

**DEVELOPMENT ASSESSMENT REPORT**  
**Shire of Augusta Margaret River**  
**2 January 2025 to 8 January 2025**

**APPLICATIONS RECEIVED**

Date Rec'd	Reference No.	Address	Proposal
<b>PLANNING</b>			
02/01/2025	P225000	15 (Lot 99) Ryans Road, Margaret River	Home Business (Sauna and Ice Bath)
02/01/2025	P225001	7 (Lot 391) Wishart Road, Augusta	Holiday House (Renewal)
06/01/2025	P225003	16 (Lot 288) Sawmill Loop, Karridale	Single House
06/01/2025	P225004	10 (Lot 120) Lesueur Place, Gnarabup	Extension of term to Planning approval - P222293
07/01/2025	P225005	10b (Lot 332) Churchill Avenue, Margaret River	Holiday House (Renewal)
08/01/2025	P225006	Lot 151 Illawarra Avenue, Margaret River	Building Envelope Variation
<b>BUILDING</b>			
07/01/2025	225000	13 Wooredah Crescent, Prevelly	Stairway and Deck
07/01/2025	225001	14 Ibis Court, Karridale	Single Dwelling and Garage
07/01/2025	225002	27-33 Tunbridge St Margaret River (Margaret River Community Centre - Margaret Cecil Childcare)	Child Care Centre
07/01/2025	225004	26 Georgette Way, Prevelly	Balcony
07/01/2025	225005	Lot 231 Manear Road, Rosa Brook	Dwelling Additions/Alterations
08/01/2025	225006	21 Tulip Way, Margaret River	Single Dwelling and Garage
08/01/2025	225007	74 Dalton Way, Molloy Island	Single Dwelling, Alfresco and Shed
<b>Exploration Licenses for Comment</b>			
Nil			

**APPLICATIONS DETERMINED UNDER DELEGATION**

Date Rec'd	Reference No.	Address	Proposal	Outcome
<b>PLANNING</b>				
12/09/2024	P224629	7 (Lot 81) Georgette Road, Gracetown	Holiday House (Renewal)	Approved
30/09/2024	P224683	6 (Lot 20) Sequoia Court, Margaret River	Holiday House (Large) Renewal	Approved
15/10/2024	P224725	1 (Lot 264) Splitlog Way, Karridale	Outbuilding (Shed)	Approved
24/10/2024	P224763	Lot 9000 Bussell Highway, Margaret River	Amendment to P223444 (Site Works)	Approved
29/10/2024	P224775	303 (Lot 24) Kevill Road, Margaret River	Building Envelope variation (Outbuilding)	Approved
<b>SUBDIVISIONS</b>				
Nil				
<b>LOCAL LAW PERMITS</b>				
Nil				

**LEVEL 3 PLANNING APPLICATIONS FOR DETERMINATION**

Date Rec'd	Reference No.	Address	Proposal	Recommendation
<b>PLANNING</b>				
07/10/2024	P224707	33 (Lot 29) Sheridan Road, Margaret River	Holiday House (Large)	Approve subject to 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 APPLICATION ASSESSMENT**  
**Report to Manager Planning and Regulatory Services**

**Proposed Holiday House (Large) at 33 (Lot 29) Sheridan Road, Margaret River**

**Major (Level 3)**

**P224707; PTY/4927**

**REPORTING OFFICER** : **Lina O'Halloran**  
**DISCLOSURE OF INTEREST** : **Nil**

General Information	
<b>Lot Area</b>	3.3ha
<b>Zone</b>	<b>Rural Residential</b>
<b>Existing Development</b>	<input checked="" type="checkbox"/> Single House <input type="checkbox"/> Grouped Dwelling
<b>Proposed use</b>	A planning application has been received for a Holiday House Large use. The existing dwelling is to be used to accommodate up to ten (10) short stay guests at any one time. The owner of the neighbouring property at 5 Sheridan Road would manage the holiday house.
<b>Permissible Use Class</b>	'A' – discretionary use
<b>Advertising Required</b>	Yes – completed
<b>Reason not exempted from planning approval?</b>	Discretionary uses are not permitted unless the Shire exercises its discretion by granting development approval.
<b>Heritage/Aboriginal Sites</b>	N/A
<b>Encumbrance</b>	N/A
<b>Date Received</b>	08/10/2024
<b>Date of Report</b>	09/01/2025



