

**DEVELOPMENT ASSESSMENT REPORT**  
**Shire of Augusta Margaret River**  
**15 January 2026 to 21 January 2026**

**APPLICATIONS RECEIVED**

Date Rec'd	Reference No.	Address	Proposal
<b>PLANNING</b>			
15/01/2026	P226021	58 (Lot 187) Abelia Avenue, Margaret River	Single House
16/01/2026	P226023	5320 (Lot 4) Caves Road, Gracetown	Single House and Change of Use (Existing Single House to Ancillary Dwelling)
19/01/2026	P226025	10 (Lot 125) Kingston Powels Way, Kudardup	Single House and Carport
19/01/2026	P226026	Lot 9000 Bussell Highway, Margaret River	Local Development Plan - Arbour (Stage 2)
20/01/2026	P226028	Unit 1/24 (Strata Lot 1) Freycinet Way Gnarabup	Cancellation of Holiday House Approval (P223364)
20/01/2026	P226029	1 (Lot 52) Concerto Drive, Cowaramup	Outbuilding (Shed)
20/01/2026	P226030	9 (Lot 252) McManus Circuit, Witchcliffe	Outbuilding (Shed)
20/01/2026	P226035	2 (Lot 376) Storm Bay Road, Augusta	Holiday House Renewal
20/01/2026	P226036	20 (Lot 1) Georgette Way, Prevelly	Holiday House Renewal
20/01/2026	P226042	69 (Lot 51) Leeuwin Road, Augusta	Holiday House
20/01/2026	P226045	96 (Lot 2) Sabina Drive, Molloy Island	Dwelling Additions (Carport)
21/01/2026	P226050	15 (Lot 281) Sandalwood Drive, Margaret River	Dwelling Additions (Garage Additions)
21/01/2026	P226051	8 (Lot 891) Allnut Terrace, Augusta	Holiday House Renewal
21/01/2026	P226052	4 (Lot 121) Loch Street, Augusta	Holiday House Renewal
21/01/2026	P226053	9 (Lot 321) Ibis Court, Karridale	Single House
21/01/2026	P226054	163 (Lot 1) Treeton Road North, Cowaramup	Holiday House Renewal
21/01/2026	P226055	62 (Lot 45) Hermitage Drive, Margaret River	Holiday House Renewal
<b>BUILDING</b>			
19/01/2026	226045	40 (Lot 56) Apsley Drive, Margaret River	Single Dwelling, Garage and Alfresco
19/01/2026	226046	42 (Lot 57) Apsley Drive, Margaret River	Single Dwelling, Garage and Alfresco
19/01/2026	226047	48 (Lot 60) Apsley Drive, Margaret River	Single Dwelling, Ancillary Dwelling, Garage x 2 & Alfresco x 2
19/01/2026	226048	22 (Lot 89) Marginata Road, Witchcliffe	Water Tank
19/01/2026	226049	7 (Lot 52) Peppermint Place, Margaret River	Shed
19/01/2026	226050	4 (Lot 417) Atkins Street, Margaret River	Shed
20/01/2026	226051	19 (Lot 21) Merlot Place, Margaret River	Carport
20/01/2026	226052	21 (Lot 459) Charles Hine Avenue, Margaret River	Swimming Pool
20/01/2026	226053	25 (Lot 405) Hasluck Street, Cowaramup	Stage 1 Forward Works- Site Works ,Ground Floor Slab ,In Ground Services and Retaining Walls (Including Buildings Tilt Panel Fabrication on Site Works) - Class 2, Class 6 & Class 5
20/01/2026	226054	17 (Lot 9) Snapper Avenue, Margaret River	Single Dwelling, Garage and Alfresco
20/01/2026	226055	35 (Lot 1) Turner Street, Augusta	Dwelling Alteration/Addition - Deck, External Stairs & Window/Door Alteration
20/01/2026	226056	8 (Lot 406) Maclaren Crescent, Margaret River	Single Dwelling, Garage, Alfresco and Retaining Wall
21/01/2026	226057	38 (Lot 95) Drosera Street, Witchcliffe	Single Dwelling, Deck and Carport
21/01/2026	226058	2 (Lot 4) Minnow Way, Witchcliffe	Single Dwelling, Garage and Alfresco
21/01/2026	226059	64 (Lot 66) Apsley Drive, Margaret River	Single Dwelling, Garage and Alfresco
<b>Exploration Licenses for Comment</b>			
Nil			

