

DEVELOPMENT ASSESSMENT REPORT
Shire of Augusta Margaret River
11 December 2025 to 17 December 2025

APPLICATIONS RECEIVED

Date Rec'd	Reference No.	Address	Proposal
PLANNING			
12/12/2025	P225953	47 (Lot 73) Drosera Street, Witchcliffe Parent Lot	Outbuildings (Shed and Water Tank)
12/12/2025	P225955	6 (Lot 493) Currawong Street, Cowaramup	Ancillary Dwelling
12/12/2025	P225956	2 (Lot 10) Dobbins Place, Witchcliffe	Home Business (Cosmetic Tattooing/Brow Design)
12/12/2025	P225957	15 (Lot 237) Sawmill Loop, Karridale	Retrospective Outbuilding (Water Tank)
12/12/2025	P225958	12 (Lot 32) Stirling Street, Augusta	Outbuilding
12/12/2025	P225960	Lot 45 Cullen Road, Gracetown	Outbuilding (Shed)
12/12/2025	P225962	Lot 2294 Bramley River Road, Osmington	Six (6) Chalet Accommodation
15/12/2025	P225965	6 (Lot 67) Uluwatu Approach, Margaret River (Parent Lot A12964)	Single House
15/12/2025	P225966	62 (Lot 189) Abelia Avenue, Margaret River (Parent Lot A14392)	Single House
15/12/2025	P225967	20 (Lot 414) Dunnart Close, Margaret River	Building Envelope Variation
15/12/2025	P225970	8 (Lot 134) Nepean Street, Margaret River	Tree Relocation
15/12/2025	P225971	274 (Lot 4267) Dennis Road, Courtenay	Plantation
15/12/2025	P225972	187 (Lot 100) Wallcliffe Road, Margaret River A1029	Outbuilding (Shed) and Tree Removal
16/12/2025	P225973	94 (Lot 270) Sabina Drive, Molloy Island	Outbuilding (Shed)
17/12/2025	P225975	50 (Lot 60) Marginata Road, Witchcliffe (Parent Lot A13621)	Conversion Shed to Studio
17/12/2025	P225976	Unit 3 / 41 (Lot 3) Twon View Terrace, Margaret River	Holiday House Renewal
17/12/2025	P225977	Unit 1 / 2 (Lot 1) Churchill Avenue, Margaret River	Holiday House Renewal
17/12/2025	P225978	61 (Lot 45) Chittick Loop, Witchcliffe (Parent Lot A13450)	Single House, Ancillary Dwelling and Outbuilding (Shed)
17/12/2025	P225980	44 (Lot 51) Willmott Avenue, Margaret River	Ancillary Dwelling
17/12/2025	P225981	26 (Lot 251) Hardwood Loop, Cowaramup A14546	Single House
BUILDING			
11/12/2025	225875	73 (Lot 446) Apsley Avenue, Margaret River	Single Dwelling
11/12/2025	225876	752 (Lot 101) Wallcliffe Road, Margaret River	Stage 2 Forward Works - civil works (earthworks, drainage, access roads), in-ground services, estate management shed, retaining walls, wastewater treatment plant concrete floor, walls, roofs and tanks
11/12/2025	225877	1165 (Lot 101) Scott River Road, Scott River	Chalet (Unit 2)
11/12/2025	225878	21 (Lot 36) Uluwatu Approach, Margaret River	Single Dwelling, Garage and Alfresco
11/12/2025	225879	37 (Lot 35) Donovan Street, Augusta	Extensions to existing shed and patio
11/12/2025	225880	24 (Lot 76) Uluwatu Approach, Margaret River	Single Dwelling and Garage
11/12/2025	225881	33 (Lot 217) Hardwood Loop, Cowaramup	Single Dwelling, Verandah, Deck, Ancillary Dwelling and Verandah

11/12/2025	225882	17 (Lot 33) Apsley Drive, Margaret River	Single Dwelling and Garage
12/12/2025	225883	22 (Lot 37) Thelma Street, Augusta	Unauthorised Retaining Wall
12/12/2025	225884	5 (Lot 106) Derwent Loop, Margaret River	Single Dwelling, Garage and Alfresco
12/12/2025	225885	50 (Lot 92) Drosera Street, Witchcliffe	Single Dwelling, Garage and Alfresco
12/12/2025	225886	168 (Lot 2953) Clews Road, Cowaramup	Temporary Occupancy Permit - Incomplete Building
15/12/2025	225887	191 (Lot 592) Kevill Road East, Margaret River	Two Storey Dwelling, Garage, Alfresco, Ancillary Dwelling, Swimming Pool and Water Tank
15/12/2025	225888	8 (Lot 327) Lovejoy Road, Cowaramup	Chalet and Porch
15/12/2025	225889	7 (Lot 4) Snapper Avenue, Margaret River	Single Dwelling, Garage and Alfresco
16/12/2025	225890	676 (Lot 1) Redgate Road, Redgate	Single Dwelling, Carport, Alfresco, Shed and Water Tank
16/12/2025	225891	12 (Lot 52) Henning Avenue, Margaret River	Carport
16/12/2025	225892	40 (Lot 442) Town View Terrace, Margaret River	Single Dwelling Re-Roof
16/12/2025	225893	9565 (Lot 50) Caves Road, Hamelin Bay	Single Dwelling and Alfresco
17/12/2025	225894	49 (Lot 72) Abelia Avenue, Margaret River	Single Dwelling, Garage and Alfresco
17/12/2025	225895	Lot 16 Kyloring Drive, Witchcliffe	Water Tanks
17/12/2025	225896	1722 (Lot 1) Jindong-Treeton Road Osmington	Shed
17/12/2025	225897	Unit A / 67 (Lot 88) Leeuwin Road, Augusta	Shed
17/12/2025	225898	57 (Lot 12) Forrest Road, Margaret River	Dwelling Addition/Alteration - Bedrooms, Ensuite and WIR
17/12/2025	225899	20 (Lot 384) Charles Hine Avenue, Margaret River	Ancillary Dwelling
17/12/2025	225900	9 (Lot 7) Hardy Street, Augusta	Shed
17/12/2025	225901	25 (Lot 2) Mulal Avenue, Witchcliffe	Single Dwelling and Water Tank

