

**DEVELOPMENT ASSESSMENT REPORT**  
**Shire of Augusta Margaret River**  
**24 August to 30 August 2023**

**APPLICATIONS RECEIVED**

<b>Date Rec'd</b>	<b>Reference No.</b>	<b>Address</b>	<b>Proposal</b>
<b>PLANNING</b>			
24/08/2023	P223534	59 (Lot 298) Clarke Road, Margaret River	Covered Walkway Additions
24/08/2023	P223535	8 (Lot 222) Marmaduke Point Drive, Gnarabup	Amendment to Planning Approval P223072 (Ancillary Dwelling to Outbuilding)
24/08/2023	P223537	1201 & 1245 (Lot 2409) Warner Glen Road, Warner Glen	Dam
25/08/2023	P223539	6 (Lot 7) Rangnow Place, Margaret River	Holiday House Renewal (Large)
28/08/2023	P223540	12 (Lot 9) Agonis Close, Margaret River	Holiday Home Renewal
29/08/2023	P223542	234 (Lot 6) Gnaraway Road, Margaret River	Farm Building
29/08/2023	P223543	22 (Lot 614) Truffle Circuit, Cowaramup	Single Dwelling
29/08/2023	P223544	10048 (Lot 25) Caves Road, Deepdene	Soak
30/08/2023	P223545	11 (Lot 568) Tea Tree Link, Margaret River	Single Dwelling
30/08/2023	P223546	4 (Lot 20) Mopoke Place, Margaret River	Building Envelope Variation
<b>BUILDING</b>			
24/08/2023	223419	9 (Lot 138) Blue Gum Place, Cowaramup	Single Dwelling, Garage, Patio and Retaining Wall
24/08/2023	223420	44 (Lot 101) Heron Drive, Margaret River	Single Dwelling, Deck, Shed with Verandah and Rainwater Tank
24/08/2023	223421	3 (Lot 539) Muscat Close, Cowaramup	Carport
24/08/2023	223422	17 (Lot 11) Kyloring Drive, Witchcliffe	Single Dwelling, Carport and Pergola
25/08/2023	223423	63 (Lot 47) Brookside Boulevard, Cowaramup	Single Dwelling, Patio, Deck, Masonry Walls, Retaining Walls and Ancillary Dwelling with Loft and Verandah
25/08/2023	223424	15 Lot 10 Brookside Boulevard, Cowaramup	Rainwater Tank and Retaining Walls
25/08/2023	223425	11 (Lot 25) Lomandra Way, Witchcliffe	Single Dwelling, Patio and Carport, Shed, Ancillary Dwelling and Patio
28/08/2023	223426	143 (Lot 14) Green Hill Road, Augusta	Ancillary Dwelling
28/08/2023	223427	9 (Lot 177) Acacia Court, Cowaramup	Carport
28/08/2023	223428	13 (Lot 628) Treeside Lane, Margaret River	Ancillary Dwelling and Alterations to Existing Dwelling
28/08/2023	223429	23 (Lot 26) Le Souef Street, Margaret River	Single Dwelling and Garage
30/08/2023	223430	2 (Lot 20) Carnaby Crescent, Witchcliffe	Two Storey Dwelling with Patio, Ancillary Dwelling and Patio and Rainwater Tanks x2
30/08/2023	223431	14 (Lot 27) Jersey Street, Cowaramup	Warehouse
30/08/2023	223432	11599 (Lot 2) Bussell Highway, Forest Grove	Rainwater Tank
30/08/2023	223433	51 (Lot 391) Devon Drive, Margaret River	Shed
30/08/2023	223434	159 (Lot 81) Wilderness Road, Margaret River	Pool House, Deck and Limestone Wall
<b>Exploration Licenses for Comment</b>			
Nil			

## APPLICATIONS DETERMINED UNDER DELEGATION

Date Rec'd	Reference No.	Address	Proposal	Outcome
<b>PLANNING</b>				
27/03/2023	P223194	Units 24 (Lot 861) Brindley Street, Augusta	Light Industry, Showrooms and Storage	Approval
11/05/2023	P223295	29 (Lot 1) Wooredah Crescent, Prevelly	Single House	Approval
06/06/2023	P223339	15 (Lot 511) Lemon Gum Retreat, Margaret River	Holiday House Renewal	Approval
09/06/2023	P223354	45 (Lot 54) Mitchell Drive, Prevelly	Bed & Breakfast (Renewal)	Approval
15/06/2023	P223369	48 (Lot 53) Willmott Ave, Margaret River	Ancillary Dwelling, Outbuilding and Front Fence	Approval
22/06/2023	P223390	129 (Lot 22) Bussell Highway, Margaret River	Replacement of existing structures at rear of existing shops, new bin store and resurfacing of car park	Approval
27/06/2023	P223404	17 (Lot 404) Hasluck Street, Cowaramup	Recreation Private (Gym and Dance Studio) & Shop	Approval
30/06/2023	P223407	7 (Lot 14) Plumage Close, Margaret River	Single dwelling & Outbuilding	Approval
03/07/2023	P223414	49 (Lot 66) Town View Terrace, Margaret River	Proposed signage 'The Reject Shop' The Village Centre	Approval
07/07/2023	P223425	Unit 2/15 (Lot 2) Station Road, Margaret River	Holiday House	Approval
11/07/2023	P223428	453 (Lot 2280) Bramley River Road, Osmington	Holiday House Renewal	Approval
<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>				
18/05/2023	P223303	10666 (Lot 1) Caves Road, Deepdene	Holiday House (Large)	Approval 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) - 10666 (Lot 1) Caves Road, Deepdene