## APPLICATIONS DETERMINED UNDER DELEGATION

Date Rec'd	Reference No.	Address	Proposal	Outcome
<b>PLANNING</b>				
10/10/2025	P225753	765 (Lot 2401) Brockman Highway, Karridale	Change in Use from Dwelling to Chalet	Approved
13/10/2025	P225767	12 (Lot 309) Gardiner Road, Cowaramup	Chalets x2	Approved
21/10/2025	P225795	4 (Lot 93) Nixon Crescent, Margaret River	Holiday House Renewal	Approved
21/10/2025	P225800	18 (Lot 57) Osborne Street, Gracetown	Holiday House Renewal	Approved
10/11/2025	P225851	Unit 25, 20 (Lot 25) Riedle Drive, Gnarabup	Holiday House Renewal	Approved
13/11/2025	P225872	72 (Lot 101) Town View Terrace, Margaret River	Retrospective Storage Additions to Office (Shipping Container)	Approved
17/11/2025	P225880	53 (Lot 69) Mitchell Drive, Prevelly	Holiday House Renewal	Approved
17/11/2025	P225883	20 (Lot 62) Le Souef Street, Margaret River	Holiday House Renewal	Approved
20/11/2025	P225894	435 (Lot 59) Kevill Road, Margaret River	Amendment to Planning Approval P225202 - Outbuilding (Shed)	Approved
03/12/2025	P225924	66 (Lot 191) Abelia Avenue, Margaret River	Single House	Approved
12/12/2025	P225953	47 (Lot 73) Drosera Street, Witchcliffe	Outbuildings (Shed and Water Tank)	Approved
16/12/2025	P225973	94 (Lot 270) Sabina Drive, Molloy Island	Addition to Existing Outbuilding (Boat shed)	Approved
17/12/2025	P225976	Unit 3, 41 (Lot 3) Town View Terrace, Margaret River	Holiday House Renewal	Approved
<b>SUBDIVISIONS</b>				
21/11/2025	P225911	856 (Lot 91) Cowaramup Bay Road, Gracetown	Subdivision	Supported with Conditions
<b>LOCAL LAW PERMITS</b>				
14/01/2026	P226044	Flinders Bay, Reserve 24653	Amendment to Local Law Permit P225828 to Operate a Mobile Food Business - Little Hand	Approved

## LEVEL 3 PLANNING APPLICATIONS FOR DETERMINATION

Date Rec'd	Reference No.	Address	Proposal	Recommendation
<b>PLANNING</b>				
28/03/2025	P225234	25 (Lot 131) Matthews Road, Augusta	Agriculture Intensive (Truffle Plantation)	Approve with Conditions

## DEVELOPMENT ASSESSMENT REPORTING PROCEDURE

### Assessment of Development Applications (DAs)

For the purposes of this procedure there are three types of development applications:

#### Level 1

DA not advertised

#### Level 2

DA is advertised; and

- No submissions; or
- Submission received but meets one of the following:
  - Not related to the reason the DA was advertised.
  - The development is modified to comply or to remove the element of concern to the submitter.
  - Submission is either of support, conditional support or is 'indifferent'; or is from a non-affected person.

#### Level 3

A submission in opposition is received from an 'affected' person or special interest group in relation to the reason the DA is advertised or the development application is recommended for refusal.

**Note:** This procedure applies to development applications only. It does not apply to structure plans, scheme amendments or other types of planning proposals.

# Development Assessment P225234



## General Details

<b>Reporting Officer</b>	Lina O'Halloran
<b>Disclosure of Interest</b>	Nil
<b>Assessment Level</b>	Major (Level 3) – objections received

## Application Details

<b>Address</b>	25 (Lot 131) Matthews Road, Augusta			
<b>Proposed Development</b>	Agriculture Intensive (Truffle Plantation)			
<b>Zoning</b>	<b>Rural Residential RR30</b>			
<b>Lot Area</b>	2ha			
<b>Use Class and Permissibility</b>	Intensive Agriculture - 'A' Discretionary Use			
<b>Heritage/Aboriginal Sites</b>	None identified			
<b>Other Considerations</b>	Visual Management Area	<input checked="" type="checkbox"/>	Sewerage Sensitive Area	<input type="checkbox"/>
	Special Control Area	<input type="checkbox"/>	Watercourses/Rivers	<input type="checkbox"/>
	Bushfire Prone Area	<input checked="" type="checkbox"/>	Environmentally Sensitive Areas	<input type="checkbox"/>
<b>Structure Plans/LDP's</b>	This site was subject to a Structure Plan approved in 2015, which expired during this assessment process. The Structure Plan did not include any specific provisions relevant to the proposal.			
<b>Easements/Encumbrances</b>	1 x Notification – Fire Management Plan			
<b>Why is Development Approval Required?</b>	Intensive Agriculture is a discretionary use in the Rural Residential zone, which requires advertising.			