Exploration Licenses for Comment

Nil

APPLICATIONS DETERMINED UNDER DELEGATION

Date Rec'd	Reference No.	Address	Proposal	Outcome
PLANNING				
03/07/2025	P225485	3 (Lot 48) Town View Terrace, Margaret River	Holiday House Renewal	Approved
15/08/2025	P225601	130 (Lot 14) Mallee Fowl Way, Margaret River	Building Envelope Variation and Retrospective Outbuildings (Shed and Water Tank)	Approved
27/08/2025	P225637	5839 (Lot 940) Caves Road, Burnside	Winery Building, Barrell Store and Tank	Approved
12/09/2025	P225682	61 (Lot 29) Jacques Loop, Hamelin Bay	Outbuilding (Shed)	Approved
12/09/2025	P225683	571 (Lot 2659) Brockman Highway, Karridale	Holiday House Renewal	Approved
06/10/2025	P225736	5 (Lot 3) Mopoke Place, Margaret River	Holiday House (Large) Renewal	Approved
07/10/2025	P225744	20 (Lot 22) Mallee Fowl Way, Margaret River	Holiday House Renewal	Approved
13/10/2025	P225762	98 (Lot 186) Dalton Way, Molloy Island	Carport	Approved
14/10/2025	P225774	76D (Lot 4) Albany Terrace, Augusta	Holiday House Renewal	Approved
15/10/2025	P225780	Lot 7 Bussell Highway, Forest Grove	Farm Building	Approved
16/10/2025	P225787	Unit 15 / 5962 (Lot 15) Caves Road, Margaret River	Building Envelope Variation (Proposed Ancillary Dwelling)	Approved
16/10/2025	P225788	22 (Lot 51) McDermott Parade, Witchcliffe	Carport	Approved
24/10/2025	P225817	24 (Lot 250) Hardwood Loop, Cowaramup	Single House	Approved

13/11/2025	P225873	Public Event (2024 - 2028) (WSL Surf Pro) at Reserves 41545, 27618 and 37456	Amendment to Planning Approval P223497 - Public Event (2024 - 2028) (WSL Surf Pro)	Approved
SUBDIVISIONS				
Nil				
LOCAL LAW PERMITS				
11/11/2024	P224901	Margaret River Surf School	Ammendment to EOI Permit P224612	Cancelled
21/11/2025	P225903	Balanced Lifestyle Services Riflebutts reserve, Reserve 41545, Prevelly	Local Law permit to operate fitness classes	Approved
25/11/2025	P225905	The Redman Academy Margare River Skate Park	Local Law Permit to operate skate boarding lessons	Approved
09/12/2025	P225952	Colorpatch foreshore	Local Law Permit to operate promotional stall (fishing and marine park information) 9 January 2026	Approved

LEVEL 3 PLANNING APPLICATIONS FOR DETERMINATION

Date Rec'd	Reference No.	Address	Proposal	Recommendation
PLANNING				
24/06/2025	P225461	210 (Lot 12) Campbell Road, Warner Glen	6 x Chalets	Approve with Conditions
08/08/2025	P225580	12 (Lot 6) Stewart Street, Margaret River	Holiday House (Large)	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.



DEVELOPMENT APPLICATION ASSESSMENT

P225461

General Details

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

Application Details

Address	210 (Lot 12) Campbell Road, Warner Glen			
Proposed Development	5 x Chalets (amended from 6 x chalets)			
Zoning	Priority Agriculture			
Lot Area	81ha			
Use Class and Permissibility	'A' - Chalet			
Heritage/Aboriginal Sites	Blackwood River and tributaries through the site.			
Other Considerations	Visual Management Area	<input type="checkbox"/>	Sewerage Sensitive Area	<input checked="" type="checkbox"/>
	Special Control Area	<input type="checkbox"/>	Watercourses/Rivers	<input checked="" type="checkbox"/>
	Bushfire Prone Area	<input checked="" type="checkbox"/>	Environmentally Sensitive Areas	<input checked="" type="checkbox"/>
Structure Plans/LDP's	None			
Easements/Encumbrances	None			
Why is Development Approval Required?	'A' use			

Site Image



Figure 1: Site location



Figure 2 – the site

Background

The property includes a main dwelling, a 1920's group settlement cottage, farm sheds, 2 large dams and several soaks. It is a working farm with an average herd of 500 sheep each year. The farm is managed using regenerative practices and it is progressively undergoing revegetation and fencing of the waterways. The proposal of the chalets is intended to diversify the farm's income.

Proposal

- Original proposal for 6 chalets adjacent to the Blackwood River. Shown in red on Figure 3.
- Applicant has amended to 5 chalets during the assessment process, taking away the northern most chalet.
- Consists of three one-bedroom chalets of 52m² floor area and two two-bedroom chalets of 71m² floor area.

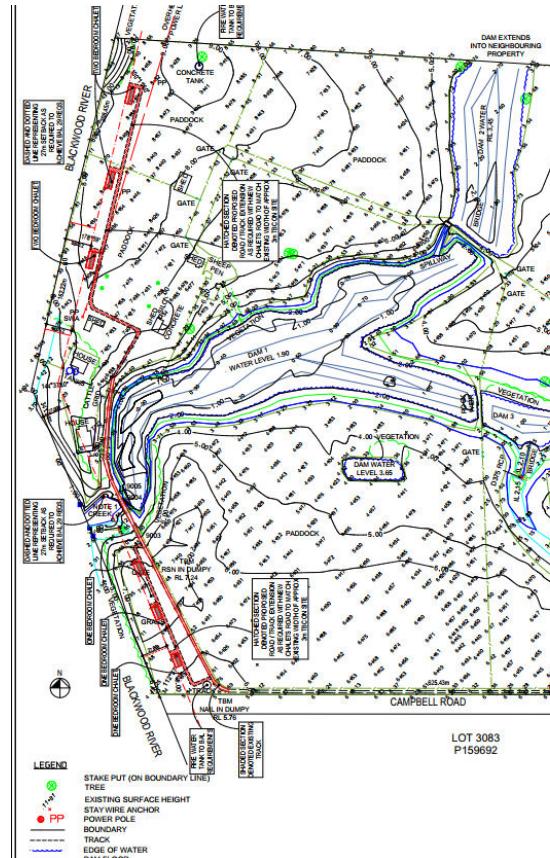


Figure 3 – the chalets proposed in red (top chalet no longer part of proposal)

Assessment

Referrals	Yes	No
2km Radius (Non Rural use in Rural Zone)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Government Agencies Department of Fire and Emergency Services, Department of Water and Environmental Regulation, Department of Planning Lands and Heritage (Aboriginal Heritage), Department of Health.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Internal Shire Departments Public Health, Environment/Sustainability, Emergency Management	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Were any objections received?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Were any issues raised through the referrals process?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Internal Department Comments	
Department Comments	Officer Comments
Emergency Management See further discussion under Bushfire Planning below.	See further discussion under Bushfire Planning below.
Public Health Under the Government Sewerage Policy (GSP), this property is in a Sewage Sensitive area. Secondary treatment of effluent with nutrient removal is generally required. Due to the environmentally sensitive site, the proponent will need to demonstrate that they can meet the requirements of the Government Sewage Policy. A site and soil evaluation is to be undertaken in accordance with AS/NZS 1547 prior to any development.	An initial soil and site evaluation report was provided but did not assess the proposal against AS/NZS 1547. A second report was completed during the assessment process which was accepted by Public Health staff and demonstrated compliance with the GSP. The setback distances between the proposed wastewater disposal areas and the Blackwood River high water mark is not clear from the plans in the application, but is referenced in the updated soil and site evaluation. A condition is applied for the secondary treatment system disposal area to be located at least 100m from the Blackwood River high water mark. See further discussion under Government Sewerage Policy below.

