## DEVELOPMENT ASSESSMENT REPORT Shire of Augusta Margaret River 1 May 2025 to 7 May 2025

# APPLICATIONS RECEIVED

Date Rec'd	Reference No.	Address	Proposal
PLANNING 01/05/2025	P225318	16 (Lot 131) Tall Trees Court, Cowaramup	Single House
01/05/2025	P225324	110 (Lot 1034) Heron Drive, Margaret River	Additions and Development
02/05/2025	Daaraar	44 (Lat 222) Wiss Dead Margaret Diver	Outside the Building Envelope Family Day Care (Renewal)
02/05/2025	P225325 P225326	11 (Lot 222) Wise Road, Margaret River 41 (Lot 52) Mitchell Drive, Prevelly	Cancellation of Holiday House
02/03/2023	F225520	41 (Lot 52) Mitchell Drive, Prevely	Approval (P222482)
02/05/2025	P225327	2 (Lot 237) Hardwood Loop, Cowaramup	Single House
07/05/2025	P225335	59 (Lot 103) Diana Road, Augusta	Outbuilding (Shed)
07/05/2025	P225336	40 (Lot 235) Albany Terrace, Augusta	Extension to existing Outbuilding
07/05/2025	P225337	Unit A, 5 (Srata Lot 1 of Lot 703) Freycinet Way, Gnarabup	Holiday House
07/05/2025	P225338	18 (Lot 12) Carnaby Crescent, Witchcliffe	Outbuilding (Shed)
BUILDING			
01/05/2025	225348	330 (Lot 1660) Ellenbrook Road, Cowaramup	Single Dwelling, Carport and Alfresco
01/05/2025	225349	1 (Lot 319) Ibis Court, Karridale	Carport
01/05/2025	225350	14 (Lot 34) Secluded View, Cowaramup	Single Dwelling, Garage, Verandah, Ancillary Dwelling, Shed and Retaining Walls
01/05/2025	225351	45 (Lot 243) Dalton Way, Molloy Island	Alteration Addition to Existing Dwelling and Carport
02/05/2025	225352	15 (Lot 241) Birdhaven Entrance, Cowaramup	Single Dwelling
02/05/2025	225353	1 (Lot 6) Chapel Place, Prevelly	Two Strorey Dwelling, Garage, Deck and Balcony
02/05/2025	225354	4 (Lot 75) Redgum Court, Margaret River	Carport
02/05/2025	225355	18 (Lot 52) Tremandra Boulevard, Witchcliffe	Single Dwelling, Garage and Ancillary Dwelling
02/05/2025	225356	Lot 108 Bushby Road, Karridale	Single Dwelling, Garage, Alfresco Water Tank and Shed
05/05/2025	225357	709 (Lot 201) Burnside Road, Burnside	Single Dwelling, Alfresco and Deck
05/05/2025	225358	106A (Lot 32) Ashton Street, Margaret River	Ancillary Dwelling
05/05/2025	225359	335 (Lot 11) Twenty Four Road, Karridale	Ancillary Dwelling
05/05/2025	225360	2 (Lot 278) Sawdust Street, Karridale	Single Dwellling, Carport and 2 x Sea Containers
05/05/2025	225361	32 (Lot 56) McDermott Parade, Witchcliffe	Carport
05/05/2025	225362	12 (Lot 236) Sawmill Loop, Karridale	Single Dwelling, Carport, Verandah and Shed
05/05/2025	225363	25 (Lot 16) Mansfield Avenue, Margaret River	Shed
06/05/2025	225364	Unit 1, 48 (Lot 3) Le Souef Street, Margaret River	Single Dwelling and Garage
06/05/2025	225365	Unit 2, 48 (Lot 3) Le Souef Street, Margaret River	Single Dwelling and Garage
06/05/2025	225366	Unit 3, 48 (Lot 3) Le Souef Street, Margaret River	Single Dwelling and Garage
06/05/2025	225367	17 (Lot 24) Osnaburg Street, Augusta	Two Storey Dwelling, Garage, Alfresco and Balcony
06/05/2025	225368	Lot 30 Redgate Road, Witchcliffe	Picnic Shelter
06/05/2025	225369	1260 (Lot 10) Rosa Brook Road, Rosa Brook	Water Tanks x 2
06/05/2025	225370	14 (Lot 72) McDowell Road, Witchcliffe	Water Tank
06/05/2025	225371	42 (Lot 19) Kulbardi Way, Witchcliffe	Water Tank x 2
07/05/2025	225372	Lot 2292 Bramley River Road, Osmington	Shed
07/05/2025	225373	330 (Lot 2595) Ellenbrook Road, Cowaramup	Shed
	censes for Comme	ent	
Nil			