<b>Application Background</b>	<p>The site is developed with a single dwelling and associated outbuildings, within a building envelope at the south-west corner of the lot. The site is intersected by a tributary of the Lower Blackwood River. It has two existing onstream dams and existing vegetation comprising of Peppermints, Paperbarks and non-endemic gums.</p> <p>The original application sought to establish a 1.4 acre / 264 tree truffle plantation. The plantation was to be setback 5m from the side and rear boundaries and 20m from the creek line. The application did not include any information regarding water requirements or proposed irrigation of the plantation.</p> <p>In response to this proposal, 7 submissions of objection and 1 of support were received from surrounding neighbours, along with concerns raised by internal and state government departments.</p> <p>Due to the lack of information and the objections received, the applicant was advised the proposal in its original form would be refused. Further information was requested in order to quantify the potential environmental impacts of the proposal.</p> <p>A revised proposal was subsequently submitted as follows:</p> <ul style="list-style-type: none"> <li>• The proposed number of trees has reduced from 264 to 100;</li> <li>• Setbacks for the plantation to the side and rear boundaries has increased to 15m and 20m respectively;</li> <li>• Anticipated water requirements have been provided, along with confirmation the plantation would be irrigated generally from late spring to early autumn, from the on-site dams.</li> <li>• The applicant has provided written confirmation from DWER that their water licence will be supported. DWER have since indicated they would support taking up to 3,100kL from the dams for irrigation purposes.</li> </ul> <p>The proposal involves clearing 23 Peppermint trees at the rear of the site to make way for the plantation, comprising a mix of Hazelnut, French and English Oak trees.</p> <p>The proposal is intended to be a hobby for the owners which would not involve hiring staff or public visitation to the site.</p> <p>Truffles would be harvested by hand once a week during the four month harvesting season (June – September).</p> <p>Due to the nature of the objections received to the original proposal, the modified proposal was re-advertised with 5 objections received.</p>
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Site Image



Assessment

Referrals	Yes	No
Adjoining Neighbours/Property Owners	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>Original application: 7 x objections, 1 x support with concerns</li> <li>Revised proposal: <b>5 x objections</b></li> </ul>		
Government Agencies	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Department of Biodiversity, Conservation & Attractions (DBCA)		
Department of Water & Environmental Regulation (DWER)		
Department of Primary Industries & Regional Development (DPIRD)		
Internal Shire Departments	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Environmental Health / Environmental Sustainability		
Where any objections received?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Where any issues raised through the referrals process?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Internal Department Comments

Department Comments	Officer Comments
<u>Environmental Sustainability:</u> <ul style="list-style-type: none"> <li>Recommend amending plan to ensure there is a 30m setback from the watercourse as required by the Scheme for intensive agricultural development.</li> <li>Recommend amended so plantation is located outside of riparian (winter wetland areas) zone. Perhaps plantation could shift slightly north.</li> <li>A Nutrient Irrigation Management Plan (NIMP) should be prepared to understand the use of chemicals and fertilisers.</li> <li>Recommend avoiding vegetation of value.</li> </ul> <p>Updated comments following site inspection:</p> <ul style="list-style-type: none"> <li>Peppermint trees proposed to be removed are in generally poor condition with no under-storey. No dreys present in any of the trees. Represents low fauna value.</li> <li>Remaining trees are predominantly non-native serving little habitat value.</li> <li>Recommend preparation of a Revegetation Plan on the north side of the dam and creek line to assist with stripping of nutrients before entering the watercourse. This will also improve habitat values and establishment of a riparian environmental corridor.</li> <li>Recommend planting of 1.5 times the number of peppermint trees to be removed to allow for loss during establishment.</li> </ul>	<p>The revised proposal has been amended to have a 30m setback to the waterway and the plantation would not be located within the riparian zone. A condition of approval is recommended to reinforce the required setback.</p> <p>The plantation is proposed to be run in accordance with organic principles, however this does not exclude the use of all chemicals and fertilisers. The recommended condition of planning approval requiring submission of a NIMP has been applied.</p> <p>Following a site visit by Shire Officers and the advice from DWER, DBCA and DPIRD outlined below, the Environmental Sustainability Officer confirmed they have no further concerns with the proposal.</p> <p>The Sustainability Officer's recommended replanting of 1.5x the trees to be removed, would result in a total of 34.5 (35) new Peppermint trees. This has been accepted by the applicant and exceeds the minimum revegetation rate supported by DBCA below.</p>
<u>Environmental Health:</u> <p>No heavy machinery required – so no noise concerns.</p> <p>No clearing, no spraying.</p>	<p>Noted.</p>

