

DEVELOPMENT ASSESSMENT REPORT
Shire of Augusta Margaret River
19 December 2024 to 1 January 2025

APPLICATIONS RECEIVED

Date Rec'd	Reference No.	Address	Proposal
PLANNING			
19/12/2024	P224973	Lot 9015 John Archibald Drive, Margaret River (Rapids Landing)	Local Development Plan (Rapids Landing)
19/12/2024	P224974	51 (Lot 22) Baudin Dive, Gnarabup	Extension of Term of planning approval P222624
19/12/2024	P224975	176 (Lot 1) 186 (Lot 2) Saunders Road, Cowaramup	Dam
19/12/2024	P224977	33 (Lot 329) Firetail Rise, Karridale	Single House and Garage
19/12/2024	P224979	7 (Lot 411) Firetail Rise, Karridale	Building Envelope Variation
20/12/2024	P224981	164 (Lot 661) Kevill Road East, Margaret River	Holiday House (Renewal)
20/12/2024	P224985	7 (Lot 98) Grunters Way, Gnarabup	Ancillary Dwelling
20/12/2024	P224989	28 (Lot 203) Platanus Crecent, Margaret River	Single House
20/12/2024	P224990	47 (Lot 50) Terry Drive, Margaret River	Holiday House (Renewal)
20/12/2024	P224992	38 (Lot 153) Grunters Way, Gnarabup	Outbuilding (Shed)
20/12/2024	P224993	Unit 1/90 Bussell Highway & Unit 4/90 Bussell Highway, Cowaramup	Amendment to Planning Approval P216461 & Signage
23/12/2024	P224994	11 (Lot 800) Irwin Street, Augusta	Alterations to Existing Dwelling
23/12/2024	P224995	(Lot 789) Burnside Road, Burnside	Soak Dam
24/12/2024	P224996	20 (Lot 19) Beech Drive, Margaret River	Single House
BUILDING			
19/12/2024	224790	34 (Lot 524) Kurrajong Pwy, Witchcliffe	Single Dwelling & Shed
19/12/2024	224791	Lot 237 Plenty Street, Margaret River	Single Dwelling
19/12/2024	224792	14 (Lot 326) Ibis Court, Karridale	Single Dwelling
Exploration Licenses for Comment			
Nil			

APPLICATIONS DETERMINED UNDER DELEGATION

Date Rec'd	Reference No.	Address	Proposal	Outcome
PLANNING				
30/08/2024	P224573	2 (Lot 10) Dallip Spring Road, Burnside	Building Envelope Variation for Outbuilding (Water Tank)	Refusal
02/09/2024	P224580	7 (Lot 170) Earl Place, Gracetown	Holiday House Renewal	Approval
10/09/2024	P224621	18 (Lot 333) Ironstone Place, Margaret River	Outbuilding (Shed)	Approval
13/09/2024	P224633	90 (Lot 2447) Marsh Road, Warner Glen	Agriculture Intensive (Pivot Irrigator)	Approval
04/10/2024	P224700	5 (Lot 215) Waler Place, Margaret River	Holiday House	Approval
10/10/2024	P224712	3 (Lot 121) Papadakis Avenue, Prevelly	Holiday House	Approval
11/10/2024	P224716	381 (Lot 101) Wallis Road, Witchcliffe	Single House	Approval
15/10/2024	P224721	63 (Lot 8) Waverley Road Cowaramup	Increase the height of existing retaining wall	Approval
17/10/2024	P224736	Unit 1/6 (Lot 323) Blackwood Avenue, Augusta	Holiday House	Approval
25/10/2024	P224768	15 (Lot 146) Grunters Way, Gnarabup	Holiday House (Renewal)	Approval
29/10/2024	P224776	10533 (Lot 23) Caves Road, Deepdene	Outbuilding on Industry Rural (Timber Storage/Workshop)	Approval
31/10/2024	P224791	125 (Lot 89) Ashton Street, Margaret River	Extensions to Existing Shed and Ancillary Dwelling	Approval
11/12/2024	P224937	8 (Lot 92) Grunters Way, Gnarabup	Alterations to existing Garage - Conversion to Bedroom	Approval
20/12/2024	P224993	Unit 1/90 Bussell Highway & Unit 4/90 Bussell Highway, Cowaramup	Amendment to Planning Approval P216461 & Signage	Approval

SUBDIVISIONS
Nil
LOCAL LAW PERMITS
Nil

LEVEL 3 PLANNING APPLICATIONS FOR DETERMINATION

Date Rec'd	Reference No.	Address	Proposal	Recommendation
PLANNING				
01/10/2024	P224688	21A (Lot 216) Brumby Place, Margaret River	Holiday House Renewal	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.