External Agency Comments	
Department Comments	Officer Comments
Department of Fire and Emergency Services (DFES) See further discussion under Bushfire Planning below.	See further discussion under Bushfire Planning below.
Department of Water and Environmental Regulation (DWER) The following conditions/advice were recommended by DWER: • Condition: Consistency with Government	See above comments on updated site and soil evaluation. A condition for secondary treatment

<p><i>Sewerage Policy 2019</i> with requirement for secondary treatment.</p> <ul style="list-style-type: none"> Condition: Proponent quantify water supply and demonstrate a secure water source to the Shires satisfaction and advised of approval Advice : Refer applicant to DWER's acid sulfate soil guidelines for information to assist with the management of deep ground disturbing works if required. <p>In addition to the above, further information was required around flood mitigation, including a requirement that the FFL (finished floor level) for the Chalet is 6.7m Australian Height Datum (AHD), and that consideration is required for an alternative access / evacuation route (by foot) in the event floodwaters overtop the access road during major flood events for the northernmost chalets.</p>	<p>and a setback of 100m from waterway to be applied.</p> <p>Applicant has advised that the property contains the following:</p> <ul style="list-style-type: none"> 45,000L rainwater tank per chalet, with backup from freshwater bore and local carting services if required. Licenced use of dam to be used for landscaping. <p>An advice note applied for the applicant to check with DWER for any additional groundwater licensing.</p> <p>Advice note on ASS applied.</p> <p>One chalet in the southern portion of the site is below the recommended FFL. A condition is applied to ensure all chalets meet this minimum floor height. Issues around flood evacuation are discussed further below.</p>
<p>Department of Health (DoH)</p> <p>Feedback on the initial site andsoil evaluation identified that assessment needed to be undertaken in accordance with AS/NZS 1547:2012. Despite this, DoH advised that they accepted the report as no water was found at a 1.5m depth.</p> <p>Onsite wastewater treatment systems and land application areas are required to meet the minimum 100m setback from the 1:10 year flood requirement as per Government Sewerage Policy.</p>	<p>An updated SSE conducted in accordance with AS/NZS 1547:2012 was provided by the applicant. Feedback on this report has been received from the Shire's Environmental Health team which confirms that the proposal can meet the required standard. See internal referral above. DoH did not make further comment on the updated report.</p> <p>Discussion on compliance with Government Sewerage Policy below.</p>
<p>Department of Planning Lands and Heritage (Aboriginal Heritage)</p> <p>A review of the Register of Places and Objects, as well as the DPLH Aboriginal Heritage Database, concludes that the subject area intersects with the actual boundary of Aboriginal site Blackwood River (ID 20434). However, the proposed chalets are located outside of the boundary of the site. Therefore, the chalet construction does not require</p>	<p>Following an update to the BMP received by the Shire 10/12 the water tank and associated hard stand had been moved into the Aboriginal Heritage area.</p> <p>Further feedback on this was obtained from DPLH on 15/12 who advised that the water tank would best be moved to avoid the heritage area</p>

<p>approval under the <i>Aboriginal Heritage Act 1972</i> (AHA). I do note, however, that the development application references proposed road/track extension. The proposed road/track extension may intersect with the actual boundary of Aboriginal site Blackwood River (ID 20434) and approvals for this work may be required. The proponent should contact the Aboriginal Heritage Conservation Team at DPLH for further clarification prior to the commencement of works.</p> <p>Please note that limited Aboriginal heritage surveys have been completed over the subject land and, as such, it is unknown if there is further Aboriginal cultural heritage present.</p> <p>Therefore, the proponent needs to be made aware of its obligations under the AHA. DPLH also advises the proponent regularly checks ACHIS should new Aboriginal heritage be reported within your subject area.</p>	<p>and that the passing bay may also require consent.</p> <p>Feedback was passed onto applicant who will update the BMP to avoid these locations, a condition to this effect has been added.</p> <p>Advice regarding the requirements of the Aboriginal Heritage Act has been passed onto applicant, and an advice note added to approval.</p>
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Community Engagement – Schedule of submissions	
Submitter	Submitter Comments
Submitter 1 - Indifferent	<ul style="list-style-type: none"> Will increase traffic on Campbell Rd, hope proponent pays for increased road maintenance
Submitter 2 - Support	<ul style="list-style-type: none"> Low impact alternative for farm Helps tackles cost of farming and reduce risk Will help make farming more fun
Submitter 3 - Object	<ul style="list-style-type: none"> Concerns regarding fire risk from both visitors and of ember attack from nearby bush. Risk of entry/exit being cut off, historically area where the 1 bedroom chalets are located has been flooded. Risk of conflict between visitors and farmers due to farming noise, spray etc. Entry onto Warner Glen Road from Campbell Road is dangerous, some vision impairment from white gums for turning. Run off into Blackwood River including historical farming practices.

	<ul style="list-style-type: none"> • Risk of impact on crown land from visitors accessing the river. • Possibility of on-sale of the land • Possibility of the chalets converting to permanent housing. • Increase in road traffic and road maintenance. • Collection of rubbish. 	<p>Fencing of foreshore adjacent to good quality vegetation is required as a condition of approval.</p> <p>Planning approval and conditions run with the land and are not owner specific.</p> <p>The use of Chalets for long term occupancy is not permitted.</p> <p>See response to submitter 1.</p> <p>Applicant has confirmed waste will be taken by manager to Beck Road Transfer facility which takes rubbish and recycling, or Davis Road. A recycling and rubbish bin will be provided at each chalet.</p>
An additional submission by a planning consultant on behalf of Submitter 3 (above).	<ul style="list-style-type: none"> • Proposal is non-compliant with purpose of the zone in that it is incompatible with rural land use • Inconsistent with scheme in that chalets are constructed over class 2 soils • Inconsistent with requirements for low impact tourist development in that it will have an adverse impact on rural production activities from trespass, damage to private property, spread of rubbish, fire, weeds, pests and disease • No visitor car parking spaces provided • On site shelter does not achieve easy walking distance from the chalets. • Areas of Aboriginal Cultural Heritage within the site. • No information provided that it complies with Government Sewerage Policy • Floodway within the site, the pedestrian access to onsite shelter will not be accessible during flood. Driveway located 	<p>See assessment below</p> <p>See assessment below</p> <p>See assessment below.</p> <p>Ample space for parking is available adjacent to the Chalets.</p> <p>See discussion under Bushfire requirements below.</p> <p>See above feedback from the Department of Planning Lands and Heritage.</p> <p>See above feedback from the Department of Health and the Shire Public Health staff.</p> <p>Bushfire planning requirements discussed below.</p>