No departmental conditions recommended.	
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External Agency Comments	
Department Comments	Officer Comments
<p><b>Department of Biodiversity, Conservation &amp; Attractions (DBCA):</b></p> <p><u>Comments on original proposal:</u></p> <p>An <i>Environmental Assessment</i> (Assessment) was provided with the subdivision application that created this site.</p> <p>The Assessment suggested planting further habitat trees as part of landscaping requirements, to provide for black cockatoos and western ringtail possums (WRP), which are threatened species.</p> <p>The proposed truffle plantation will require clearing of a portion of trees planted as part of the subdivisional landscaping.</p> <p>If the proposal is approved, the landowner should revegetate an equivalent area along the watercourse with local endemic species to enhance the habitat corridor and compensate for the loss of vegetation. The replanted area should be a similar size to the lost planted area.</p> <p>The proponent should be aware of their obligations and approval requirements under Section 40 of the <i>Biodiversity Conservation Act</i>, which requires Ministerial authorisation to take or disturb threatened species. The proponent should seek advice from DWER in relation to clearing permit requirements.</p> <p><u>Comments on revised proposal:</u></p> <p>DBCA confirms that it is satisfied with the proponent's amended proposal to plant 30 peppermint trees as depicted on the Site Plan, with a preference for some understorey plantings consisting of local endemic species to also be planted along the waterway.</p>	<p>Noted.</p> <p>The applicant has applied for a clearing permit with DWER, and DWER have confirmed this is currently being assessed.</p> <p>Advice notes are recommended regarding the requirements of a Section 40 Ministerial as well as DBCA's preference for the revegetation.</p>
<p><b>Department of Water &amp; Environmental Regulation (DWER):</b></p> <p><u>Comments on original proposal:</u></p> <p>DWER notes</p> <ul style="list-style-type: none"> <li>• no fertilization is proposed</li> <li>• no heavy machinery will be used, with works limited to a spade</li> <li>• no labour will be employed</li> </ul> <p>In view of the small scale operation, absence of high value wetlands and fertiliser avoidance, DWER views this proposal to be of low risk to the receiving environment.</p> <p>DWER has however identified that the proposal has the potential for impact on the environment and water values</p>	<p>When the applicant submitted the revised proposal to the Shire, they simultaneously lodged an application with DWER for a licence to take up to 600KL of surface water per annum from the two existing dams on the property, for irrigation purposes.</p> <p>The applicant has since provided written confirmation from DWER that:</p> <p style="padding-left: 40px;">'the department has estimated the total storage volume capacity of the two existing instream dams proposed for irrigation use at 3,100KL. Accordingly, the department proposes to grant you a licence with an annual water</p>

<p>management. The key issues and recommendations below should be addressed:</p> <p><b>Issue 1: Water supply</b></p> <ul style="list-style-type: none"> <li>• No information has been provided regarding water requirements to support the establishment and long term needs for the plantation</li> <li>• If surface or groundwater is proposed to be taken for irrigation purposes, the proponent should contact DWER's Water Licensing office.</li> <li>• The applicant is to provide evidence of a secure water source, including water requirements for all aspects of the operations, to the satisfaction of the Shire.</li> </ul> <p><b>Issue 2: Creek line protection</b></p> <ul style="list-style-type: none"> <li>• It is not known if pesticides or herbicides will be used. These could adversely affect the waterway located on this lot. The proponent is advised to refer to <i>Water quality protection note 65 – Toxic and hazardous substances</i> (DWER, April 2015) to ensure the creek line is adequately protected from chemicals.</li> </ul> <p><b>Issue 3: Clearing</b></p> <ul style="list-style-type: none"> <li>• No exemption applies to the proposed clearing and a clearing permit is required.</li> <li>• The Department has not received a clearing permit application for this proposal.</li> </ul> <p><b>Comments on revised proposal:</b></p> <p>No additional comments, noting the requirements for a water licence and clearing permit remain.</p>	<p>entitlement of up to 3,100kL to authorise the taking of water from the watercourse to fill the dams from 1 June to 30 September each year. Please be advised all flows in the watercourse from 1 October to 31 May are to be allowed to bypass the dams'.</p> <p>DWER's final approval of the water licence will be granted subject to</p> <ul style="list-style-type: none"> <li>• Planning approval of the subject application from the Shire; and</li> <li>• A Permit from DWER's Native Vegetation Regulation section to clear native vegetation under the EP Act.</li> </ul> <p>The applicant has confirmed the plantation would operate under organic principles and the use of pesticides, herbicides or synthetic fertilisers is not proposed.</p> <p>A condition of planning approval is recommended to require a NIMP and prohibit the application of these chemicals within 30m of the watercourse and riparian areas as defined by wetland vegetation. This is a standard condition of approval the Shire typically applies for agricultural uses proposed within proximity to a watercourse.</p> <p>The applicant has lodged a clearing permit with DWER's Native Vegetation Regulation section in accordance with their requirements under the EP Act.</p>
<p><b>Department of Primary Industries &amp; Regional Development (DPIRD):</b></p> <p>DPIRD provided a copy of the South West Agriculture Region Report, prepared 2025, and advised that:</p> <ul style="list-style-type: none"> <li>• Based on DPIRD's regional soil database the risk for salinity in the subject area is very low. The area is classed as B2 for perennial horticulture with 50 – 70% of the soils having a capability for perennial horticulture of Class 1, 2 or 3. This means that the planting of trees in the area is an appropriate use for the soil.</li> <li>• DPIRD does not have the exact figures for water use of these trees, but irrigation will only be required during late Spring, Summer and early Autumn. In this period the water requirement will depend on other climatic factors like temperature and wind.</li> </ul>	<p>Advice from DPIRD was sought on matters raised in the objections, specifically the potential salinity impacts and water requirements for the proposed species of trees.</p> <p>DPIRD's advice does not raise concerns that the proposal is unsuitable in these respects.</p> <p>DWER's proposed licence approval for 3,100kL would provide ample water for the applicant's estimated irrigation requirement of approximately 600kL.</p>