General Details

Reporting Officer	Tessa Ashworth
Disclosure of Interest	Nil
Assessment Level	Level 3

Application Details

Nature of application	Holiday House Renewal 21A (Lot 216) Brumby Place, Margaret River PTY/13616
Proposed use	A planning application has been received for the renewal of the Holiday House. As previously approved, the existing dwelling is to be used to accommodate up to 6 short stay guests at any one time. The existing management arrangements are to be retained, and the duration of the approval sought in this case is 5 years.
Is the application same as previous?	Yes
Have there been any objections?	Yes (1)
Have there been any complaints over the recent period of approval?	No
Recommended period of approval	<input type="checkbox"/> 12 months <input type="checkbox"/> 3 years <input checked="" type="checkbox"/> 5 years

Officer comments

Submitter comment	Applicant response
1 x Objection with the following concerns: <ul style="list-style-type: none"> • More people and more cars as a result of HH • Risk of wildlife getting hit by guests driving fast along road. History if incident. • Stayz advert says 7 guests instead of permitted 6. • Dogs barking and guests wandering on to neighbouring property 	The applicant responded to the issues raised: <ul style="list-style-type: none"> • Subdivision has created more traffic • Instance of wildlife getting hit was wrongly attributed to holiday house guests when they found an injured animal which then went on to neighbour's property • Have changed listing back to 6 guests, stating it was changed to allow to accommodate for a family with children • Have an internal fenced yard for dogs far from the property boundary and wish to keep pets allowed. • First time they had heard of guests wandering. Their property is fully fenced so were surprised.

The applicant will update the house rules to:

- Inform guests of the risk of wildlife on the road and to drive slowly
- Reiterate no wandering onto neighbouring lots
- Be conscious of dogs barking.

The holiday house has been in operation since 2015 with no major issues on the last two renewals nor any complaints registered in the Shire's records over this time. The previous renewal time period was 5 years and the applicant wishing to have approval for another 5. While the incorrect numbers were listed as 7 instead of 6 for a period of time, it is considered a minor enough offence to not warrant any penalty in the reduction of the approval time period, particularly given the lack of documented issues with this property.

The increasing density in the area due to a number of 1ha rural residential subdivisions has created a general rise in activity that would have changed the area. It is hard to attribute a number of the concerns raised directly to the holiday house use, and any that can be, have been raised with the owner and will be laid out in updated house rules.



Should it come to the Shires attention that the property is being rented at a greater occupancy than is allowed for, compliance action can be undertaken, including the issue of an infringement, with further renewal applications to be influenced by the management practices over the next approval period.

Determination

That the Coordinator Planning 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 Holiday House Renewal 21A (Lot 216) Brumby Place, Margaret River subject to compliance with the following conditions:

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	P1 & P2 received by the Shire on 9 September 2019
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2. The Holiday House use is permitted for a period of **5 years** from **<end of previous period of approval>** to **<end of period of approval>**. (Refer to advice note 'a')
3. The approved Bushfire Emergency Evacuation Plan and Bushfire Management Plan shall be displayed in a conspicuous location within the dwelling at all times.
4. 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 to advice note 'b').
5. 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 ground level. The sign shall be erected within the property frontage and must be visible from the street front. (Refer to advice note 'c')
6. All vehicles & boats connected with the premises shall be parked within the boundaries of the property.
7. The short stay use of the dwelling shall not be occupied by more than **6 people** at any one time.
8. Amplified music shall not be played outside of the Holiday House between the hours of 10pm and 10am.
9. Any marketing material for this Holiday House shall include display of the planning approval reference number for this approval. (Refer to advice note 'f')
10. 'House Rules' shall be updated and provided to the Shire within 30 days of the date of this approval. Thereafter the updated 'House Rules' shall be provided to all guests and shall be displayed within a prominent position within the Holiday House. (Refer advice note f)

ADVICE NOTES

- a) A new planning application seeking approval should be submitted 90 days before the expiry of this approval, along with the appropriate planning fee.
- b) 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.
- c) 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.
- d) 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.
 - (ii) 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) 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.
- g) The 'House Rules' document shall be consistent with key elements of the NSW Code for Holiday Houses.
- h) Please note that the Shire does not notify landowners in writing of the expiry of a Holiday House planning approval. It is the owner's 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.