

DEVELOPMENT ASSESSMENT REPORT
Shire of Augusta Margaret River
27 October to 2 November 2022

APPLICATIONS RECEIVED

Date Rec'd	Reference No.	Address	Proposal
PLANNING			
02/11/2022	P222755	Unit 1/7981 (Strata Lot 1) Caves Road, Forest Grove	Building Envelope (Proposed Caretakers Residence)
02/11/2022	P222756	21 (Lot 242) Chuditch Place, Gnarabup	Single House (Patio)
02/11/2022	P222757	4 (Lot 71) Casselton Avenue, Margaret River	Bed and Breakfast
02/11/2022	P222759	59 (Lot 103) Diana Road, Augusta	Building Envelope Variation
01/11/2022	P222730	20 (Lot 3) Riedle Drive, Gnarabup	Holiday House Renewal
01/11/2022	P222750	Lot 9014 John Archibald Drive, Margaret River	Local Development Plan (Rapids Landing Neighbourhood Centre)
31/10/2022	P222745	35 (Lot 2) Marmaduke Point, Gnarabup	Holiday House Renewal
31/10/2022	P222746	14 (Lot 101) Wishart Road, Augusta	Holiday House Large Renewal
28/10/2022	P222743	103 (Lot 116) Baudin Drive, Gnarabup	Dwelling
27/10/2022	P222728	805 (Lot 102) Osmington Road, Osmington	Agriculture Intensive (Retrospective Farm Building and New Farm Building)
27/10/2022	P222731	1 (Lot 372) Percheron Place, Margaret River	Addition to Existing Outbuilding
27/10/2022	P222732	28 (Lot 301) Cusmano Retreat, Burnside	Dwelling (Vegetation Modified Outside Building Envelope)
27/10/2022	P222733	11 (Lot 837) Millar Way, Augusta	Outbuilding
27/10/2022	P222734	Lot 12 Rosa Glen Road Rosa, Glen	Agriculture Intensive (Vineyard), Dam
27/10/2022	P222747	Lot 13 Wedup Place, Witchcliffe	Survey Strata
BUILDING			
27/10/2022	222575	Lot 63 Kudardup Road, Kudardup	Single Dwelling, Carport, Verandah and Patio
27/10/2022	222576	136 (Lot 60) Heron Drive, Margaret River	Rainwater Tanks X2
27/10/2022	222577	Unit 1/1 (Lot 248) Minchin Way, Margaret River	Retaining Wall
31/10/2022	222578	Unit 3 5 Station Road Margaret River	Patio
31/10/2022	222579	5 (Lot 28) Lomandra Way, Witchcliffe	Single Dwelling, Carport and Patio
31/10/2022	222580	19 (Lot 59) Freycinet Way, Gnarabup	Conversion of a Shed into an Ancillary Dwelling and Retaining Wall
31/10/2022	222581	780 Fisher Road, Kudardup (Molloy Island Caravan Park PS 44)	Carport Style Structure over Existing Caravan
31/10/2022	222582	60 (Lot 1) Bussell Highway, Cowaramup	Occupancy Permit for BLD219270
31/10/2022	222583	23 (Lot 712) Burke Circle, Cowaramup	Spa and Barrier Fence
02/11/2022	222584	1188 (Lot 102) Bessell Road Rosa, Brook	Single Dwelling and Patio
02/11/2022	222585	1/151 (Lot 31) Bussell Hwy, Margaret River	Occupancy Permit for BLD222460 (Pearl's Bar)
02/11/2022	222586	14 (Lot 6) Eldridge Avenue, Witchcliffe	Ancillary Dwelling, Verandah and Carport
02/11/2022	222587	19 (Lot 74) Settlers Retreat, Margaret River	Shed
02/11/2022	222588	211 (Lot 9007) Darch Road, Margaret River	Retaining Walls for Subdivision (Spindrift Stage 1)
Exploration Licenses for Comment			
Nil			

APPLICATIONS DETERMINED UNDER DELEGATION

Date Rec'd	Reference No.	Address	Proposal	Outcome
PLANNING				
02/08/2022	P222507	Lot 167 Wagininup Lane, Hamelin Bay	Single House (Dwelling Additions & Outbuilding)	Approved