	<ul style="list-style-type: none"> within floodway. Campbell Rd unsealed with farm vehicle use and unsuitable for tourists Risk of fire from crown land/foreshore as is unmanaged. Build-up of flammable material from historical floods. 	<p>Campbell Road Shire constructed to standard as confirmed by Shire infrastructure team.</p> <p>Bushfire Management plan shows compliance with guidelines, see below.</p>
Submitter 4 - Support	<ul style="list-style-type: none"> No comments 	Noted
Submitter 5 - Indifferent	<ul style="list-style-type: none"> Ensure building and associated components are at least 100m from the river River access fenced with a single access to ensure non disturbance of river bank and vegetation buffer. Tree buffer planted on neighbouring borders to limit visual impact. Small developments like this in the populated warner glen area are way more appropriate than the industrial sized factory farming proposals. This will have minimal visual, noise or traffic impact on neighbouring properties. Increasing the traffic on the gravelled Campbell road may require more frequent maintenance 	<p>See assessment on setback to waterway below.</p> <p>See response to submitter 3.</p> <p>Landscape screening has been planted on the north boundary adjacent to the chalets.</p> <p>Noted.</p> <p>Traffic impact not significant enough to require maintenance.</p>
Submitter 6 - Indifferent	<ul style="list-style-type: none"> No concerns as long as it does not interfere with their property 	Noted.
Submitter 7- Object (due to lack of information)	<ul style="list-style-type: none"> The Campbell Road locality is defined by Priority Agriculture zoning, rural landholdings, and a quiet, low-impact lifestyle. Introducing six chalets will increase visitor numbers, traffic, and activity, altering the quiet rural amenity that underpins the local area's land use character. The proposal contains no management measures to ensure that these impacts are avoided or reduced. Wish to view BMP and understand bushfire safety strategy Within 100m of Blackwood 	<p>The Local Planning Scheme allows for small scale incidental tourism operation to be undertaken from Priority Agricultural land to augment farming income.</p> <p>House rules to be provided as condition of approval, and management will be present on site to respond to any issues that may arise with guests.</p> <p>Assessment against Bushfire Guidelines below.</p>

	<p>River and no info to determine if complies with Government Sewerage Policy.</p> <ul style="list-style-type: none"> • Northern group of chalets constructed on high land capability, should be alternative areas with lower capability. • Would like to see an operational management plan to manage land use conflict with rural use 	<p>See previous comments regarding the site and soil analysis.</p> <p>See discussion below on land capability.</p> <p>As above, house rules will be required as condition of approval.</p>
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Policy Framework	Yes	No
Does the proposal involve variations to the Residential Design Codes?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the proposal involve any variations to Scheme Requirements?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Does the proposal involve any variations to Policy Requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other matters that require discretion (Vegetation Removal)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Policy Requirements

Local Planning Scheme No.1 – Schedule 9		
Standard	Required	Provided
Setback (Front)	30m	>400m – complies
Setback (Side) - North	20m	40m – complies
Setback (Side) – south	20m	29m – complies
Setback (Rear)	20m 100m from riverbank as per Clause 4.31	27m – complies (variation to 100m setback)
Site Coverage	N/A	
Plot Ratio	N/A	
Landscaping	N/A	
Building Height (delete for Outbuildings)		
Standard	Required	Provided
Wall	7m	3.54 – complies
Overall	8m	3.87 – complies
Car Parking		
Standard	Required	Provided
Local Planning Scheme No.1 (insert ratio)	1 space per chalet plus one additional space for every 4 units of visitor parking.	Complies
Design	Forward entry into the Street/	Ample space for turnaround at chalets.

State Planning Policy 3.7 and Planning for Bushfire Guidelines

The proponent has demonstrated compliance with the acceptable solutions of the Planning for Bushfire Guidelines through an updated Bushfire Management Plan supplied on the 11 December 2025 taking into account feedback from DFES and the Shire's Community Emergency Services Manager. Outstanding matters have been discussed under the Bushfire Planning Section below.

Government Sewerage Policy (2019)

An initial Site and Soil evaluation report was provided by the applicant and was referred to the DOH. The DOH provided advice that while the soil tests were acceptable, however it did not have the required assessment against the Government Sewerage Policy (2019) (GSP) and would need to be updated. The applicant has subsequently provided an updated Site and Soil evaluation report which refers to the GSP and the relevant AS/NZS standard. This report was referred to the DOH and the Shire's Environmental Health team for feedback. The DOH did not respond to make further comment on the updated report, relying on the Shires Environmental Health team to make comment.

The GSP requires that an on-site sewerage system shall not be located within 100m of a waterway as measured outwards from the riparian vegetation. It also stipulates that secondary treatment systems with nutrient removal will generally be required in sewerage sensitive areas.

Environmental Health have confirmed that the report is satisfactory, and the proponent can demonstrate that they comply with the GSP as long as secondary treatment system is used and the disposal area is set back 100m from the waterway.

A condition that reflects the above advice and to ensure compliance with the GSP has been applied to the approval.

Discussion

The key aspects associated with the assessment of the proposal are summarised as follows:

- Bushfire Planning
- Flood Risk
- Relationship with farming operations and Land Capability
- Foreshore Management
- Compliance with Local Planning Scheme No.1

Each issue is addressed in further detail below.

Bushfire Planning

The applicant provided a Bushfire Management Plan (BMP) and Bushfire Emergency Evacuation Plan (BEEP) with the application. These were updated in response to comments provided by DFES and the CESM and reflect the amendment to 5 chalets.

The below table shows the matters which have not been resolved in the BMP, that relate to the provision of an on-site shelter and site access requirements. These have been summarised below.

