heyscape Pty Ltd

DRAWING: Floor Plan - Site 13	
PROJECT No: Lot 2618	REVISION:
DATE: 6/03/2025	SCALE: AS SHOWN @A3
DAWN: TS	
CHECKED:	DRAWING No: A02





LOFTY & LITTLE
DESIGNS

ADDRESS: Boyup Brook, WA 6244
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EMAIL: loftyandlittle@outlook.com
WEBSITE: loftyandlittle.com.au
ABN: 38 689 599 733



HEYSCAPE
TINY CABINS

PROJECT: Raintree/Heyscape Cabins
SITE ADDRESS: Lot 1, (No. 43) Privett Road, William Bay
CLIENT: Heyscape Pty Ltd

DRAWING: Elevations - Site 13

PROJECT No:	Lot 2618	REVISION:
DATE:	6/03/2025	SCALE: AS SHOWN @A3
DAWN:	TS	
CHECKED:		

DRAWING No: **A03**





LOFTY & LITTLE

DESIGNS

ADDRESS: Boyup Brook, WA 6244
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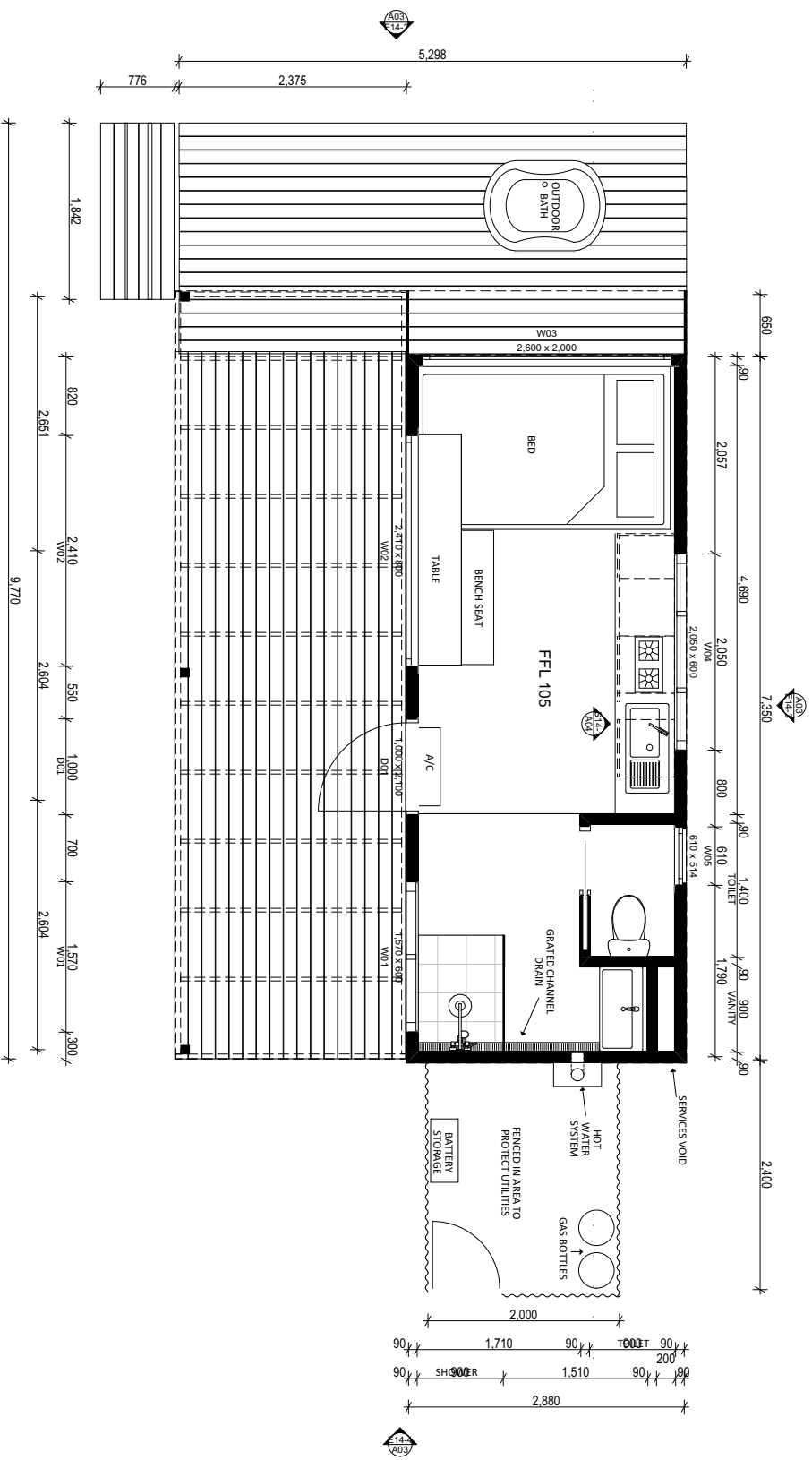


HEYSCAPE

TINY CABINS

PROJECT: Raintree/Heyscape Cabins
SITE ADDRESS: Lot 1, (No. 43) Privett Road, William Bay
CLIENT: Heyscape Pty Ltd

DRAWING: Site Plan - Site 14			
PROJECT No:	Lot 2618	REVISION:	
DATE:	6/03/2025	SCALE:	A5 SHOWN @A3
DAWN:	TS	DRAWING No:	A01
CHECKED:			



1. Floor Plan
1:50



LOFTY & LITTLE
DESIGNS

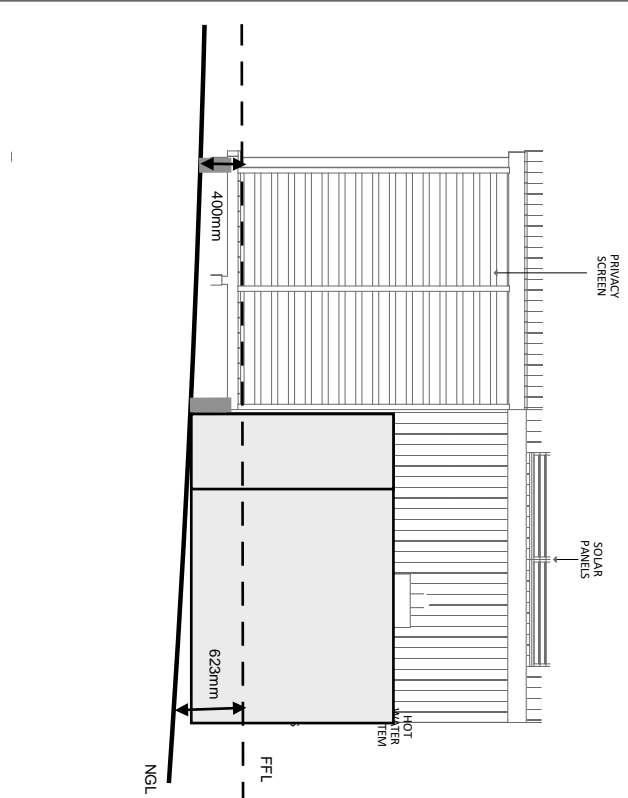
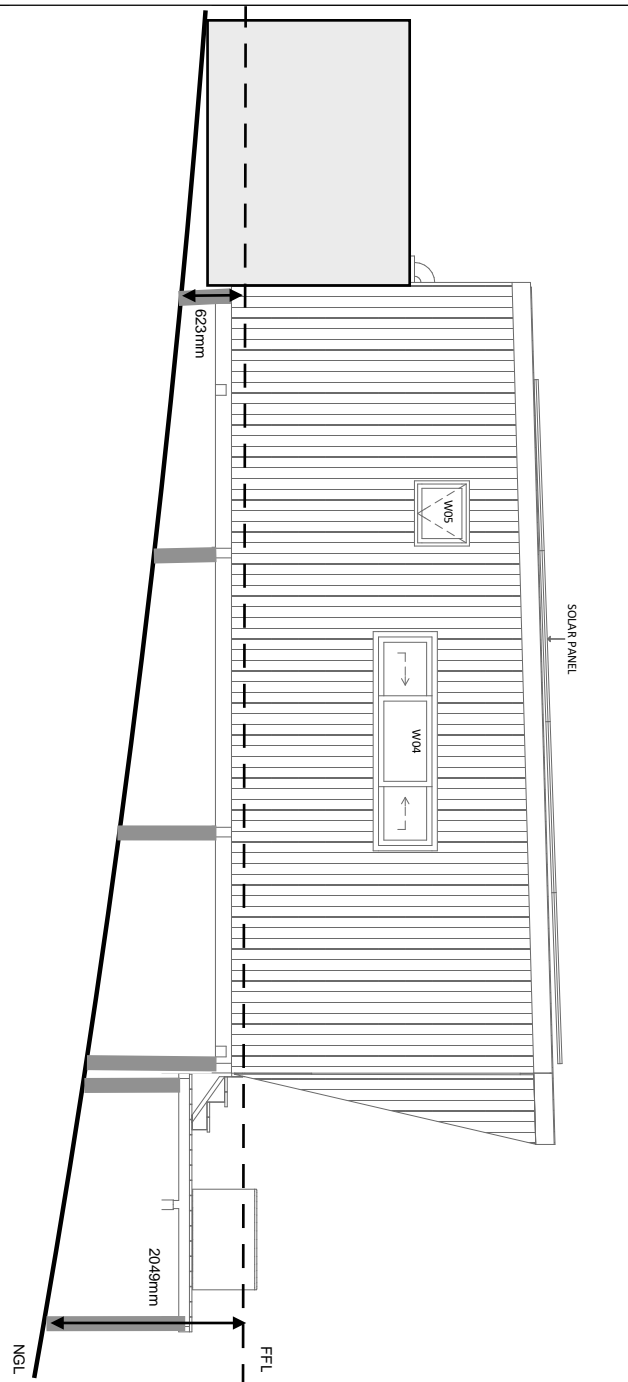
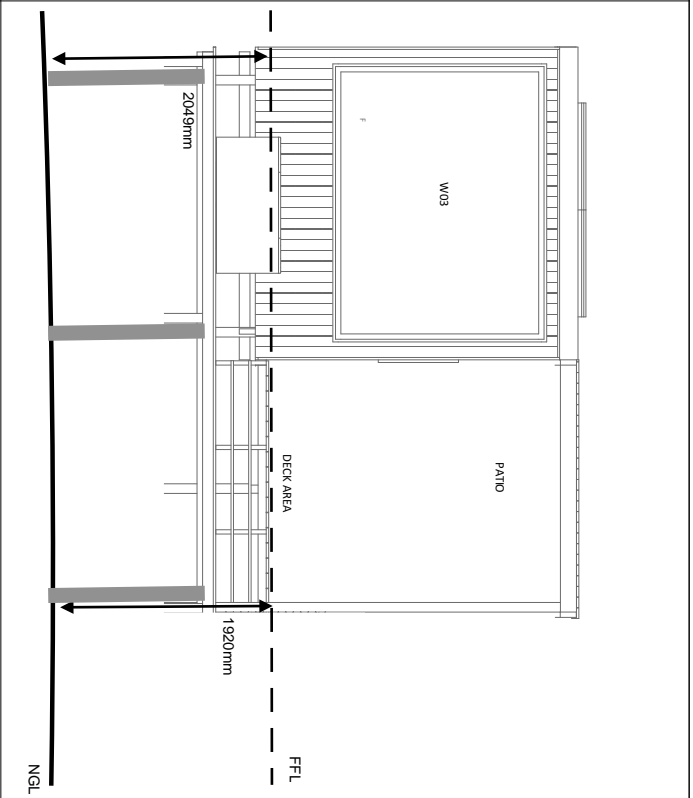
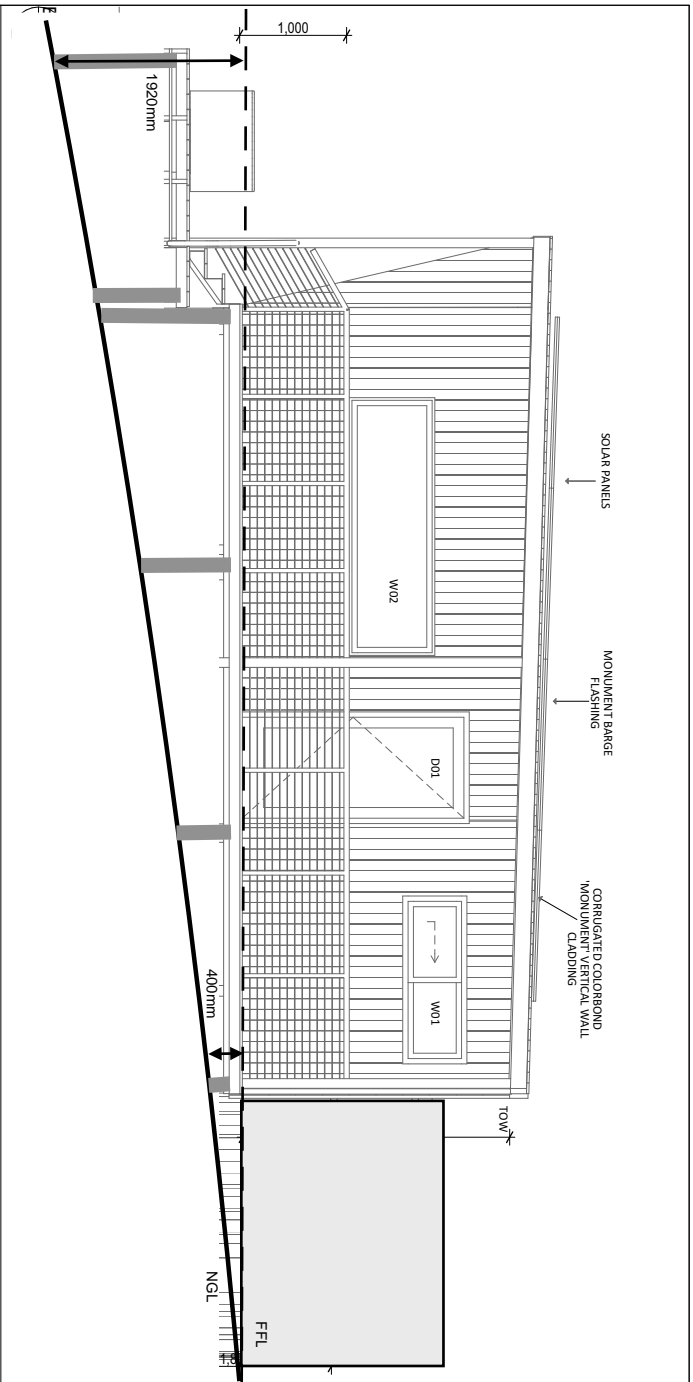
ADDRESS: Boyup Brook, WA 6244
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WEBSITE: loftyandlittle.com.au
ABN: 38 689 599 733



HEYSCAPE
TINY CABINS

PROJECT: Raintree/Heyscape Cabins
SITE ADDRESS: Lot 1, (No. 43) Privett Road, William Bay
CLIENT: Heyscape Pty Ltd

DRAWING: Floor Plan - Site 14	
PROJECT No: Lot 2618	REVISION:
DATE: 6/03/2025	SCALE: AS SHOWN @A3
DAWN: TS	
CHECKED:	DRAWING No: A02





LOFTY & LITTLE
DESIGNS

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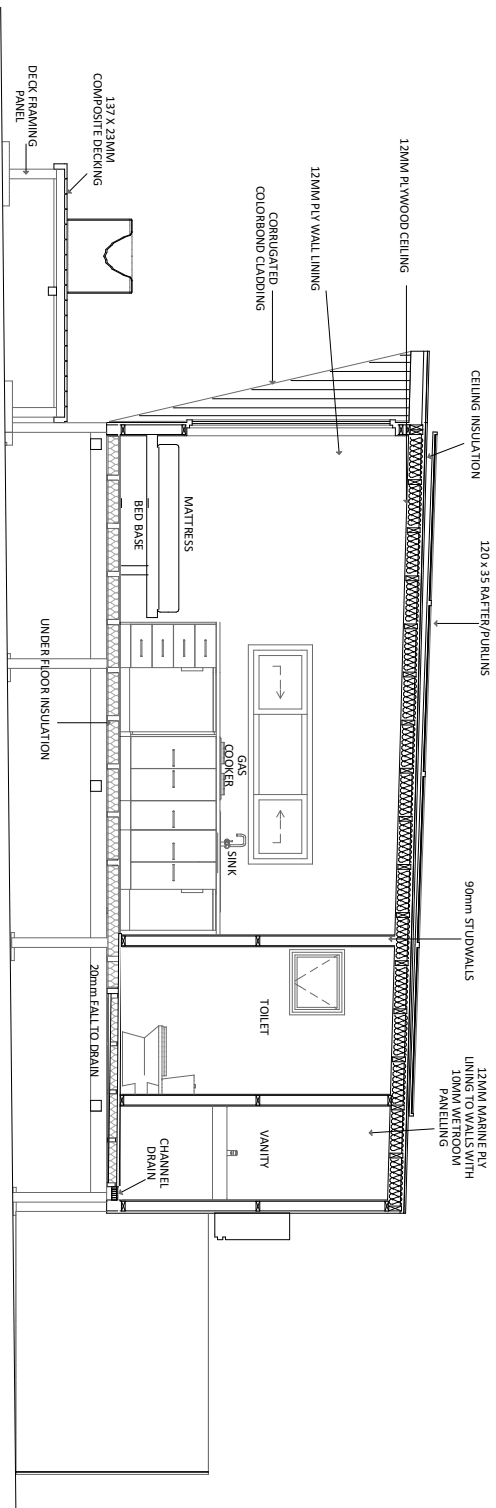
HEYSCAPE
TINY CABINS

PROJECT: Raintree/Heyscape Cabins
SITE ADDRESS: Lot 1, (No. 43) Privett Road, William Bay
CLIENT: Heyscape Pty Ltd

DRAWING: Elevations - Site 14

PROJECT No:	Lot 2618	REVISION:
DATE:	6/03/2025	SCALE: AS SHOWN @A3
DAWN:	TS	
CHECKED:		

DRAWING No: **A03**



Section - Site 14
1:50



LOFTY & LITTLE
DESIGNS

ADDRESS: Boyup Brook, WA 6244
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EMAIL: loftyandlittle@outlook.com
WEBSITE: loftyandlittle.com.au
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HEYSCAPE
TINY CABINS

PROJECT: Raintree/Heyscape Cabins
SITE ADDRESS: Lot 1, (No. 43) Privett Road, William Bay
CLIENT: Heyscape Pty Ltd

DRAWING: Section - Site 14

PROJECT No: Lot 2618

REVISION:

DATE: 6/03/2025

SCALE: AS SHOWN @A3

DAWN: TS

CHECKED:

DRAWING No: A04

Williams Consulting- Town Planning and Project Management

0418 116 216

sam@williamsconsulting.page

354 Redman Road, Scotsdale WA 6333

10 January 2025

Chief Executive Officer
Shire of Denmark
PO Box 183
Denmark WA 6333

Dear Sir/Madam,

DEVELOPMENT APPLICATION: LOT 305 SOUTH COAST HIGHWAY, OCEAN BEACH

This application has been prepared by Williams Consulting on behalf of the owner of Lot 305 South Coast Highway, Ocean Beach (the 'site') – Karen Birkbeck. The application seeks planning consent from the Shire of Denmark for the following development on the subject site:

- 3 Holiday Accommodation dwellings
- 1 Caretaker's dwelling
- 1 x new crossover onto Wentworth Road

The owner is collaborating with accommodation provider Heyscape to deliver this product. Heyscape's mission is to unlock off-grid nature escapes for WA locals and visitors alike, allowing people to stay in picturesque premium locations across the state with everything they need and more. Heyscape manages similar holiday accommodation across the southwest including Busselton, Avon Valley, Chittering, Serpentine, Denmark, Esperance and Yallingup.

Heyscape identified a niche in the tourism market and have built a solid reputation for providing accommodation that emulates the natural aspect of camping but delivers an off-grid premium experience that remains accessible to everyone.

The site forms part of a wider group of landholdings known as Raintree, a 356-hectare Agri-tourism hub in which both economic and social entities work together to produce innovation, economic growth and environmental benefits. This application seeks to expand upon the approval of similar holiday accommodation that was approved by the shire on Lot 1 Privett Road William Bay for three (3) holiday accommodation dwellings and one (1) caretakers' residence.

SUBJECT LAND AND LOCALITY

The site is located 12km (approx.) west of Denmark town centre via South Coast Highway, in an undulating rural area. Various tourist attractions are located nearby, including William Bay National Park, The Dam and Denmark Chocolate Company.

The site has 1.3 km (approx.) of frontage onto South Coast Highway (sealed), and 400m (approx.) of frontage onto Wentworth Road (unsealed). Existing development on the site is limited to a series of manmade dams, a tourist centre and distillery.

The site slopes gently from 100m AHD (approx.) in the west down to 75m AHD (approx.) in the east and has been historically cleared (except for multiple stands of trees) to support agricultural production. The site has a series of dams providing water to livestock and visual amenity to the tourist centre. The site has no permanent water courses, wetlands, cliffs or other significant environmental attributes.

An aerial photo of the site is shown in **Figure 1**.

Lot 305 South Coast Highway, Ocean Beach

Details of the site are provided in **Table 1** below. A copy of the Certificate of Title is provided at **Appendix A**.

Lot No.	Plan	Vol.	Folio	Area (Ha)	Zone
305	75450	2809	900	26.827 *35.8489	Rural

Table 1: Site details

*Lot size (approx.) post subdivision endorsement



Figure 1: Lot 304 South Coast Highway, Ocean Beach

(source: DPLH)

Background

The site forms part of the Raintree Estate which incorporates 356 hectares of surrounding land holdings. Part of Lot 305 (on the northern side of the Denmark-Nornalup Heritage Trail) is zoned Tourist (T 15) under the Shire of Denmark's Local Planning Scheme No.3 and contains 'The Dam', which is a thriving and highly frequented tourist destination.

As part of The Dam's expansion subdivision approval was granted by the WAPC (ref: 162745) to amalgamate a portion of Lot 304 into lot 305 to accommodate essential infrastructure. Progression of WAPC subdivision approval (#162745) is progressing, with the revised lot boundary locations shown in **Figure 2**.

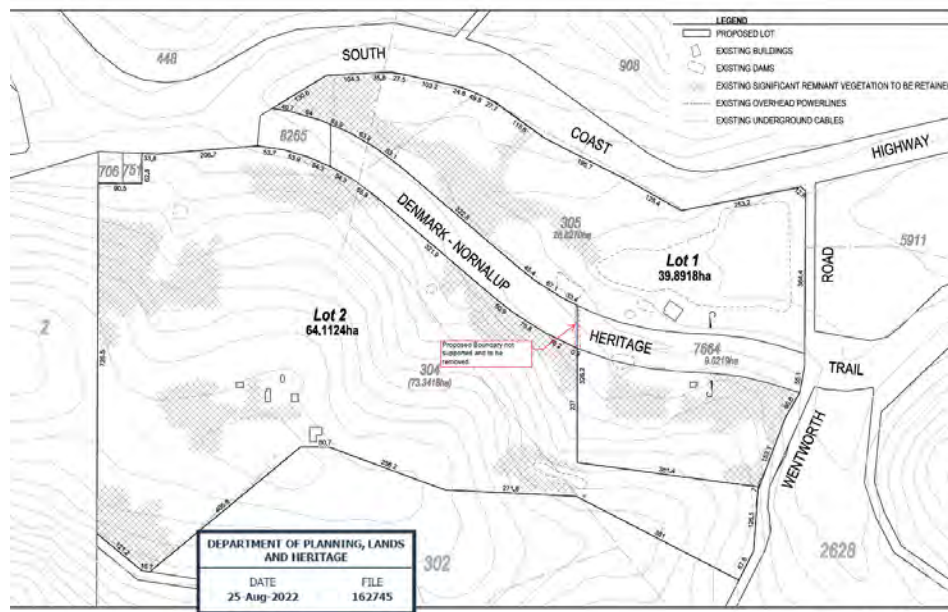


Figure 2: Approved boundary realignment
WAPC)

(source:

*Lot area post subdivision endorsement

PROPOSED DEVELOPMENT

This application seeks approval for the following development on the subject site:

- 3 Holiday Accommodation dwelling
- 1 Caretaker's dwelling
- 1 x new crossover onto Wentworth Road

The Holiday Accommodation dwellings (aka '*tiny house cabins*') have a usable floor space of 17sqm (approx.) plus an outdoor deck providing a defined outdoor living area. They will be available to visitors and tourists on a short stay basis.