12/08/2022	P222541	31 (Lot 14) Wooditch Road, Margaret River	Holiday House Renewal	Approved
30/08/2022	P222572	418 (Lot 1) Bessell Road, Rosa Glen	Rural Workers Accommodation	Approved
02/09/2022	P222590	Unit 2/63 (Lot 172) Townview Terrace, Margaret River	Holiday House Renewal	Approved
08/09/2022	P222601	7 (Lot 60) Waverley Road, Cowaramup	Home Business (Marriage Office)	Approved
08/09/2022	P222605	44 (Lot 101) Treeton Road North, Cowaramup	Ancillary Dwelling	Approved
09/09/2022	P222617	Lot 213 Culhane Road, Margaret River	Building Envelope Variation	Approved
16/09/2022	P222628	27A (Strata Unit 2 Lot 97) Georgette Way, Prevelly	Holiday House Renewal	Approved
19/09/2022	P222633	23 (Lot 175) Point Marmaduke, Gnarabup	Holiday House (Renewal)	Approved
23/09/2022	P222640	6 (Lot 12) Moondyne Ridge, Kudardup	Single House	Cancelled
29/09/2022	P222652	10 (Lot 4) Higgins Street, Margaret River	Bed and Breakfast Renewal	Approved
05/10/2022	P222669	5 (Lot 86) Elizabeth Street, Margaret River	Single Dwelling (Outbuilding)	Approved
05/10/2022	P222670	102 (Lot 10) Palandri Road, Burnside	Section 40	Approved
06/10/2022	P222677	46 (Lot 27) Merchant Street, Margaret River	Bed and Breakfast (Renewal)	Approved
18/10/2022	P222708	Unit 2/20 (Strata Lot 2 of Lot 23) Georgette Drive, Margaret River	Bed and Breakfast	Approved
27/10/2022	P222731	1 (Lot 372) Percheron Place, Margaret River	Addition to Existing Outbuilding	Approved
SUBDIVISIONS				
Nil				
LOCAL LAW PERMITS				
Nil				

LEVEL 3 PLANNING APPLICATIONS FOR DETERMINATION

Date Rec'd	Reference No.	Address	Proposal	Recommendation
PLANNING				
05/09/2022	P222593	61 (Lot 7) Waverley, Road Cowaramup	Dwelling	Approve subject to conditions
13/09/2022	P222622	8 (Lot 63) Salkilld Place, 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 Dwelling at 61 (Lot 7) Waverley Road, Cowaramup

(Level 3) objection received

P222593; PTY/13336

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

General Information	
Lot Area	558m ²
Zone	Future Development (Residential R15)
Proposed Development	Planning approval is sought for a proposed single dwelling which presents the following variations to planning provisions: <ul style="list-style-type: none">• 0m north-western side setback in lieu of 1m as required by the R-Codes;• 4.5m rear setback to the Alfresco roof in lieu of 5m required by the LDP;
Permissible Use Class	'P' Permitted use
Heritage/Aboriginal Sites	None identified
Encumbrance	2 x Restrictive Covenant – Developer Guidelines & Fencing Requirements Notification – Bushfire Prone Area None impacted
Date Received	05/09/2022