#### Surrounding Neighbour Comments

Key Concerns Raised in Submissions	Officer Comments
Impacts on ground water – salinity and supply	<p>In lieu of a hydrologists report to quantify impacts of the proposal on ground water, the applicant was requested to provide written confirmation from DWER that their proposal to take water from the onsite dams to irrigate the plantation would be supported. This has been provided.</p> <p>DWER's proposed licence approval for 3,100kL would provide ample water for the applicant's estimated irrigation requirement of approximately 600kL.</p> <p>Based on advice from DPIRD, the potential impact of the proposal on salinity is very low risk.</p>
Lack of sufficient detail including water use and irrigation	<p>These matters have been resolved by the applicant's revised proposal which included their water requirement calculation, and DWER's assessment of their water licence application.</p> <p>The revised proposal also includes an additional 125,000L water tank for irrigation purposes to supplement water requirements, which would be filled with run-off from existing roof space.</p> <p>Irrigation would be provided by micro sprinklers/drippers to reduce evaporation, as well as mulching around trees and canopy cover providing further protection once the trees mature.</p>
Incompatibility with Rural Residential zoning	<p>Under LPS1, Agriculture – Intensive is a type of land use that can be considered in the Rural Residential zone. It is an 'A' land use, meaning it is a discretionary use which requires advertising.</p> <p>Agriculture – Intensive is defined as a:</p> <p><i>Premises used for trade or commercial purposes, including outbuildings and earthworks, associated with the following:</i></p> <ul style="list-style-type: none"> <li>a) <i>The production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts;</i></li> <li>b) <i>The establishment and operation of plant or fruit nurseries;</i></li> <li>c) <i>The development of land for irrigated fodder production or irrigated pasture (including turf farms); or</i></li> <li>d) <i>Aquaculture.</i></li> </ul> <p>The proposal is further assessed against the requirements of LPS1 in the discussion section below.</p>
Clearing implications	<p>As outlined above, the applicant has liaised directly with DBCA and obtained support for clearing the Peppermint trees subject to compensatory rehabilitation. The applicant's clearing permit is pending assessment by DWER, as required under the Environmental Protection Act.</p> <p>Conditions and advice notes of planning approval have been recommended to ensure the revegetation is provided in accordance with advice received, which is consistent with the type of species recommended for revegetation in the Environmental Assessment provided as part of the subdivisional Structure Plan.</p> <p>A review of the Shire's historical aerial imagery indicates the majority of Peppermints proposed for clearing were planted sometime in the 1980s. The site is not mapped as containing remnant vegetation on the Shire's environmental mapping. The site visit confirmed the Peppermints are of low habitat value and appear to be in poor condition. The additional trees to be cleared are not native.</p>



*Photo 1: Peppermint trees to be cleared*



*Photo 2: Trees to be cleared including 3 Peppermints and other non-native species*

Revegetating the water course would be consistent with the intent of the subdivisional Structure Plan, which showed the location of recommended landscaping and rehabilitation along the water course rather than further north on the site where it is currently located.