The Caretakers Dwelling has an internal usable floor area of 24sqm (approx.) plus outdoor deck. The Caretaker Dwelling will be occupied permanently by a caretaker responsible for cleaning and maintaining the holiday Accommodation dwellings. The caretakers dwelling will serve as an administration/entry point for visitors utilising the subject chalets and any other chalets constructed within the Raintree Estate.

All dwellings are provided with a bathroom, living area, kitchen and bedroom, and include:

- bathroom vanity
- indoor shower
- outdoor bath
- kitchen sink
- flushable toilet

An indicative illustration of the building typologies is provided in **Figure 3**. A copy of the floor plans and elevations are included at **Appendix B**.

Vehicle access to the proposed development will be via Wentworth Road.



Figure 3: Indicative dwelling typologies

(source: Heyscape.com.au)

The buildings will be located on the subject site to ensure each dwelling is provided with a suitable level of privacy, views and amenity. Each building has a significant setback to the street boundary and is well screened from neighbouring properties via vegetation screening and landform. Inclusion of timber materials and earthy colour schemes to the exterior of each building will further assist the buildings to blend in with the surrounding environment.

Each location has been selected to minimise visual impacts on the surrounding landscape, comply with the bushfire regulations and minimise any potential for land use conflict to occur.

A location plan showing the location of the proposed development is included in **Figure 4**.



Figure 4: Location Plan

(source: Landgate)

PLANNING FRAMEWORK

Local Planning Framework

Shire of Denmark Local Planning Scheme No. 3

The subject site is zoned Rural under the Shire of Denmark Local Planning Scheme No. 3 (LPS 3). Clause 3.1.3 (g) of LPS 3 acknowledges the purpose and intent of the Rural zone is *for the range of normal rural activities conducted in the Shire and to protect such land from inappropriate uses*.

Table 1 of LPS 3 identifies *Holiday Accommodation* as a "SA" land use in the Rural zone, meaning that the Council may (at its discretion) permit the use in the zone after giving notice of the application in accordance with Clause 6.4 (i.e. - after 21 days of public advertising).

Furthermore, Table 1 of LPS 3 identifies a *Caretakers Dwelling* as an "AA" land use in the Rural zone, meaning that the Council may (at its discretion) permit the use in the zone (without a requirement for public advertising).

Accordingly, the proposed development may be considered and approved under LPS 3.

Shire of Denmark Town Planning Scheme Policy No. 7 - Second dwellings / Additional Houses and Chalet Developments on Rural Zoned Lots (TPSP 7)

The Shire of Denmark's TPSP 7 enables Council to apply discretion and approve one residential dwelling and one chalet on a single (vacant) lot within the rural zone. This policy echoes the difficulties associated with obtaining a sustainable income on small rural lots (comparative to lot sizes in surrounding local Shires) and provides landowners the opportunity to supplement their income through complementary development.

TPSP 7 identifies the level of approval required for proposals involving second dwellings, additional houses and/or chalet developments on land holdings within the rural zone. The policy identifies that "Specific Approval" is required for the proposed development subject to this application (i.e. - three holiday accommodation chalets and one caretakers dwelling).

Table 2 lists the applicants' responses to the applicable special conditions of TPSP 7.

TPSP 7 SPECIFIC APPROVAL CONDITIONS	
TPSP 7	APPLICANT RESPONSE
<p>Condition 1</p> <p>In rural areas, Council will only approve chalets that have frontage to a sealed road of a minimum width of 3.7 metres. If the road is not sealed, upgrading will be required as a condition of approval.</p> <p>In the event that the chalets are approved for land fronting a gravel road, Council will impose a condition that the developer seal this road to Council's satisfaction to a minimum width of 4.0 metres between the existing bitumen road and the access point of the development site.</p>	<p>Access to the site will be via Wentworth Road. The applicant will not be sealing an additional area of Wentworth Road. If necessary a suitable contribution for upgrading will be made.</p> <p>This application is compliant with Condition 1.</p>
<p>Condition 2</p> <p>All proposals will be advertised once in a paper circulating in the area seeking public comment for a period of not less than 21 days.</p>	<p>Public advertising by Shire of Denmark.</p> <p>This application is able to comply with Condition 2.</p>
<p>Condition 3</p> <p>Chalets will require a source of potable water with a storage capacity of 92,000 litres for each chalet. (As per Department of Agriculture Guidelines)</p>	<p>Due to the small size of the development, it is anticipated water storage capacity will be dealt with through the building permit process.</p> <p>This application is able to comply with Condition 3.</p>
<p>Condition 4</p> <p>All chalet development will be sited in a manner that will not impinge on the amenity or character of the area. Council may require additional vegetation screening to be planted and established prior to approval of the proposal.</p>	<p>The dwellings will be located to ensure each dwelling achieves a suitable level of privacy, rural views and a high level of bucolic amenity.</p> <p>Each location has been selected to minimise visual impacts on the surrounding landscape and comply with the bushfire regulations.</p> <p>This application will comply with Condition 4.</p>
<p>Condition 5</p> <p>External building materials must be compatible with the site's surrounding.</p>	<p>Each building will blend in with the surrounding environment by incorporating timber materials and earthy colour schemes to the building's exterior.</p> <p>This application will comply with Condition 5.</p>



DP 194259

Denmark-Nornalup Heritage Trail

Lot 305

90m
2500m² Surface Disposal
under partially wooded
remnant Veg

29

9m Western
boundary

368m Eastern boundary

30

254m Eastern boundary

19
Caretakers

142m Eastern boundary

20

169m Eastern boundary

17m Southern boundary

23m Southern boundary

23m Southern boundary

79m Southern
boundary

D 59080

DP 201805

Lot 305

-  Cabin
-  Patio/Deck
-  Open Deck
-  Gravel access tracks

Drawing:
FC-001
FAMILY CABIN

REV: D
Date: 11/01/23
SHEET SIZE: A3

COVER PAGE

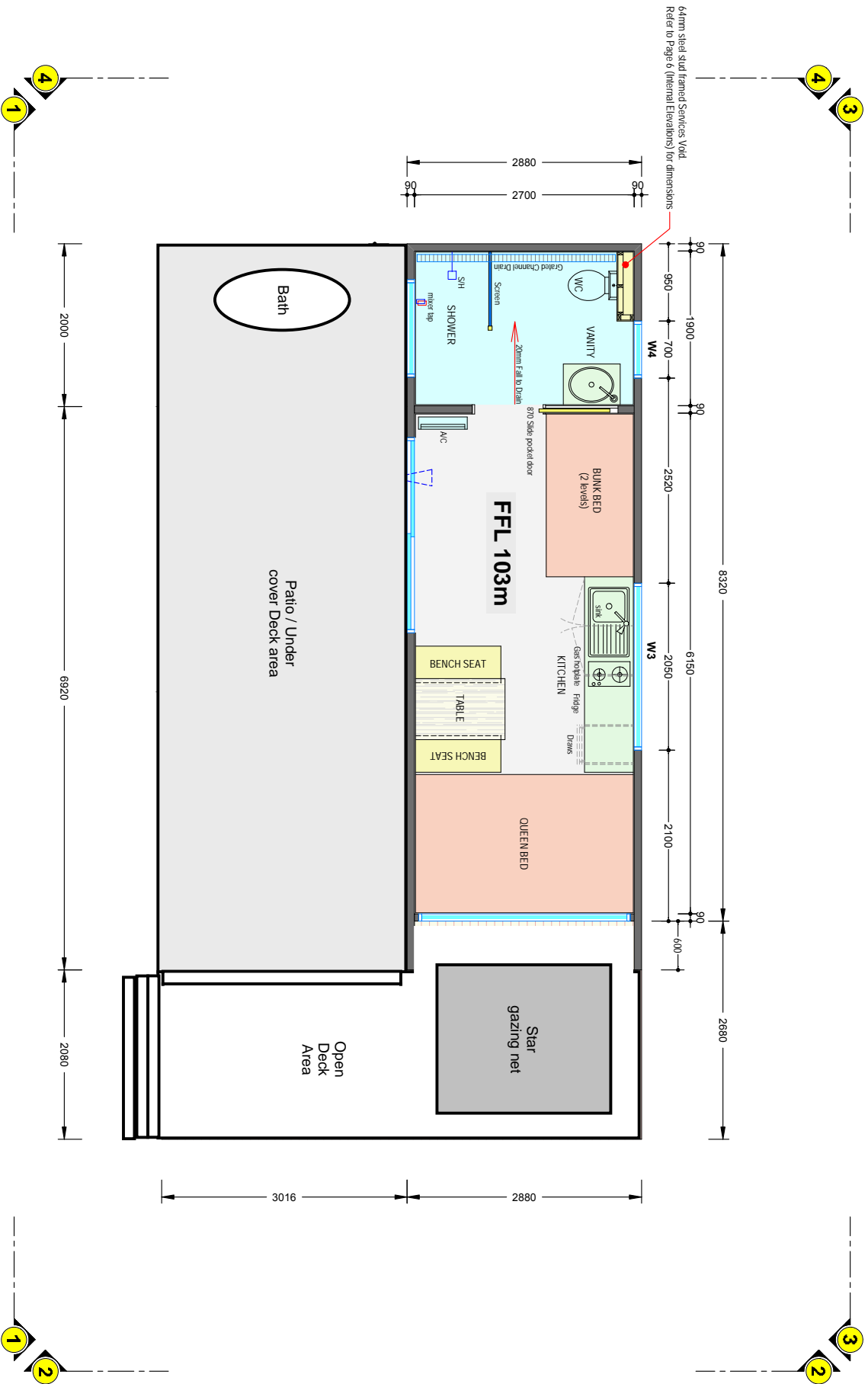


HEYSCAPE
TINY CABINS

1/21 Jacquard Way, Port Kennedy WA 6172
www.heysscape.com.au

Drawing:
FAMILY CABIN

REV: D
Date: 11/01/23
SHEET SIZE: A3
P1 of 8



FLOOR PLAN VIEW

Scale 1:50

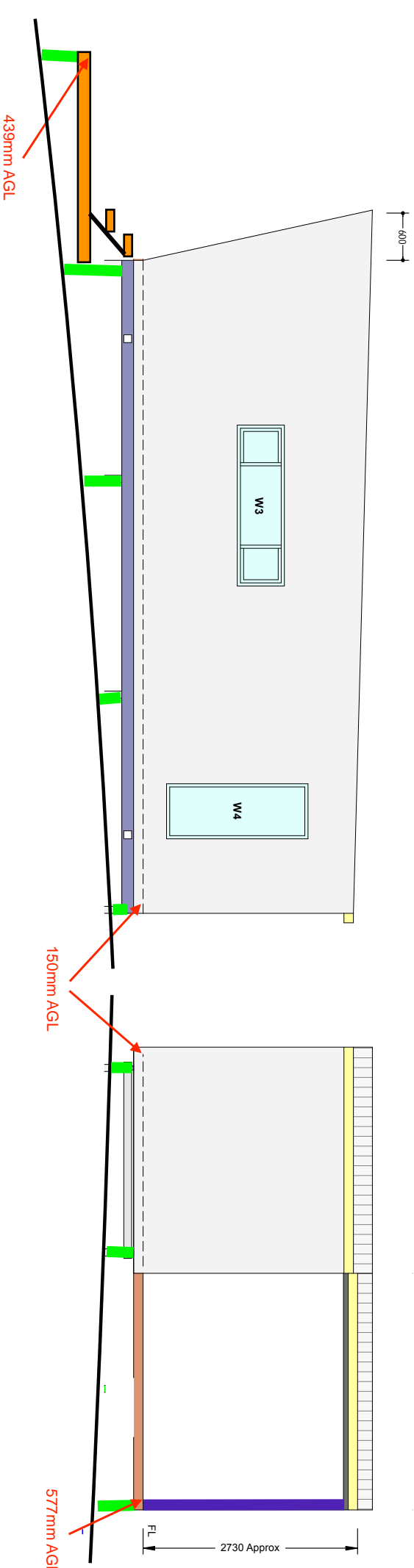
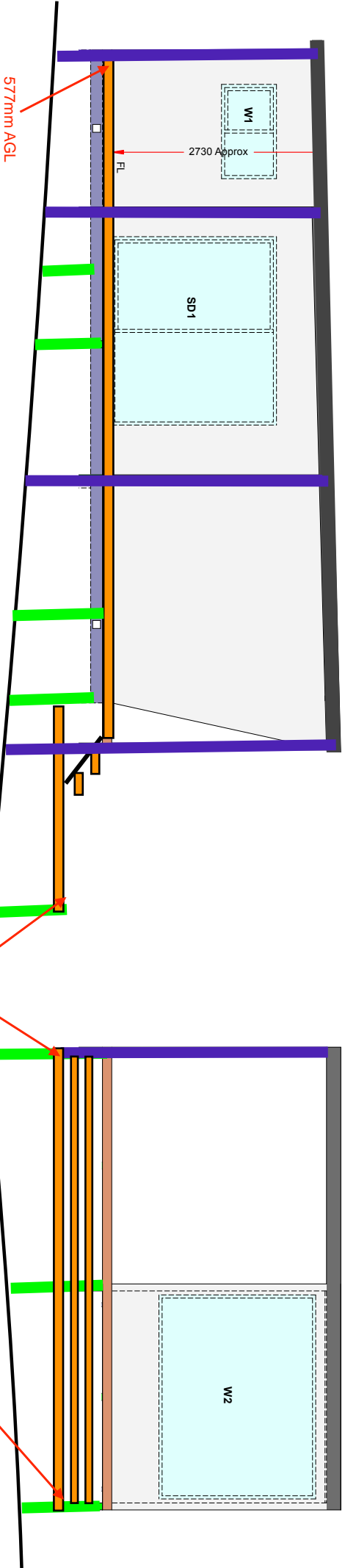


HEYSCAPE
TINY CABINS

1/21 Jacquard Way, Port Kennedy WA 6172
www.heyescape.com.au

Drawing:
FAMILY CABIN

REV: D
Date: 11/01/23
SHEET SIZE: A3
P2 of 8



DECKING ELEVATIONS

Scale 1:50



HEYSCAPE
TINY CABINS

1/21 Jacquard Way Port Kennedy WA 6172
www.heyescape.com.au

Drawing:
FAMILY CABIN

REV: D
Date: 11/01/23
SHEET SIZE: A3
P4 of 8

10 January 2025

Chief Executive Officer
Shire of Denmark
PO Box 183
Denmark WA 6333

Dear Sir/Madam,

DEVELOPMENT APPLICATION: LOT 2617 OCEAN BEACH

This application has been prepared by Williams Consulting on behalf of the owner of Lot 2617 Ocean Beach (the 'site') – Raintree Estate. The application seeks planning consent from the Shire of Denmark for the following development on the subject site:

- 1 x Residence/ Caretaker's Dwelling

The owner is collaborating with accommodation provider Heyscape to deliver this product. Heyscape's mission is to unlock off-grid nature escapes for WA locals and visitors alike, allowing people to stay in picturesque premium locations across the state with everything they need and more. Heyscape manages similar holiday accommodation across the southwest including Busselton, Avon Valley, Chittering, Serpentine, Denmark, Esperance and Yallingup.

Heyscape identified a niche in the tourism market and have built a solid reputation for providing accommodation that emulates the natural aspect of camping but delivers an off-grid premium experience that remains accessible to everyone.

The site forms part of a wider group of landholdings known as Raintree, a 356-hectare Agri-tourism hub in which both economic and social entities work together to produce innovation, economic growth and environmental benefits. This application seeks to expand upon the approval of similar holiday accommodation that was approved by the shire on Lot 1 Privett Road William Bay for three (3) holiday accommodation dwellings and one (1) caretakers' residence.

SUBJECT LAND AND LOCALITY

The site is located 12km (approx.) west of Denmark town centre via South Coast Highway, in an undulating rural area. Various tourist attractions are located nearby, including William Bay National Park, The Dam and Denmark Chocolate Company.

The site is land locked and does not have direct frontage onto a public road. Accordingly, the owners propose access/egress to the site via adjoining Lot 4630 to the north. The site contains no existing development, with the exception of two manmade dams for livestock. Primary access to the site is via adjoining Lot 4630 to the north.

The site slopes gently from 80m AHD (approx.) in the northeast down to 45m AHD (approx.) in the southwest and has been historically cleared (except for multiple stands of trees) to support agricultural production. The site has two dams providing water to livestock. The site has no permanent water courses, wetlands, cliffs or other significant environmental attributes.

An aerial photo of the site is shown in **Figure 1**.

Details of the site are provided in **Table 1** below. A copy of the Certificate of Title is provided at **Appendix A**.

Lot No.	Plan	Vol.	Folio	Area (Ha)	Zone
2617	201805	2952	195	25.48	Rural

Table 1: Site details



Figure 1: Lot 2617 Ocean Beach (source: DPLH)

Background

The site forms part of the Raintree Estate which incorporates 356 hectares of surrounding land holdings including Lot 4630 Robertson Road.

PROPOSED DEVELOPMENT

This application seeks approval for the following development on the subject site:

- 1 Residence/Caretaker’s Dwelling

The Caretakers Dwelling has an internal usable floor area of 24sqm (approx.) plus outdoor deck. The Caretaker Dwelling will be occupied permanently by a caretaker responsible for cleaning and maintaining the Holiday Accommodation dwelling on adjoining properties comprising the Raintree Estate.

The dwelling will be provided with a bathroom, living area, kitchen and bedroom, and include:

- bathroom vanity
- indoor shower
- outdoor bath
- kitchen sink
- flushable toilet

An indicative illustration of the building typologies is provided in **Figure 2**. A copy of the floor plans and elevations are included at **Appendix B**.



Figure 2: Indicative dwelling typology

(source: Heyscape.com.au)

The building will be located on the subject site to ensure each dwelling is provided with a suitable level of privacy, views and amenity. Each building has a significant setback to the street boundary and is well screened from neighbouring properties via vegetation screening and landform. Inclusion of timber materials and earthy colour schemes to the exterior of each building will further assist the buildings to blend in with the surrounding environment.

The location has been selected to minimise visual impacts on the surrounding landscape, comply with the bushfire regulations and minimise any potential for land use conflict to occur.

A location plan showing the location of the proposed development is included in **Figure 3**.



Figure 3: Location Plan

(source: Landgate)

PLANNING FRAMEWORK

Local Planning Framework

Shire of Denmark Local Planning Scheme No. 3

The subject site is zoned Rural under the Shire of Denmark Local Planning Scheme No. 3 (LPS 3). Clause 3.1.3 (g) of LPS 3 acknowledges the purpose and intent of the Rural zone is *for the range of normal rural activities conducted in the Shire and to protect such land from inappropriate uses*.

Table 1 of LPS 3 identifies a *Caretakers Dwelling* as an "AA" land use in the Rural zone, meaning that the Council may (at its discretion) permit the use in the zone (without a requirement for public advertising).

Accordingly, the proposed development may be considered and approved under LPS 3.

Shire of Denmark Town Planning Scheme Policy No. 7 - Second dwellings / Additional Houses and Chalet Developments on Rural Zoned Lots (TPSP 7)

The Shire of Denmark's TPSP 7 enables Council to apply discretion and approve one residential dwelling and one chalet on a single (vacant) lot within the rural zone. This policy echoes the difficulties associated with obtaining a sustainable income on small rural lots (comparative to lot sizes

in surrounding local Shires) and provides landowners the opportunity to supplement their income through complementary development.

TPSP 7 identifies the level of approval required for proposals involving second dwellings, additional houses and/or chalet developments on land holdings within the rural zone. The policy identifies that "Specific Approval" is required for the proposed development subject to this application (i.e. – one caretaker dwellings).

Table 2 lists the applicants' responses to the applicable special conditions of TPSP 7.

TPSP 7 SPECIFIC APPROVAL CONDITIONS	
TPSP 7	APPLICANT RESPONSE
<p>Condition 1</p> <p>In rural areas, Council will only approve chalets that have frontage to a sealed road of a minimum width of 3.7 metres. If the road is not sealed, upgrading will be required as a condition of approval.</p> <p>In the event that the chalets are approved for land fronting a gravel road, Council will impose a condition that the developer seal this road to Council's satisfaction to a minimum width of 4.0 metres between the existing bitumen road and the access point of the development site.</p>	<p>Access to the site will be via Lot 4630 (north) connecting onto Robertson Road. As the proposal is for a residential/caretakers dwelling an upgrade to Richardson Road is not necessary.</p> <p>This application is compliant with Condition 1.</p>
<p>Condition 2</p> <p>All proposals will be advertised once in a paper circulating in the area seeking public comment for a period of not less than 21 days.</p>	<p>Public advertising by Shire of Denmark.</p> <p>This application is able to comply with Condition 2.</p>
<p>Condition 3</p> <p>Chalets will require a source of potable water with a storage capacity of 92,000 litres for each chalet. (As per Department of Agriculture Guidelines)</p>	<p>Due to the small size of the development, it is anticipated water storage capacity will be dealt with through the building permit process.</p> <p>This application is able to comply with Condition 3.</p>
<p>Condition 4</p> <p>All chalet development will be sited in a manner that will not impinge on the amenity or character of the area. Council may require additional vegetation screening to be planted and established prior to approval of the proposal.</p>	<p>The dwelling will be located to ensure it achieves a suitable level of privacy, rural views and a high level of bucolic amenity.</p> <p>Each location has been selected to minimise visual impacts on the surrounding landscape and comply with the bushfire regulations.</p> <p>This application will comply with Condition 4.</p>
<p>Condition 5</p> <p>External building materials must be compatible with the site's surrounding.</p>	<p>Each building will blend in with the surrounding environment by incorporating timber materials</p>

	<p>and earthy colour schemes to the building's exterior.</p> <p>This application will comply with Condition 5.</p>
<p>Condition 6</p> <p>The method of effluent disposal will be designed so that it has no detrimental impact upon the immediate environment of the site or neighbouring properties, i.e. pollution of water courses, springs, soaks, creeks and/or dams etc.</p>	<p>Details of onsite wastewater disposal to be dealt with through the building permit process.</p> <p>This application will comply with Condition 6.</p>
<p>Condition 7</p> <p>Council shall determine on application the need for fire protection measures such as firebreaks, escape routes, clearing of vegetation and standpipe and hose facilities if necessary and in consultation with the Bush Fires Brigade.</p>	<p>A Bushfire Management Plan (BMP), including recommended fire protection measures, is being prepared and will be submitted to the Shire.</p> <p>This application will comply with Condition 7.</p>
<p>Condition 8</p> <p>Council shall determine on application that if warranted, a deceleration lane shall be constructed by the developer on the public road to Council standards to enhance traffic safety.</p>	<p>Access/egress to the site is via Lot 4630 to the north connecting to Robertson Road.</p> <p>This application is able to comply with Condition 8.</p>
<p>Condition 9</p> <p>On the basis that Council can approve two (2) dwellings on a Rural lot, up to four (4) chalets may be approved by Council on an "SA" basis provided that: -</p> <p>(a) one (1) house is occupied by persons involved in the farming of the property; and</p> <p>(b) the other house is occupied by a Manager/Caretaker.</p>	<p>The Caretaker residence will be occupied by a Manager/Caretaker.</p> <p>This application seeks approval for the following:</p> <ul style="list-style-type: none"> - 1 x Caretaker residence <p>This application is compliant with Condition 9.</p>
<p>Condition 10</p> <p>Council requires that all developers of chalets will provide and maintain a register of all persons that utilise the holiday accommodation during the year to Council's satisfaction. A receipt book must also be kept. The development must be registered as a "Holiday Accommodation Premises" and the fee payable will be utilised to undertake the yearly inspection of facilities.</p>	<p>It is anticipated the Shire would apply a standard condition to any planning approval to enforce this condition.</p> <p>This application is able to comply with Condition 10.</p>

State Planning Framework

State Planning Policy 2.5 - Rural Planning

State Planning Policy 2.5 – Rural Planning (SPP 2.5) seeks to protect and preserve rural land assets due to the importance of their economic, natural resource, food production, environmental and landscape values.

