SHIRE OF DANDARAGAN LOCAL PLANNING POLICY NO. 9.13

DEVELOPMENT OF JURIEN BAY FORESHORE COMMERCIAL NODES

Policy Area
Development Services

Purpose
The purpose of Local Planning Policy 9.13 – *Development of Commercial Nodes within the Jurien Bay Foreshore* (LPP 9.13) is to ensure that commercial development within the foreshore is consistent with the adopted Jurien Bay Foreshore Masterplan (2026).

LPP 9.13 does not replace the Shire's Local Planning Policy 8.12 - *Mobile and Itinerant Vendors and Commercial Activities on Reserve Land*. LPP 9.13 applies to development of commercial nodes the subject of a lease whereas LPP 8.12 applies to trading activities that are more mobile and temporary in nature.

Policy Objectives
To provide a framework for the assessment and management of commercial activity within the Jurien Bay Foreshore Reserve that:

- Supports the objectives of the adopted Jurien Bay Foreshore Masterplan.
- Encourages appropriate commercial activity and development that enhances the visitor experience and community use of the foreshore.
- Protects public access, recreation opportunities, coastal character and visual amenity.
- Provides opportunities for local business, tourism and economic development.
- Protects open green space by minimising the need for car parking.

Policy Statement
Council recognises the Jurien Bay Foreshore as a regional recreation, tourism and community destination and supports commercial activity where it contributes to the activation of the foreshore whilst maintaining the area as predominantly, open space, public reserve. Commercial activity and development is to be consistent with the adopted Jurien Bay Foreshore Masterplan and report.

Application of Policy
For the purposes of the policy, the foreshore comprises the reserve land abutting the seaward side of Grigson Street and Heaton Street, extending from Cook Street to the south to Doust Street to the north (refer Attachment 1 – Foreshore Masterplan).

The commercial nodes include those areas designated as commercial development opportunity locations under the 2026 Jurien Bay Foreshore Masterplan.

Commercial Activation Hierarchy

The Shire supports a phased approach to commercial activation of the foreshore whereby:

a) Permanent food and beverage venues are recognised as the preferred long-term commercial anchors within the foreshore.

b) Mobile vendors provide flexible and low-cost activation opportunities, particularly during peak visitation periods and special events.

Preferred Commercial Activities

The following commercial activities may be supported within the foreshore reserve, subject to all required approvals:

- Cafés;
- Restaurants;
- Food and beverage premises;
- Kiosks;
- Grab-and-go food outlets;
- Mobile food and beverage vendors;
- Equipment hire operators associated with coastal recreation, tourism and active transport activities;
- Commercial activities associated with approved events, markets and community festivals; and
- Other commercial activities determined by Council to be consistent with the objectives of this policy and the adopted Foreshore Masterplan.

Non-Preferred Activities

The following activities are not supported within the Foreshore Reserve:

- Drive-through premises;
- Chain fast-food outlets;
- General retail activities which are not directly related to food, beverage, tourism or recreation;
- Activities resulting in the exclusive occupation of public open space;
- Activities that adversely impact public access, safety or the recreational function of the reserve.

Commercial Opportunity Locations

Council may consider commercial development within the commercial opportunity locations identified by the adopted Jurien Bay Foreshore Masterplan, including:

Central Commercial Node (Jetty Precinct)

Intended as the principal commercial node for the foreshore precinct. The masterplan emphasises the need for built form in this location to be limited to single storey in order to protect access to views for adjoining development and residents. The masterplan also limits the capacity of the secondary commercial offering to 200-pax in order to limit the number of parking spaces needed. This is intended to protect the availability of green open space. Guidance on the development of this node is set out below.

Scale

- Single-storey built form with a maximum capacity of 200-persons.
- Lightweight construction with a strong indoor-outdoor connection to the public realm.
- Alfresco seating to extend into the precinct to animate the foreshore and maximise ocean views.
- A limit on venue capacity is intended to minimise the need for additional on-site car parking at the expense of open space area.

Location

- Sited adjacent to the existing beach café, anchoring the heart of the jetty precinct.
- Positioned to maintain open views to the jetty and foreshore from Roberts Street.
- Sited to serve as the primary commercial anchor for the Jetty Precinct, supporting day and evening activation.

Preferred Commercial Uses

- Food and beverage as the primary use, including café and restaurant offerings.
- Flexible indoor/outdoor alfresco configuration to support events, markets, and peak season demand.

Non-Preferred Uses

- Large format, car orientated, drive through or chain fast food uses.
- Non food and beverage retail.

Built Form, Materials, Lighting

- Lightweight, coastal responsive design consistent with the foreshore palette.
- Durable materials and muted colour palette.
- Lighting to comply with dark sky principles.

Operational Considerations

- Manage noise, traffic, and lighting impacts.
- Maintain pedestrian priority and a high-quality public realm at all times.