Policy Requirements			
Is the land or proposal referred to in any Council Policy?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Structure Plans and Local Development Plans (LDP's)			
Is the land in any Structure Plan Area or subject to a LDP?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, state the Policy/Policies		Local Development Plan – Lot 9504 Waverley Road, Cowaramup – dated 15 February 2021	
Officer Comment	The LDP identifies the site for R15 development. The proposal is assessed against the relevant provisions of the LDP under the RCodes assessment below.		
Planning History			
P222363: Single Dwelling & Ancillary Dwelling, cancelled 1 September 2022. This was a different dwelling design.			
Advertising/Agency Referrals			
Has the application been referred to adjoining landowners/agency?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> N/A
Has a submission been received by Council?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> N/A
		No. received: 1	
Details of Submission		Applicant Response	
1 x objection: <ul style="list-style-type: none"> Support the 0m north-western garage side setback, provided it does not impact the existing fence. Object to the 4.5m rear setback to the Alfresco roof. The LDP 5m rear setback preserves views for all residents. The variation would impact views from our dwelling and may impact the value of our property. 		In response to the concerns raised, the applicant advises: <ul style="list-style-type: none"> The garage wall will be setback 5cm from the fence so that it will not be removed nor damaged during construction. The RCodes define a setback as the horizontal distance between a wall and the lot boundary. The RCodes does not apply setbacks to eaves or roof overhang and the LDP does not indicate the interpretation of a setback should differ to that provided by the RCodes. Based on this definition, the proposed Alfresco setback would therefore be compliant. The Alfresco eave would project a maximum of 0.5m into the setback, the posts of the alfresco would be setback sufficiently. The eave would be 2.5m above NGL and setback 3.6m from the boundary of the affected western property. This would not cause impacts from building bulk and the boundary fence would also provide screening. It is thus not considered the setback of the Alfresco eave would negatively impact the visual amenity of the neighbouring western property, or the property value. The eave would not impact the views from the neighbouring lot to the adjoining open space at the rear of the properties. 	
Officer Comment			
It is considered that the applicants response addresses the concerns regarding the setback of the garage wall. Regarding the concern raised about the impact of the Alfresco roof setback on views from the affected property, the following matters are considered: <ul style="list-style-type: none"> The LDP Report states the intention of the 5m rear setback to the public open space is to 'present a uniform amenity between the dwellings and the public open space'. Normally a setback under the R-Codes is measured to the supporting structure like a wall or column/post as opposed to a roof line. The LDP states the setback applies to 'all above ground structures'. Relative to the intent of the LDP, the impacts of small incursion of the eave for a relatively small part of the overall elevation would be negligible when viewed from the adjoining open space; In relation to the property of concern, the alfresco will have minimal impact on views given the open nature of the structure – excluding the alfresco the main building is setback approximately 8m, exceeding the 5m standard. In addition to the above, the neighbouring property was approved with a similar eaves incursion into this setback. Based on the above, the rear setback is supported.			
Assessment of Application			
Is the land referred in the Heritage Inventory?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there any Contributions applicable?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there any compliance issues in relation to existing development?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
R Codes			
Are R Codes applicable?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Design Element	Policy / R Codes	Provided	Officer comment
Front Setback	4m (LDP)	3.8m	Complies with averaging (0.84m ² incursion compensated by 12.79m ² open space)
North-West Side Setback	Length: 6.2m	0m	Variation

	Height: 3m MO: no = 1m		
Rear Setback	5m (LDP)	4.5m to Alfresco roof	Variation
Secondary Street Setback	1.5m	2.3m	Complies
Corner Truncation Setback	1.5m	1.8m	Complies
Garage/Carport Setback	4.5m	4.8m	Complies
Driveway Width	6m	3.5m	Complies
Garage Width	50%	<50%	Complies
Open Space Requirement	50%	68.45%	Complies
Upgrade Landscaping	<input type="checkbox"/> Required	<input checked="" type="checkbox"/> Not Required	
Overlooking	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Dwelling FFL would not exceed 0.5m above NGL
Street surveillance	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Street Walls and Fences	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Overshadowing	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Other Variations	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Officer's Comments against performance criteria	<ul style="list-style-type: none"> LDP requires living, activity and alfresco areas to be located on the north-western side - complies 2m x 2m tree planting area shown on plans – complies <p><u>Side Setback Variation:</u></p> <ul style="list-style-type: none"> The garage wall would be setback 5cm off the boundary fence, in lieu of the 1m setback required by the RCodes. The wall would be 6.2m long, which is minor in the context of the 28m long side boundary. At a maximum height of 3m above NGL, the setback variation is not expected to cause adverse building bulk impacts on the adjoining western neighbour. The garage wall is on the western side of the lot thus would not result in overshadowing when calculated in accordance with the RCodes. There would be no visual privacy or ventilation impacts. It is noted the adjoining western neighbour does not object to the proposal provided it would not impact the existing fence. The applicant has confirmed the development would not impact the fence. A condition of planning approval is recommended to ensure the wall is finished to the satisfaction of the adjoining neighbour. The proposed side setback variation sufficiently responds to the Design Principles of the RCodes at Clause 5.1.3. <p><u>Rear Setback Variation:</u></p> <ul style="list-style-type: none"> Refer to Officer Comment above. 		
Development Standards (Schedule 9)			
Are the development Standards applicable?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Car Parking			
LPS1 / R Codes Requirement	Car Bays Required - 2	Car Bays Proposed - 2	
Dimensions	2.5m x 5.5m	<input checked="" type="checkbox"/> Complies <input type="checkbox"/> Doesn't Comply	
Turning Bay/Circles and vehicle manoeuvring	<input checked="" type="checkbox"/> Complies <input type="checkbox"/> Doesn't Comply		
Disabled Bays	Disabled Bays – N/A	<input type="checkbox"/> Complies <input type="checkbox"/> Doesn't Comply	
Building Height			
Scheme / Policy Requirement	Wall - 7m	Roof - 8m	
State the proposed building height	Wall - 3m	<input checked="" type="checkbox"/> Complies <input type="checkbox"/> Doesn't Comply	
	Roof - 6.5m		
Clause 67			
In the opinion of the officer, would approval of the planning consent be appropriate under Clause 67 of the Deemed Provisions of the Scheme?			
Officer Comment	<p>Yes.</p> <p>The proposal is consistent with the purpose and objectives of the Residential zone as per LPS1. The proposed variation to the side setback required by the RCodes satisfies the design principles.</p> <p>The proposed LDP variation is minor and is justified above.</p> <p>The proposal has been assessed with due regard to the objection received.</p>		
In the opinion of the officer			
i. Are utility services available and adequate for the development?	Yes		
ii. Has adequate provision been made for the landscaping and protection for any trees or other vegetation on the land?	N/A		