Section 2.1 of the Rural Planning Guidelines acknowledges that a variety of land uses are able to successfully operate within rural zones, including intensive/extensive agriculture, animal premises, biodiversity conservation, natural resource management and tourism.

The site is currently used for primary production (i.e. – livestock grazing) and will continue to be used for this purpose in the future. As acknowledged in contemporary planning practice and policy, tourism is generally accepted as a compatible land use within the rural zone.

The proposed development has minimal potential to impact on primary production occurring onsite in the future. The small scale of development considering the lot size means there is sufficient space for primary production to occur without impacting on the holiday homes (and vice versa). Further, each holiday accommodation cabin will be fenced off within a 200sqm plot to prevent close interaction with livestock.

A cost benefit analysis undertaken by the owner identifies that a 0.3% loss in gross revenue associated with locating 13 dwellings on the Raintree Estate would be offset by a 50% increase in farm productivity, lifting revenues by 165% from \$129,000 to \$343,917 p.a. – primarily through value adding to the Agritourism market. A copy of the cost benefit analysis is included at **Appendix C**.

State Planning Policy 3.7 - Bushfire

The subject site has been deemed bushfire prone by the Commissioner of Fire and Emergency Services (DFES). State Planning Policy 3.7 – Bushfire (SPP 3.7) requires a Bushfire Attack Level (BAL) assessment or Bushfire Management Plan (BMP) to accompany planning applications identified as bushfire prone.

SPP 3.7 seeks to minimise and/or mitigate the risks to people, property and infrastructure, to ensure the risks are acceptable and appropriate to the land use and the location. A BMP is currently being prepared and will be provided to the Shire and assist with the assessment of this application.

As the proposed development is considered a vulnerable land use a Bushfire Emergency Plan (BEP) will need to be prepared and approved by the Shire prior to occupation. It is anticipated may be enforced via a condition of approval.

SERVICING

Power

Each building will be provided with an off-grid power solution consisting of solar panels and storage batteries.

Gas

Gas appliances will be connected to gas bottles stored in the utility room.

Potable Water Supply

As the subject site is outside of Water Corporations reticulated water and wastewater network, rainwater harvesting and storage will occur as with surrounding properties.

Stormwater runoff will be captured and stored onsite. Given the small size of the buildings and limited number of occupants at any given time, it is anticipated rainwater tank capacity can be determined through the building permit process.

Any shortfall in water storage will be supplemented via water carting to ensure there is always an appropriate level of potable water available.

Wastewater Disposal

It is anticipated details of the wastewater disposal arrangements can be dealt with through the building permit process.

CONCLUSION

This application seeks approval for the following development on the subject site:

- 1x Residence/ Caretaker's Dwelling

This application demonstrates that the proposed development can comply with the relevant planning framework and will provide complementary holiday accommodation close to many existing tourist attractions. The proposed development will create new employment opportunities and contribute to the Shire's local economy.

Should you have any queries relating to this application or would like to discuss the application in more detail, please do not hesitate to contact me at your convenience.

Kind regards,



Sam Williams

Town Planner

APPENDIX A – Certificate of Title

WESTERN



AUSTRALIA

TITLE NUMBER

Volume

Folio

2952

195

RECORD OF CERTIFICATE OF TITLE

UNDER THE TRANSFER OF LAND ACT 1893

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

BGRoberts
REGISTRAR OF TITLES



LAND DESCRIPTION:

LOT 2617 ON DEPOSITED PLAN 201805

REGISTERED PROPRIETOR: (FIRST SCHEDULE)

RAINTREE ESTATE PTY LTD OF 2243 SOUTH COAST HIGHWAY OCEAN BEACH WA 6333
(T N975497) REGISTERED 30/8/2018

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS: (SECOND SCHEDULE)

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

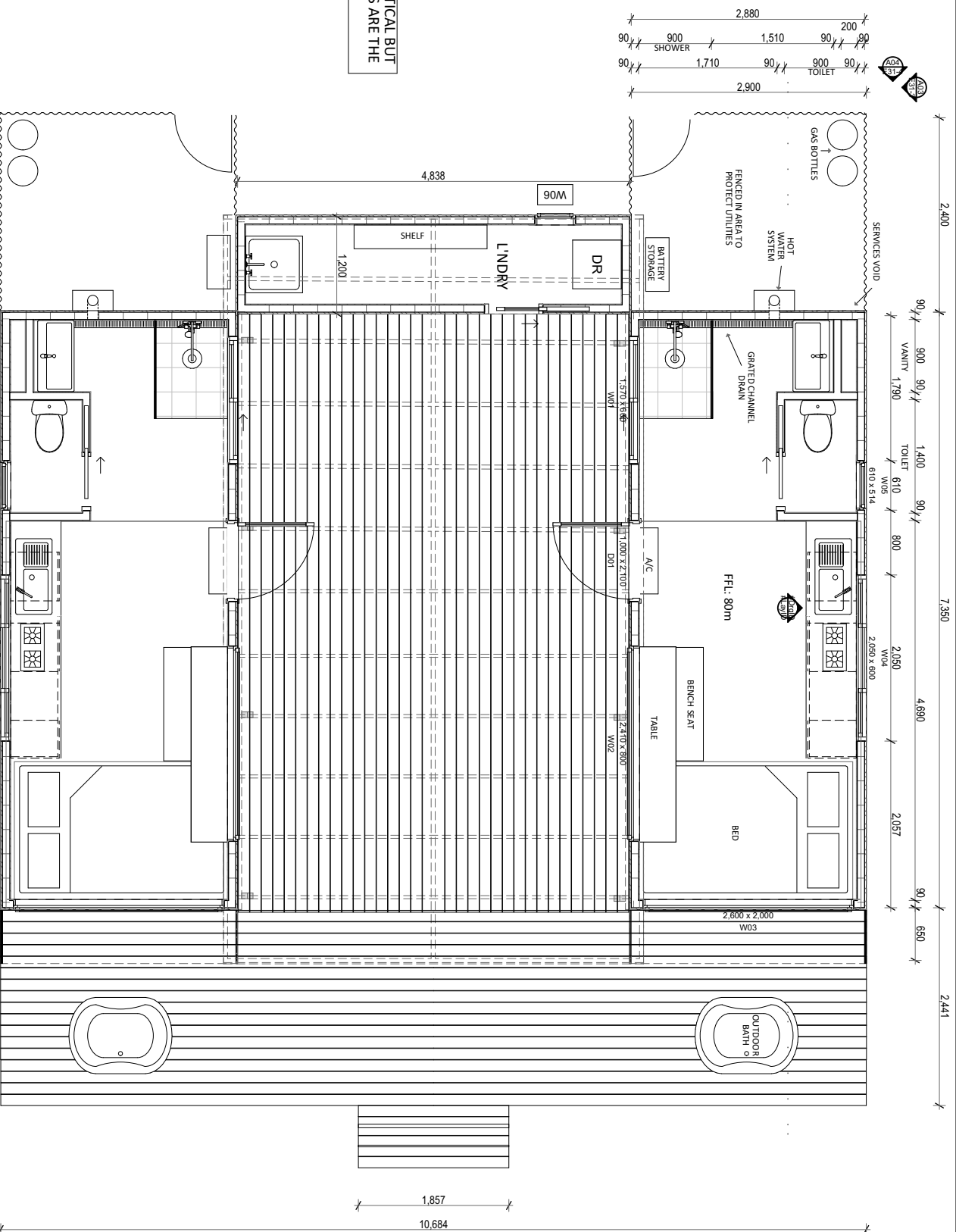
STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 1384-961 (2617/DP201805)
PREVIOUS TITLE: 1384-961
PROPERTY STREET ADDRESS: NO STREET ADDRESS INFORMATION AVAILABLE.
LOCAL GOVERNMENT AUTHORITY: SHIRE OF DENMARK

NOTE 1: P721063 DEPOSITED PLAN 424780 LODGED

APPENDIX B – Floor Plans and Elevations



NOTE: CABINS ARE IDENTICAL BUT
MIRRORRED. DIMENSIONS ARE THE
SAME

DRAWING: **Floor Plan - Site 31**

PROJECT: Raintree/Heyscape Cabins
SITE ADDRESS: Lot 1, (No. 43) Privett Road, William Bay
CLIENT: Heyscape Pty Ltd

PROJECT No:	Lot 2617	REVISION:	
DATE:	13/03/2025	SCALE:	AS SHOWN @A3
DAWN:	TS	DRAWING No:	A02
CHECKED:			



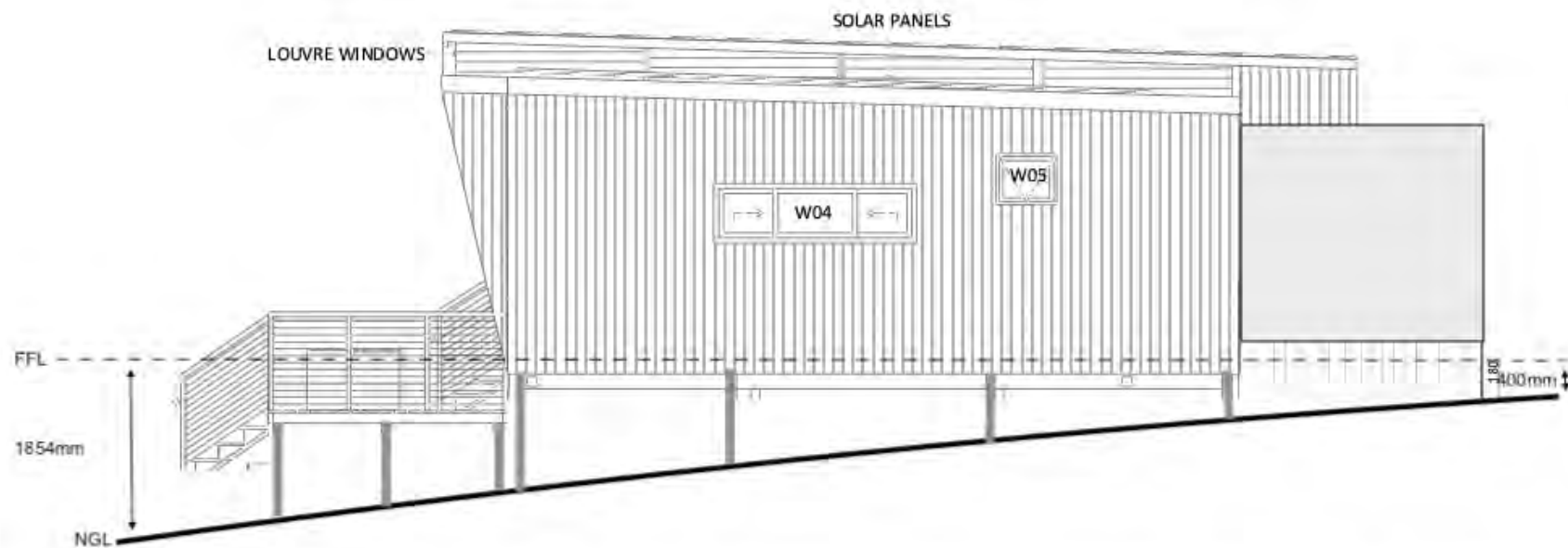
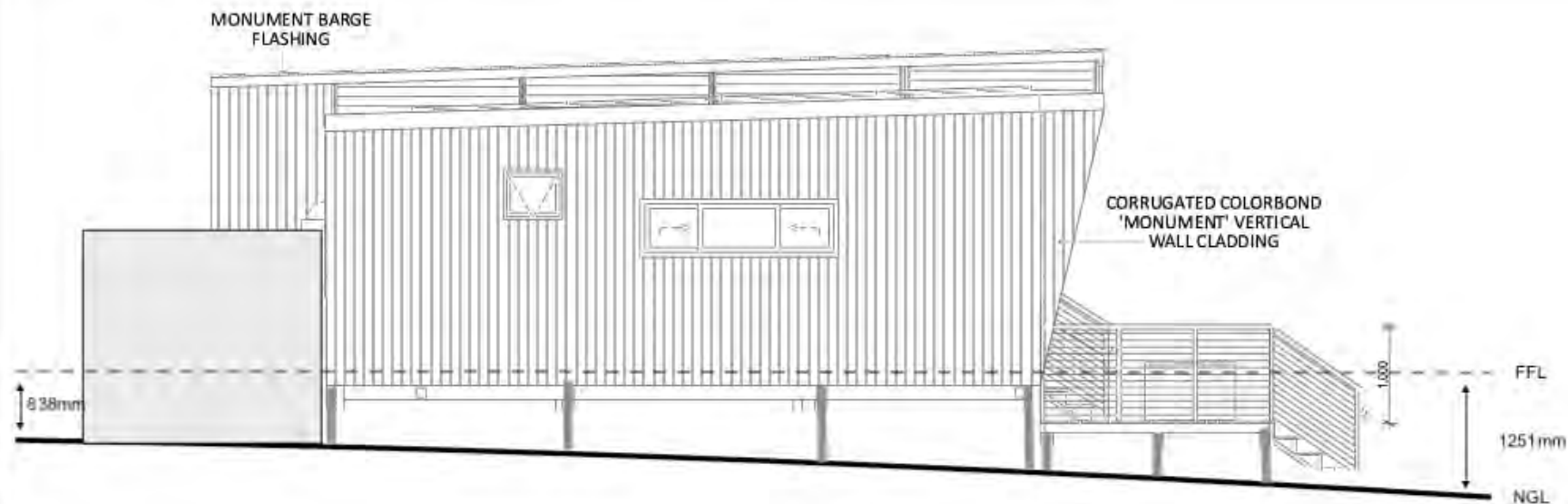
LOFTY & LITTLE
DESIGNS

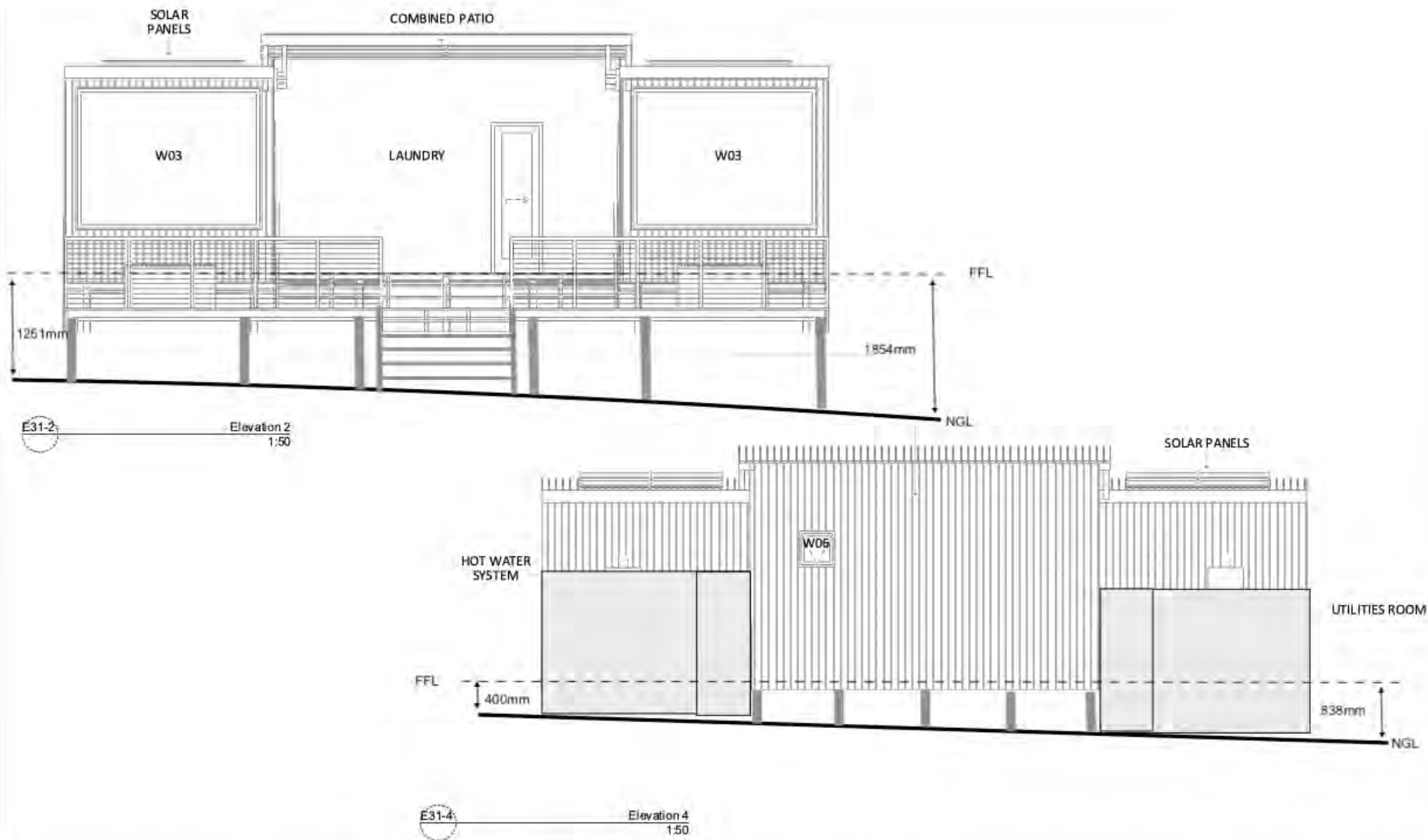
ADDRESS: Boyup Brook, WA 6244
TELEPHONE: 0436 843 384
EMAIL: loftyandlittle@outlook.com
WEBSITE: loftyandlittle.com.au
ABN: 38 689 599 733



HEYSCAPE
TINY CABINS

PROJECT: Raintree/Heyscape Cabins
SITE ADDRESS: Lot 1, (No. 43) Privett Road, William Bay
CLIENT: Heyscape Pty Ltd





Williams Consulting- Town Planning and Project Management

0418 116 216

sam@williamsconsulting.page

354 Redman Road, Scotsdale WA 6333

10 January 2025

Chief Executive Officer
Shire of Denmark
PO Box 183
Denmark WA 6333

Dear Sir/Madam,

DEVELOPMENT APPLICATION: LOT 3468 PRIVETT ROAD WILLIAM BAY

This application has been prepared by Williams Consulting on behalf of the owner of Lot 3468 Privett Road William Bay (the 'site') – Karen Birkbeck. The application seeks planning consent from the Shire of Denmark for the following development on the subject site:

- 1 Holiday Accommodation dwelling
- 1 Caretaker's dwelling

The owner is collaborating with accommodation provider Heyscape to deliver this product. Heyscape's mission is to unlock off-grid nature escapes for WA locals and visitors alike, allowing people to stay in picturesque premium locations across the state with everything they need and more. Heyscape manages similar holiday accommodation across the southwest including Busselton, Avon Valley, Chittering, Serpentine, Denmark, Esperance and Yallingup.

Heyscape identified a niche in the tourism market and have built a solid reputation for providing accommodation that emulates the natural aspect of camping but delivers an off-grid premium experience that remains accessible to everyone.

The site forms part of a wider group of landholdings known as Raintree, a 356-hectare Agri-tourism hub in which both economic and social entities work together to produce innovation, economic growth and environmental benefits. This application seeks to expand upon the approval of similar holiday accommodation that was approved by the shire on Lot 1 Privett Road William Bay for three (3) holiday accommodation dwellings and one (1) caretakers' residence.

SUBJECT LAND AND LOCALITY

The site is located 12km (approx.) west of Denmark town centre via South Coast Highway, in an undulating rural area. Various tourist attractions are located nearby, including William Bay National Park, The Dam and Denmark Chocolate Company.

The site is land locked and does not have direct frontage onto a public road. Accordingly, the owners propose access/egress to the site via adjoining Lot 1 Privett Road to the north through a right of carriageway registered on the applicable titles. The site contains no existing development. Primary access to the site is via adjoining Lot 1 Privett Road to the north.

The site slopes gently from 90m AHD (approx.) in the north down to 40m AHD (approx.) in the southwest and has been historically cleared (except for multiple stands of trees) to support agricultural production. The site has no permanent water courses, wetlands, cliffs or other significant environmental attributes.

An aerial photo of the site is shown in **Figure 1**.

Lot 3468 Privett Road William Bay

Details of the site are provided in **Table 1** below. A copy of the Certificate of Title is provided at **Appendix A**.

Lot No.	Plan	Vol.	Folio	Area (Ha)	Zone
3468	80268	1344	647	57.9071	Rural

Table 1: Site details



Figure 1: Lot 3468 Privett Road, William Bay

(source: DPLH)

Background

The site forms part of the Raintree Estate which incorporates 356 hectares of surrounding land holdings including Lot 1 Privett Road.

PROPOSED DEVELOPMENT

This application seeks approval for the following development on the subject site:

- 1 x Holiday Accommodation dwellings
- 1 x Caretaker's Dwelling

The Holiday Accommodation dwellings (aka '*tiny house cabins*') have a usable floor space of 17sqm (approx.) plus an outdoor deck providing a defined outdoor living area. They will be available to visitors and tourists on a short stay basis.

The Caretakers Dwelling has an internal usable floor area of 24sqm (approx.) plus outdoor deck. The Caretaker Dwelling will be occupied permanently by a caretaker responsible for cleaning and maintaining the holiday Accommodation dwellings.

All dwellings will be provided with a bathroom, living area, kitchen and bedroom, and include:

- bathroom vanity
- indoor shower
- outdoor bath
- kitchen sink
- flushable toilet

An indicative illustration of the building typologies is provided in **Figure 2**. A copy of the floor plans and elevations are included at **Appendix B**.

Holiday Accommodation



Figure 2: Indicative dwelling typologies

Caretakers Dwelling



(source: Heyscape.com.au)

The building will be located on the subject site to ensure each dwelling is provided with a suitable level of privacy, views and amenity. Each building has a significant setback to the street boundary and is well screened from neighbouring properties via vegetation screening and landform. Inclusion of timber materials and earthy colour schemes to the exterior of each building will further assist the buildings to blend in with the surrounding environment.

The location has been selected to minimise visual impacts on the surrounding landscape, comply with the bushfire regulations and minimise any potential for land use conflict to occur.

A location plan showing the location of the proposed development is included in **Figure 3**.



Figure 3: Location Plan

(source: Landgate)

PLANNING FRAMEWORK

Local Planning Framework

Shire of Denmark Local Planning Scheme No. 3

The subject site is zoned Rural under the Shire of Denmark Local Planning Scheme No. 3 (LPS 3). Clause 3.1.3 (g) of LPS 3 acknowledges the purpose and intent of the Rural zone is *for the range of normal rural activities conducted in the Shire and to protect such land from inappropriate uses*.

Table 1 of LPS 3 identifies *Holiday Accommodation* as a "SA" land use in the Rural zone, meaning that the Council may (at its discretion) permit the use in the zone after giving notice of the application in accordance with Clause 6.4 (i.e. – after 21 days of public advertising).

Furthermore, Table 1 of LPS 3 identifies a *Caretakers Dwelling* as an "AA" land use in the Rural zone, meaning that the Council may (at its discretion) permit the use in the zone (without a requirement for public advertising).

Accordingly, the proposed development may be considered and approved under LPS 3.

Shire of Denmark Town Planning Scheme Policy No. 7 - Second dwellings / Additional Houses and Chalet Developments on Rural Zoned Lots (TPSP 7)

The Shire of Denmark's TPSP 7 enables Council to apply discretion and approve one residential dwelling and one chalet on a single (vacant) lot within the rural zone. This policy echoes the difficulties associated with obtaining a sustainable income on small rural lots (comparative to lot sizes in surrounding local Shires) and provides landowners the opportunity to supplement their income through complementary development.

TPSP 7 identifies the level of approval required for proposals involving second dwellings, additional houses and/or chalet developments on land holdings within the rural zone. The policy identifies that "Specific Approval" is required for the proposed development subject to this application (i.e. – one holiday accommodation dwelling and one caretaker dwelling).

Table 2 lists the applicants' responses to the applicable special conditions of TPSP 7.