### APPLICATIONS DETERMINED UNDER DELEGATION

Date Rec'd	Reference No.	Address	Proposal	Outcome
PLANNING				•
12/04/2024	P224265	341 Boodjidup Road, Margaret River	Carpark Extension and Resurfacing	Approved
14/01/2025	P225029	133 (Lot 37) Blackwood Avenue, Augusta	Holiday House (Renewal)	Approved
31/01/2025	P225071	1948 (Lot 4271) Brockman Highway, Courtenay	Holiday House	Approved
11/02/2025	P225100	38 (Lot 272) Noreuil Circuit, Cowaramup	Single House	Approved
14/02/2025	P225113	22 (Lot 18) Beech Drive, Margaret River	Single House	Approved
20/02/2025	P225130	13 (Lot 56) Freycinet Way, Gnarabup	Holiday House	Approved
26/02/2025	P225142	546 (Lot 101) Bramley River Road, Osmington	Holiday House (Renewal)	Approved
27/02/2025	P225146	13 (Lot 412) Dunnart Close, Margaret River	Building Envelope Variation	Approved
28/02/2025	P225159	Unit 36, 6 (Lots 1-47) Tunbridge Street, Margaret River	Holiday House	Approved
12/03/2025	P225191	6280 (Lot 192) Caves Road, Margaret River	Ancillary Dwelling	Approved
24/03/2025	P225221	37 (Lot 88) Wilderness Road, Margaret River	Outbuilding (Water Tanks x2)	Approved
SUBDIVISION	S			
13/03/2025	P225215	Lot 9010 Darch Road, Margaret River	Subdivision	Supported with Conditions
LOCAL LAW	PERMITS			
Nil				

### LEVEL 3 PLANNING APPLICATIONS FOR DETERMINATION

Date Rec'd	Reference No.	Address	Proposal	Recommendation
PLANNING				
29/01/2025	P225056	57 (Lot 23) Calkarri Drive, Augusta	Holiday House (Large)	Conditional Approval

### DEVELOPMENT ASSESSMENT REPORTING PROCEDURE

### Assessment of Development Applications (DAs)

For the purposes of this procedure there are three types of development applications:

Level 1 DA not advertised

Level 2

DA is advertised; and

- No submissions; or
- Submission received but meets one of the following:
  - Not related to the reason the DA was advertised.
    - The development is modified to comply or to remove the element of concern to the submitter.
    - Submission is either of support, conditional support or is 'indifferent'; or is from a non-affected person.

### Level 3

A submission in opposition is received from an 'affected' person or special interest group in relation to the reason the DA is advertised or the development application is recommended for refusal.

**Note:** This procedure applies to development applications only. It does not apply to structure plans, scheme amendments or other types of planning proposals.



# DEVELOPMENT APPLICATION ASSESSMENT Report to Manager Planning and Regulatory Services

Proposed Holiday House 57 (Lot 23) Calkarri Drive, Augusta

# Major (Level 3)

### P225056; PTY/4280

REPORTING OFFICER	:	Suzi Magnall
DISCLOSURE OF INTEREST	:	Nil

General Information	
Lot Area	33,284.7m <sup>2</sup>
Zone	Rural Residential
Existing Development	$\sqrt{\text{Single House}}$
	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 six (6) short stay guests at any one time. The management arrangements are to be In House Holidays, Augusta.
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	29/01/2025
Date of Report	14 April 2025