The applicant intends to contact the Lower Blackwood Land Conservation District Committee to provide advice on revegetation.

**Wildlife and ecosystem impacts including threatened species, ripping**

The revised proposal would see the setback to the watercourse increase from the originally proposed 20m to 30m as is required by LPS1 and in accordance with the recommendation of the Shire's Environmental Sustainability Officer. As is standard with applications of this nature, a condition of approval is recommended to prohibit the application of chemicals within 30m of the water course.

Recommended conditions of planning approval will require a NIMP, and the applicant has confirmed the plantation would operate under organic practices, with no pesticides, herbicides or synthetic fertilisers applied.

The site is not shown as containing threatened flora, fauna, remnant vegetation, or ecological communities on the Shire's environment mapping system. During the site inspection it was noted the Peppermint trees did not contain any possum dreys and were considered of low habitat value.

A review of the Environmental Assessment that was provided as part of the Structure Plan states no declared rare flora species were found on the site.

	No heavy machinery would be employed as part of the plantation development or maintenance. The applicant has confirmed all trees would be planted by hand using a spade, no ripping would be required, and no top soil would be introduced. Maintenance works would also be carried out by the owners using handheld tools and personal vehicles.
Impact on traffic and potential for future expansion	The applicant has confirmed they have no intention for future commercial expansion including physical expansion of the plantation, hiring of staff or any public visitation to the site. They have also advised no heavy vehicles are proposed to be used for development or maintenance of the plantation, nor commercial deliveries or harvest transport. All work is proposed to be carried out by the landowners using handheld tools and personal vehicles.  Any proposal for future expansion of the plantation would require further planning approval from the Shire.
Increased bushfire risk	The plantation will be setback a minimum of 15m to property boundaries, which will ensure sufficient space to comply with the Shire's annual firebreak notice. The current firebreak notice contains requirements specific to plantations, including a 10m wide mineral earth firebreak around each cell, 3m of which must be trafficable, and maintaining grasses to less than 10cm in height. Irrigation of the plantation over summer would also increase moisture content and reduce fire risk.  The nature of the proposal is not considered to fall under the requirements of <i>State Planning Policy 3.7 Bushfire</i> as it would not result in an intensification of development or an increase in visitors to the site. Therefore, a Bushfire Management Plan has not been requested. This is consistent with the Shire's approach to applications of a similar nature in the past.
Refusal of commercial planning applications in this area in the past	A search of past planning decisions did not find any applications for home businesses or other commercial proposals in the surrounding area which had been refused.
The full Schedule of Submissions has been provided to Councillors as a separate document as part of the DAR process.	

Policy Framework	Yes	No
Does the proposal involve variations to the Residential Design Codes?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the proposal involve any variations to Scheme Requirements?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Does the proposal involve any variations to Policy Requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other matters that require discretion (Vegetation Removal)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### Policy Requirements

Local Planning Scheme No.1 – Schedule 9		
Standard	Required	Provided
Front Setback	30m	>30m – complies
Western Side Setback	10m	15m – complies
Eastern Side Setback	10m	15m – complies
Rear Setback	30m	20m – variation

<b>Local Planning Policy 1 – Outbuildings, Farm Buildings and Swimming Pools</b>		
<b>Standard</b>	<b>Required</b>	<b>Provided</b>
Floor Area	N/A – water tank	
Wall Height	3.1m	<3.1m – complies
Ridge Height	4.2m	<4.2m – complies
Location	Behind dwelling Within building envelope	Behind dwelling – complies Within building envelope – complies

## Discussion

### Rear Setback Variation:

The proposed plantation would have a rear setback of 20m (increased from 5m), in lieu of 30m. This is considered supportable on the basis that a plantation is expected to have a less adverse visual impact on surrounding lots compared to building works. Where setback variations are proposed, the Shire often requires landscaping as a means to soften impacts on surrounding lots. The proposed setback would also provide sufficient space for firebreaks required for plantations, in accordance with the Shire's current Firebreak Notice. Given no heavy machinery is proposed as part of the plantation development or maintenance, and the operation would be run under organic principles, no adverse impacts are expected from matters such as noise, dust or spray drift.

