

DEVELOPMENT ASSESSMENT REPORT
Shire of Augusta Margaret River
1 September to 7 September 2022

APPLICATIONS RECEIVED

Date Rec'd	Reference No.	Address	Proposal
PLANNING			
01/09/2022	P222581	841 (Lot 204) Burnside Road, Burnside	Holiday House Large (Renewal)
01/09/2022	P222582	6 (Lot 7) Rangnow Place, Margaret River	Holiday House Large (Renewal)
01/09/2022	P222583	28 (Lot 14) Offshore Crest, Margaret River	Single House (Dwelling)
01/09/2022	P222585	1 (Lot 164) Laurina Place, Gnarabup	Single House (Dwelling Addition & Ancillary Accommodation - Amendment to Approval P220784)
01/09/2022	P222586	27, 29, 31 (Lot 11, 150, 10) Allnut Terrace, Augusta	8x Grouped Dwellings (2x Existing)
01/09/2022	P222587	7087 (Lot 51) Caves Road, Redgate	Subdivision
01/09/2022	P222588	36 (Lot 66) Osborne Street, Gracetown	Cancellation of Holiday House Approval P220556
01/09/2022	P222589	Lot 11 Darch Road Margaret River	Dwelling
02/09/2022	P222590	2/63 (Lot 172) Townview Terrace, Margaret River	Holiday House Renewal
05/09/2022	P222591	Shop 5 / 111 (Lot 500) Bussell Highway, Margaret River	Office (Wall Sign Addition)
05/09/2022	P222592	59 (Lot 26) Baudin Drive, Gnarabup	Holiday House (Renewal)
05/09/2022	P222593	61 (Lot 7) Waverley Road, Cowaramup	Dwelling
06/09/2022	P222595	15 (Lot 146) Grunters Way, Gnarabup	Holiday House
06/09/2022	P222597	10048 (Lot 75) Caves Road, Deepdene	Alterations and Additions (Single Dwelling)
07/09/2022	P222598	12 (Lot 6) Stanes Street, Augusta	Holiday House
07/09/2022	P222599	3 (Lot 522) Pelican Rise, Augusta	Dwelling Additions (Car Port and Garage)
BUILDING			
01/09/2022	222484	51 (Lot 19) Dallip Spring Road, Burnside	Dwelling addition (bathroom, bedroom and study) and re-cladding of main dwelling
01/09/2022	222488	27 (Lot 27) Pierce Road, Margaret River	Alterations and Additions - Garage, workshop and staircase
06/09/2022	222489	5 (Lot 243) Antina Avenue, Witchcliffe	Single Dwelling, Carport, Patio and Rainwater Tank
07/09/2022	222490	64 (Lot 8) Kulbardi Way, Witchcliffe	Single Dwelling, Deck, Garage and Rainwater Tank
07/09/2022	222491	28 (Lot 24) Greenwood Avenue, Margaret River	Single Dwelling, Garage, Patio and Retaining Wall
Exploration Licenses for Comment			
Nil			

APPLICATIONS DETERMINED UNDER DELEGATION

Date Rec'd	Reference No.	Address	Proposal	Outcome
PLANNING				
11/03/2022	P222188	63 (Lot 8) Waverley Road, Cowaramup	Single House (Retaining)	Approved
25/03/2022	P222222	Holiday House (Large) Renewal 18 (Lot 1) Stewart Street Margaret River	Holiday House (Large) Renewal	Approved
19/05/2022	P222352	17 (Lot 26) Copse Way, Cowaramup	Single Dwelling	Approved
08/06/2022	P222391	59 (Lot 298) Clarke Road, Margaret River	Education Establishment (Classroom addition)	Approved
30/06/2022	P222444	3 (Lot 101) Vita Court, Margaret River	Home Business (Naturopathy)	Approved

11/07/2022	P222472	46 (Lot 612) Tunbridge Street, Margaret River	Change of Use (Outbuilding to Ancillary Dwelling)	Approved
12/07/2022	P222475	752 (Lot 101) Wallcliffe Road, Margaret River	Vegetation Clearing	Approved
27/07/2022	P222495	5 (Lot 160) Clements Crescent, Molloy Island	Single House (Carport Addition)	Approved
01/08/2022	P222503	34 (Lot 80) Riedle Drive, Gnarabup	Bed and Breakfast	Approved
08/08/2022	P222526	401 (Lot 12) Twenty Four Road, Karridale	Agriculture Intensive (Farm Building)	Approved
11/08/2022	P222539	8 (Lot 93) Sylvaner Place, Margaret River	Bed and Breakfast Renewal	Approved
01/09/2022	P222588	36 (Lot 66) Osborne Street, Gracetown	Cancellation of Holiday House Approval P220556	Approved
SUBDIVISIONS				
21/07/2022	P222506	42 (Lot 61) Grosse Road, Hamelin Bay	Subdivision	Not Supported
LOCAL LAW PERMITS				
Nil				