iii. Has adequate provision been made for access for the development or facilities by disabled persons?	N/A
iv. Is development likely to cause detriment to the existing and likely future amenity of the neighbourhood?	No
v. Is the development likely to comply with AS3959 at the building permit stage?	Yes. The dwelling would be subject to a rating of BAL-LOW
Other Comments	
Any further comments in relation to the application?	
Officer Comment	Conditional approval recommended

OFFICER RECOMMENDATION

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 proposed Dwelling at 61 (Lot 7) Waverley Road, Cowaramup 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 – P4 received at the Shire on 5 September 2022
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- 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.
- The wall on the boundary shall be finished to the satisfaction of the adjoining landowner, or in the case of a dispute to the satisfaction of the Shire, prior to occupation.
- 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 and/or disposed offsite by an approved connection to the Shire's drainage system in accordance with the Shire of Augusta Margaret River's Standards & Specifications.

ADVICE NOTES

- You are advised of the need to comply with the requirements of the following other legislation:
 - 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*;
 - Health (Miscellaneous Provisions) Act 1911* and Department requirements in respect to the development and use of the premises; and
 - The *Bush Fires Act 1954* as amended, Section 33(3), Annual Bush Fires Notice applies to this property.



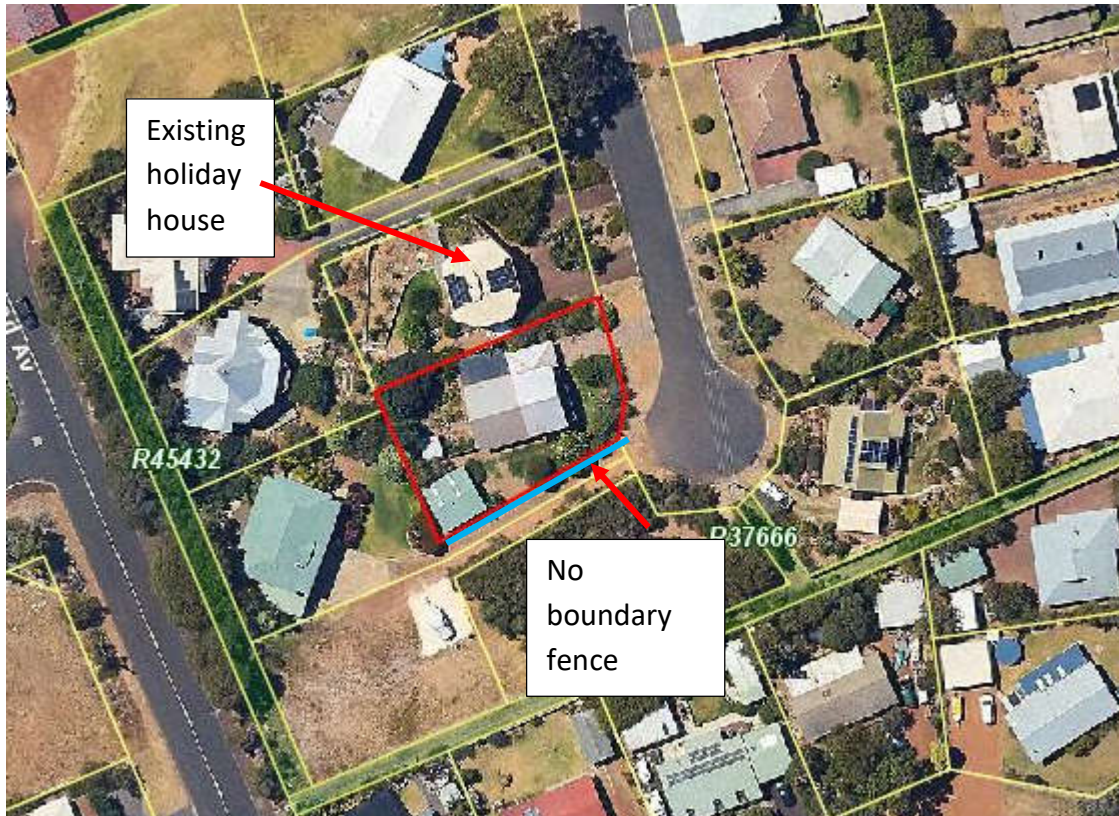
DEVELOPMENT APPLICATION ASSESSMENT
Report to Manager Planning and Development Services
Proposed Holiday House – 8 (Lot 63) Salkilld Place Augusta

