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planning

Our ref: 25-380

1 October 2026

Shire of Gingin
7 Brockman Street
Gingin WA 6503

Attention: Planning Services

**APPLICATION FOR PLANNING APPROVAL**
**PROPOSED HOLIDAY ACCOMMODATION CABINS**
**LOT 380 (14) HOWES LANE, GINGIN**

Apex Planning has prepared the following application for planning approval with regard to Lot 380 (14) Howes Lane, Gingin (hereafter referred to as the **subject site**).

With regard to the application, please find enclosed:

- Shire of Gingin planning application form, signed by the applicant.
- Consent letter, duly executed by the landowner.
- The Certificate of Title and Deposited Plan (**Appendix 1**).
- Development plans (**Appendix 2**).
- A submission attached to this letter which provides a description of the proposed change of use and consideration of the applicable planning framework.

The subject application seeks approval for the installation of three holiday accommodation cabins on the subject site, which would be used for short stay purposes by persons other than the landowner.

The proposed cabins are located at a suitable position on the subject site, where they are accessed via an existing onsite access track and interface with a Parks and Recreation reserve.

The proposed development represents a suitable form of small-scale holiday accommodation and will facilitate appreciation of the Shire's natural landscape and rural character.

The subject application has substantial town planning merit and warrants the Shire's approval.

The following submission provides an assessment of the proposed change of use against the relevant aspects of the planning framework.

**ALESSANDRO STAGNO**
**APEX PLANNING**

## 1 LAND DETAILS

The CT contains two encumbrances relevant to the subject application:

- A historical easement benefit which appears to relate to right of carriageway.
- A notification advising the existence of the Shire's local planning scheme.

## 2 DESCRIPTION OF SITE CONDITIONS AND LOCAL CONTEXT

The subject site is a 5.26ha rural lot with frontage to Howes Lane and Sloans Road.

The subject site contains an existing single house, outbuildings, and associated rural improvements. The single house and outbuildings gain access via a driveway connecting to Howes Lane. An access track runs from the main site driveway to the largest outbuilding, near the southern boundary.

With regard to its topography, the subject site falls from its south eastern / Howes Lane boundary toward the north-west by approximately 15 metres. In terms of servicing, the local area contains reticulated water and power, with such connections present onsite. Reticulated sewer is not present in the locality.

The subject site forms part of an established rural living precinct, with the local area mostly comprised of Rural Living lots which adjoin the subject site to the north, east, and south-east. The rural living lots to the north are undeveloped, whilst the lots to the east and south-east are developed with rural living dwellings.

The subject site adjoins a Parks and Recreation reserve to the south which contains a rectangular shaped pad accommodating water infrastructure. To the west (beyond Sloans Road) is a large general rural site containing a residence, outbuildings, and large paddocks.

Howes Lane is a bitumised road within a 20m wide road reserve, which connects to the wider road network linking the area to the Gingin townsite. Sloans Road is a gravel road serving three large general rural properties.

An aerial photo underlay is included with the development plans at **Appendix 2**, illustrating the subject site and its immediate surroundings.

## 3 DESCRIPTION OF PROPOSED DEVELOPMENT

In reference to the development plans provided at **Appendix 2**, the subject application seeks approval for the installation of three holiday accommodation cabins within the southern area of the subject site.

The holiday accommodation cabins would be used for short stay purposes by persons other than the landowner. The three cabins are identical, with spatial dimensions of 11.5m (L) x 2.25m (W) x 2.4m (H). The cabins contain two bedrooms, one bathroom, and a kitchen/living area.

The position of the cabins onsite is responsive to its characteristics and its context, adjacent to an existing access track to enable convenient accessibility with minimal onsite work. The cabins have setbacks ranging from 3.1m to 3.8m to the southern boundary, which is appropriate / responsive considering the adjoining southern land is a Parks and Recreation reserve containing water infrastructure.

The cabins will be serviced by a dedicated onsite effluent disposal system, and its location is indicated on the development plans. The finer details of the system can be resolved at building permit stage.

A town planning assessment of the proposed development is provided in the subsequent section of this submission.

## 4 TOWN PLANNING ASSESSMENT

### 4.1 LOCAL PLANNING SCHEME NO.9 (**LPS9**)

The subject site is zoned General Rural under the Shire's LPS9, whilst the adjoining land to the north and east is zoned Rural Living. The objectives of the General Rural zone are extracted below:

> a) manage land use changes so that the specific local rural character of the zone is maintained or enhanced;
>
> b) encourage and protect broad acre agricultural activities such as grazing and more intensive agricultural activities such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use;
>
> c) maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage; and
>
> d) provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the General Rural zone.