Requirements	DFES/ Emergency Management Comments
Element 2: Siting & Design A2.5 Onsite Shelter On-site shelter it is to meet all the following requirements: <ul style="list-style-type: none">• where an open space area is to function as an on-site shelter, there is to be sufficient separation distance from the bushfire prone vegetation to avoid exposure to a radiant heat flux exceeding 2 kW/m² (with an assumed flame temperature of 1200 K); and	DFES Comments: A2.5 – compliance with access not demonstrated DFES recommends that the siting and design of the on-site shelter be improved with the following considerations: <ul style="list-style-type: none">• The on-site shelter should be located closer to the chalets. A2.5 requires pedestrian paths to the on-site shelter to be provided, which indicates that the shelter should be within walking distance.• A separate access route to the on-site

<ul style="list-style-type: none"> buildings identified as suitable for on-site shelter, to be designed in accordance with <i>Building Code of Australia and the ABCB Design and Construction of Community Bushfire Refuges Handbook</i> and located within an area of 10 kW/m²; and pedestrian paths to any on-site shelter should be provided and be clearly signposted 	<p>shelter should be provided for Chalets 1 to 3, so that the occupants will not need to travel towards the bushfire hazards to the southwest of the site before reaching the safer location.</p> <ul style="list-style-type: none"> The on-site shelter should connect to a public road so that it will be legible to and can be accessed by emergency services <p>Emergency Management comments:</p> <p>A2.5 – Does not appear to comply.</p> <p>Require removal of reference to proposal made about guest movement by vehicles. This makes assumptions about guest intentions and is competition with Appendix B of the guidelines that states “should be within easy walking distance from the development”. BMP needs to consider the potential of introduction of heat sources through the introduction of vehicles into the area. Require proposed Shelter in Place location to be free from all vegetation, not just managed grass. Need to consider BAL implications of the required route to the Shelter in Place location which will travel through a large area of FZ to access.</p> <p>See discussion on onsite shelter below.</p>
<p>Element 3: Vehicular Access</p> <p>A3.1 Public Roads</p> <p>Public Roads are required to achieve the following specifications:</p> <ul style="list-style-type: none"> 4.5m vertical clearance; 15 tonne weight capacity; Horizontal clearance, grade, and inner radius as per Public Works Engineering Australasia (IPWEA) subdivision guidelines, Liveable Neighbourhoods, Austroads Standards or relevant local government standard or policy. <p>A3.3b No-through road requirements</p> <p>No through roads to meet the following standards:</p> <ul style="list-style-type: none"> Constructed to requirements of a public road (above) Turn-around area/head. 	<p>DFES Comments:</p> <p>A3.1 – not demonstrated</p> <p>It has not been demonstrated that Campbell Road meets public road standards. As it is under the control and care of the local government, the Shire should be satisfied that Campbell Road is constructed to the standards in Appendix B.3, Table 10 of the Guidelines</p> <p>Emergency Management comments:</p> <p>A3.3b – Will need to show compliance with Figure 30 for turn around area.</p> <p>See discussion on vehicle access below.</p>

On Site Shelter

The applicant's bushfire consultant, Ecosystem Solutions, have recommended a shelter in place be located to the east of the site as shown in Figure 4 below. This area is proposed as it is away from

any vegetation within the 100m zone of influence and can achieve the 2kW/m² to meet A2.5 of the Guidelines. It is located 800-850m from the chalets.

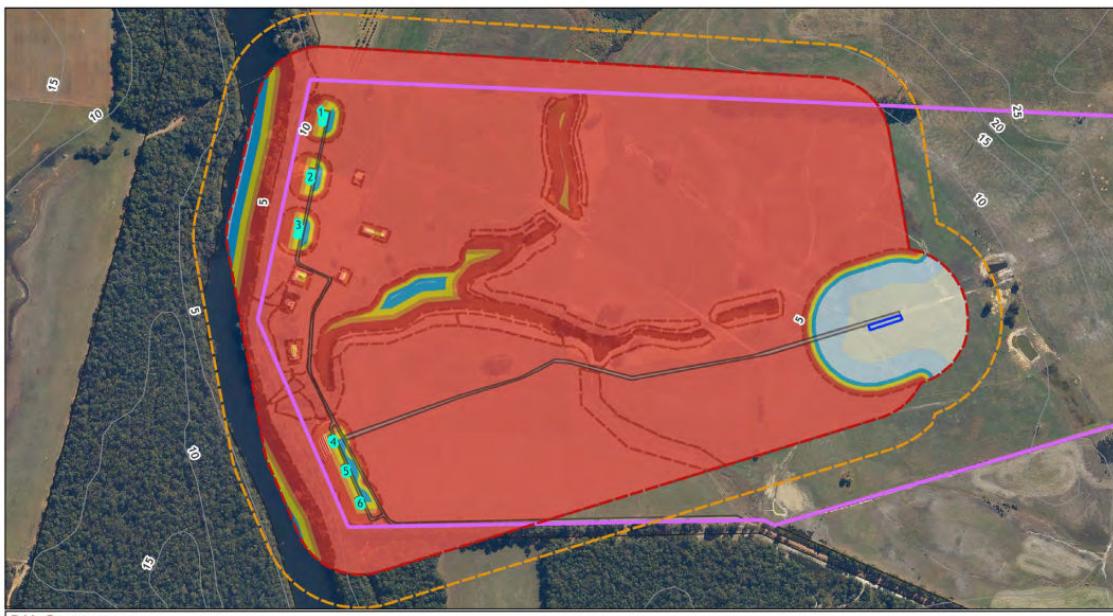


Figure 4: Location of Shelter in Place at the east of the site.

In relation to advice from DFES and Emergency Management, the recommendation that an on-site shelter should be within walking distance is outlined under the explanatory component of the Guidelines, but does not form part of the acceptable solutions which the proposal achieves.

This section of the guidelines also notes that an open space shelter does not address respiratory impacts from smoke or ember attack, with any ability to provide some shielding recommended. In this case, Ecosystem Solutions proposes that guests travel to the on-site shelter in vehicles to maintain a greater level of protection than walking. This is based on the consultants experience of people's behaviour in responding to emergency situations, guests will have a vehicle at the site (as the only method of arrival) and will want their belongings with them. In the instance vehicles are not available, the BMP states that guests will be able to walk to the onsite shelter, noting that it is subjective as to whether one would consider 800m as within 'walking distance'.

There is no requirement under the Guidelines for there to be a minimum BAL level on the route to the onsite shelter, nor for there to be connection to a public road. The applicant will signpost to the shelter in place as stated in the BMP and reflecting the requirements of the Guidelines.

The Guidelines, and the DFES advice, note that the on-site shelter should be the option of last resort. This is reflected in the Bushfire Emergency Plan (BEP) provided by Ecosystem Solutions. To mitigate risk, the BEP includes the following:

- Manager of chalets will be residing on site to implement the BEP
- During catastrophic fire danger the site will be evacuated and closed, with no guests to remain or arrive on site
- First priority to evacuate early in event of a Bushfire
- A shelter in place is available as a last resort

Conditions have been added to the approval for the BMP and BEP to be implemented.

Vehicle Access

Confirmation has been provided by the Shires infrastructure Staff that Cambell Road is consistent with Shire standards for rural non sealed roads for the number of properties it services.

The updated BMP also now includes a turnaround area at the end of Campbell Rd. The location of the turnaround was referred to infrastructure and CESM. Infrastructure have provided conditions for

the upgrading of the end of Campbell to meet the required construction standards and CESM have no issues with the location.