(Level 3) objection received

P222622; PTY/2827

REPORTING OFFICER : Sophie Moscardini
 DISCLOSURE OF INTEREST : Nil.

General Information	
Lot Area	811m ²
Zone	Residential R15
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 four (4) short stay guests or a family of five (5) at any one time. The appointed manager is located within a 35 minute drive from the site.
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	13/09/2022
Date of Report	



One Location Map

Have there been any objections?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No The proposal was advertised to the neighbouring properties and 12 objections have been received. The submissions have been summarised further below.
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Comments Received	
Nature of Submission	Officer Comments
1. Objection - <ul style="list-style-type: none"> Access concerns due to the battleaxe arrangement of the lots. There is no boundary fence along the southern (side) boundary of the site, which is not suitable for short stay accommodation. Parking concerns within the existing cul-de-sac. 	<p>A number of common issues are raised by landowners within Salkilld Place. A response to these issues are provided below.</p> <p>Parking and access The subject site is located within a cul-de-sac as well as the southern boundary of the site providing access to two rear lots via a battleaxe arrangement. Parking</p>

<ul style="list-style-type: none"> Noise concerns. 	<p>and access for the proposed holiday house is not accessed from the existing battleaxe arrangement. The driveway is located to the north of the subject site and parking is provided for up to two (2) bays on site. It is also a condition of approval that all vehicles must be parked within the boundaries of the property. Given the number of guests proposed it is not expected parking outside of the boundaries of the site will be required. Management of the property can be contacted by residents should this condition not be complied with. The manager is located in Augusta and therefore will be able to respond promptly to any issues.</p>
<p>2. Objection –</p> <ul style="list-style-type: none"> Access concerns due to the battleaxe arrangement of the lots. There is no boundary fence along the southern (side) boundary of the site, which is not suitable for short stay accommodation. Parking concerns within the existing cul-de-sac. Noise concerns. Security concerns with lack of boundary fence. 	<p>Bushfire concerns A Bushfire Attack Level assessment has been provided which confirms that the site has a BAL rating of BAL-Low. A Bushfire Emergency Evacuation Plan must be displayed within the house which provides evacuation details in the event of a fire within the locality.</p>
<p>3. Objection -</p> <ul style="list-style-type: none"> Existing short stay approval of No. 10 Salkilld with an additional short stay will lead to large impacts to the small street. Impacts include parties, noise and damage to other houses. 	<p>Existing Holiday House operating at No. 10 Salkilld Place.</p>
<p>4. Objection –</p> <ul style="list-style-type: none"> Existing Augusta hotel and motel that are rarely booked that should be used for short stay accommodation. The likelihood of No. 10 Salkilld and now No. 8 being rented out by the same group of people which would have negative impacts to the residents of the street. 	<p>Concerns regarding the existing impact of No. 10 Salkilld as a Holiday House use are noted, and it is a key objective of Local Planning Policy 7 – Short Stay Accommodation (LPP7) that short stay accommodation does not impact the amenity of the surrounding area.</p>
<p>5. Objection –</p> <ul style="list-style-type: none"> Problems with the existing short stay approval at No. 10 Salkilld with various negative impacts to the neighbouring property include late night music, parties, rubbish and lack of privacy. The approval of another short stay dwelling will only exacerbate the situation. The front balcony of No. 8 will have negative privacy impacts on my dwelling (No. 3). Fire risk due to the heavily bushed block at No. 2 Salkilld. Access concerns due to the battle-axe arrangement of the lots. Parking conflict with short stay guests and permanent residents located at the rear. Having two short stay holiday homes next to each other is concerning due to the ability for groups to inhabit the dwellings at the same time causing further disruption. Concerns of the proposed holiday house operating the same as No.10 which has many negative impacts on residents of Salkilld. 	<p>In this case the subject site meets the locational requirements for a holiday house under LPP7, being located within a coastal settlement. Augusta falls within the permissible short stay area and LPP7 does not provide a cap on the number of holiday houses that may be considered in the area. The impact of the existing holiday house is noted and the existing complaints are being considered and dealt with by the Shires Compliance Officer.</p>
<p>6. Objection -</p> <ul style="list-style-type: none"> Reduced amenity for existing residents. Parking and traffic impacts in small cul-de-sac. The impact on permanent residents who bought in the cul-de-sac for peace and quiet. Impact on children playing on the street. Issues of two adjoining holiday houses which will effectively double the existing impact of No. 10 Salkilld. Noise impacts. Traffic hazards present on Salkilld. A number of blind corners to get access the site. Ongoing issues with existing short stay accommodation at No. 10 Salkilld. Various complaints have been lodged with the Shire including noise issues, bins being used incorrectly, no one contactable within 35 minutes of the site. Septic concerns due to Salkilld operating as a septic tank area and this could lead to health issues with increased pressure from short stay accommodation. Fire concerns. Guests not understanding Shire rules and when there is a total fire ban in place etc. 	<p>Each application for a holiday house must be considered on its own merits. In this case the application satisfies the policy requirements of LPP7 and for the reasons above, it is not expected to cause an adverse impact to neighbours. It would not be fair to penalise the subject application on the basis of the negative operation at No. 10 Salkilld. These should be managed through the individual planning application for each holiday house. Approval for an initial 12-month period is recommended.</p> <p>At the conclusion of the 12-month approval period, a holiday house renewal application would be required to continue the use. At this point, surrounding neighbours would have the opportunity to comment on the specific management of the holiday house in question and if it is determined that the use is being managed inappropriately, the continuation of the holiday house may not be approved.</p> <p>Compliance action regarding No. 10 Salkilld Place, Augusta (P221931) is currently underway. It should also be noted that the approval for 10 Salkilld Place is due to expire on 24 January 2023.</p>