<b>Have there been any objections?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Have there been any substantial changes to the LPS1 or Policy?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A As of 1 July 2024, the Planning and Development (Local Planning Schemes) Amendment (Short-Term Rental Accommodation) Regulations 2024 – Changes to clause 78B result in all applications for a 'change of use' to hosted or unhosted accommodation are exempt from the bushfire planning requirements.
<b>Comments Received</b>	
<b>Nature of Submission</b>	<b>Applicant's Response</b>
<b>1 x Objection:</b> We have chosen this area for the quietness. Often city people come to the country to have 'fun' together with shouts and noise, they play music during the day and even worse in the evenings and nights.	We sympathise with this perspective and do not want to cause disruption. We have prepared House Rules which include the following: <ul style="list-style-type: none"> <li>Noise: Respect quiet hours from 9pm to 10am to ensure a peaceful environment for all. In particular, amplified music may not be played outside.</li> </ul>

	<ul style="list-style-type: none"> <li>• Guest Conduct: Treat the house and neighbours with respect and consideration. Any behaviour that disturbs neighbours will not be tolerated.</li> </ul> <p>We intend to expressly state in the ad that the house is not to be rented for parties and only rent to guests with high ratings. It's a family style home which may also assist with the types of guests who are interested.</p> <p>In addition, we have proposed our next door neighbour as our House Manager (she is experienced in short stay management) - she will be right there and hearing it with her own ears.</p> <p>We are happy to provide our own phone numbers to the neighbours as a backup in case anything goes wrong. Hopefully the large block sizes (3.4 ha) means that normal life day-to-day noises won't be an irritation.</p> <p>Lastly, it will not be a revolving door of short stay guests. We stay in the house ourselves as much as possible and we intend to donate time into the Otis Foundation program which provides retreats for cancer patients and their families, and they require that the house be available to their program for approximately a quarter of the year.</p>
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**Officer Comment**

The applicant's response demonstrates respect to the amenity of their neighbours.

They have prohibited amplified music being played outside to respond to the concerns of the objector. It is agreed that the larger block sizes in this area and the holiday house manager residing next door will aid to further mitigate potential noise issues.

It is also noted the site satisfies the locational criteria for holiday homes under the Shire's Local Planning Policy. The decision is unable to be made in a manner pre-empting amenity impacts, particularly in circumstances where the nature of the use does not vary greatly from what could be expected from residential use. As is standard with short term uses, an initial 12-month approval is recommended whereby the proponents will need to demonstrate that management measures are sufficient to prevent impacts on the amenity of the neighbouring properties. At the time of renewal, the neighbours will be consulted to help determine whether these management arrangements are effective. If it is apparent management has been ineffective then a renewal may be refused, or a shorter approval timeframe applied. This is considered a reasonable approach to allow for recommending approval of the holiday house.

**Policy Requirements**

Policy Element	Provision	Comment
<b>Location</b>	Coastal settlement	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Urban area located within Policy Plan 1?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Within 50m of Village Centre zone?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Located outside of Policy Plan 1 but comprise of an area not less than 1ha?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Design / Layout</b>	One parking bay per bedroom, Or two bays for grouped dwellings	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Reticulated water supply, or minimum 120,000 (plus firefighting provision) rainwater tank?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No The site is provided with a 90,000L potable supply and separate 50,000L tank fed from the dam for garden use. The applicant has agreed to install an additional 30,000L potable supply.
	Existing or proposed one site effluent disposal system sized accordingly to number of guests?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Decks and balconies located away from the bedrooms of neighbouring dwellings?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Decks and balconies located close to the living and dining areas of neighbouring dwellings, provided with suitable screening?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Each bedroom accommodates a maximum of two persons?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No



<b>Management</b>	Management Plan submitted?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	BEEP provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Manager, or employee permanently resides 35m drive from Site?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	House Rules?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Amplified music may not be played outside between the hours of 10pm to 10am	Require as a condition
	Display the manager's 24hr contact details	Require as a condition
<b>Recommended period of approval</b>	<input checked="" type="checkbox"/> 12 months <input type="checkbox"/> 3 years	

### OFFICER RECOMMENDATION

That the Senior Planner **GRANTS Planning Consent under Delegated Authority Instrument No. 34 pursuant to clause 68 (2) of the Deemed Provisions of Local Planning Scheme No. 1 for a Holiday House Large at 33 (Lot 29) Sheridan Road, Margaret River subject to compliance with the following conditions:**