LEVEL 3 PLANNING APPLICATIONS FOR DETERMINATION

Date Rec'd	Reference No.	Address	Proposal	Recommendation
PLANNING				
7/07/2022	P222458	Unit 6/104 (Strata Lot 6) Blackwood Avenue, Augusta	Holiday House	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 Development Services

Proposed Holiday House at Unit 6/104 (Strata Lot 6) Blackwood Avenue, Augusta

Level 3 - objections received

P222458; PTY/13222

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

General Information	
Lot Area	2791m ²
Zone	Residential R40
Existing Development	<input type="checkbox"/> Single House <input checked="" type="checkbox"/> Grouped Dwelling
Proposed use	<p>A planning application has been received for a Holiday House use. The existing dwelling is to be used to accommodate up to six (6) short stay guests at any one time, with the intention being to specifically cater to medical staff who are on-call at the Augusta hospital.</p> <p>The applicant advises that: Doctors usually work one day a week at the clinic in Augusta and have that night on call, working the rest of the time in Margaret River. Doctors staying at the house would work at the clinic during the day, returning to the house in the evening to be on call to the hospital that night. On the weekend (Fri-Mon) they would be on call to the hospital and would spend time at the house or around Augusta if not required at the hospital. The activity at the house would likely reflect that of a quiet working permanent resident. The holiday house is not intended to operate as typical holiday accommodation, however the applicants would like this option should the house not be used frequently by medical staff. The applicant would charge medical staff the same amount that they would be reimbursed by the health department for their stay.</p> <p>The holiday house would be managed by the applicant, who resides permanently in Cowaramup but would use the house when on-call in Augusta, in conjunction with a local friend in Augusta who would be available within a 35 minute drive of the property. This would be required as a standard condition of planning approval.</p>
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	N/A
Encumbrance	N/A
Date Received	07/07/2022
Date of Report	06/09/2022



Have there been any objections? Yes No

Comments Received

Nature of Submission	Officer Comments
<p>2 x objection:</p> <ul style="list-style-type: none"> The homes at 104 Blackwood were built very close together with effectively no sound screening between the lots or dwellings. We easily hear people talking and dogs barking at all hours. When the homes were built so close to the shared property line, we were assured that the lots had been purchased by quiet retirees. Therefore we are naturally concerned about holiday makers coming and going and a “party” atmosphere on what is a crowded laneway of homes. We believe the initial application period is for one year. We would urge any follow-on renewals to also be for one year periods so that the neighbors’ quiet enjoyment of their property can be protected on an ongoing basis. Permanent residents may be inconvenienced by noise and excess cars. 	<p>Unit 6 is located toward the rear of the site, away from dwellings on the northern and southern neighbouring lots.</p> <p>The intended use of the holiday house as accommodation for medical staff on call in Augusta is not expected to result in excessive noise or vehicles than typical residential occupation of the house. Holiday house use of Grouped Dwellings requires two on-site bays, which this site achieves.</p> <p>Should the applicants wish to make the house available as typical holiday accommodation, it is noted the site falls within the permissible holiday house area under LPP7. The use would be limited to a 1 year period after which a renewal application would be required, providing neighbours further opportunity to comment to the use. Regular review of holiday house approvals is required to ensure short stay accommodation does not adversely impact the amenity of surrounding areas. However, LPP7 does allow for incrementally longer approval periods or three then five years for holiday houses where the Shire is satisfied that the use is been appropriately managed.</p>

Policy Requirements

Policy Element	Provision	Comment
Location	Coastal settlement	<input checked="" type="checkbox"/> Yes <input 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Design / Layout	One parking bay per bedroom, Or two bays for grouped dwellings	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No 2 bays provided for grouped dwelling
	Reticulated water supply, or minimum 120,000 (plus firefighting provision) rainwater tank?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Reticulated water
	Existing or proposed one site effluent disposal system sized accordingly to number of guests?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Reticulated sewer
	Decks and balconies located away from the bedrooms of neighbouring dwellings?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No The Alfresco of the single storey dwelling is located to the north-east of the lot and screened by the existing fence.
	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
Fire	If within bushfire prone area a BAL provided?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No BAL-LOW
	For sites with a BAL above Low, a BMP prepared by accredited consultant and where required referred to DFES for comments?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No BMP not required
	BAL rating at BAL-40 or FZ?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Management	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
Recommended period of approval	<input checked="" type="checkbox"/> 12 months <input type="checkbox"/> 3 years	

OFFICER RECOMMENDATION

That the Acting Statutory Planning Coordinator **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 Unit 6/104 (Strata Lot 6) Blackwood Avenue, Augusta 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 7 July 2022
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- The Holiday House use permitted for a period of **twelve (12) months** from **<date of this approval>** to **<end of date of approval>**. (Refer to advice note 'a')
- The approved Bushfire Emergency Evacuation Plan and Bushfire Management 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 **six (6) people** at any one time.
- Amplified music shall not be played outside of the holiday house between the hours of 10pm 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')

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.

- 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) 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.