**Level 3 – 2 objections received**

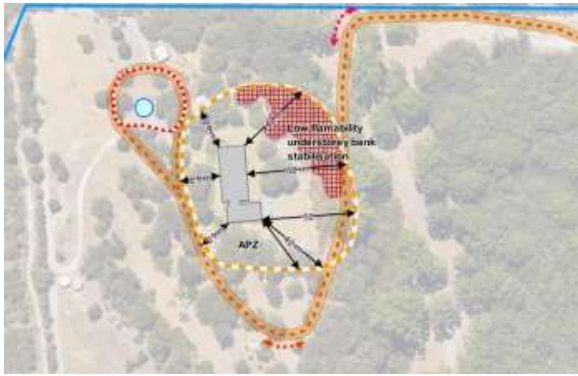
**P223303; PTY/11317**

REPORTING OFFICER : Tessa Ashworth  
 DISCLOSURE OF INTEREST : Nil

General Information	
Lot Area	20.5ha
Zone	Leeuwin Naturaliste Ridge Landscape Amenity
Existing Development	<input checked="" type="checkbox"/> Single House <input type="checkbox"/> Grouped Dwelling
Proposed use	A planning application has been received for a Holiday House use. The existing dwelling is to be used to accommodate up to 8 short stay guests at any one time. The management arrangements are to be Seaside Homes
Permissible Use Class	'A' – discretionary use
Advertising Required	Yes – completed
Reason not exempted from planning approval?	Discretionary uses are not permitted unless the Shire exercises its discretion by granting development approval.
Heritage/Aboriginal Sites	Yes – section of site is encompassed by heritage site for Jewel Cave. Confirmation was provided from the Department of Planning Lands and Heritage Aboriginal Heritage team that proposal will not require referral.
Encumbrance	N/A
Date Received	18/05/2023
Date of Report	21/08/2023



Have there been any objections? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Comments Received	
Nature of Submission	Officer Comments
<p><b>Department of Fire and Emergency Services (DFES)</b>          DFES raised some concerns with the content of the Bushfire Management Plan which have been summarised below:</p> <ul style="list-style-type: none"> <li>• Queries regarding some of the Bushfire Attack Level inputs, including vegetation classifications and slopes;</li> <li>• Vegetation modification required to be removed to achieve an APZ;</li> </ul>	<p>In response to the concerns raised by DFES, an updated BMP was prepared. This has been reviewed by the Shire's Emergency Services Staff who indicated that the updates are acceptable. As discussed further overleaf, any clearing required to install an APZ will need to be supported through a vegetation management plan.</p>