Based on the above, compliance has been demonstrated with the acceptable solutions of the guidelines.

Flood risk

DWER have advised that the 1 in 100-year flood level is 6.2m AHD and recommend a minimum habitable floor level of 6.7m AHD to accommodate for this. Figure 5 below shows the extent of the 6.2m and 6.7m contours. Based on this plan there are three discrete areas above the 6.7m contour, being north west and south west corners of the site, and a larger area adjacent to the eastern boundary.

The most southern chalet is at 6.2m AHD, accordingly a condition has been applied for a minimum finished floor level of 6.7m AHD.



Figure 5

DWER also provided advice relating to 3 proposed chalets to the north of the existing dam, with consideration required for an alternative access / evacuation route (by foot) in the event floodwaters overtop the access road during major flood events.

A flood evacuation plan is required to be developed as a condition of approval. Whilst the concerns around flooding are noted, there is normally a reasonable amount of time and forewarning for effective evacuation measures to be put in place. The evacuation plan will be required to outline the triggers for early evacuation where possible and outline circumstances where the northern most chalets would be vacated, as well as methods of safe egress from this portion of the site.

Conflict with farming operations

The applicant has reduced the number of chalets to 5, taking away the most northern chalet which is closest to the neighbouring lot to the north. Thereby increasing the setback to a chalet from the northern boundary from 50m to 135m.

Conflict with farming operations within the site is managed through the location of the chalets being confined to a small area of the property. See also land capability comments in the section below.

Potential conflict with surrounding farms is limited to the property immediately to the north which has a small-scale avocado orchard with surrounding grazing. The applicant has planted landscape screening along this boundary to help reduce impact over time.

The proponent has stated as this is a farm-stay style accommodation, guests will be informed at the time of booking that the property is an operational farm where farm equipment and activity may be observed at certain times of the year. House rules outlining expectations for guests is applied as a condition of approval.

While submitters have raised the need for an operational management plan, this can be covered by the 'house rules' as information provided to guests. The farm should be able to continue operations as required, it is the guests that should be informed as to what is expected while staying at the farm.

Relationship with farming operations and Land Capability

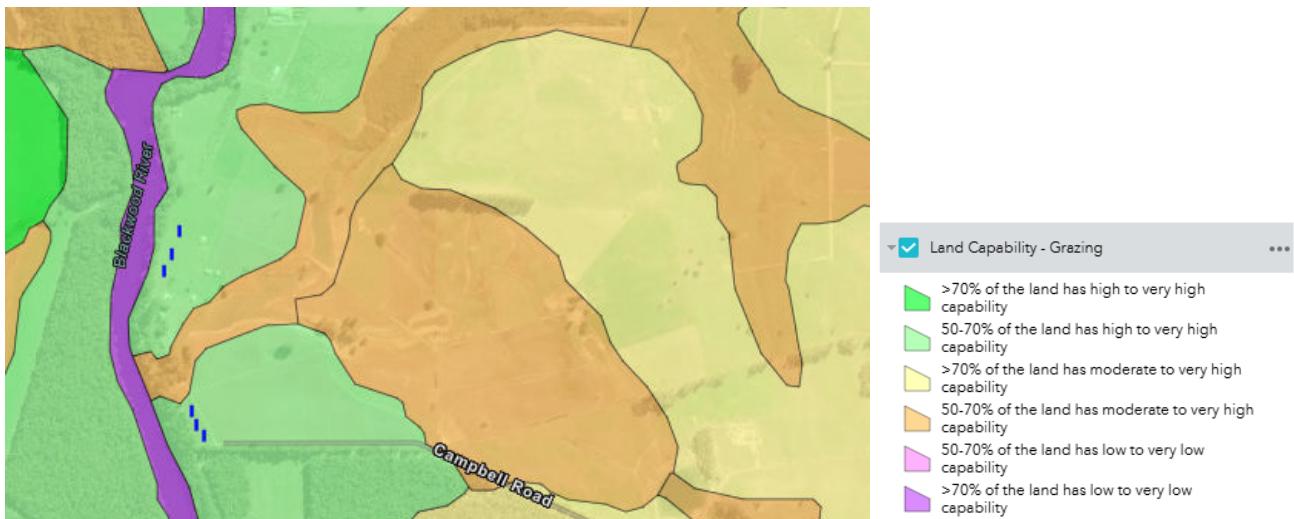


Figure 8: Image from DPRID land capability mapping

Clause 4.16.3 of LPS1 requires that chalets are not constructed over Class 1 and 2 soils or the location of chalets reduces the land area available for agricultural use.

According to the DPRID mapping, land capability in the location of the chalets is high for grazing. This is reflected in the Tille and Landtzke mapping, which states that soils in this area are Class 2 for grazing and forestry, but are a lower capability (class 3 or 4) for horticulture, vineyards or orchards.

The southern chalets are located in an historically fenced area from the rest of the pasture on the other side of the access track. There is no fencing between this area and the foreshore and therefore has not been historically used for grazing. There is little change in the agricultural use as a result of these southern chalets.

The northern chalets are in an area currently utilised for pasture, and concerns were raised with the applicant regarding the impact this may have on ongoing grazing use. As a result, the applicant amended the proposal to take away the most northern chalet which freed up a paddock while maintaining the current fence line. If the paddock with the two chalets is fully set aside it would constitute 1.8% of the total lot area pasture area. The applicant has indicated that half will be fenced off to allow continued use of this land for agriculture, bringing it under 1% of the total land area.

While a small amount of land is being quarantined for the chalet use, due to the close proximity to the Blackwood River, there are environmental benefits from changing the use in the areas adjacent to the foreshore by moving grazing off the top of the riverbank. It is also recognised that there is a higher level of compatibility between grazing and tourism use as opposed to intensive forms of agriculture, which require much greater separation distances to manage land use conflict. The area subject of the proposal is of lower capability for these types of agriculture.

Foreshore Management



Figure 6 – foreshore in front of south chalets



Figure 7 – foreshore in front of north chalets

The foreshore vegetation in front of the southern chalets is highly modified with cleared understory and historically planted eucalypts (Figure 6). Entry to the river can be taken via the small inlet which meets the dam where a small kayak landing area is. The potential for environmental impact from guests in this portion of the lot is minor due to the degraded nature of the vegetation. Some consideration was given to native planting within the foreshore to have a positive environmental benefit, however the canopy cover from the existing eucalypts would make this challenging. The Shire is also responsible for foreshore management which would be difficult in this remote location.

The foreshore to the north of the chalets consists of higher quality vegetation (see Figure 7). This area is currently fenced from the adjoining paddock and there is little access to the river here due to the steep bank down to the water. There exists a small platform entry to the water closer to the dwelling for which guests would use as an entry to the river. A condition of approval will be that this foreshore fencing is maintained to protect vegetation.