TPSP 7 SPECIFIC APPROVAL CONDITIONS	
TPSP 7	APPLICANT RESPONSE
<p>Condition 1</p> <p>In rural areas, Council will only approve chalets that have frontage to a sealed road of a minimum width of 3.7 metres. If the road is not sealed, upgrading will be required as a condition of approval.</p> <p>In the event that the chalets are approved for land fronting a gravel road, Council will impose a condition that the developer seal this road to Council's satisfaction to a minimum width of 4.0 metres between the existing bitumen road and the access point of the development site.</p>	<p>Access to the site will be via Lot 1 Privett Road (north) connecting from the sealed section Privett Road.</p> <p>This application is compliant with Condition 1.</p>
<p>Condition 2</p> <p>All proposals will be advertised once in a paper circulating in the area seeking public comment for a period of not less than 21 days.</p>	<p>Public advertising by Shire of Denmark.</p> <p>This application is able to comply with Condition 2.</p>
<p>Condition 3</p> <p>Chalets will require a source of potable water with a storage capacity of 92,000 litres for each chalet. (As per Department of Agriculture Guidelines)</p>	<p>Due to the small size of the development, it is anticipated water storage capacity will be dealt with through the building permit process.</p> <p>This application is able to comply with Condition 3.</p>
<p>Condition 4</p> <p>All chalet development will be sited in a manner that will not impinge on the amenity or character of the area. Council may require additional vegetation screening to be planted and established prior to approval of the proposal.</p>	<p>The dwelling will be located to ensure it achieves a suitable level of privacy, rural views and a high level of bucolic amenity.</p> <p>Each location has been selected to minimise visual impacts on the surrounding landscape and comply with the bushfire regulations.</p> <p>This application will comply with Condition 4.</p>
<p>Condition 5</p> <p>External building materials must be compatible with the site's surrounding.</p>	<p>Each building will blend in with the surrounding environment by incorporating timber materials and earthy colour schemes to the building's exterior.</p> <p>This application will comply with Condition 5.</p>
<p>Condition 6</p> <p>The method of effluent disposal will be designed so that it has no detrimental impact upon the immediate environment of the site or</p>	<p>Details of onsite wastewater disposal to be dealt with through the building permit process.</p> <p>This application will comply with Condition 6.</p>

neighbouring properties, i.e. pollution of water courses, springs, soaks, creeks and/or dams etc.	
Condition 7 Council shall determine on application the need for fire protection measures such as firebreaks, escape routes, clearing of vegetation and standpipe and hose facilities if necessary and in consultation with the Bush Fires Brigade.	A Bushfire Management Plan (BMP), including recommended fire protection measures, is being prepared and will be submitted to the Shire. This application will comply with Condition 7.
Condition 8 Council shall determine on application that if warranted, a deceleration lane shall be constructed by the developer on the public road to Council standards to enhance traffic safety.	Access/egress to the site is via Lot 1 Privett Road to the north connecting to Privett Road. This application is able to comply with Condition 8.
Condition 9 On the basis that Council can approve two (2) dwellings on a Rural lot, up to four (4) chalets may be approved by Council on an "SA" basis provided that: - (a) one (1) house is occupied by persons involved in the farming of the property; and (b) the other house is occupied by a Manager/Caretaker.	The Caretaker residence will be occupied by a Manager/Caretaker. This application seeks approval for the following: <ul style="list-style-type: none"> - 1 Holiday Accommodation dwelling - 1 x Caretaker residence This application is compliant with Condition 9.
Condition 10 Council requires that all developers of chalets will provide and maintain a register of all persons that utilise the holiday accommodation during the year to Council's satisfaction. A receipt book must also be kept. The development must be registered as a "Holiday Accommodation Premises" and the fee payable will be utilised to undertake the yearly inspection of facilities.	It is anticipated the Shire would apply a standard condition to any planning approval to enforce this condition. This application is able to comply with Condition 10.

State Planning Framework

State Planning Policy 2.5 - Rural Planning

State Planning Policy 2.5 – Rural Planning (SPP 2.5) seeks to protect and preserve rural land assets due to the importance of their economic, natural resource, food production, environmental and landscape values.

Section 2.1 of the Rural Planning Guidelines acknowledges that a variety of land uses are able to successfully operate within rural zones, including intensive/extensive agriculture, animal premises, biodiversity conservation, natural resource management and tourism.

The site is currently used for primary production (i.e. – livestock grazing) and will continue to be used for this purpose in the future. As acknowledged in contemporary planning practice and policy, tourism is generally accepted as a compatible land use within the rural zone.

The proposed development has minimal potential to impact on primary production occurring onsite in the future. The small scale of development considering the lot size means there is sufficient space for primary production to occur without impacting on the holiday homes (and vice versa). Further, each holiday accommodation cabin will be fenced off within a 200sqm plot to prevent close interaction with livestock.

A cost benefit analysis undertaken by the owner identifies that a 0.3% loss in gross revenue associated with locating 13 dwellings on the Raintree Estate would be offset by a 50% increase in farm productivity, lifting revenues by 165% from \$129,000 to \$343,917 p.a. – primarily through value adding to the Agritourism market. A copy of the cost benefit analysis is included at **Appendix C**.

State Planning Policy 3.7 - Bushfire

The subject site has been deemed bushfire prone by the Commissioner of Fire and Emergency Services (DFES). State Planning Policy 3.7 – Bushfire (SPP 3.7) requires a Bushfire Attack Level (BAL) assessment or Bushfire Management Plan (BMP) to accompany planning applications identified as bushfire prone.

SPP 3.7 seeks to minimise and/or mitigate the risks to people, property and infrastructure, to ensure the risks are acceptable and appropriate to the land use and the location. A BMP is currently being prepared and will be provided to the Shire and assist with the assessment of this application.

As the proposed development is considered a vulnerable land use a Bushfire Emergency Plan (BEP) will need to be prepared and approved by the Shire prior to occupation. It is anticipated may be enforced via a condition of approval.

SERVICING

Power

Each building will be provided with an off-grid power solution consisting of solar panels and storage batteries.

Gas

Gas appliances will be connected to gas bottles stored in the utility room.

Potable Water Supply

As the subject site is outside of Water Corporations reticulated water and wastewater network, rainwater harvesting and storage will occur as with surrounding properties.

Stormwater runoff will be captured and stored onsite. Given the small size of the buildings and limited number of occupants at any given time, it is anticipated rainwater tank capacity can be determined through the building permit process.

Any shortfall in water storage will be supplemented via water carting to ensure there is always an appropriate level of potable water available.

Wastewater Disposal

It is anticipated details of the wastewater disposal arrangements can be dealt with through the building permit process.

CONCLUSION

This application seeks approval for the following development on the subject site:

- 1 x Holiday Accommodation dwelling
- 1 x Caretaker's Dwelling

This application demonstrates that the proposed development can comply with the relevant planning framework and will provide complementary holiday accommodation close to many existing tourist attractions. The proposed development will create new employment opportunities and contribute to the Shire's local economy.

Should you have any queries relating to this application or would like to discuss the application in more detail, please do not hesitate to contact me at your convenience.

Kind regards,



Sam Williams

Town Planner

APPENDIX A – Certificate of Title

WESTERN



AUSTRALIA

TITLE NUMBER

Volume

Folio

1344

647

RECORD OF CERTIFICATE OF TITLE

UNDER THE TRANSFER OF LAND ACT 1893

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

BGRoberts
REGISTRAR OF TITLES



LAND DESCRIPTION:

LOT 3468 ON DEPOSITED PLAN 80268

REGISTERED PROPRIETOR: (FIRST SCHEDULE)

KAREN BIRKBECK OF 2243 SOUTH COAST HIGHWAY, OCEAN BEACH

(T H772184) REGISTERED 8/6/2001

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS: (SECOND SCHEDULE)

1. THE LAND THE SUBJECT OF THIS CERTIFICATE OF TITLE EXCLUDES ALL PORTIONS OF THE LOT DESCRIBED ABOVE EXCEPT THAT PORTION SHOWN IN THE SKETCH OF THE SUPERSEDED PAPER VERSION OF THIS TITLE.
2. M903122 MORTGAGE TO NATIONAL AUSTRALIA BANK LTD REGISTERED 4/2/2015.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

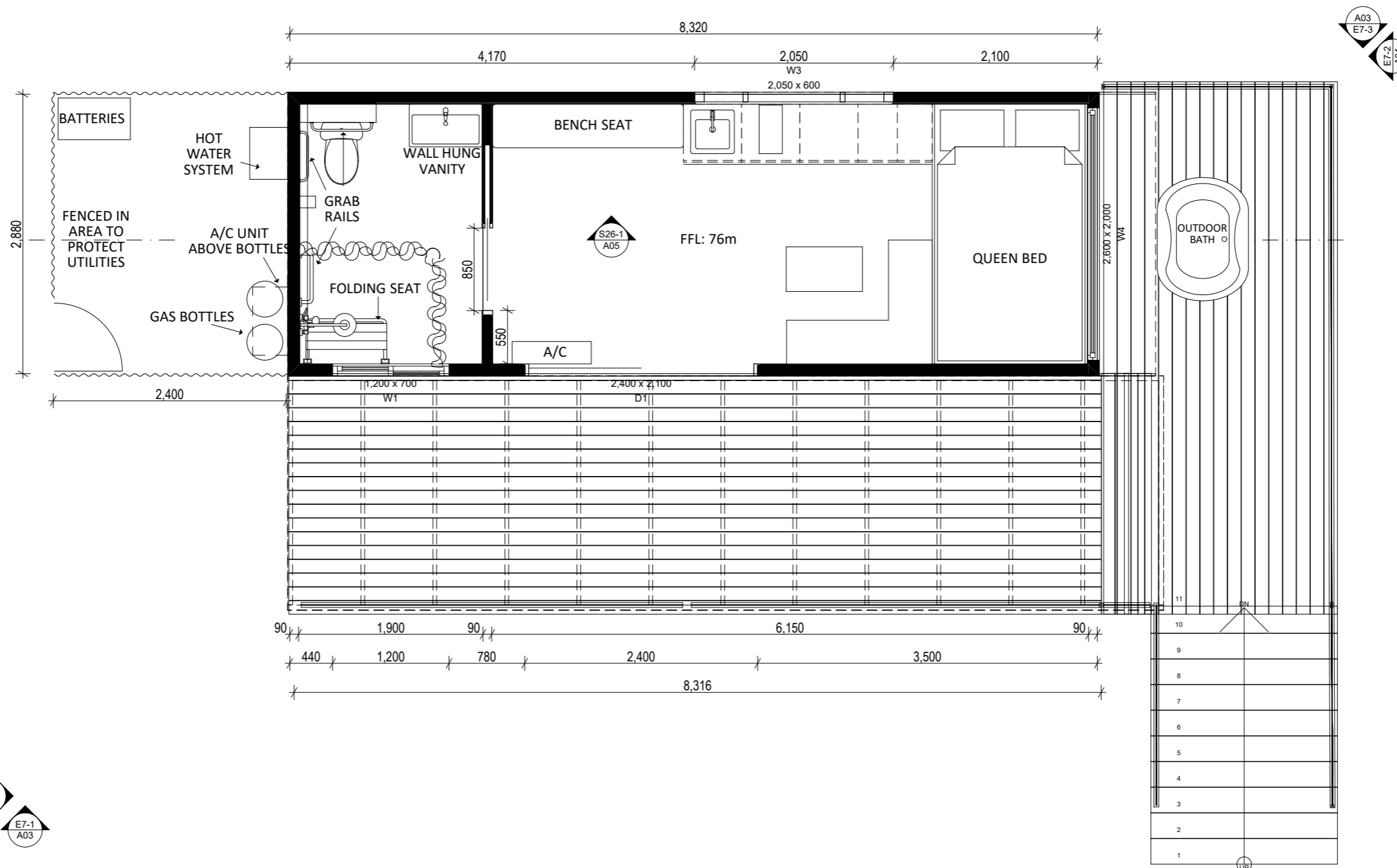
STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 1344-647 (3468/DP80268)
PREVIOUS TITLE: 239-83A
PROPERTY STREET ADDRESS: 43 PRIVETT RD, WILLIAM BAY.
LOCAL GOVERNMENT AUTHORITY: SHIRE OF DENMARK

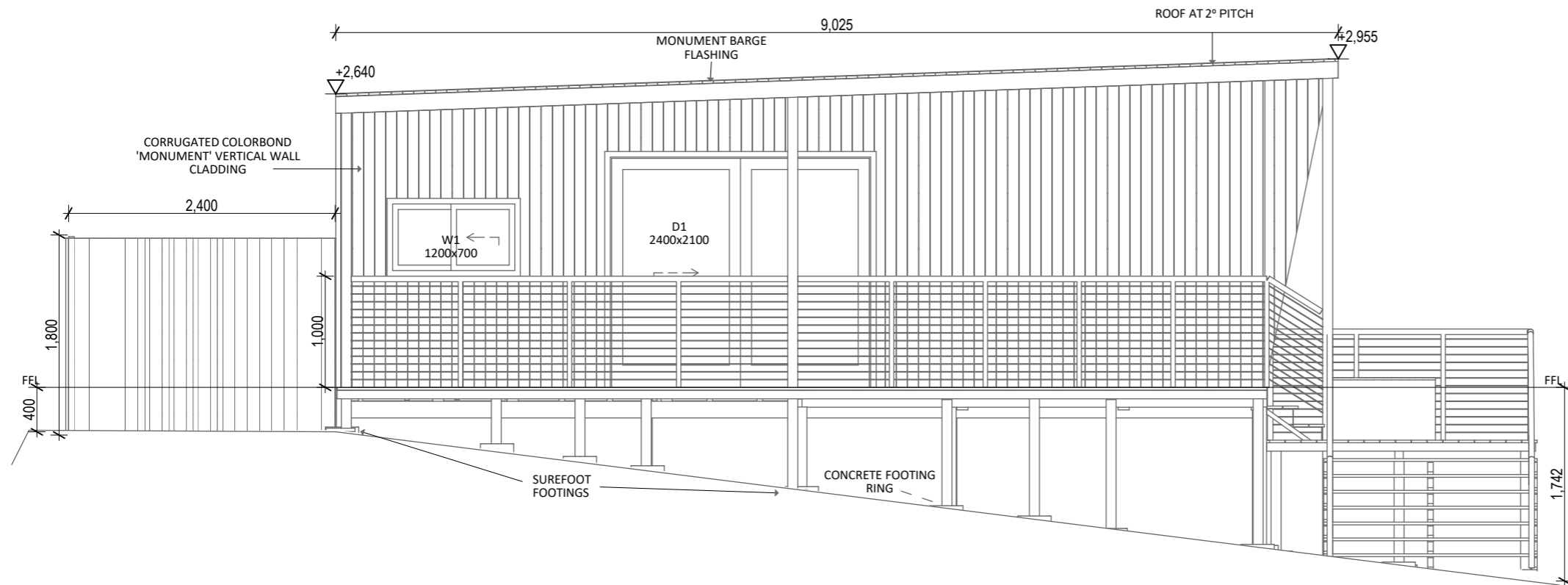
APPENDIX B – Floor Plans and Elevations



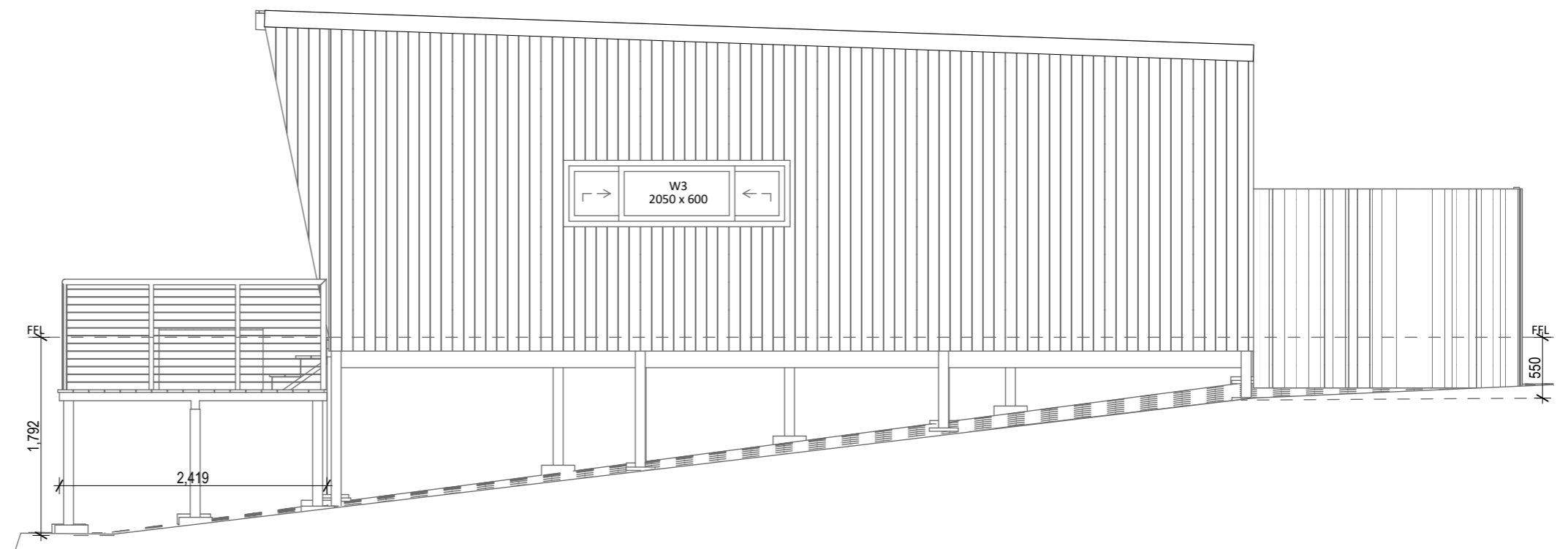


26.1

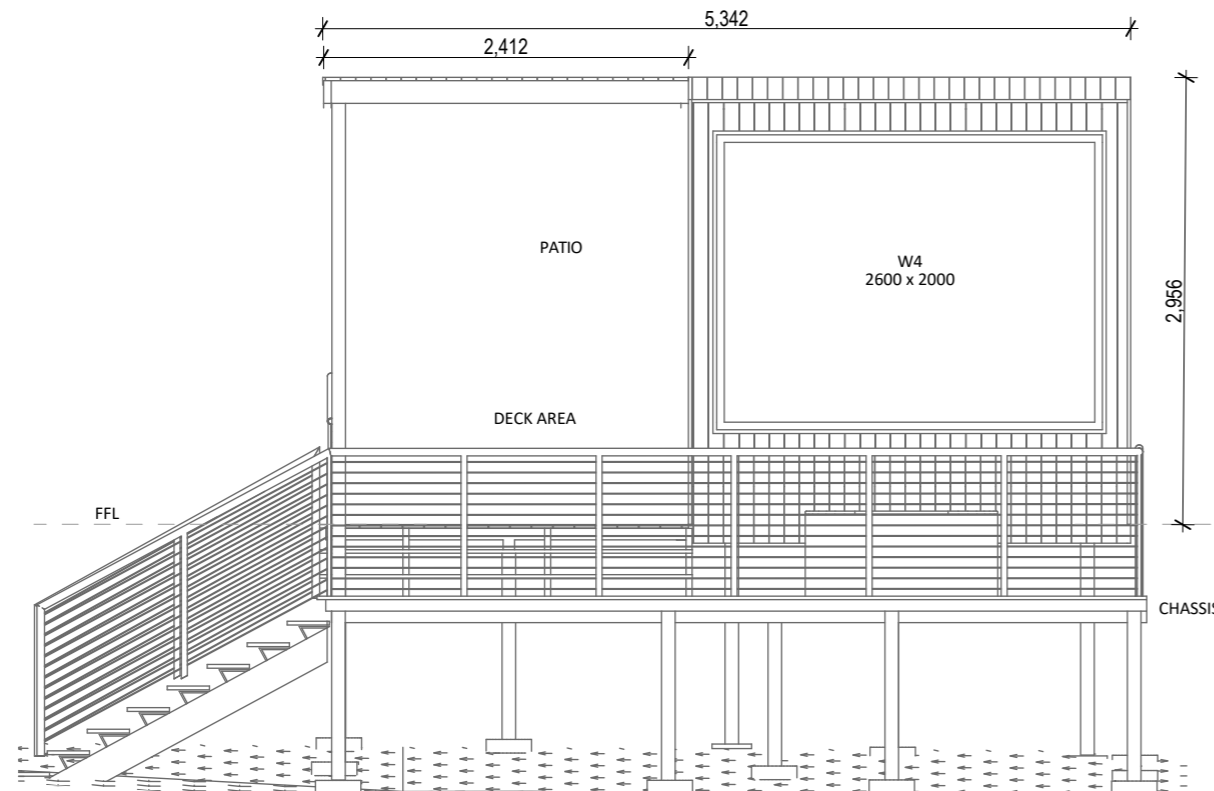
Floor Plan
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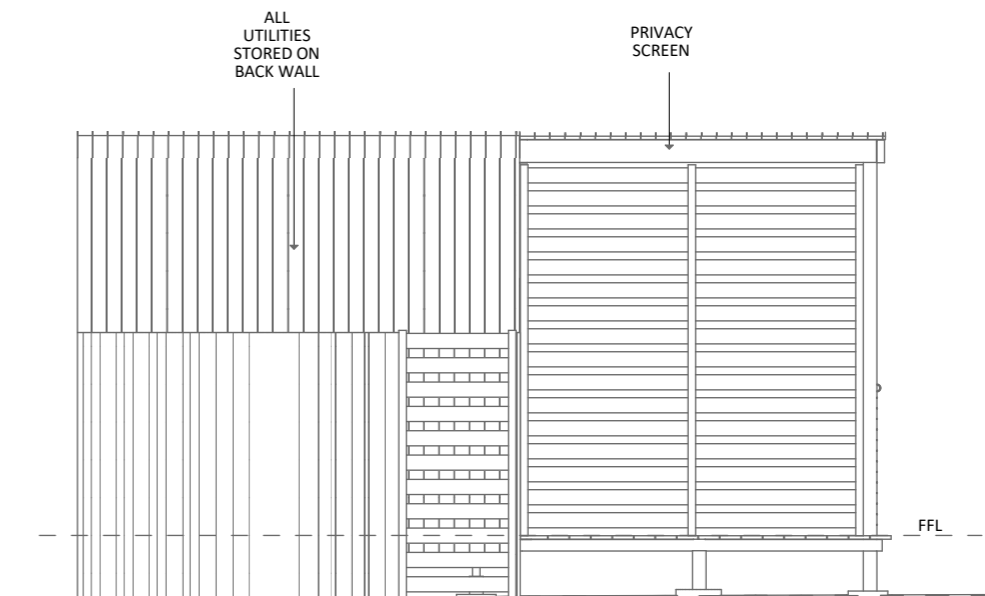
E7-1 Elevation
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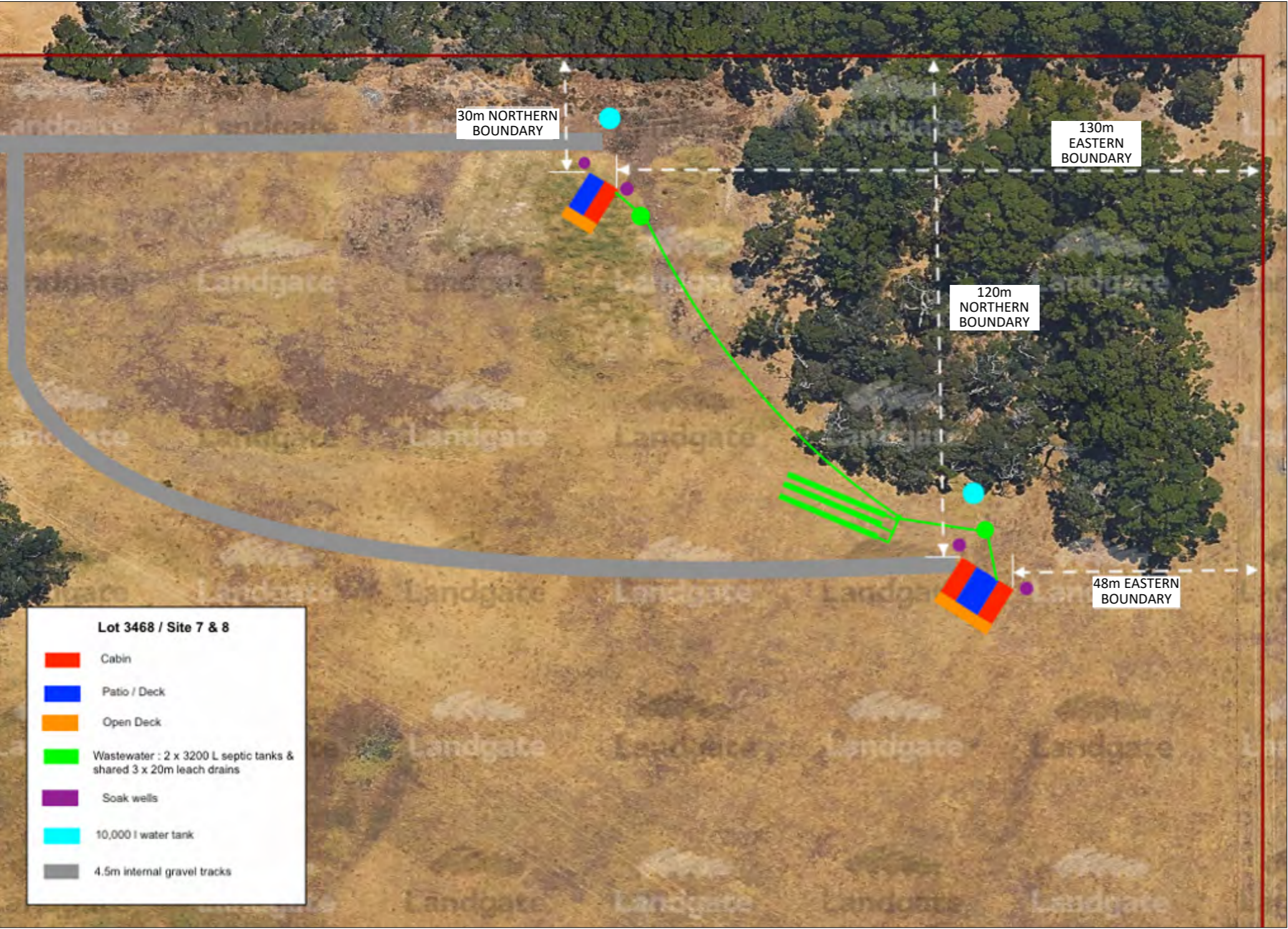
E7-3 Elevation
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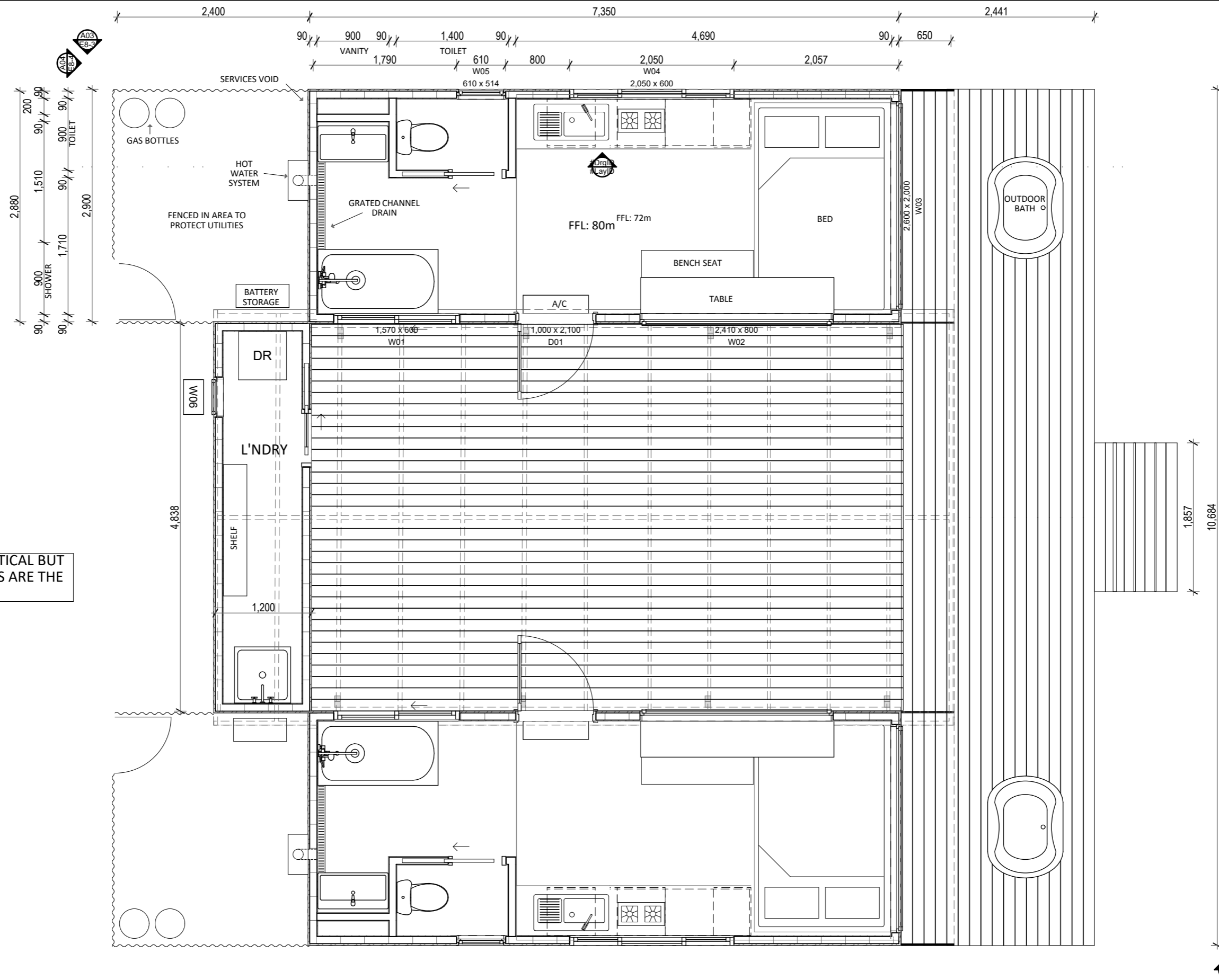