<ul style="list-style-type: none"> <li>Does not comply with intent. The BMP should not ignore the site context, being surrounded by vegetation that poses an extreme bushfire risk.</li> <li>Queries raised in respect to the Vehicular Access requirements meeting the specifications of the guidelines, particularly the driveway along escarpment leading to house.</li> </ul>	<ul style="list-style-type: none"> <li>At this current time the Guidelines don't allow the consideration of the broader landscape context.</li> <li>The proposal has been assessed against the Guidelines. Element 1 is satisfied by being able to achieve BAL-29 for the dwelling. The BMP can meet all elements with the recommendations for the landowner put forward in the BMP.</li> <li>The guidelines require passing bays to be installed at 200m intervals where a driveway is longer than 70m, which can be achieved. The slope of the driveway at the steepest point is 11.2%. Table 6 indicates maximum grade of an unsealed driveway is 10%, and 14.3% where this is sealed. The proponent has confirmed that the driveway will be sealed, which will make this aspect compliant.</li> </ul>
<p><b>Environment</b> Requires Vegetation modification plan to be provided identifying trees to be retained/removed during APZ works.</p>	<p>Noted. A Vegetation Management Plan is to be applied as condition.</p> <p><i>BMP showing APZ to be cleared:</i></p> 
<p><b>Health</b> Approval for existing onsite wastewater treatment and disposal system cannot be located.</p> <p>A plumber will need to provide information about the existing septic system, including details, location, and sizing of the system and if the system is in good working order.</p> <p>The system may require an upgrade for the holiday house to accommodate 8 people.</p> <p>Alternatively, applicant may like to consider reducing numbers to 6 in which case, no additions will be required.</p>	<p>Condition to be applied that they may need to upgrade septic to have 8 guests.</p>
<p><b>Submission 1</b></p> <ul style="list-style-type: none"> <li>Area of extreme bushfire risk located in an enclave surrounded by forest.</li> <li>No indication of fire risk management.</li> <li>Guests likely to have no knowledge of fire risk management – such as fire pits, BBQs and other negligent activities on total fire ban days.</li> <li>Any fires sparked in summer and autumn could devastate the Leeuwin Ridge national park, reserves and neighbouring properties.</li> </ul>	<p>Bushfire Management Plan provided stipulates risk management measures to be carried out.</p> <p>Applicant has provided the following house rules to reduce the fire risk:</p> <ul style="list-style-type: none"> <li>No smoking or fires allowed at any time.</li> <li>Prohibition on the use of pizza oven at the dwelling.</li> <li>Clear communication provided about the risk of fire and the impact on national park.</li> </ul>
<p><b>Submission 2</b></p> <ul style="list-style-type: none"> <li>LPP7 states that short stay accommodation should be located where bushfire risks are manageable.</li> <li>Acknowledged by DFES and others as an extreme fire risk area.</li> <li>Located in close proximity to Calkarri Rise. Puts the residents of this rural subdivision to the south at risk.</li> </ul>	<p>Local Planning Policy No.7 has a presumption against Holiday Homes in areas classified BAL – 40 and FZ. The proposal is capable of achieving a lower classification and meeting the relevant requirements of the Planning for Bushfire Protection Guidelines. To comply with the guidelines, measures such as additional water supply and improving site access will be undertaken, which is an improvement on the current protection measures in place.</p>

<ul style="list-style-type: none"> <li>Objecting on the grounds of unacceptable fire risk and not meeting criteria of LPP7.</li> </ul>		
<b>Officer Comment</b>		
As outlined above, the change of use will necessitate a number of works that would improve the fire safter of the place.		
A 12 month approval term is recommended to provide an opportunity for the applicant to demonstrate that the use is being appropriately managed, and will provide a further opportunities for neighboring properties to provide feedback on the proposal.		
Conditional approval recommended.		
<b>Policy Requirements</b>		
<b>Policy Element</b>	<b>Provision</b>	<b>Comment</b>
<b>Location</b>	Coastal settlement	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Urban area located within Policy Plan 1?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Within 50m of Village Centre zone?	<input type="checkbox"/> Yes <input 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
	Existing or proposed one site effluent disposal system sized accordingly to number of guests?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Condition included.
	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>Fire</b>	If within bushfire prone area a BAL provided?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	For sites with a BAL above Low, a BMP prepared by accredited consultant and where required referred to DFES for comments?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	BAL rating at BAL-40 or FZ?	<input type="checkbox"/> Yes <input checked="" 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 Coordinator Planning Services **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 at 10665 (Lot 1) Caves Road, Deepdene 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	Plans 1 – 3 received by the Shire 19 May 2023
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- The Holiday House use permitted for a period of **1 year** from **<date of this approval>** to **<end of date of approval>**. (Refer to advice note 'a')
- The modified Bushfire Management Plan received by the Shire 24 August 2023 and Bushfire Emergency Evacuation Plan shall be implemented on site prior to commencement of the use and at all times thereafter.
- Prior to the commencement of works, a vegetation modification plan shall be prepared and submitted to the satisfaction of the Shire indicating the location and species name of:
  - vegetation to be removed

- b) vegetation to be modified
  - c) vegetation to be retained (delete if not applicable)
4. The approved Bushfire Emergency Evacuation Plan and Bushfire Management Plan shall be displayed in a conspicuous location within the dwelling at all times.
  5. 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')
  6. 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')
  7. All vehicles & boats connected with the premises shall be parked within the boundaries of the property.
  8. The short stay use of the dwelling shall not be occupied by more than **6 people** at any one time. Until such a time that the Shire is provided with evidence of an upgraded wastewater treatment system the guest numbers may then be increased to **8 people**.
  9. Amplified music shall not be played outside of the holiday house between the hours of 10pm and 10am.
  10. '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')
  11. Any marketing material for this Holiday House shall include display of the planning approval reference number for this approval. (Refer to advice note 'g')
  12. A minimum 120,000 litre rain water tank or alternative 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 occupation of the dwelling and thereafter maintained. To enable standardisation of fire brigade access, each private domestic vessel (water tank) 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

- a) 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.
- 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.
  - (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).