### Relevant Matters Under Local Planning Scheme No.1:

#### Clause 4.2.4.2 Purpose and Objectives of the Rural Residential Zone:

##### *Purpose of the Rural-Residential Zone:*

*To provide and recognise established rural-residential lifestyle development opportunities in strategic rural locations but to confine any further such development to land where such activities are consistent both with the provisions of the LNRSP, the conservation of the significant landscape values and environmental attributes of the land and with appropriate fire management.*

##### *Objectives of the Rural-Residential Zone:*

- a) *To limit the extent of land set aside for rural-residential use to that consistent with the objectives and policies of the LNRSP;*
- b) *To recognise that the conservation of the physical, environmental and landscape characteristics of the land is paramount;*
- c) *To provide opportunities for a range of limited rural and related ancillary pursuits on rural-residential lots where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land;*
- d) *To facilitate the conservation of native vegetation and to promote revegetation with suitable indigenous species consistent with sound bushfire management practices; and*
- e) *To require adequate bushfire management consistent with the objective of preserving environmental and landscape values.*

The proposal is considered consistent with the purpose and objectives of the Rural Residential zone for the following reasons:

- The proposed clearing has been assessed by the Shire's Environmental staff and deemed acceptable.
- The establishment of the plantation would not have adverse landscape or visual impacts;
- The zone allows for intensive agricultural pursuits and advice from state government agencies indicates the proposal will not have adverse environmental outcomes.
- The proposed setbacks and nature of the development would minimise impacts on amenity to the surrounding area; and
- The proposal is capable of complying with the requirements of the Shire's Firebreak Notice.

#### Clause 4.22 Development in the Rural Residential Zone:

LPS1 allows for intensive agricultural land uses to be considered in the Rural Residential zone. Subclause 4.22.8 sets out the following explicit requirements for agricultural pursuits in the zone:

- a) Agricultural uses involving the cultivation of land or spraying of pesticides or herbicides (other than that authorised by the Department of Agriculture and Food for the control of noxious weeds) and the application of fertilisers likely to impact adversely upon the quality of water entering, and/or the foreshore vegetation of any stream or other watercourse will not be permitted.
- b) Applications for proposed agricultural-intensive uses within the Rural Residential Zone will need to demonstrate to the satisfaction of the local government that they will not have a detrimental impact on the environment, rural character and amenity of the locality. Agriculture-intensive activities shall be provided with firebreaks and setback distances from boundaries to the satisfaction of the local government relevant to the type of use concerned and its likely impact upon adjoining properties

The proposal would comply with the above provisions for the following reasons:

- The plantation is proposed to be operated under organic principles without the use of pesticides, herbicides or synthetic fertiliser. Setbacks and recommended conditions of approval would mitigate potential adverse impacts on the watercourse;
- The environmental impacts of the proposal are discussed throughout this report and on balance, are found to be reasonable, particularly in light of comments from state government agencies.

#### Clause 5.20 Land Clearing:

The proposed clearing does not meet any of the clearing exemptions listed under this clause. When considering applications to clear land, the local government is to have regard to the extent of clearing, the quality and type of vegetation to be removed, and any re-vegetation to be carried out on the same land. The local government may refuse an application if the removal of vegetation would be considered to result in a deleterious environmental, amenity or landscape impact.

Both DBCA and the Shire's Environmental Sustainability Officer consider the proposed revegetation to be an appropriate compensatory measure to enable the clearing to be supported. The Peppermints are relatively small and located away from property boundaries such that their removal would not have adverse amenity, landscape or environmental impacts.

A Vegetation Modification Plan is recommended as a condition of approval to provide additional oversight over the proposed clearing.

The site is greater than 1km from the Augusta Town Centre Zone so there are no limitations on how the cleared vegetation is to be disposed of.

#### Clause 5.21 Development relating to waterways, creeks and other watercourses:

This clause provides that proposals which are considered to reduce or are likely to reduce the natural flow of any waterway will only be permitted where the local government is satisfied there will be no adverse impacts on the watercourse or environment of the area.

The advice from DWER indicates the proposal is supportable under this clause.

#### Schedule 7: Special Provisions Relating to Development on Land Zoned Rural Residential:

The site is subject to Special Provisions RR30 under Schedule 7 which were imposed through the Scheme Amendment and associated Structure Plan that previously applied to the area. These provisions relate to subdivision and are not relevant to the subject proposal.

#### **Conclusion:**

The response from surrounding owners have been thoroughly considered through this assessment, and further advice sought from state government agencies where necessary. In light of the advice received and matters outlined in this report, support of the application is appropriate under Clause 67 of the Deemed Provisions, and the application is recommended for approval.

#### **Determination**

**That the Manager of Planning and Regulatory Services Grant Planning Consent under Delegated Authority Instrument No. 34 pursuant to Clause 68(2) of the Deemed Provisions of Local Planning Scheme No. 1 for the Agriculture Intensive (Truffle Plantation) at 25 (Lot 131) Matthews Road, Augusta subject to compliance with the following conditions:**

1. The development is to be carried out in compliance with the plans and documentation listed below and endorsed with Council's stamp, except where amended by other conditions of this consent.