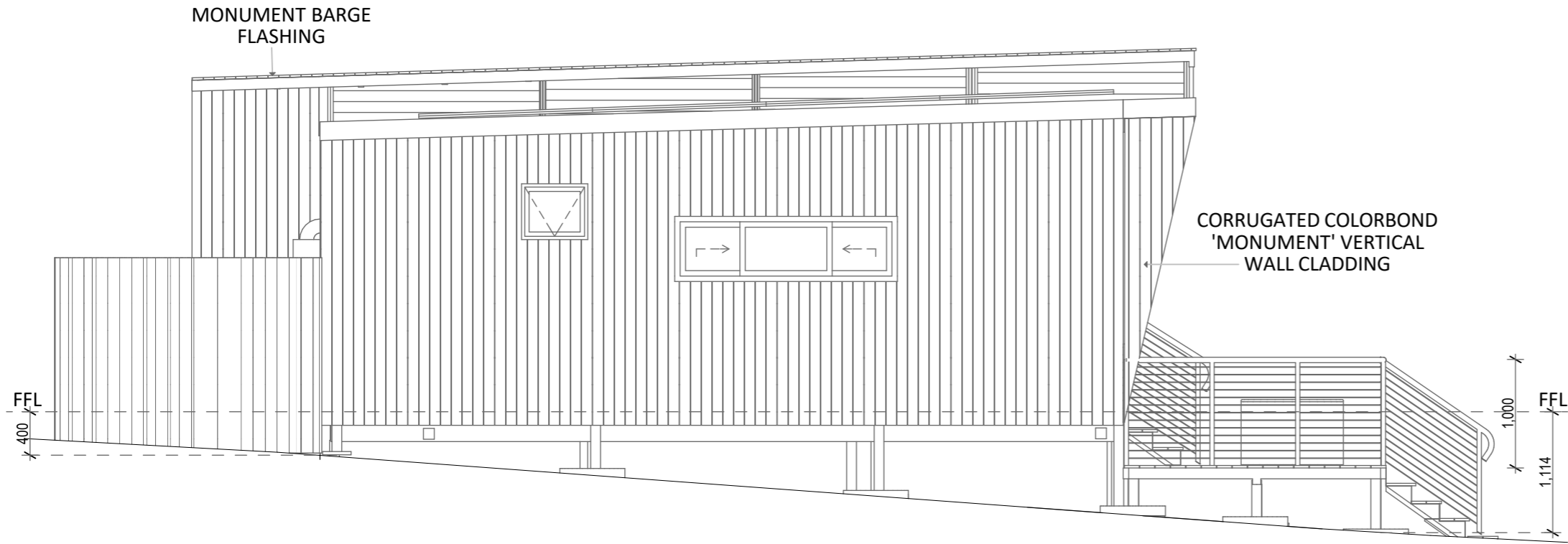
E7-2 Elevation
1:50



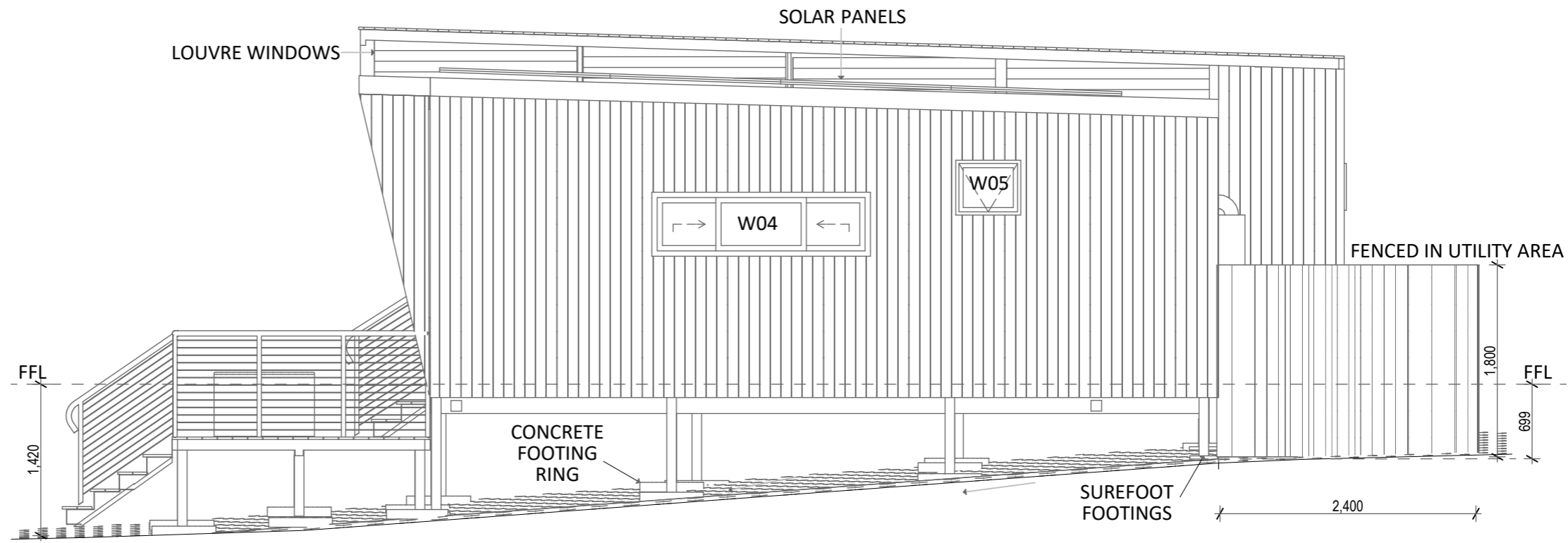
E7-4 Elevation
1:50



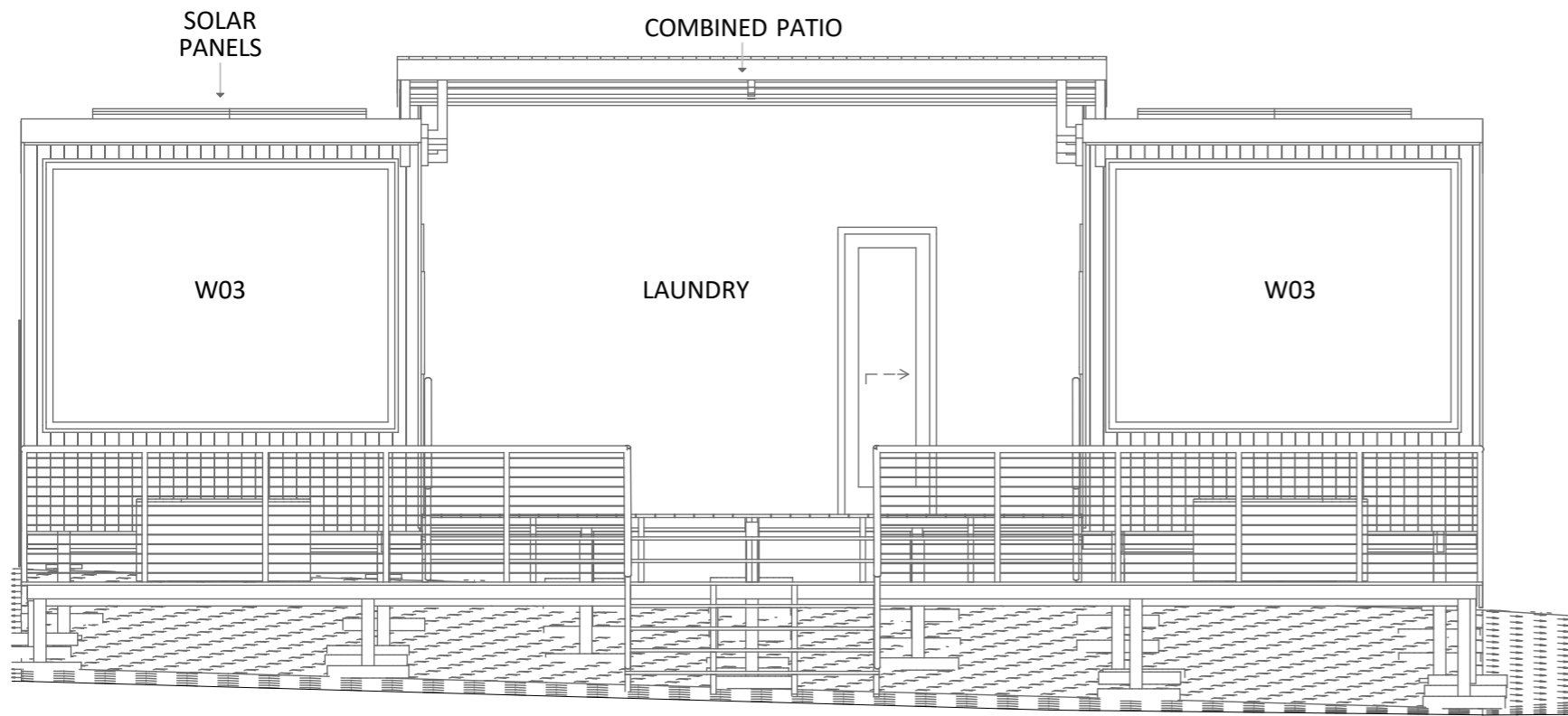




E8-1 Elevation 1
1:50

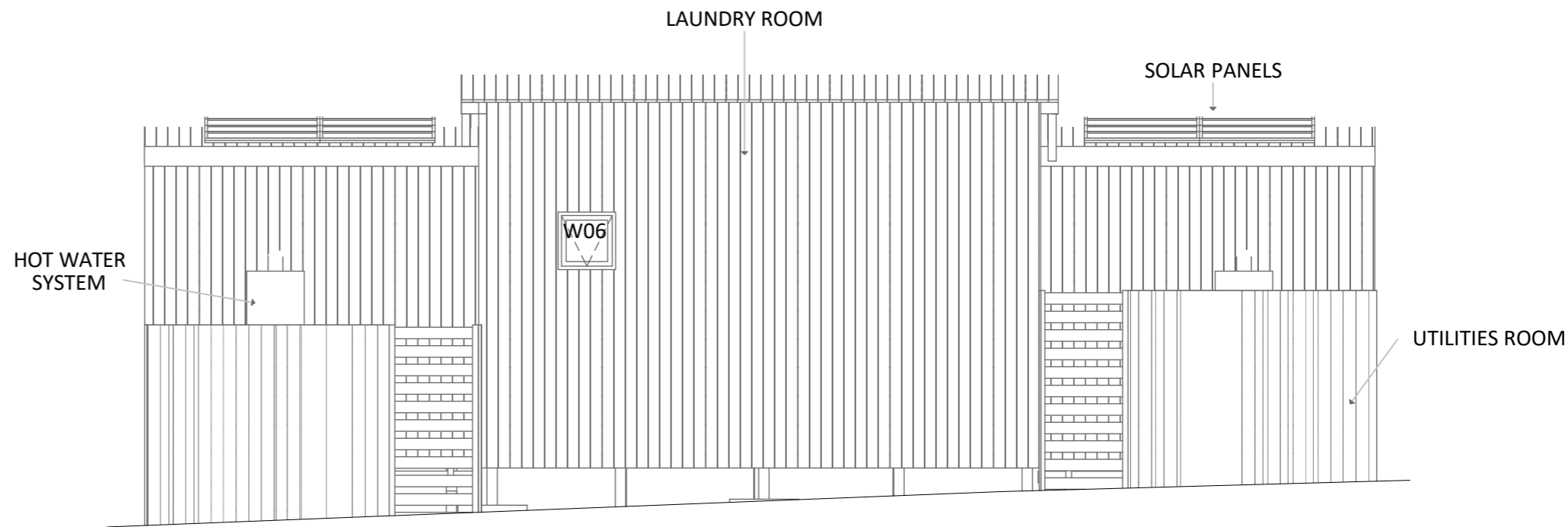


E8-3 Elevation 3
1:50



E8-2

Elevation 2
1:50



E8-4

Elevation 4
1:50

Bushfire Management Plan

(PREPARED FOR PLANNING APPLICATION ASSESSMENT PURPOSES)



Compiled in accordance with State Planning Policy 3.7 Bushfire and the Planning for Bushfire Guidelines

Lots 1, 2 and 304 South Coast Highway, Lot 305 Wentworth Road Ocean Beach, Lots 2617 and 2618 Richardson Road, Lot 3468 Privett Road.

Shire of Denmark

Development Application - Vulnerable Land Uses

26 February 2025

Job Reference No: 240819

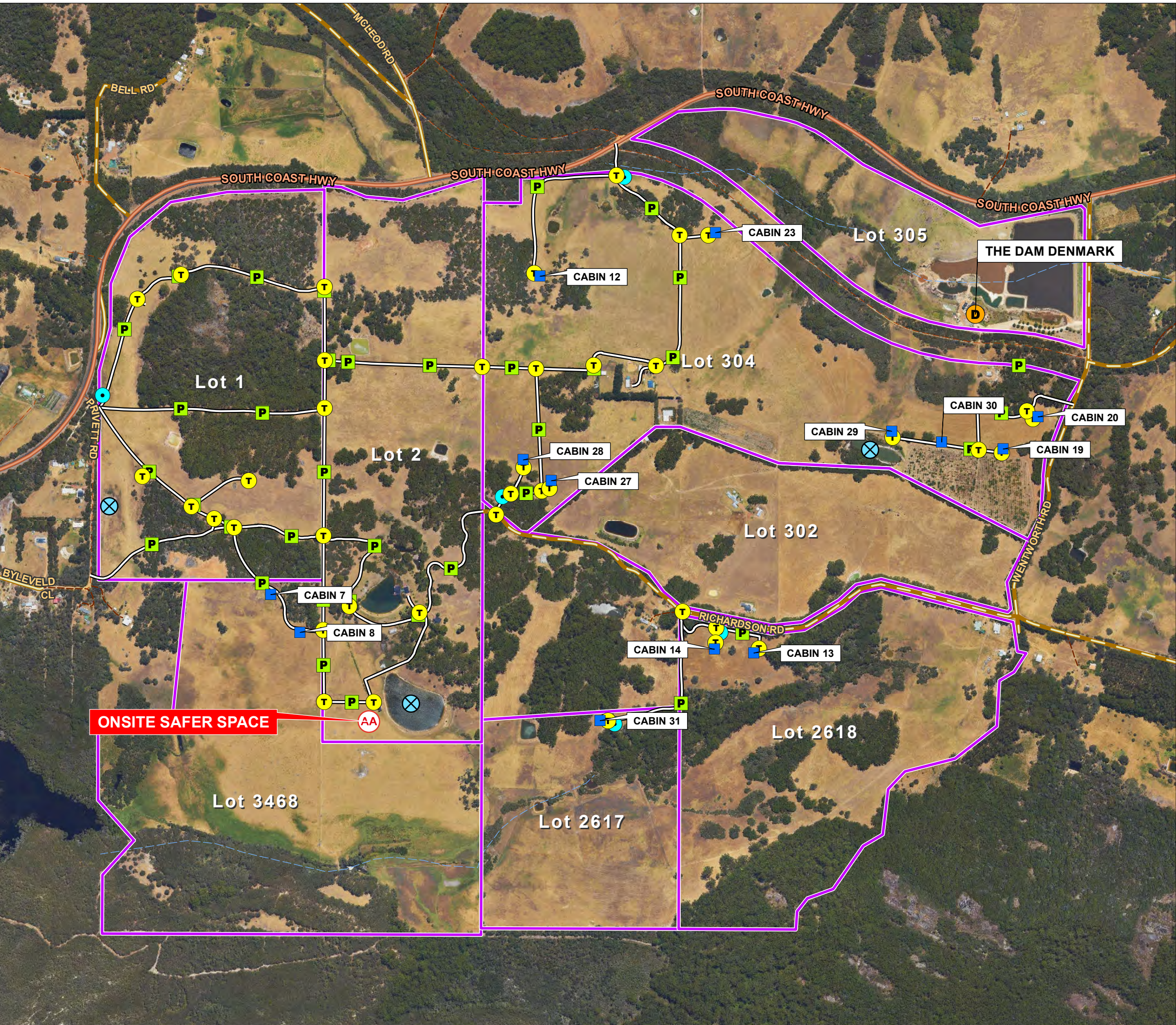


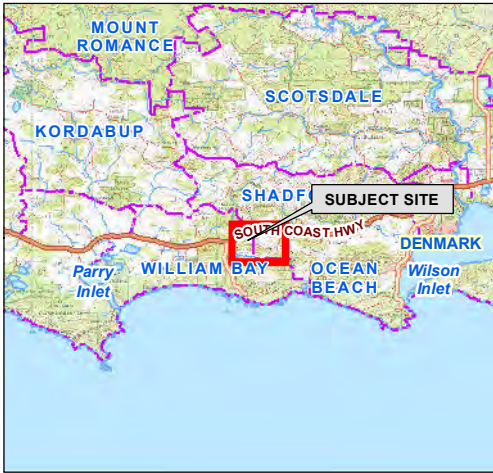
Figure 1.1
Proposed Development

Lot 1, 2, 302, 304, 305, 2617, 2617, 3468
South Coast Highway
WILLIAM BAY AND OCEAN BEACH
SHIRE OF DENMARK

- LEGEND -----
- Subject Site
 - Onsite Safer Space
 - Dam
 - Tiny Cabin Site
 - Passing Bay
 - Turnaround Point
 - Watertank
 - The Dam Denmark
 - Driveway

0 100 200 300 400 500
Metres

----- LOCALITY -----



Aerial Imagery : Landgate/SLIP
Image Date : 2022

Coordinate System: GDA 1994 MGA Zone 50
Projection: Universal Transverse Mercator Units: Metre
Map compiled by: Ian Ross 6/03/2025
Map updated by: Ian 6/03/2025
A3 Scale 1:9,000