### CONDITIONS

- 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	P1 to P2 received by the Shire on 8 October 2024
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- The Holiday House use permitted for a period of **12 months** from **<date of this approval>** to **<end of date of approval>**. (Refer to advice note 'a')
- The approved Bushfire Emergency Evacuation Plan shall be displayed in a conspicuous location within the dwelling at all times.
- A Manager or a contactable employee of the Manager that permanently resides no greater than a 35 minute drive from the site shall be nominated for the Holiday House and this person shall attend to any callout within 35 minutes of a reported incident. The Manager or contactable employee is to be retained at all times during the use of the site as a Holiday House. (Refer advice note 'b')
- At all times the Holiday House use is in operation, the 24-hour contact details of the **Manager** of the Holiday House shall be displayed on a sign that is clearly visible from the nearest street frontage. The sign is limited to a maximum size of 0.2 metres square and not exceeding 1.5 metres in height from the ground level. The sign shall be erected within the property frontage and must be visible from the front street. (Refer to advice note 'c')
- All vehicles & boats connected with the premises shall be parked within the boundaries of the property.
- The short stay use of the dwelling shall not be occupied by more than **ten (10) people** at any one time.
- Amplified music shall not be played outside of the holiday house between the hours of 9pm and 10am.
- 'House Rules' shall be developed to the satisfaction of the Shire prior to the commencement of use. Thereafter the 'House Rules' shall be provided to all guests and shall be displayed within a prominent position within the Holiday House. (Refer to advice note 'f')
- Any marketing material for this Holiday House shall include display of the planning approval reference number for this approval. (Refer to advice note 'g')
- A minimum 120,000 litre potable water supply shall be supplied for domestic use. A further 10,000 litre minimum water supply for firefighting purposes shall be provided in a separate tank on the subject site. Water tanks shall be installed prior to the commencement of the use and thereafter maintained. To enable standardisation of fire brigade access, the firefighting supply shall be fitted with a single 80mm female camlock fitting, maintained in a correct operating condition and adequately sign posted at all times at the property owners expense.

### ADVICE NOTES

- Following satisfactory performance of the approved use, and in the absence of any substantiated complaints over the twelve (12) month approval period, the Shire may grant further planning approval for the continuation of the use for a further three (3) years. A new planning application seeking such approval should be submitted 90 days before the expiry of this approval, along with the appropriate planning fee.
- If at any time there is not an appointed manager or a contactable employee of the manager for the site, the use must cease until such time as a manager is appointed.
- Evidence of installation of the sign will be required to be provided, to the satisfaction of the Shire, at the time an application to renew the Holiday House use is lodged.
- This approval does not affect the entitlement to use the dwelling for permanent residential purposes.

- e) You are advised of the need to comply with the requirements of the following other legislation:
- (i) *Health (Miscellaneous Provisions) Act 1911* and Department requirements in respect to the development and use of the premises.
  - (i) The *WA Building Regulations 2012* (r.59) requires that the owner of a dwelling (as defined in the Building Code of Australia) must not make the dwelling available for hire unless hard wired, battery backup smoke alarms are installed, complying with the Building Code of Australia and AS3786.
- f) The 'House Rules' document shall be consistent with key elements of the NSW Code for Holiday Houses (please refer to the attached document).
- g) Evidence of the display of the planning approval reference number within the marketing of the Holiday House is required to be provided, to the satisfaction of the Shire, at the time an application to renew the Holiday House use is lodged. Applicants are advised to include a screenshot of the website, to show that the planning approval reference number is being displayed.
- h) Please note that the Shire does not notify landowners in writing of the expiry of a Holiday House planning approval. It is the owners responsibility to monitor and ensure that the planning approval remains valid while the use is being undertaken.
- i) Please note that approval as short stay accommodation will change the rating category applied to the property to Tourism and may lead to an increase in rates levied for the site. For further information on these changes contact the Shires Revenue team on 9780 5234 or by email at [revenue@amrshire.wa.gov.au](mailto:revenue@amrshire.wa.gov.au).
- j) From 1 January 2025, short term accommodation will also require registration through the State Government [Short-Term Rental Accommodation Register](https://www.wa.gov.au/organisation/department-of-energy-mines-industry-regulation-and-safety/short-term-rental-accommodation-register). Registrations are valid for 1 year and will need to be renewed every 12 months. Fees apply. For more information on the STRA register, please visit <https://www.wa.gov.au/organisation/department-of-energy-mines-industry-regulation-and-safety/short-term-rental-accommodation-register>