Southern Commercial Node (Fauntleroy Park – Cook Street)

Allows for consideration of a two-storey food and beverage offering to be positioned in front of the existing water tanks. An application will need to be supported by demand analysis demonstrating that the proposal will not cause existing local F&B businesses to become unviable. Two-storey built form may be considered for the reason that access to ocean view for adjoining residences has already been interrupted by existing trees and infrastructure on-site. Guidance on the development of this node is set out below.

Scale

- A two-storey, venue will be considered subject to commercial demand analysis supporting the SQM/capacity of the offering and demonstrating viability both for the proposal and with consideration for local market capacity.
- Limited seating.

Location

- Be carefully designed to reduce visual dominance and maintain key view corridors to the foreshore and ocean.
- Respond to coastal hazard mapping, including appropriate setbacks and adaptable design.

Operational Considerations

- Manage noise, traffic, and lighting impacts.
- Maintain safe pedestrian priority and high-quality public realm.

Built Form, Materials and Lighting

- Lightweight, coastal-responsive design. Durable materials, muted colour palette.
- Typical materials captured in the 'Foreshore Palettes' section of the Masterplan report.
- Lighting to comply with dark sky principles.

Preferred Commercial Uses

- No fast-food or non-food and beverage retail.
- Cafes, restaurants.

<u>Northern Commercial Node (Dobbyn Park-Doust Street)</u>

Intended to allow for a small-scale, single-storey, commercial offering supporting casual foreshore use. Potential for an elevated timber deck area to achieve ocean views while not impacting on access to views for adjacent residences. A demand analysis would need to be provided in support of an application for development and lease, confirming market capacity to support both the proposed offering and existing local market operators. Guidance on the development of this node is set out below.

Scale

- Single-storey, low profile, built form.
- Minimise footprint (~200sqm including seating area) to retain open space and coastal character.
  Note: This assumes up to approx. 150sqm of seating area to align with allowances under the Shire's Alfresco Dining Local Planning Policy, within which additional parking bays are not required to be provided).

Location

- Sited to maintain key view corridors to the foreshore and ocean.
- Positioned to serve as a bookend for the jetty precinct, anchoring the northern edge of the foreshore activation zone.

Preferred Commercial Uses

- Small scale food & beverage, including grab-and-go offerings, kiosks and cafes supporting casual foreshore use.
- Cocktail sunset style bar.

Non-Preferred Uses

- Large format, car orientated, drive through or chain fast-food uses.
- Non food and beverage retail.

Built Form, Materials and Lighting

- Lightweight, coastal responsive design.
- Durable materials and muted colour palette.
- Lighting to comply with dark sky principles.
- Elevated deck area for seating to maximise opportunities for ocean views.

Operational Considerations

- Manage noise, traffic, and lighting impacts.
- Not operational at night (after 9pm).
- Maintain pedestrian priority and a high-quality public realm.

Commercial development outside these identified nodes will generally not be supported unless consistency with the Masterplan, and sufficient commercial demand, can be demonstrated.

Mobile Vendors

Mobile vendors may be approved for temporary operation in designated vendor hardstand locations identified within the Foreshore Masterplan. Applications for mobile trading will be assessed under the Shire's Local Planning Policy 8.12 - *Mobile and Itinerant Vendors and Commercial Activities on Reserve Land*.

Design and Operational Requirements

Any commercial activity or development within the foreshore reserve should:

a) Maintain public access to the coastline, beach and foreshore facilities.
b) Preserve significant ocean views, foreshore vistas and view corridors.
c) Respond appropriately to coastal hazard and adaptation planning requirements.
d) Utilise lightweight and coastal-responsive design.
e) Incorporate durable materials suitable for a coastal environment.
f) Maintain pedestrian priority within the foreshore precinct.
g) Minimise noise, traffic and lighting impacts.
h) Incorporate lighting consistent with adopted Dark Sky principles.
i) Respect the character, amenity and environmental values of the foreshore reserve.

Assessment Criteria

When determining an application, Council may consider:

- Consistency with the Jurien Bay Foreshore Masterplan;
- Contribution to activation of the foreshore;
- Public benefit and tourism outcomes;
- Impacts on open space, public access and recreational use;
- Noise, traffic and parking implications;
- Environmental impacts;
- Coastal hazard considerations;
- Visual amenity and landscape character;
- Market demand and potential impact on local commercial operators;

- Event management requirements; and
- Any other matter considered relevant by Council.

Approvals Required
Nothing in this policy removes the requirement to obtain any approval, permit, licence, lease, development approval or other authorisation required under:

- The Local Government Act 1995;
- The Planning and Development Act 2005;
- Local Planning Scheme No. 7;
- Applicable Local Laws and Health requirements; or
- Other relevant State or Commonwealth legislation.

Policy Linkages
Jurien Bay Foreshore Revitalisation Masterplan 2026.

- Local Planning Scheme No. 7.
- Local Government Property Local Law.
- Council Fees and Charges.