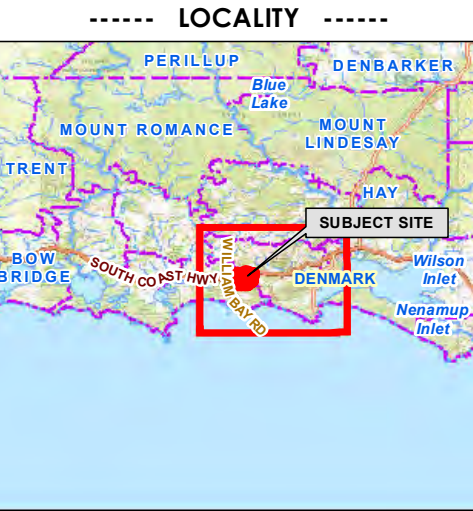
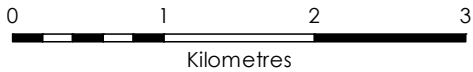


Figure 1.3
Location Plan

Lot 1, 2, 302, 304, 305, 2617, 2617, 3468
South Coast Highway
WILLIAM BAY AND OCEAN BEACH
SHIRE OF DENMARK

- **LEGEND** -----
- Subject Site
 - Local Government Authority
 - Locality / Suburb
 - Bush Fire Brigade
 - State Emergency Service Unit
 - Volunteer Fire & Rescue Service

- Reserves**
- Reserves
- DBCA Legislated Lands and**
- National Park
 - Nature Reserve
 - Section 5(1)(g) Reserve
 - Timber Reserve



Aerial Imagery : Landgate/SLIP
Image Date : 2022

Coordinate System: GDA 1994 MGA Zone 50
Projection: Universal Transverse Mercator Units: Metre
Map compiled by: Ian Ross 19/02/2025
Map updated by: Ian Ross 19/02/2025
A3 Scale 1:50,000

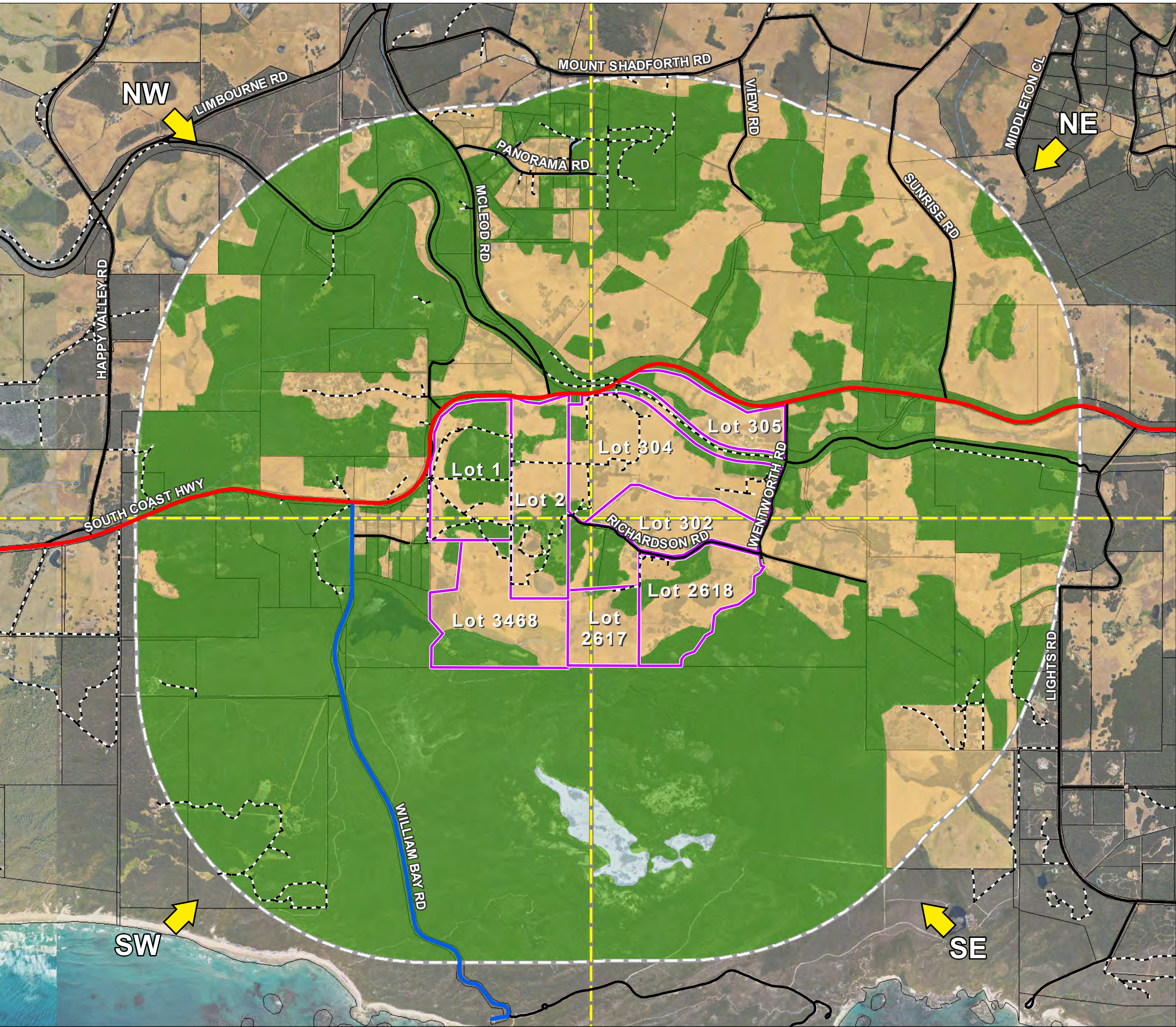


Figure 3.0.1

Vegetation Aspect Assessment

Lot 1, 2, 302, 304, 305, 2617, 2618, 3468
South Coast Highway
WILLIAM BAY AND OCEAN BEACH
SHIRE OF DENMARK

----- LEGEND -----

Subject Site

Other Lots

Broader Landscape Assessment

2km Assessment Area

Assessment Aspects

Road Classifications

Primary Regional Road

District Road

Local Road

Access Track

Vegetation Categories

Other Classified Vegetation

Unmanaged Grassland

Low Threat Vegetation

00.51

Kilometres

----- LOCALITY -----

Aerial Imagery : Landgate/SLIP

Coordinate System: GDA 1994 MGA Zone 50
Projection: Universal Transverse Mercator Units: Metre
Map compiled by: Ian Ross 20/02/2025
Map updated by: Ian 20/02/2025
A3 Scale 1:25,000

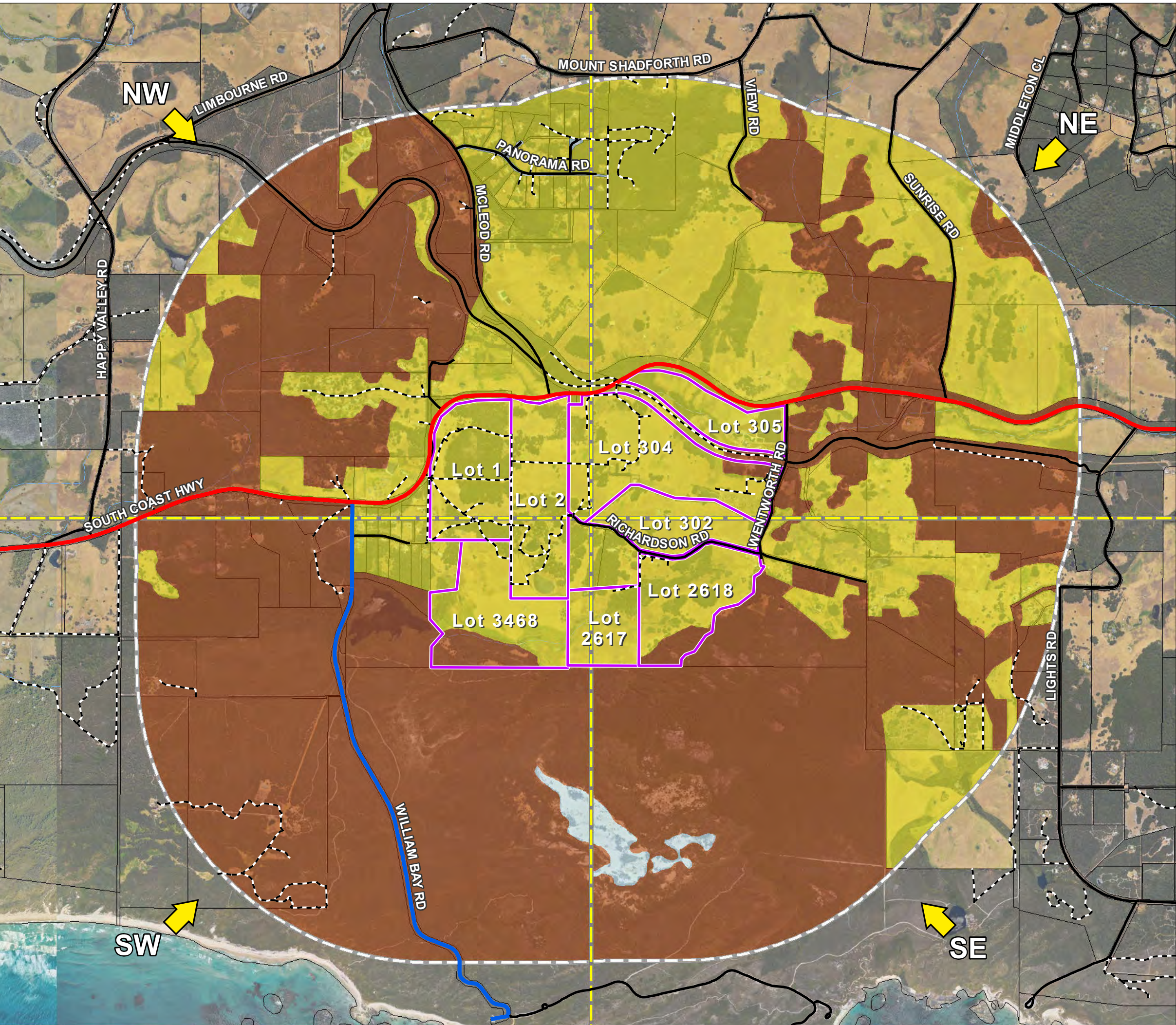


Figure 3.0.2

Predominant Vegetation Pattern

Lot 1, 2, 302, 304, 305, 2617, 2618, 3468
South Coast Highway
WILLIAM BAY AND OCEAN BEACH
SHIRE OF DENMARK

----- LEGEND -----

Subject Site

Other Lots

Broader Landscape Assessment

2km Assessment Area

Assessment Aspects

Road Classifications

Primary Regional Road

District Road

Local Road

Access Track

Vegetation Patterns

Large Tracts of Classified Vegetation

Mosaic Pattern

Low Threat Vegetation

00.51

Kilometres

----- LOCALITY -----

Aerial Imagery : Landgate/SLIP

Coordinate System: GDA 1994 MGA Zone 50

Projection: Universal Transverse Mercator Units: Metre

Map compiled by: Ian Ross 20/02/2025

Map updated by: Ian Ross 20/02/2025

A3 Scale 1:25,000

Disclaimer and Limitation: This map has been prepared for bushfire management planning purposes only. All depicted areas, contours and any dimensions shown are subject to survey. Bushfire Prone Planning does not guarantee that this map is without flaw of any kind and disclaims all liability for any errors, loss or other consequence arising from relying on any information depicted.

Map Document Path / Name: K:\Projects\Jobs 2024\240819 - Lots 1 2&304 South Coast Hwy Lot 305 Wentworth Rd Ocean Beach (BMP BEP)\Mapping\MXD\Stage 2\240819_Fig3-0-2_BLA_PAT_South Coast Hwy.mxd

6 RESPONSIBILITY CHECKLISTS

EXPLANATORY INFORMATION

This section of the BMP sets out the responsibilities of the relevant entity or person for:

- The initial implementation of the required bushfire protection measures and their timing; and
- The ongoing maintenance of the required bushfire protection measures to ensure their continued effectiveness.

6.1 Bushfire Protection Measures - Implementation Checklist

6.1.1 Landowner Responsibilities

TABLE 6.1 PROPONENT/LANDOWNER RESPONSIBILITIES PRIOR TO SALE/OCCUPANCY/OPERATION	
No.	IMPLEMENTATION OF BUSHFIRE PROTECTION MEASURES Measures Established Under SPP 3.7 / Guidelines
1	<p>Establish the Asset Protection Zone (APZ) around habitable buildings (and other structures as required) that consists of:</p> <ol style="list-style-type: none"> 1. Non-vegetated areas and low bushfire threat vegetation maintained in perpetuity in a low threat state by complying with the established APZ technical requirements (Guidelines Appendix B2); and 2. The required zone dimensions that are established by the required separation distances from any areas classified vegetation. These distances should in most situations correspond to either: <ul style="list-style-type: none"> • The determined BAL rating for a relevant building(s) / structure(s); or • The maximum acceptable level of radiant heat transfer that is to apply. This distances will account for the specific site conditions. This ensures the building's/structure's constructed bushfire resistance continues to align with its calculated potential exposure to flame and radiant heat. <p>Refer to tables 3.3-3.11 for further details of separation distances.</p> <p>IMPORTANT:</p> <ol style="list-style-type: none"> 1. REFER TO APPENDICES B3, B4 AND B5 (OF THIS BMP) FOR APZ TECHNICAL REQUIREMENTS AND DIMENSION GUIDANCE. 2. IF NATIVE VEGETATION IS REQUIRED TO BE MODIFIED OR REMOVED, ENSURE THAT PRIOR APPROVAL HAS BEEN RECEIVED FROM THE RELEVANT AUTHORITY (REFER TO THE RELEVANT LOCAL GOVERNMENT FOR ADVICE).
2	<p>Construct the private driveways / internal vehicular access to comply with the technical requirements stated and/or referenced in Section 5.3 of the BMP at Element 3: Vehicular access, A3.1 Private driveways or A3.6 Internal vehicular access and private driveways or A3.7 Internal vehicular access and private driveways.</p>

3	Install the required volume firefighting water supply tank (minimum 20,000 litres for strategic tanks), including fittings and the required hardstand/access, to comply with the technical requirements stated and/or referenced in Section 5.3 of the BMP at Element 4: Water supply.
4	A purchaser, occupier and/or operator of the site must be made aware of the existence of this approved BMP and provided with access to a copy and be informed of their ongoing responsibilities it contains.
5	The development is a 'vulnerable use', and a Bushfire Emergency Plan (BEP) has been produced for site operations. Complete all relevant actions contained within the 'Site Preparation Procedure'.
6	The development is a 'vulnerable use', and a Landscape Management Plan (LMP) has been prepared for site operations. Ensure the purchaser, occupier and/or operator of the site is made aware of the existence of the LMP and provided with access to a copy.
7	The development is a 'vulnerable use'. Ensure the required signage is provided within the subject site, advising of where each access route travels to and the distance and general information on what to do in the event of a bushfire. Comply with the site specific requirements developed in the BMP at Element 3: Vehicular access, A3.7
8	<p>The development is a 'vulnerable use', and the requirement for an onsite safer space has been identified (building or area). Refer to the BMP at Element 2: Siting and design, A2.5 and ensure:</p> <ul style="list-style-type: none"> • For a building, all referenced design and construction requirements are met; • The necessary separation distances from bushfire prone vegetation are met; • An overhead sprinkler system is installed that will cover vehicles and patrons: and • Associated vehicle paths are clearly signposted. • It is recommended that a set of emergency beacons are purchased to assist in lighting the driveway.
<p style="text-align: center;">IMPLEMENTATION OF BUSHFIRE PROTECTION MEASURES</p> <p style="text-align: center;">Measures Established by this BMP as a Required Additional Measure in Section 5.5</p>	
9	This BMP has not established any 'Required Additional Bushfire Protection Measures', that are additional to and/or a variation to those established by the applicable acceptable solutions of the bushfire protection criteria and that must be implemented.
<p style="text-align: center;">IMPLEMENTATION OF BUSHFIRE PROTECTION MEASURES</p> <p style="text-align: center;">Measures Established by a Local Government's Section 33 Notice Under the Bush Fires Act 1954</p>	
10	<p>Install the required firebreaks, providing emergency access within the lot, to the stated specifications established by the Shire of Denmark Firebreak and Fuel Management Notice</p> <p>https://www.denmark.wa.gov.au/our-services/fire-and-emergency/fire-burning-information/firebreak-and-fuel-management-notice.aspx</p>
<p style="text-align: center;">IMPLEMENTATION OF BUSHFIRE PROTECTION MEASURES</p>	

Measures Established by the Building Code of Australia (Vol. 1 and 2 of the National Construction Code)

11

Inform builders engaged to construct dwellings/additions and/or other relevant structures on the lot of the existence of this approved Bushfire Management Plan (BMP).

The BMP identifies that the development site is within a designated bushfire prone area and states the indicative (or determined) BAL rating(s) that may (or will) be applied to buildings/structures. A BAL assessment report may be required to confirm determined ratings and will be required when stated ratings are only indicative. BAL certificates will need to be produced to accompany building applications.

The BMP may also establish, as a 'Required Additional Bushfire Protection Measure', that bushfire construction requirements to be applied must be those corresponding to a specified higher BAL rating.

Compliance with the current Building Code of Australia (Volumes 1 and 2 of the National Construction Code), will require certain bushfire resistant construction requirements be applied to residential buildings in bushfire prone areas (i.e., Class 1, 2 and 3 and associated Class 10a buildings and decks) and certain Class 9 buildings. Other classes of buildings may also be required to comply with these construction when established by the relevant authority or if identified as a 'Required Additional Bushfire Protection Measure' bushfire protection measure within the BMP.

The deemed to satisfy solutions that will meet the relevant bushfire performance requirements are found in AS 3959 – Construction of Building in Bushfire Prone Areas (as amended) and the NASH Standard - Steel Framed Construction in Bushfire Areas (as amended).

6.2 Bushfire Protection Measures - Maintenance Checklist

TABLE 6.2 LANDOWNER/OCCUPIER – MAINTENANCE OF BUSHFIRE PROTECTION MEASURES	
No.	MAINTENANCE OF BUSHFIRE PROTECTION MEASURES Measures Established Under SPP 3.7 / Guidelines
1	Annually review and enact the following maintenance responsibilities established in this approved BMP for the development site prior to the bushfire season.
2	The site's use is a 'vulnerable use', and a Bushfire Emergency Plan (BEP) has been produced for site operations. Complete all relevant actions contained within the 'Site Preparation Procedure' annually prior to the bushfire season.
3	<p>Maintain the Asset Protection Zone (APZ) around habitable buildings (and other structures as required) that consists of:</p> <ol style="list-style-type: none"> 1. Non-vegetated areas and low bushfire threat vegetation maintained in perpetuity in a low threat state by complying with the established APZ technical requirements (Guidelines Appendix B2); and 2. The required zone dimensions that are established by the required separation distances from any areas classified vegetation. These distances should in most situations correspond to either: <ul style="list-style-type: none"> • The determined BAL rating for a relevant building(s) / structure(s); or • The maximum acceptable level of radiant heat transfer that is to apply. This distances will account for the specific site conditions. This ensures the building's/structure's constructed bushfire resistance continues to align with its calculated potential exposure to flame and radiant heat. <p>IMPORTANT:</p> <ol style="list-style-type: none"> 1. REFER TO THE APPLICABLE APZ DIMENSIONS IN TABLE 6.1. 2. REFER TO APPENDICES B3, B4 AND B5 FOR APZ TECHNICAL REQUIREMENTS AND DIMENSION GUIDANCE.
4	Maintain the private driveways / internal vehicular access to comply with the technical requirements stated and/or referenced in Section 5.3 of the BMP at Element 3: Vehicular access, A3.7 Internal vehicular access and private driveways.
5	Maintain the fighting water supply tank(s), including fittings and the required hardstand/access, in good working condition. Ensure the tanks are maintained at full capacity.
6	The sites use is a 'vulnerable use'. Maintain the required signage within the subject site, advising of where each access route travels to and the distance and general information on what to do in the event of a bushfire. Comply with the site specific requirements developed in the BMP at Element 3: Vehicular access, A3.7
7	<p>The site use is a 'vulnerable use', and the requirement for an onsite safer space has been identified (building or area). Refer to the BMP at Element 2: Siting and design, A2.5 and ensure:</p> <ul style="list-style-type: none"> • For a building, all referenced design and construction requirements are maintained; • The necessary separation distances from bushfire prone vegetation are maintained; and

	<ul style="list-style-type: none"> Associated pedestrian paths remain clearly signposted and maintained clear of combustible materials including accumulated vegetation debris and readily flammable plant species.
8	<p>When the property changes ownership or occupancy, to assist with the ongoing maintenance of the implemented bushfire protection measures, ensure that the relevant person(s) is aware of the BMP, and the responsibilities it contains. Provide access to a copy of the BMP and the Bushfire Emergency Plan (BEP).</p>
<p style="text-align: center;">MAINTENANCE OF BUSHFIRE PROTECTION MEASURES</p> <p style="text-align: center;">Measures Established by the Building Code of Australia (Vol. 1 and 2 of the National Construction Code)</p>	
9	<p>Prior to any future building work, inform the builder of the existence of this approved Bushfire Management Plan (BMP).</p> <p>The BMP identifies that the development site is within a designated bushfire prone area and states the indicative (or determined) BAL rating(s) that may (or will) be applied to buildings/structures. A BAL assessment report may be required to confirm determined ratings and will be required when stated ratings are only indicative. BAL certificates will need to be produced to accompany building applications.</p> <p>The BMP may also establish, as a 'Required Additional Bushfire Protection Measure', that bushfire construction requirements to be applied must be those corresponding to a specified higher BAL rating.</p> <p>Compliance with the current Building Code of Australia (Volumes 1 and 2 of the National Construction Code), will require certain bushfire resistant construction requirements be applied to residential buildings in bushfire prone areas (i.e., Class 1, 2 and 3 and associated Class 10a buildings and decks) and certain Class 9 buildings. Other classes of buildings may also be required to comply with these construction when established by the relevant authority or if identified as a 'Required Additional Bushfire Protection Measure' bushfire protection measure within the BMP.</p> <p>The deemed to satisfy solutions that will meet the relevant bushfire performance requirements are found in AS 3959 – Construction of Building in Bushfire Prone Areas (as amended) and the NASH Standard - Steel Framed Construction in Bushfire Areas (as amended).</p>



BUSHFIRE EMERGENCY INFORMATION

Produced by Bushfire Prone Planning January 2025.

Lot 1 South Coast Highway, Ocean Beach. Denmark.

In Emergency Dial 000

or use the EMERGENCY PLUS phone app

EMERGENCY INFORMATION SOURCES

emergency.wa.gov.au

13 DFES (13 33 37)

@dfeswa

@dfes_wa

Local ABC Radio

EVACUATION DESTINATION(S)

Denmark Recreation Centre, Denmark.
Turn right onto the South Coast Highway and travel to Denmark townsite (10kms). Turn right into Short Street (95m) and turn left into Mitchell Street (25m). Turn right into Brazier Street (800m) and your destination will be on your left.

Onsite Place of Last Resort – Raintree Refuge.
Follow the lead car from the onsite assembly area (Raintree Dam) or follow directions on this map from your location.

A FIRE EXISTS - BROADCAST BUSHFIRE WARNINGS

EMERGENCY WARNING
There is a threat to lives or homes. You are in danger and need to take immediate action to survive.

WATCH AND ACT
There is a possible threat to lives or homes. You need to leave or get ready to defend – do not wait and see.

ADVICE
A fire has started but there is no immediate threat to lives or homes. Be aware and keep up to date.