<ul style="list-style-type: none"> Impact on Augusta Community. Short term renters do not contribute to the Augusta local economy. 	
7. Objection - <ul style="list-style-type: none"> Vehicle access. Noise concerns. 	
8. Objection – <ul style="list-style-type: none"> Small quiet street largely impacted by the existing holiday house at No. 10. A number of complaints have been sent through to the Shire in relation to the operation of No. 10 and nothing has been done, the Holiday House is still operating in the same manner which is impacting the street. Traffic impacts. Antisocial behaviour. Noise concerns. Lack of police assistance when noise gets out of hand. Increased noise impacts with two holiday houses next to each other. Lack of long term rentals due to increased short stay accommodation. Lack of compliance action against existing holiday houses that are already operating. 	
9. Objection - <ul style="list-style-type: none"> Impact of short-term accommodation on long term rentals. The increased number of short stay rentals is contributing to homelessness within our community. Concerns with the existing Holiday House operating at No. 10 Salkilld. 	
10. Objection – <ul style="list-style-type: none"> Impact of existing holiday house at No. 10 Salkilld. The amenity of the street has been impacted immensely due to the use of No. 10 as a Holiday House. Noise impacts. Parking concerns. Rubbish impacts. Traffic impacts. 	
11. Objection – <ul style="list-style-type: none"> Traffic impacts. Concerns with the existing Holiday House operating at No. 10 Salkilld. The Shire will have no ability to regulate the number of people staying once approved. 	
12. Objection – <ul style="list-style-type: none"> Concerns with the existing Holiday House at No. 10 Salkilld. Noise concerns. Vehicle access with the cul-de-sac arrangement of the site. Traffic impacts. Rubbish impacts. General amenity of the street is largely impacted by short stay use. 	

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
	Reticulated water supply, or minimum 120,000 (plus firefighting provision) rainwater tank?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
		Reticulated water onsite.

	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
Fire	If within bushfire prone area a BAL provided?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No BAL- Low determined for the site.
	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 N/A
	BAL rating at BAL-40 or FZ?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Management	Management Plan submitted?	<input 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 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 No. 8 Salkilld Place, 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 13 September 2022.
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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 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 **4 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

- 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.