No clearing of vegetation is proposed, and the chalets are setback far from any areas at risk of erosion.

Compliance with Local Planning Scheme No.1

4.16 Chalets in the Rural Zone

Under clause 4.16.3, the number of chalets permitted on lots having areas greater than 20 hectares shall not exceed 6, with the proposal meeting this requirement. The scheme also stipulates that the development shall satisfy the definition of Low Impact Tourist Development. This is defined as being development that has been designed in such a manner that it does not detract from the rural and natural amenity of the locality and is subject to several criteria. The criteria are addressed through the following:

- The chalets shall be of material and colour to blend into the landscape
- The chalets are set slightly back off the tops of the riverbank as viewed from the Blackwood River and have existing landscape screening
- The chalets are located to avoid any vegetation clearing or impact on the water course.
- The chalets are to be serviced by a secondary treatment wastewater disposal system setback 100m from the riverbank
- The development has been amended so the chalets cannot be seen from any adjoining property dwellings, having minimal impact on the surrounding area.
- Landscape screening has been planted and shall be maintained along the northern boundary in proximity to the chalets

4.31 Development adjoining the Blackwood River Foreshore

The scheme states that no development is permitted within 100m of the top of the riverbank on either side of the Blackwood River (however is subject to Clause 4.31.3 below). The applicant proposes a variation to this: the chalets in the south are 67m-70m setback from the riverbank; and the northern two chalets are 50 and 65m away from the riverbank respectively.

Clause 4.31.3 states that the local government may permit development closer to the river where there is an existing foreshore reserve and where the local government is satisfied that the development will not have an adverse environmental or landscape impact upon the river or the adjacent fringing vegetation. There is an existing foreshore reserve, and the proposal addresses potential impacts through the following:

- No vegetation is proposed to be removed as part of the application. The chalets are setback an adequate distance for the BAL rating.
- The southern chalets will be able to be partially seen from the river thereby having a potential landscape impact. This has been mitigated by 1) existing vegetation (See Figure 6), 2) chalets setback slightly behind the top of the riverbank, and 3) chalet materials and colours, as well as small footprint will assist in blending into the landscape.
- The portion of the Blackwood River adjacent to the south chalets already has a modified rural landscape on the foreshore, thereby making the impact less significant.
- The northern chalets have dense foreshore vegetation and will not be able to be seen from the river. Fencing to be maintained to restrict access to vegetation.
- As an alternative to farming operations, it will prevent grazing immediately adjacent to the river and foreshore.
- A reduced setback results in a no incursions into working farming areas of the site.

Summary

The proposal has been amended to 5 chalets from the 6 proposed. This has the benefit of not being able to be viewed from any neighbouring dwelling and leaves an additional existing paddock available for continued agricultural use.

The proposal has been able to demonstrate it can meet the relevant policies, being the Bushfire Guidelines and the Government Sewerage Policy, as well as the Local Planning Scheme. Variations to the planning scheme have been suitably justified.

Conditional approval recommended.

Determination

That the Manager Planning and Regulatory 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 5 x chalets at 210 (Lot 12) Campbell Road, Warner Glen subject to compliance with the following 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	Plans P1 – P5 received by the Shire on the 24 June 2025
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1. If the development, the subject of this approval, is not substantially commenced within two (2) years from the date of this letter, the approval shall lapse and be of no further effect. Where an approval has lapsed, development is prohibited without further approval being obtained.
2. At all times, all stormwater and drainage run-off from the development shall be detained within the lot boundaries and managed to predevelopment flow regimes.

3. A secondary treatment wastewater system shall be provided, with the disposal area to be located at least 100m from the Blackwood River high water mark.
4. A minimum habitable floor level of 6.7 m AHD is required for the chalets for adequate flood protection against 1 in100 (1%) AEP flooding.
5. Prior to the submission of a building permit, a flood evacuation plan shall be provided to the satisfaction of the Shire.
6. Prior to the submission of a building permit, the Bushfire Management Plan (prepared by Bushfire Ecosystem Solutions dated 10/12/2025) shall be revised to relocate the water tank and hardstand outside the Aboriginal Cultural Heritage area and submitted to the satisfaction of the Shire.
7. The revised abovementioned Bushfire Management Plan and Bushfire Emergency Evacuation Plan by Ecosystem Solutions, shall be implemented on site prior to commencement of the chalet use and at all times thereafter.
8. Certification shall be provided to the Shire, by a Level 3 accredited Bushfire Planning Practitioner, that all bushfire management actions detailed in the updated Bushfire Management Plan have been implemented on the subject Site prior to commencement of use of the Chalets.
9. The approved Bushfire Emergency Evacuation Plan shall be displayed in a conspicuous location within the development.

10. Fencing is to be maintained along the Blackwood River foreshore property boundary in the section of the site north of the main dwelling.
11. Prior to lodging of a building permit application, a schedule of colour and materials of the buildings shall be submitted and approved prior to the commencement of any work and shall be implemented accordingly. The walls and roof of the chalets shall be clad in a non-reflective material and painted in a colour of natural or earth toning consistent with the existing landscape.
12. The manager of the chalet use shall be residing on site whenever there are one or more guests on the site.
13. 'House Rules' shall be developed 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 each Chalet. The house rules should give specific details regarding the surrounding rural land use, specifically that the subject site is located adjacent to operational agricultural activities, which are provided exemptions to operate under section 12 of the Environmental Protection (Noise) Regulations, which may have a nuisance effect on amenity. Prior to booking guests are to be required to acknowledge the rural location of the property and respect that impact from farming activity will potentially be experienced.
14. The 24-hour contact details of the Manager of the Chalets shall be visible on the property from the nearest street frontage and maintained to the satisfaction of the Shire.
15. The Chalets are approved for Short Stay purposes only. Short stay means premises occupied by the same people for no more than three months in any 12-month period.
16. A civil engineering plan shall be prepared to the satisfaction of the Shire and submitted to the Shire showing construction details including pavement levels, material thickness, cross fall, and drainage considerations, for the turn around area on Campbell Rd. The Shire's written acceptance of the Engineering Plan must be provided with the building permit application.

Advice Notes

- a) You are advised of the need to comply with the requirements of the following other legislation:

- (i) This is not a Building Permit. A Building Permit must be issued by the relevant Permit Authority before any work commences on site as per the *Building Act 2011*;
- (ii) *Health (Miscellaneous Provisions) Act 1911* and Department requirements in respect to the development and use of the premises; and
- (iii) The *Bush Fires Act 1954* as amended, Section 33(3), Annual Bush Fires Notice applies to this property.