Plans and Specifications	Plan P1 received by the Shire on 19 November 2025
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2. If the development, the subject of this approval, is not substantially commenced within two (2) years from the date of this letter, the approval shall lapse and be of no further effect. Where an approval has lapsed, development is prohibited without further approval being obtained.
3. At all times, all stormwater and drainage run-off from the development shall be detained within the lot boundaries and managed to predevelopment flow regimes and/or disposed offsite by an approved connection to the Shire's drainage system in accordance with the Shire of Augusta Margaret River's Standards & Specifications.
4. Prior to commencement of works, a Nutrient and Irrigation Management Plan shall be prepared by the proponent and approved by the Shire.
5. Clearing of native vegetation is prohibited until such time that a vegetation modification plan and revegetation plan has been submitted to and approved by the Shire.
6. A vegetation modification plan shall be prepared and submitted to the Shire prior to commencement, indicating the location and species name of:
  - a) vegetation to be removed
  - b) vegetation to be modified
  - c) vegetation to be retained
7. Clearing of native vegetation is only permitted in accordance with a Shire approved vegetation modification plan.
8. A revegetation plan shall be prepared by a suitably qualified and/or experienced consultant and submitted to the Shire prior to commencement. The revegetation plan shall show the proposed vegetation buffer between the truffle plantation and waterway (refer to advice note 'c'). The revegetation plan shall indicate the following:
  - a) the location and species name of proposed plantings;
  - b) quantity of each species to be planted;
  - c) any soil treatment or mulching;
  - d) details of any weed control and maintenance;
  - e) quantitative completion criteria;
  - f) detail the timing of planting; and
  - g) annual monitoring plan.
9. Revegetation shall be substantially commenced within two years of this approval.
10. Revegetation must be demonstrated as having survived over two summer seasons, and at a minimum of a 75% success rate for that which was originally proposed. Any revegetation shall be fenced off from stock.
11. When undertaking any clearing, revegetation and rehabilitation, the Proponent shall take the following steps to minimise the risk of introduction and spread of dieback/weeds:
  - a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
  - b) avoid the movement of soil in wet conditions;
  - c) ensure that no dieback-affected materials are brought into an area that is not affected by dieback; and
  - d) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.
12. The cultivation of land or spraying of pesticides, herbicides or application of non-nitrogenous fertilisers is prohibited within 30 metres of any water course and riparian areas (defined by the wetland flora).

#### Advice Notes

- a) You are advised of the need to comply with the requirements of the following other legislation:
  - i. This is not a Building Permit. A Building Permit must be issued by the relevant Permit Authority before any work commences on site as per the *Building Act 2011*;
  - ii. *Health (Miscellaneous Provisions) Act 1911* and Department requirements in respect to the development and use of the premises; and
  - iii. The *Bush Fires Act 1954* as amended, Section 33(3), Annual Bush Fires Notice applies to this property.
- b) The Department of Water and Environmental Regulation advises:
  - i. A clearing permit is required under the *Environmental Protection Act 1986*. Please contact the Department's Native Vegetation Regulation section by email ([admin.nvp@dwer.wa.gov.au](mailto:admin.nvp@dwer.wa.gov.au)) or by telephone (6364 7098).
  - ii. The subject property is located within the Lower Blackwood River Surface Water Area as proclaimed under the *Rights in Water and Irrigation Act 1914*. Groundwater abstraction in this proclaimed area is subject to licencing by the Department. Please contact the Department's Busselton Water Licensing office on 9781 0188 regarding your water licensing requirements.
  - iii. Please refer to Water Quality Protection Note 65 – *Toxic and hazardous substances* (DWER, April 2015) to ensure water resources are adequately protected from chemicals.
- c) Revegetation shall comprise of a minimum of 1.5x the peppermint trees removed, as well as understorey plantings

consisting of local endemic species. This should be reflected in the Revegetation Plan submitted to the Shire as required by Condition 8.

- d) The Department of Biodiversity, Conservation and Attractions advises you should be aware of your obligations and approval requirements under section 40 of the *Biodiversity Conservation Act 2016*, which requires Ministerial authorisation to take or disturb threatened species. You are advised to seek advice from the Department's Species and Communities branch at [speciesandcommunities@dbca.wa.gov.au](mailto:speciesandcommunities@dbca.wa.gov.au) prior to clearing works, in relation of section 40 authorisation requirement.