FORECAST FIRE DANGER (FDR) RATINGS

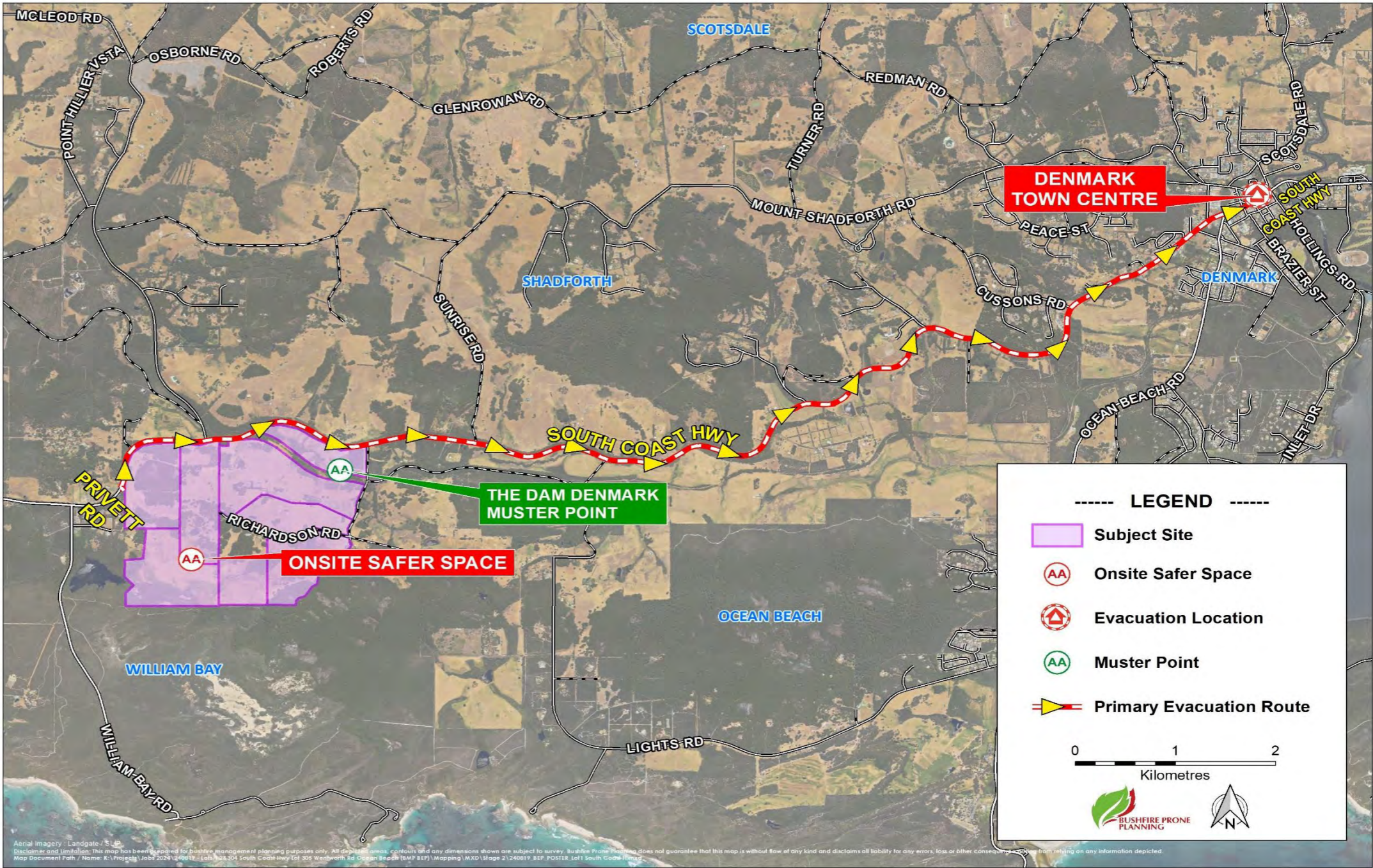
The higher the rating, the more dangerous the conditions and the greater the consequences if a fire starts.

No Rating	No action required. Remain alert and abide by local seasonal laws and regulations.
Moderate	Plan and prepare. Most fires can be controlled.
High	Be ready to act. Fires can be dangerous.
Extreme	Act now to protect your life and property. Fires will spread quickly and be extremely dangerous.
Catastrophic	For your survival, leave bush fire risk areas. If a fire starts and takes hold, lives are likely to be lost.

SCENARIO 1: A BUSHFIRE EXISTS A CONSIDERABLE DISTANCE AWAY; A BUSHFIRE ADVICE WARNING MAY OR MAY NOT BE ISSUED; YOU ARE CONCERNED FOR YOUR SAFETY; IMPLEMENT THE ELEVATED THREAT PROCEDURE → Check for bushfire warning & if none, call 000 to report; Ensure all persons at the premises are aware of the situation; Monitor the sources of emergency information and the situation outside for changes; **Note:** If the current FDR is Extreme or Catastrophic or persons have health conditions the site will be closed (move to Scenario 2).

SCENARIO 2: A BUSHFIRE EXISTS RELATIVELY CLOSE; A BUSHFIRE EMERGENCY OR WATCH AND ACT WARNING MAY OR MAY NOT BE ISSUED; IMPLEMENT THE EVACUATION PROCEDURE → Check for bushfire warning & if none, call 000 to report; Shut all doors/windows, turn off bottled (or mains) gas & any evaporative air cooler fans (not water); Gather belongings & prepare vehicles; Check emergency information sources for latest updates; Assess the situation to ensure an evacuation route (see map) remains available; If none available apply the Shelter in Place actions (refer to Scenario 3) otherwise evacuate using the evacuation route & destination identified as the most appropriate.

SCENARIO 3: IMPACT FROM A BUSHFIRE IS IMMINENT; EVACUATION ROUTES ARE THREATENED; THERE IS NO TIME TO PERFORM A SAFE (EARLY) EVACUATION OR EMERGENCY SERVICES HAVE INSTRUCTED YOU TO SHELTER IN PLACE; IMPLEMENT THE SHELTER IN PLACE PROCEDURE → Drive to the Raintree Refuge. Call 000 to inform them you are sheltering in place. Take advice from the Onsite Bushfire Warden or staff.



SCHEDULE OF SUBMISSIONS: PROPOSED HOLIDAY ACCOMMODATION – RAINTREE CHALETs
(DA2025/43, 44, 46, 47 & 57; A3905, A5931 & A5932)

Submission Number	Name & Address	Verbatim Submission	Planning Services Comment
S1	[REDACTED]	Do You Support the Proposal? No Comments. None	Noted
S2	[REDACTED]	Do You Support the Proposal? Undecided Comments. I read the cost benefit analysis by Raintree and they seem to have a lot of positive things happening and aiming for good environmental outcomes. So my objection is a general one to increased tourism numbers in the shire. There seems to be more and more accommodation options in Denmark every year including the potential new caravan park at greens pool with how many people? But the shire seems to do little to accommodate the extra pressures they put on the town - traffic, parking, rubbish collection, effect on Internet service to name a few. For example I have lived here for 8 years and I have seen no extra parking created in town during that time yet resident and tourist numbers have increased significantly, particularly after COVID. So when will the shire start to provide services for all the extra growth? My other concern is how much water gets used by all the visitors particularly as Denmark has a water shortage. What do new accommodation providers do in this space, including Raintree to supply or conserve water?	Noted The Shire of Denmark has a small rate base in which to address considerable tourism demands from interstate and intrastate tourism. Tourism drives a large part of the Denmark economy and without this industry the quality of life, employment and opportunities for our residents would be considerably reduced. Water for the current proposal will be from an on-site supply and now scheme water.
S3	[REDACTED]	Do You Support the Proposal? No Comments. Raintree have the monopoly on Denmark, 15 more cabins will impact the land and Denmark as a whole. Their impact and consideration is for profit not the community. The fact they already have some cabins, should be enough and commercialising to 15 will impact the environment. There is no mention of the impact to our roads, they are not making the cabins sustainable! Shire should ensure they put the environment first, this application should not be approved!	Noted On site water and effluent disposal and off grid power supply is proposed. No vegetation is required to be cleared. The environmental footprint of 13 one bedroom transportable chalets in reasonably small.
S4	[REDACTED]	I am writing on behalf of my family, friends and workers who live and work on and alongside the land that has 5 X DA's for eco huts. The attached documents remind Council the eco huts formed part of a long term strategy and were submitted in a major public submission presented to the Shire in 2023. The difference today with the Heyscape eco-huts is that based on community feedback we reduced the size from 47 sq m to half that size (+ verandas). Key findings are still relevant and supported by 18 family and workers residing on site	Noted.

		<p>on Lots 1, 2, 3468, 2617, 2618, 304 and 305.</p> <p>Eg</p> <ul style="list-style-type: none">• Take pressure off air B & B and affordable housing.• In line with 2021 Denmark Sustainable tourism strategy. <p>Full findings and support from over 600 letters of support are attached.</p>	
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OUR COMMUNITY MATTERS

DENMARK HAS RECENTLY BEEN CITED AS THE LEAST AFFORDABLE LOCAL GOVERNMENT AREA TO BUY A HOME IN WESTERN AUSTRALIA, TAKING AN ESTIMATED 41 YEARS TO PAY OFF A MORTGAGE BASED ON THE MEDIAN HOME PRICE OF \$ 835,407 & THE DENMARK SHIRES MEDIAN WAGES.

ONE OF THE PRESSING ISSUES WE FACE IS THE RISING INTEREST RATES AND THEIR IMPACT ON HOMEOWNERS, LANDLORDS, AND TENANTS ALIKE. THE LACK OF HOUSING OPTIONS EXACERBATES THE PROBLEM, RESULTING IN A SCARCITY OF NEW SUPPLY. FURTHERMORE, THE STRONG DEMAND FROM INVESTORS WHO PREFER RENTING THEIR PROPERTIES THROUGH PLATFORMS LIKE AIRBNB FOR HIGHER RETURNS HAS FURTHER WORSENERD THE SITUATION. THIS UNFORTUNATE TREND IS CAUSING A SIGNIFICANT DISLOCATION WITHIN OUR WORKING FAMILIES, WHICH FORM THE VERY HEART AND FABRIC OF OUR COMMUNITY.

TO ADDRESS THIS PRESSING MATTER, RAINTREE PROPOSE THE DEVELOPMENT OF THE RAINTREE HEALTH RETREAT. THIS INNOVATIVE PROJECT AIMS TO TACKLE THE HOUSING CRISIS FROM MULTIPLE ANGLES WHILE BENEFITING OUR LOCAL COMMUNITY.

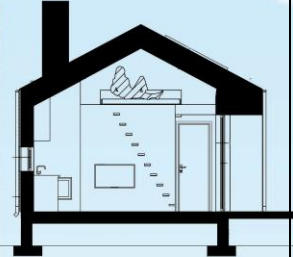
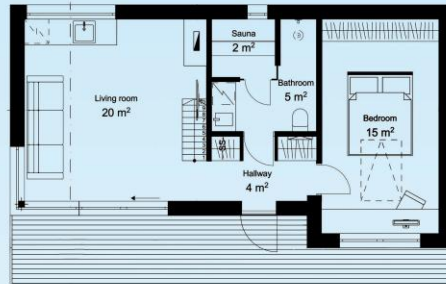
FIRST AND FOREMOST, THE RETREAT WILL OFFER TOURISM ACCOMMODATION THAT WILL SIGNIFICANTLY INCREASE THE SHORT-TERM RENTAL SUPPLY IN DENMARK. BY PROVIDING ADDITIONAL LODGING OPTIONS FOR VISITORS, WE CAN ALLEVIATE THE STRAIN ON THE EXISTING RESIDENTIAL MARKET.

FURTHERMORE, THE DEVELOPMENT WILL PRIORITIZE THE NEEDS OF OUR COMMUNITY BY OFFERING AFFORDABLE HOUSING TO ITS STAFF AND MANAGEMENT. THIS APPROACH WILL NOT ONLY CREATE JOB OPPORTUNITIES BUT ALSO ENSURE THAT MORE RESIDENCES BECOME AVAILABLE IN THE TOWN OF DENMARK. BY REDUCING THE RESIDENTIAL DEMAND, WE CAN BEGIN TO RESTORE A HEALTHY BALANCE AND ENHANCE HOUSING AVAILABILITY FOR OUR LOCAL RESIDENTS.

DIAGRAMMATIC ONLY. NOT TO SCALE



HEMPCRETE ECO HUTS

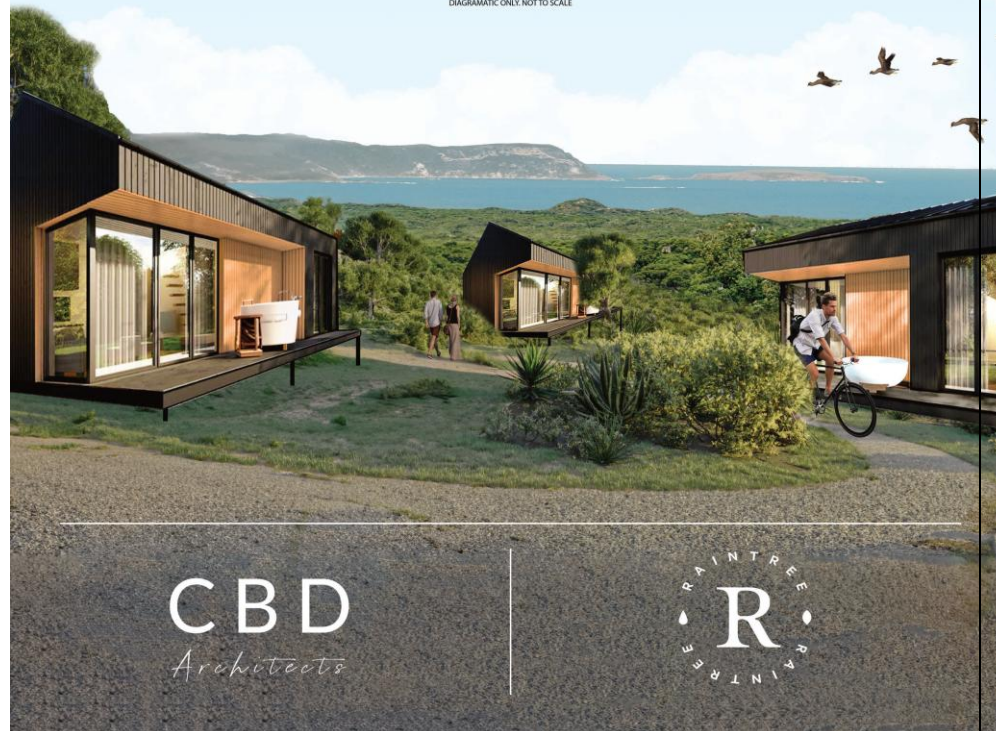


YOUR VERY OWN PRIVATE ECO HUT, NESTLED AMIDST THE ENDLESS NATURAL BEAUTY OF WESTERN AUSTRALIA'S BREATHTAKING LANDSCAPE. PICTURE STEPPING OUT INTO THE SERENE SURROUNDINGS, WHERE THE WONDERS OF NATURE UNFOLD BEFORE YOUR EYES.

THE VISION ENCOMPASSES A SERIES OF ECO HUTS THOUGHTFULLY PLACED THROUGHOUT THE PICTURESQUE TERRAIN OF RAINTREE. EACH HUT OFFERS A UNIQUE AND INTIMATE ACCOMMODATION EXPERIENCE, ALLOWING USERS TO IMMERSE THEMSELVES IN THE BOUNDLESS NATURAL BEAUTY OF WESTERN AUSTRALIA. WHETHER YOU SEEK A PRIVATE ESCAPE OR DESIRE TO SHARE THIS ECO PARADISE WITH COMPANIONS, EACH HUT IS DESIGNED TO PROVIDE AN EXCLUSIVE EXPERIENCE TAILORED TO YOUR NEEDS.

THESE REMARKABLE STRUCTURES ARE CONSTRUCTED USING SUSTAINABLE AND RENEWABLE MATERIALS, SUCH AS LOCALLY SOURCED TIMBER AND INNOVATIVE HEMPCRETE. BY HARMONIZING WITH THE ENVIRONMENT, THE ECO HUTS SEAMLESSLY BLEND INTO THE NATURAL LANDSCAPE, PRESERVING THE PRISTINE BEAUTY OF AUSTRALIA'S WILDERNESS.

DIAGRAMATIC ONLY. NOT TO SCALE



CBD
Architects





EXECUTIVE SUMMARY

The Denmark Shire, Raintree and associated businesses - The Temple, The Little Temple and The

Dam - have received a groundswell of support for the proposed Tourism Rezone, Amendment 148 at

LOT 305, Wentworth Road.

The world-first proposal - linking land to sea through trails, taking cars off the road and bringing a

state-of-the-art tourism concept to life will be aligned with Shire, Ministerial and Federal Government

strategies in key focus areas including but not limited to:

		<p>1. Decarbonisation and Renewable energy</p> <p>2. Sustainable tourism, Regional Innovation and Technology in Agribusiness, food and beverage production</p> <p>3. Housing, employment and economic development</p> <p>It's worth noting, the concepts surrounding the low cluster, health retreat are visionary and the maximum scale Raintree would consider on this lot. Even then, the development in current form is considered low cluster. At the Development Application phase concepts will be refined in consultation with town planning, relevant government bodies, environmental consultants and community.</p> <p>Raintree Estate has invested over \$ 700,000 in compliance with Local and State authorities and essential services (roads, water, power & effluent treatment) to this stage. This has been spent on sealing public roads, roads, renewable 3 phase power, water treatment, bush fire emergency fighting and compliance, building retrospective compliance, environmental and risk assessment studies.</p> <p>Community Response – Tourism Rezone 148</p> <p>Raintree executed a multilayered, in-depth community consultation and feedback period over the past two months and intended from the get-go to work with the community every step along the way should the amendment be passed and development phase progress.</p> <p>The purpose of showcasing early-stage plans was to:</p> <ul style="list-style-type: none"> i. Communicate at a local and State level the plans and what the Amendment means. ii. Assess levels of support/concern for the proposed Tourism Rezone on the property and; iii. The associated concept plans should the rezone amendment be approved. iv. Listen to the community and understand areas of concern that can be addressed and overcome early on, to get to a concept plan both locals and visitors can be proud of. v. Understand and begin to explore pathways for collaboration and shared opportunities' that exist at a community, local government, and ministerial level. <p>Results</p> <p>A total of 626 public submissions and 6 Government submissions were received between June 1 and August 1 – 632 in total. To Raintree's knowledge The Denmark Shire has never received such a groundswell of support for a private development in both numbers and positive sentiment expressed</p>	
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		<p>to date.</p> <p>More than 99% of respondents wrote in favour of the proposed rezone while less than 1% indicated concerns.</p> <ul style="list-style-type: none"> • 625 of the public wrote in favour of the proposed rezoning. • 1 wrote against it citing indicated concerns surrounding the construction of The Dam and water disposal. • 6 responses from government bodies were received and will be reviewed and workshopped at the Development Phase of this project – should the Tourism Rezone go through. <p>Noting that Government Red tape continues to be the biggest threat to this project going forward, as it is low cluster and does not have the ability to absorb much more on roads, water and massive public works as this is not a property development whereby the lands are sold and the scale can support a large Government wish list. <i>See appendix I.</i></p> <p>Highlight letters of support for the rezone and associated Raintree ventures at the property were compiled in a long form report submitted to Shire from the likes of the United Nations, Tina Arena, Rebecca Stephens MP, Roger Cooke and more.</p> <p>About Raintree Farm</p> <p>Home to The Dam, CBD distilleries, CO2 reducing hemp-fed marron, wagyu, and soon to be Denmark's first whisky distillery, the property is already an icon for sustainable production and regional innovation.</p> <p>If the rezone is approved, the venture is set to put Denmark on the map as an eco-tourism project like nothing the town has ever seen before - incorporating a paddock to plate, sustainable food ethos and an insight into how produce is grown, cultivated and shared as a finished product - be it a CBD beverage or a once in a lifetime meal.</p> <p>Raintree's ability to listen to what people want, understand it and create it, in harmony with social and environmental spaces has contributed the unanimous community support to date.</p>	
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"We're continuously striving to learn, evolve and sustainably innovate to create a future our children and grandchildren can be proud of. The community support for the Tourism Rezone has been overwhelming and exciting – we're ready to listen, adapt and create a first for WA. Putting Denmark on the map, in the right way."
The Birkbeck, Beaton, Lane and Jenkin family.

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- i. Sam Williams correspondence + EPA sign off documentation
 - ii. Notes on data
 - iii. Letter from Birkbeck Family

MEDIA & COMMUNITY CONSULTATION

Raintree undertook a multilayered communications plan surrounding the advertised Tourism

Amendment 148 and the proposed concept.

Reaching an estimated 10 million readers, viewers and listeners from June – August across

mainstream media, advertising and digital channels.

It's worth noting, ABC, Channel 9 and 6PR had talk back style segments or opportunity for

producer feedback and producers of all three stations let us know responses were positive

in tone with not one negative piece of listener or viewer feedback, demonstrating an

appetite for this kind of development on a national scale.

In all messaging our key goals were to communicate:

1. What the Tourism amendment 148 means overall
2. What Raintree envision for the site if the Amendment is approved.
3. We want community feedback to help shape the plans.

Community forum consultation

A community forum was held on June 30th, 2023, to share concept imagery and plans

behind a low cluster health retreat and accommodation offering. Advertising was taken out

in local papers to communicate this session and provide a point of contact for anyone

unable to attend.

Community members joined the Birkbeck family and lead architect CBD Architect's Lead

Designer, Roberto Forgione, to discuss the plans and hear community feedback to feed into

future planning.

Raintree held the advertised community consultation plus weekly 2-hour time slots every

Friday for community one on one meetings to voice concerns or share ideas, throughout

the months of June and July 2023.



DENMARK'S POT OF GOLD?

Proposed cannabis retreat gets community seal of approval

EXCLUSIVE KIM MACDONALD

A Scandinavian-inspired cannabis retreat in the South West has received almost unanimous support from the community, as never-been-seen before images of the development were released.

With the exception of just one, the 632 community submissions in the recently-closed consultation period staged by the Denmark Shire Council were all in support of rezoning farmland to allow the unusual tourism venture.

The company behind the proposal, Raintree Farm, is

seeking to extend its existing restaurant and distillery, adding a \$5 million complex that includes a day spa offering medicinal cannabis treatment.

The proposed complex would also include a reception, a lodge, half a dozen two-bedroom chalets and six "off-grid" eco-huts.

The treatments would be legal under existing legislation, with medicinal cannabis already available in Australia on prescription.

The medicine does not contain the mind-altering component of marijuana called THC.

Raintree Farm director, Ste-

phen Birkbeck, said he envisaged that visitors at the day spa would use telehealth appointments with a local doctor to get prescriptions for medicinal cannabis, which would then be administered at the facility.

Mr Birkbeck said support came from a broad cross-section of society — from Indigenous elders to tourism operators — and he claims one of the most supportive cohorts were older locals, who were interested in using the facility for pain relief.

He said he knew from his own cancer fight how valuable pain relief was against the

symptoms of the disease and also the effects of chemotherapy, among numerous other health conditions.

"I just think it is something that we really, really need in this State," he said.

The new buildings would sit alongside the existing restaurant and distillery, which already serves cannabis-infused alcohol, again without the mind-altering THC.

Concept plans have been released by architect Roberto Forgone, who said the design was based on contemporary Scandinavian architecture.

The retreat plans to be envi-

ronmentally friendly, using solar and renewable energy.

Mr Forgone will create more detailed designs when the venture seeks development approval. If green lit, the venture would open in about two years time.

The first application regarding rezoning involves 40ha of Mr Birkbeck's 360ha farm, which had taken his family 25 years to acquire.

The complex includes several walking and cycle tracks which would be available to visitors and is flanked by tourism landmarks Green's Pool and William Bay National Park.

THE WORLD STOPS FOR

Albany Advertiser

WA News | Albany Advertiser | Great Southern | Health | Regional WA | South West

EXCLUSIVE

Scandinavian-inspired cannabis retreat in Great Southern receives overwhelming support after images released



Kim Macdonald | The West Australian
Mon, 14 August 2023 2:00AM | [Comments](#) | [+](#)

Kim Macdonald



Plus, some incredibly slick eco-accommodation options too that will allow guests to truly immerse themselves in nature.

Working with CBD Architect's Lead Designer, Roberto Forgion, the proposed \$5 million retreat will feature a reception, lodge, six two-bedroom chalets and six off-grid eco-huts, all underpinned by sustainable Scandi design principles and renewable energy practices.

Submissions for the proposed tourism rezone needed for the development to go ahead have now closed, but it's looking pretty promising. The development was widely well-received across the board, with locals, Indigenous elders, environmentalists, politicians, national icons and more all showing their support.