The subject application seeks approval for three cabins on the subject site which would be used by persons other than the landowner for holiday purposes. The use is properly classified as Holiday Accommodation as defined by LPS9, which is not specifically referenced in the zoning table. In accordance with Clause 3.4.2 of the Scheme text, the use is required to be assessed against the objectives of the General Rural zone.

The proposed use is considered to be consistent with the objectives of the General Rural zone for the following reasons:

- The proposed cabins are small and represent a suitable form of small-scale holiday accommodation which is appropriate for the General Rural zone. The cabins are smaller than other structures in the immediate vicinity of the site and will have no effect on visual landscape or general rural character.
- The local rural character is not diminished through the establishment of the cabins. Conversely, the cabins enable an appreciation of the local rural character by improving local tourism.
- The position of the cabins onsite is as close as possible to its eastern side, where the interface is greatest with Rural Living zoned land. This creates separation from the large General Rural zoned land to the west and creates no impediment to potential agricultural or broadacre activities which may occur on that land.

An assessment is provided below against the relevant development standards for the General Rural zone, as set out by *Table 2 – Site Requirements* of the Scheme text:

- With regard to minimum setback, the cabins comply with the minimum 20m setback to the front and side boundaries, but provide a lesser rear setback to the southern boundary (3.2m-3.8m). The proposed rear setback is considered appropriate, as the adjoining southern property is a Parks and Recreation reserve containing water infrastructure. The position of the cabins does not create an adverse impact to the reserve nor prevent or impede its ability to continue being used for its current purpose. Additionally, visibility of the cabins is largely impeded by the undulating topography of the local landscape and the presence of mature vegetation both onsite and offsite. The position of the cabins is therefore acceptable and discretion is warranted.
- Minimum landscaping requirements are discretionary and as required by the Shire. The cabins are positioned amongst a row of trees near the southern boundary and are adjacent to a small orchard on the site, creating a pleasant local atmosphere and a high level of amenity.

No specific car parking requirement applies to holiday accommodation, but evidently substantial area exists for occupants to park a vehicle next to the cabins without blocking the existing access track.

With regard to the zone-specific requirements under Clause 4.8.6 of the Scheme text:

- The cabins are intended to be used for Holiday Accommodation, which addresses Clauses 4.8.6.1-4.8.6.3.
- The lot is connected to a reticulated water supply, addressing Clause 4.8.6.4.
- No changes to existing fencing are proposed, addressing Clause 4.8.6.5.
- No natural vegetation is intended to be removed, addressing Clause 4.8.6.6.
- Per the setback and landscaping assessments provided earlier in this submission, the three small cabins onsite does not significantly impact the natural vegetation or visual landscape amenity of the site, addressing Clause 4.8.6.7.
- Clauses 4.8.6.8-4.8.6.11 are not relevant to the subject application.

Having regard for the above, the proposed holiday accommodation cabins interact positively with the applicable provisions and requirements of LPS9 and warrant the Shire's approval.

### 4.3 LOCAL PLANNING POLICY STATEMENT NO 3.1 TOURIST DEVELOPMENT IN RURAL AREAS (**LPP3.1**)

In accordance with the Shire's LPP3.1, the proposed three holiday accommodation cabins are evidently classified as a 'low impact proposal', considering the small size of the development and insignificant capital investment.

The proposed cabins are positioned at a suitable location of the site which does not conflict with adjoining land uses, noting the cabins are located at the south-eastern portion of the site closest to Rural Living lots. The cabins are along the southern boundary of the site, with the adjoining southern land a Parks and Recreation reserve containing water infrastructure. Evidently, the installation and use of the cabins for short stay holiday purposes will not create adverse impacts to the adjoining land.

The small size of the cabins in comparison to other structures in the wider area result in a very low risk of impact on the rural landscape, and importantly, the cabins are amongst a row of planted trees and adjacent to an orchard on the site, with existing vegetation within the wider area providing further screening.

The proposed holiday accommodation cabins are consistent with LPP3.1 and are clearly an appropriate form of 'low impact' tourism for the General Rural zone.

## 5 CONCLUSION

This submission has been prepared in support of an application to install three holiday accommodation cabins at Lot 380 (14) Howes Lane, Gingin.

The information contained in this submission demonstrates the proposed development is consistent with the applicable planning framework and has substantial town planning merit.

With the above given due consideration, it is respectfully requested that the Shire grants approval to the proposal.