- b) Acid sulfate soils (ASS) risk mapping indicates that the site is located within an area identified as representing a moderate to low risk of ASS occurring within 3 metres of the natural soil surface. Please refer to Department of Water and Environmental Regulation's acid sulfate soil guidelines for information to assist with the management of deep ground disturbing works if required.
- c) In the event the take of surface or groundwater is proposed to support the chalet activity, the proponent is advised to contact our Busselton Water Licensing office on 9781 0188 regarding any potential water licencing requirements under the *Rights in Water and Irrigation Act 1914*
- d) Works in a road reserve, including any pruning or clearing of vegetation, are prohibited without first obtaining written approval of the Shire.
- e) The proponent will be required to submit and implement a Traffic Management Plan for all works in a road reserve. The TMP is required to be prepared by a licenced Traffic Manager in accordance with MRWA Traffic Management Code of Practice and Australian Standards AS1742.3-2002 for any works on or within the road reserve (including road)".
- f) The development is to provide a potable water source in accordance with Shire of Augusta Margaret River *Health Local Laws 1999*.



Development Assessment P225580

General Details

Reporting Officer	Grace Koschel
Disclosure of Interest	Nil.
Assessment Level	Major Level 3

Application Details

Address	12 (Lot 6) Stewart Street, Margaret River
Existing Development	<input checked="" type="checkbox"/> Single House <input type="checkbox"/> Grouped Dwelling
Zoning	R15
Lot Area	1,012sqm
Proposed Use	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. The management arrangements are to be by Beach House Holidays & Forest Retreats. The property has no previous approvals.
Use Class and Permissibility	'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	None
Easements/Encumbrances	None
Date Received	08/08/2025
Date of Report	16/12/2025

Site Image



Assessment

Referrals	Yes	No
Adjoining Neighbours/Property Owners – 2 Submissions (Objection)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Government Agencies	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Internal Shire Departments - Environmental Health	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Where any issues raised through the referrals process?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Internal Department Comments		
Department	Department Comments	Officer Comments
Public Health	<p>Guest Capacity In accordance with planning requirements, occupancy is limited to 2 guests per bedroom. Bedroom 3 currently accommodates 3 persons and will need to be reduced to a maximum of 2.</p> <p>Effluent Disposal System There are no effluent system details currently on record.</p> <p>The owners are required to engage a licensed plumber to locate and assess the existing effluent disposal system. The plumber must confirm the system's operational status and provide an 'as constructed' diagram to Public Health for further assessment.</p>	Guest numbers to be restricted to 2 persons per bedroom.
Community Engagement		
Submitter	Submitter Comments	Officer Comments
Private Submitter 1 & 2	<p>Private submitters – summary of concerns</p> <ul style="list-style-type: none"> Impact on Community & Town Character: The submitter expresses strong concern about the gradual erosion of the residential community in Stewart Street due to the increasing number of short-term rental accommodations (STRA). They highlight the importance of maintaining a balanced demographic to support the town's long-term sustainability, fearing that an overconcentration of holiday homes will drive out families and undermine the town's identity as a close-knit, country community. Amenity Issues: The proposed holiday house, with a capacity to sleep eight, raises concerns about potential noise, anti-social behaviour, and disruption to the quiet residential atmosphere. The submitter references past issues with similar properties, including loud gatherings, littering, and inappropriate behaviour by guests. Traffic & Parking Pressure: Concerns additional STRA will contribute to increased traffic and parking congestion, further impacting the amenity of the street. 	<p>Noted - concerns passed onto the applicant during the assessment.</p> <p>See below discussion.</p>

Policy Requirements

Local Planning Policy 7 – Short Stay Accommodation		
Policy Element	Provision	Comment
Location	Coastal settlement	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Urban area located within Policy Plan 1?	<input checked="" type="checkbox"/> Yes <input 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No See discussion below.
	Reticulated water supply, or minimum 120,000 rainwater tank?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/>
	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
Management	Management Plan submitted?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	BEEP provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/>
	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 <input type="checkbox"/> 5 years	

Discussion

Planning approval is sought for the initial approval for a Holiday House. Over the course of the assessment, issues were raised around the capacity of the use and by neighbouring properties during the consultation process, which are addressed in turn below.

Capacity

The holiday house was originally proposed to accommodate nine (9) guests. Following consultation with the Environmental Health team, the proposed capacity was reduced to eight (8) guests, based on the number of bedrooms (4) and septic system capacity.

Further assessment identified limitations in on-site parking. The property currently provides a double garage and an existing driveway, accommodating up to three (3) vehicles within the property boundaries. Under LPP7, one car bay per bedroom is required; therefore, the proponent was unable to achieve the requisite parking for the use of four bedrooms or 8 guests.

The applicant was advised that approval for 8 guests would not be possible, and as a consequence has agreed to reduce the guest numbers to 6.

Consultation

During the advertising period, **two (2) submissions of objection** were received, which are summarised below:

- Impact on Community & Town Character: Submitters expressed concern about the erosion of residential character in Stewart Street due to increasing short-term rental
- Amenity Issues: Concerns were raised about potential noise, anti-social behaviour, and disruption to the quiet residential atmosphere, referencing past issues with similar properties.
- Traffic & Parking Pressure: Submitters noted increased traffic and parking congestion from additional STRA.

In relation to the impact on community and town character, the site is located in a predetermined area under the Shires Local Planning Policy which is considered suitable for holiday homes. The policy does not have limitations around the overall number of holiday homes within the allowable area, whilst it is recognised there is a high number of holiday homes in Stewart Street area, the policy framework does not allow for this to be taken into account in the planning decision making process.

In regards to potential amenity impacts, the Shire is unable to pre-empt amenity impacts, particularly in circumstances where the nature of the use, including the accepted reduction in guests does not vary greatly from the expected occupancy of a single house. As is standard with short term uses, an initial 12-month approval is provided 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.

As above, with the modified guest numbers the traffic associated with the use will be commensurate with a dwelling.

Conclusion

The proposal is consistent with Local Planning Policy and is considered appropriate for the designated holiday house area, subject to conditions including a maximum of six guests and a 12-month approval period. This approach allows monitoring of management effectiveness and provides flexibility for future renewal should driveway upgrades be completed.

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 at 12 (Lot 6) Stewart Street, Margaret River subject to compliance with the following 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	Plan P1-P2 received by the Shire on the 8/8/2025
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2. 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')
3. The approved Bushfire Emergency Evacuation 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 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 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')
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. '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')
10. 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

- 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. Please note that a three (3) year approval term may not be applied in the following instances:
 - (i) Substantiated complaints have been received by the Shire during the last period of approval which impact the amenity of the neighbouring properties;
 - (ii) A renewal application has not been received prior to the expiry of the previous approval;
 - (iii) Changes have been made to management arrangements or guest numbers over the course of the approval or as part of the subject application;
 - (iv) The use has not commenced operation.
- 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.
- 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.
- j) From 1 January 2025, short term accommodation will also require registration through the State Government [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>