A report has now been submitted to the Shire, including letters of support highlights from the likes of Tina Arena, Rebecca Stephens MP, Roger Cooke and more. If approved, Raintree Farm will be one step closer to bringing its trail-blazing vision to life.



Local news, events and advertising

Current edition

If the previous edition of the Denmark Bulletin is being displayed with an error message

209 (10 of 24)

Support for health spa plan ‘overwhelming’

A \$5 MILLION proposed luxury health spa at Raintree Farm on Wentworth Road has received 625 submissions in support of a tourism rezoning for the project.

The proposal includes medicinal cannabis treatments, a reception, a lodge, six two-bedroom chalets and six off-grid eco-huts on land owned by the Birkbeck family adjoining The Dam restaurant.

Raintree director Steve Birkbeck was overwhelmed by the support and says that to his knowledge the Shire of Denmark has never received such a groundswell of support for a private development.

That was in terms of the numbers and positive sentiment expressed.

Also home to cannabidiol distilleries, carbon dioxide reducing hemp-fed marron, wagyu and soon to be Denmark’s first whisky distillery, the property is renowned for sustainable production and regional innovation.

Mr Birkbeck said that if the rezoning were approved, the venture would put Denmark on the map as an eco-tourism project like nothing the town has seen before.

It would incorporate a paddock to plate, sustainable food ethos



STAR SUPPORT: Tina Arena. Picture: Facebook

and an insight into how produce is grown, cultivated and shared as a finished product, be it a CBD beverage or a once in a lifetime meal.

Raintree had conducted a multilayered community consultation with initial concept plans discussed at a community forum for the low cluster, eco-tourism retreat and health spa.

Mr Birkbeck looked forward to working with local government, Tourism WA and the community to enhance walk trails, reduce traffic, increase discussion and action around decarb initiatives and to provide platforms for regional innovation, if the amendment were to succeed.

Altogether 625 submissions were in favour of the proposed rezoning while only one was against.

That one outlined concerns surrounding the construction of the dam and traffic on the horse trail.

“We welcome feedback, good and bad and from the start set out to work with our community every step of the way,” Mr Birkbeck said.

“The more feedback we get, the more forward planning we can do with you our community to ensure this is a venture we can all be proud of and benefit from.”

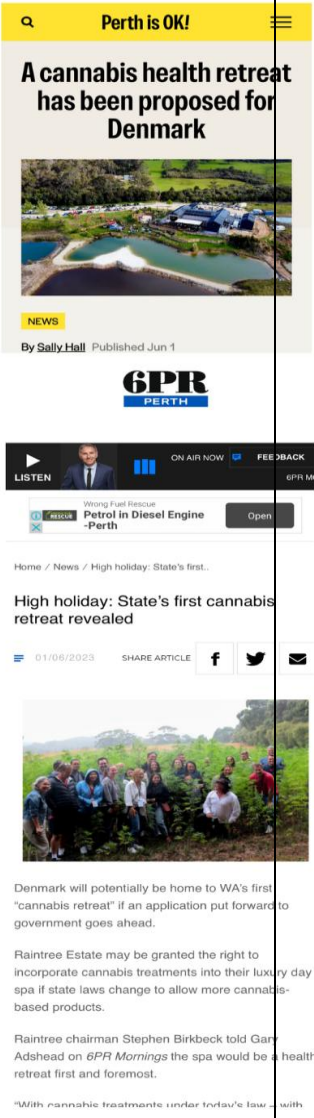
Letters of support for the rezoning and associated Raintree ventures at the property were compiled in a report submitted to Shire from the likes of the United Nations, Tina Arena, Albany MLA Rebecca Stephens, WA Premier Roger Cooke and more.



Plans for WA's first cannabis health retreat in Denmark revealed

Andrei Harmsworth | PerthNow
June 1, 2023 2:00AM

Comments



INTERNATIONAL & LOCAL SUPPORT HIGHLIGHTS

"Thank you for your letter dated 22 December 2021 regarding your development proposal for Raintree Estate (Raintree) ... Congratulations on the recent opening of The Dam, which I understand has added a new and exciting tourism and hospitality venue to the region...

The Government welcomes approaches from operators to establish new tourism product that will enhance the States tourism offering and make it a more attractive destination, particularly in regional WA. I acknowledge the potential benefits of your proposed development on the local economy and broader tourism industry."

Hon. Roger Cook, Premier of Western Australia

"My dear friend Olivia Newton John is walking living proof of the benefits of Cannabis treatments. The vision of this investment will not only serve those seeking a healthier alternative, but it will also incorporate a genuine curiosity for people to visit this exquisite region, and its surrounding areas, and of course never forgetting that this is a first of its kind

: uniquely Western Australian. This dream requires a boldness on behalf of yourself, and the Government so that it can become a reality. This project is so noble ..." **Tina Arena**

"This proposal has my support on the basis that it will fulfill a need currently unmet in the region, that being an outstanding tourism offering of low cluster accommodation that sets a high bar in respect of design and thoughtfulness of scope, particularly in relation to proposed walk trail access to Green's Pool and Elephant Rocks."

Rebecca Stephens MLA Member for Albany

"I write in support of the current application to rezone Lot 305 Wentworth Road Ocean Beach from Rural to Tourist, allowing the proponents to develop short term

		<p>accommodation on the site, in support of the outstanding work they already do to encourage eco-tourism across the Shire.</p> <p>Dr Brian Walker MLC Leader of Cannabis Reform party Western Australia.</p> <p><i>“Raintree Solutions is a friend and asset through its capacity to provide advanced research and development skills to impoverished Indigenous communities that are trying to regain custodianship over their traditional lands. Tribal Link supports the Raintree Development application to continue to research and develop unique processes and products for the benefit of Indigenous people through designing Nature Based Solutions to complex climate change issues.”</i></p> <p>Pamela Kraft Founder and Executive Director, Tribal Links New York UNDP NGO</p> <p><i>“Stephen was the inaugural Chairman of UWA’s Albany Foundation. He is one of Australia’s most decorated exporters and remains a trusted confidante of the Indigenous world as an architect of a new nature based economic approach to regional development. In 2008 Stephen conceptualized and co-founded the prestigious Paris based Presidents Circle (NRSC). In 2011 he was nominated by the French Government as an Australian Institute of Export (AIE) 2011 Export Hero for contributions to the national reputation of Australia.</i></p> <p>Australian Institute of Exports</p> <p><i>“For 40 years (1980-2020) Stephen has championed WA Indigenous nature based solutions, and in July 2019 was honoured by the Birriliburu people in a traditional ceremony and formally named TJAMU (Grandfather) with whom he has a unique and profound 40 year relationship with the Muntijarra tribe of the Birriliburu people of the MARTU First Nation of Australia and in 2019 co-ordinated a UNDP submission that won new business of the year in New York at the N AGM (UNDP Equator Awards).</i></p>	
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		<p>David Hircock, Estee Lauder Watchdog and UNDP New York Advisor.</p> <p><i>“Over the years, Stephen Birkbeck has successfully built a strong working relationship with our City and the broader global perfume sector, assisting us in promoting a new way of doing business, particular with local communities and indigenous populations.”</i></p> <p>Jean- Pierre Leleux, Senator-Major of Grasse</p> <p><i>“I appreciate the central role the NRSC has played in promoting sustainable practices within the beauty industry, and I particularly grateful for your dedication to vetiver farmers in Haiti..... I commend your strong commitment to Haiti’s future, and I look forward to working with you to identify new opportunities for growth and development.</i></p> <p>William Jefferson Clinton 42nd President of the United States</p> <p><i>DTM Tourism has been engaged to work in the region on various projects over the past 8 years and this proposal is one that stands out as one of quality and sustainability and should be encouraged to proceed without delay.”</i></p> <p>Bernard Whewell, Director DTM Tourism</p> <p><i>...Raintree Companies has a proven track record of dedication, passion, and expertise. Their commitment to excellence and their deep understanding of the market makes them highly qualified to execute this expansion project successfully. Their expansion plans align with the goals and values of our community, and I firmly believe that their success will have a positive impact on the entire region.</i></p> <p>David King CEO Denmark Shire</p> <p><i>Following the completion of your \$8000 donation to install a hydrant on Wentworth Road as a Strategic Water Point, I would like to say a heartfelt thank you from myself as Chief Bush Fire Control Officer for the Shire of Denmark, and I speak also on behalf of our Volunteer Fire Brigades and members across the Shire. The support and fund-raising efforts that you guys have given towards our Denmark community is truly amazing and greatly appreciated.</i></p> <p>Lez Baines CBFCO Denmark</p>	
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		<p><i>Denmark has always been known for its clean, nature-based tourism and now has an opportunity to support the next level of “therapeutic destination tourism” by supporting the Birkbeck’s proposed development. We have found Steve Birkbeck and his family to be upstanding corporate and community citizens by their successful and professional agritourism venue, The Dam, not to mention their amazing support for the safety of our community during the devastating 2022 bushfires and ongoing sustainability initiatives. Their entrepreneurial spirit has been nothing short of impressive and they have already put Denmark firmly on the upscale tourism map... our community stands to benefit greatly by increased employment opportunities and enhanced global reputation as this would be the “first of its kind” destination in Australia. Julia and Brian Fitzgerald, Artisan Brewers</i></p>	
S5	<div>██████████</div> <div>██████████████████</div> <div>██████</div>	<p>As promised, my comments in regards to the above Adjoining Landowner referral are as follows...</p> <ol style="list-style-type: none"> 1. When I purchased my property at 84 Richardson Road back in 2004, my understanding was not no development would be allowed south of the highway. We now have a lot and this is just the latest. As such, I am a little disappointed. 2. The designs of the accommodation, in my opinion, are not that "aesthetically pleasing" and not in keeping with the old style of rural properties in the area. That said, I appreciate "beauty is in the eye of the beholder". 3. I think it is important that the proposed buildings in all lots should be a minimum of 50 metres away from the property boundary and more if possible. For me this would be particularly important in respect of the two buildings planned in Lot 2618. I also think that all the buildings should be screened with vegetation and trees (and decent ones that are properly planted). This will help protect privacy and reduce noise for people living in the area and not in the tourism business. 4. Richardson Road will receive more traffic and therefore will require more maintenance and/or upgrading. Indeed, perhaps the applicants of the proposed chalets should pay a contribution towards this cost, as they will be the major beneficiaries. 5. Hydrology - depending on the time of year, Richardson Road becomes very wet and boggy and many ruts develop (an indication of poor drainage). There is a major drain that runs under the road just above where the chalets are proposed in Lot 2618 and mapping will be important. In the past the shire have graded both Wentworth and Richardson roads and occasionally applied gravel. The former has been beneficial, but in my opinion, not the later, as the gravel is simply washed away to the road sides. In 	<p>Noted</p> <p>Noted</p> <p>Upheld (in part) The proposed chalets are a minimum of 50m from any boundary. Landscaping on the north side of these chalets will be conditioned.</p> <p>Upheld Richardson Road is fit for purpose for the existing small numbers of local traffic. The standard of the road will require some structural improvements such as drainage, road formation and gravel sheeting to deal with the additional tourist traffic generated by the applicant.</p>

		<p>the long term a more permanent solution is necessary, given more traffic. The last thing anyone wants is accidents.</p> <p>This email is only sent in an attempt to be helpful. Denmark is such a lovely part of the world and I would hate to see it spoilt.</p>	
S6	<p>██████████</p> <p>██████████</p> <p>██████</p> <p>██████████</p>	<p>RE lodgement of an objection to the above proposal.</p> <p>Some months ago I wrote to Mr C Pusey outlining my concerns regarding the possibility of increased traffic on Byleveld Crescent as a result of developments in the Raintree Development .</p> <p>That letter has been ignored, a fact which concerns me greatly.</p> <p>My concerns re the Raintree Development revolve around the potential for increased traffic from the proposed caravan park on South Coast Highway and the Raintree Development. This will cause the T-junction where the William Bay Road intersects South Coast Highway to become a bottleneck causing driver frustration. Drivers aware of the Privett/Byleveld connection will choose it to access South Coast Highway rather than wait in a queue to access it via the South Coast Highway T-junction.</p> <p>Byleveld Crescent/Privett Road are not suited to handle extra traffic. The reasons are, there is a very large kangaroo population living either side of the road representing a significant traffic hazard.</p> <p>The verges of the road all have very bushy vegetation growing on them so that kangaroos approaching the road are not visible until they are actually on the road.</p> <p>The road is also part of the Munda Biddi trail with heavy cycle traffic. This will also see increased risk with greater traffic movements.</p> <p>The bend where Byleveld intersects Privett is poorly constructed, gravel and could easily cause a crash with drivers unfamiliar with the area.</p> <p>There are young children on the street who are not traffic wise and represent a risk.</p> <p>If this development is to be approved, then there must be serious changes made to entrances to the Byleveld/Privett roads to restrict the number of vehicles entering and traffic speed control bumps put in place to slow traffic that does try to use it as by way.</p> <p>Signs stating “Local Traffic “ only are ineffective and will be quickly ignored. These should not be the only Method to discourage traffic.</p> <p>I object strongly to the Rain Tree Development and believe that if the Shire of Denmark approves the development without seriously addressing the increased traffic issues then it risks the potential that people may be injured or even killed.</p>	<p>Noted</p> <p>No additional traffic is anticipated to use Privett Road as part of this proposal. Chalets are accessed from internal roads from Richardson Road.</p> <p>Previous concerns raised with Privett Road and Byleveld Close were responded to with a ‘local traffic only’ sign to deter people using this as a shortcut to William Bay.</p> <p>If an increase in traffic does result from people using these roads as a short cut, further options will be explored including formally closing a portion of the roads. This would disadvantage residents and so a cautious approach has been used in the first instance as it is only speculation at this stage as to whether this will become a popular short cut.</p> <p>The ‘road connection’ between Byleveld Close and Privett Road is actually a 4m wide ‘Right of Way’ and not a formal road reserve. The standard of this road connection reflects the minor nature of this link.</p>
S7	<p>██████████</p> <p>██████</p> <p>██████████</p> <p>██████████</p> <p>██████</p> <p>██████</p>	<p>We are the owners of Lot ██████████, Ocean Beach which is one of two Rural Properties that lie approximately in the geographic centre of the proposed development (The Development). It is proposed to erect two cabins either directly along our fence line or adjacent to, and within sight of, our property.</p> <p>For reasons unknown to us, but which we understand may be investigated by the Media/IT section of the Shire of Denmark, we did not receive any notice of the proposal for construction of 12 Chalets on Raintree Estate.</p> <p>We discovered the development was in train when we spoke to the earthworks</p>	<p>Noted and upheld in part</p>

		<p>contractor who commenced access road construction adjacent to our boundary fence, on 5th June 2025 (see photos appended to this document).</p> <p>We are grateful to Mr Craig Pursey, Manager Sustainable Development who has assisted us with our enquiries and has kindly agreed to circulate our comments as follows:</p> <p>We are concerned about:</p> <ol style="list-style-type: none"> 1. Visual impact 2. Trespass 3. Management of fire risk 4. Interference with appropriate management of our rural property 5. Turnaround location 6. Erosion <p>Please note - It is easily possible within the Proposal Documents to overlook the fact that two separately owned Rural properties : LOT [REDACTED] and LOT 4629 [REDACTED] are located in the approximate geographical centre of the Raintree Estate.</p> <p>[REDACTED] is directly adjacent to the proposed Cabin 14 on Lot 2617 and Cabin 31 on Lot 2618. See red arrow below and red circles around proposed Cabins. We have marked our understanding of the location of the turnaround point (see concerns below).</p> <p>1. Visual impact</p> <p>Despite the proposal stating that each cabin is “well screened from neighbouring properties via vegetation screening and landform”, both cabins will be visible across the unvegetated farm paddocks of our property.</p> <p>Cabin 14 appears to be located in an open paddock and will be visible from our property. We are not aware of its precise location or if more trees are intended to be planted (bearing in mind the Fire Risk).</p> <p>Cabin 31 is proposed to be located immediately adjacent to our southern boundary fence. It lies at the bottom of our steeply sloped paddock and, while not visible from our house, it will be clearly visible from our property. Nor may it be a peaceful location for proposed guests when regular property maintenance is undertaken (see point 4).</p> <p>2. Trespass</p> <p>We are concerned that it must be made very clear to proposed guests in the proposed cabins 14 and 31 that our property, immediately adjacent to the dividing fence line, is</p>	<p>Noted – no change</p> <p>Cabin 14 is 88m inside the western boundary, a total of ~150m from the house.</p> <p>The house is screened from the subject site by their own shed.</p> <p>Cabin 31 cannot be seen from the house and only seen if travelling to the southern extremity of their property.</p> <p>Upheld – part Advice to management of the property to include</p>
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	<p>not part of the farm on which the holiday cabins are situated. In the instance of Cabin 31, on the southern edge of our main paddock, guests may be confused by our farm gate which opens between our property and Raintree Farm. Without signage, guests will be surely attracted to use our gate in order to wander freely on what they may assume is “one big farm”.</p> <p>Should the Development proceed, we request that a condition be included into any agreement that clear signage should be erected by the proponent within the Lots 2617 and 2618, in a location that is agreed with us, and at the proponent’s expense, stating clearly that (our) adjacent property is private and there must not be any trespassing. This is essential for Risk Management as we, as owners of [REDACTED], must not be held responsible for any injury to the guest/s and/or any damage incurred on our property in the instance of trespass. We would need assurance that any such injury or damage would be the responsibility of the proponents and appropriate insurance policies held to that effect.</p> <p>3. Management of fire risk</p> <p>The BAL Contour Maps for Cabins 14 (Lot 2617) and 31 (2618) indicate they are within a BAL FZ (Flame Zone) area – the most serious bushfire risk rating.</p> <p>The Bushfire Management Assessment is not clear about whether the proposed cabins will have an impact on the fire risk management responsibilities of our adjacent property. Under <i>STATE PLANNING POLICY 3.7 Planning in Bushfire Prone Areas</i> a vulnerable development (relevant to this proposal), the development must not require a neighbouring property to bear any responsibility for mitigating the fire risk on the proposed development (the Development).</p> <p>This is applicable to proposed cabin 31 which is almost directly below the Karri forest that we maintain on our [REDACTED] property. We would need assurance that there would be no obligation for us to remove part of the Karri forest in order to satisfy the bushfire mitigation requirements of the proposed Cabin 31 (or indeed for Cabin 14). Any such clearing would be detrimental to the environment.</p> <p>We also highlight that the proposed Raintree Refuge is a considerable distance from the Cabins on our boundary and access to it would require crossing farm fences (including barbed wire). This is concerning when considering human life, regardless of where the cabins are located. Having had to evacuate our property in the recent serious bushfire in the William Bay/Ocean Beach area, we are acutely aware of the risk.</p> <p>4. Interference with appropriate management of our rural property</p> <p>We are concerned that the proposed cabins may impact our capacity to manage the farmland and bush on our property [REDACTED]. Throughout any year we are obliged to undertake burning and slashing to mitigate bushfire risk. This would involve smoke</p>	<p>advice to guests regarding respecting neighbouring property to be required.</p> <p>Noted A BMP and BEP has been prepared by a level 3 accredited bushfire practitioner which shows that the proposed cabins are compliant with the bushfire planning framework.</p> <p>The position of Cabin 31 will need adjusting to prevent any clearing.</p> <p>The refuge is a bonus and not required for compliance.</p> <p>Upheld – part Advice to management of the property to include advice to guests</p>
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		<p>and noise. The cabins may be vulnerable to farm noises such as tractors, slashers, and general farm management including use of chain saw and mower on a regular basis. From time to time, we use a qualified arborist to undertake management of larger trees, involving day-long noise from saws and chippers. It would impact on our ability to undertake rural activities on a rural-zoned farm property if we had to seek permission each time we needed to undertake these routine activities.</p> <p>5. Turnaround location</p> <p>We note the indicative location of the Turnaround in Richardson Rd (see marked aerial view above). The farm gate to access Cabin 14 is immediately adjacent to the farm gate to access our paddock () and in close proximity to the driveway entrance to our house (at). In the absence of any details about exactly where and what type of turnaround is envisaged, we are concerned about visual impact, erosion and loss of natural screening vegetation in order to achieve the turnaround. It is also directly opposite another driveway on Richardson Rd, causing a possible 5-way vehicle meeting point. We request the Shire to take into consideration the need for appropriate management of erosion in the turnaround area.</p> <p>6. Erosion</p> <p>The driveways that are required for access to the cabins on Lot 2617 and 2618 are already being created immediately adjacent to our fence line and farm gate. There is already evidence of erosion and we are concerned about water run-off into our property and creating accumulation of silt in the stream below our property. We do not know what future impacts we will experience as we have no information about how erosion will be managed.</p> <p>Conclusion</p> <p>We look to the Shire of Denmark to ensure that this serene rural farming corner of Denmark retains its intrinsic beauty and value while enabling agritourism where appropriate. We ask that you ensure this Development, if approved, will not compromise the safety of guests, reduce our amenity and assets as neighbours, or impact the environment in any negative way. Please consider our small rural holding and our family's lifestyle, situated as it is in the middle of the Raintree Farm Estate.</p>	<p>Noted This turnaround is simply acknowledging that the road and driveway intersection is an appropriate turnaround.</p> <p>Noted The driveway down the side boundary corresponds to the boundary firebreak and will be graveled and developed in a manner that will prevent erosion and drainage discharge to neighbouring property.</p>
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Additional Information provided to Councillors

In accordance with Council's *Meeting Framework Policy* Councillors can ask questions or request additional information on Agenda Items prior to the Council Meeting.

Following are the questions and/or information requested and the Chief Executive Officer's response(s).

Ordinary Council Meeting: 24 June 2025

ITEM 9.1.1 – PROPOSED HOLIDAY ACCOMMODATION (CHALETS & CARETAKERS DWELLINGS) AT WENTWORTH ROAD/RICHARDSON ROAD, OCEAN BEACH

Cr Wiggins asked the following questions.

1. On the previous chalet development on raintree. What was the end outcome/requirement for water storage and effluent disposal?
2. If approved, will this development change the rates on any of these lots?

CEO Response.

Water Storage (previous approvals)

10. The approved development shall provide a potable water supply (i.e. rainwater tank) to each chalet to the satisfaction of the Shire of Denmark with a capacity of not less than 4,500 litres per chalet prior to occupancy with this upgraded to a reticulated supply within 6 months of occupying the development – refer Advice Note 4.
4. With regard to condition 10, the water supply to all habitable buildings is to be upgraded to either a 92Kl rainwater tank per chalet or an alternate centrally located water tank that will supply the equivalent of a reticulated supply to each chalet to the satisfaction of the Shire of Denmark.

This has not been actioned yet and is due for resolution.

Effluent Disposal

Individual disposal systems were approved, which required Department of Health approval, as there were multiple systems on the one property.

This was a combination of standard septic tanks and Secondary Treatment Systems, depending upon the site conditions.

Rating

A number of properties in the Raintree estate are group rated Rural – Additional use Commercial (70% premium across all lots). This applied to 3 out of 5 DAs. Therefore, no additional rates are applied to these lots as this is the maximum for rural land. DA2025/47 and DA2025/44 are not included in the group rating and therefore will be adjusted to Rural – Additional use Holiday (30% premium).

Cr Carman asked the following questions.

1. Could you please clarify the following points regarding the proposed access point from South Coast Highway for several chalets? From my recollection, this access point was previously designated as emergency access only under a former Development Application (DA). What has changed to make this access point acceptable for a higher use now?
2. It's mentioned a few times that cabins would need to be removed if selling a land parcel resulted in a caretaker no longer on the property. Could we instead have the condition that the holiday accommodation licence would expire, rather than enforcing a functioning dwelling be removed?

CEO Response.

Access Point

The application was referred to Main Roads WA who raised no objection to the use of this crossover, subject to signage and potentially sealing this.

This referral was followed up with the responsible manager at Main Roads who reiterated support for the use of this crossover.

Potential Dwelling Removal

Officers included this condition to ensure against defunct, empty, or deteriorating assets scattered across multiple landholdings in a worst case scenario. However, this doesn't preclude alternative solutions in the future that could be enacted through a Development Application process.

Notably, the cabins in question are being relocated from another site rather than being newly constructed. This ensures that removal is relatively straightforward and achievable if required in the future.