**APPENDIX 2**

PROPOSED DEVELOPMENT PLANS




0 10 20 30 40 50m

# *PROPOSED HOLIDAY ACCOMMODATION CABINS - OVERALL SITE PLAN*

Lot 380 (14) Howes Lane, GINGIN

**NOTE:** Base Data supplied by Water Corp. / Landgate
Areas and dimensions shown are subject to final survey calculations.

| Revision | Date | Item |
|---|---|---|
| | | |
| | | |
| | | |
| A | 28/7/2026 | Initial Issue |

**LEGEND**

- SUBJECT SITE
- PROPOSED CABIN
- PROPOSED ATU
- EXISTING ACCESS TRACK

| | | |
|---|---|---|
| - | : | CLIENT |
| A3@1:1,500 | : | SCALE |
| 5 August 2026 | : | DATE |
| 25-380-DA-001 | : | PLAN No |
| A | : | REVISION |
| A.S | : | PLANNER |
| B.L | : | DRAWN |

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0 5 10 15 20 25m

# *PROPOSED HOLIDAY ACCOMMODATION CABINS - DETAILED SITE PLAN*

Lot 380 (14) Howes Lane, GINGIN

**NOTE:** Base Data supplied by Water Corp. / Landgate
Areas and dimensions shown are subject to final survey calculations.

| Revision | Date | Item |
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| A | 28/7/2026 | Initial Issue |

**LEGEND**

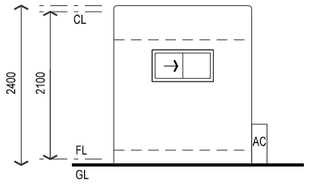
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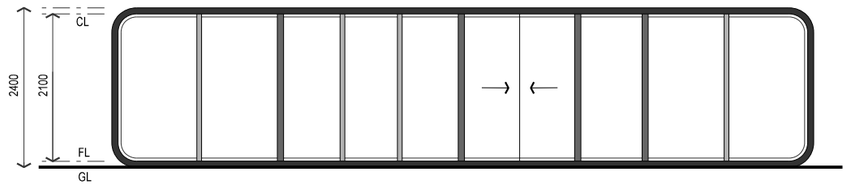
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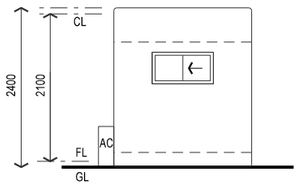

**SOUTH ELEVATION**
SCALE 1:100



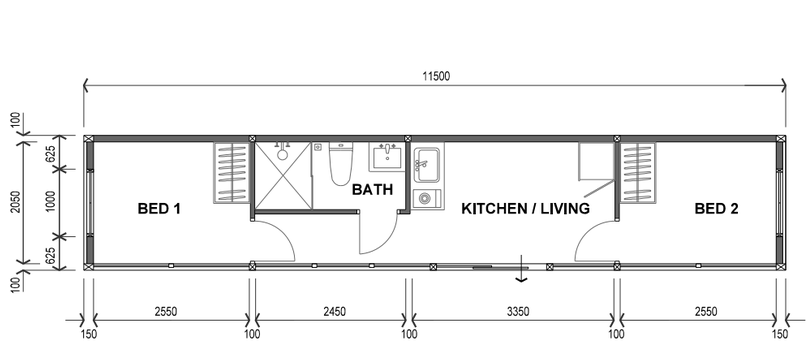

**EAST ELEVATION**
SCALE 1:100



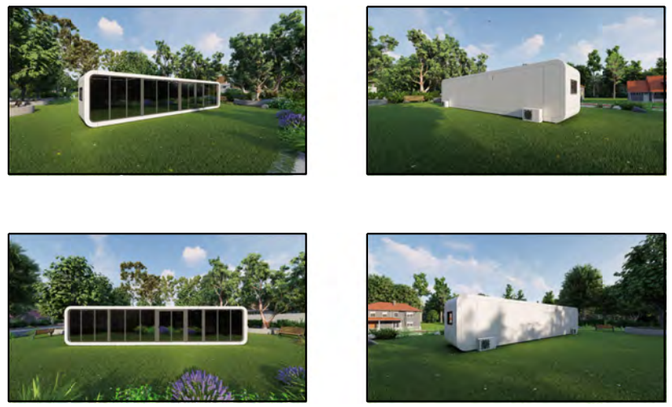

**NORTH ELEVATION**
SCALE 1:100




**WEST ELEVATION**
SCALE 1:100




**FLOOR PLAN**
SCALE 1:100



**RENDERED OBLIQUE**
NTS

0 1 2 3 4 5m

# *PROPOSED HOLIDAY ACCOMMODATION CABINS - FLOOR PLANS / ELEVATIONS*

Lot 380 (14) Howes Lane, GINGIN

**NOTE:** Base Data supplied by GUOSE
Areas and dimensions shown are subject to final survey calculations and architecturals.

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| A | 29/7/2026 | Initial Issue |
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| A | : | REVISION |
| A.S | : | PLANNER |
| B.L | : | DRAWN |

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