## Location Map



Have there been any objections?	√Yes □ No - 12 Submissions received
Have there been any substantial changes to the LPS1 or Policy?	$\sqrt{\text{Yes}}$ I No I N/A As of 1 July 2024, the Planning and Development (Local Planning Schemes) Amendment (Short-Term Rental

results in all a	on) Regulations 2024 – Changes to clause 78B applications for a 'change of use' to hosted or un- mmodation being exempt from the bushfire	
Comments Received		
Nature of Submission	Officer Comments	
Objection – We live directly opposite the property.		
enough Holiday Homes in Augusta and not enough rentals. It's wrong to end a long term rental to start a Hol (HH) – where is this young family supposed to live. T	permanent issues, these have been addressed iday Home collectively by the owner as follows:	
create problems such as noise, more guests than rubbish left out longer than normal.		
Objection – Two main grounds:	previous owner had not cared for it very	
<ol> <li>Safety / Bushfire Danger – This property is one densely populated in Calkarri and worst maintai</li> </ol>	of the most well or been compliant with bushfire	
safety. There have been recent infringements Shire Fire Rangers. There are currently ma overhanging power lines which have been	served by addressing these issues including rked trees spending 50+ hours clearing and burning	
Western Power. Fences are also collapsed fe previous tree falls. There is an excessive a	nd unsafe so far:	
buildup of fireload beneath trees which const hazard for all residents. The proposed high de term accommodation for up to 8 people will lead	nsity short that were overhanging the neighbours	
social gatherings and increase the fire risk, er all residents in the area.	- Once to address trees on the property around the house as well as trees	
<ol> <li>Zoning – There are few Rural Residential class in the Shire. Permitting this HH would effective the classification to commercial use without full</li> </ol>	ely change - Once to address trees on the fence on	
consultation. LPP7, Section 3 Objectives state does not usually approve HH for more than 6 p	s the Shire So far this expense has been upwards of \$6000 and we will continue to engage SW	
where there is significant local opposition. Thi is inappropriate for the surroundings, is for 8 p there is only one bathroom. The septic syste	beople and maintain the property and ensure it is up	
intended for 2 bedroom occupancy and insuffic Changing this property from long-term rental t against the STRA policy as it will not benefi	bient. In terms of the fire concern, the clear instructions on the House Rules specifies	
community, will adversely impact the amenity of and threaten the Rural Residential lifestyle	f residents e. Remote Fencing / Dogs / Livestock:	
management with just a phone number is unl sufficient and places a burden on neighbours. Objection – This property is not fire compliant and is a fi	inner fence, in good condition, that	
overgrown bush and long grass, falling tree limbs a fences. The house is not to rental standards or accessib	nd broken no concerns regarding stray pets. We will	
chairs.	keep an eye on pets and ensure they do	
<ul> <li>Objection -</li> <li>The property is owned by an absentee owner an maintained. This is not likely to improve with a managestay accommodation.</li> <li>The large trees drop limbs, bark and leaves which a managestay accommodation.</li> </ul>	d not well not leave the property. We have also noted that much of Augusta is a National Park and dogs are not permitted. However, we are happy to amend the	
<ul> <li>cleaned up and there are minimal firebreaks resulting in high fire risk to the buildings and surrounding properties.</li> <li>The area is zoned Rural Residential which implies long term</li> </ul>		
residential use, not short-stay.Holiday House Use / Loss of Rental:Objection – As rate payers paying Rural Residential rates, this proposal will adversely affect the quiet and peaceful lifestyle ofWe love Augusta and the community and our intention is to split our time between		
residents. This property is a severe fire risk with thick which fuel loads and minimal firebreaks.	vegetation, Perth and Augusta. We are not in a financial position to leave the house	
Objection – Having unsupervised guests on a large bus is a fire hazard. In summer, there needs to be a mana 24/7 to be familiar with the fire attack plan and have	ger on site and it is safer to have the house being adequate used. Using the house as a Holiday	
protection measures. Objection –	House will generate an income to pay for maintenance and upkeep and allow our	
- The fuel load at this property is significant and no e attempts to reduce the burden or mitigate the combination of significant fuel loads and lack of	risks. The can relocate permanently. We are not fire safety able to use or improve our house with long	
<ul><li>knowledge by guests could lead to a significant</li><li>Several simple steps could be made to reduce this ris</li><li>We would question whether the septic system is suit</li></ul>	fire event. k. term tenants in place, and as we aim to be at the property 40-50% of the time, the presence of our family in the area and our	
guests. There is a winter wet area to the east which adversely affected by high nutrient run off from functioning septic.	the concern of the loss of a rental. The	

The proposal does not state if pets will be allowed. The current Holiday House use is to enable us to be condition of the fences on the property are not suitable and will present in Augusta, not absent. not keep pets contained to protect neighbours from straying animals. Noise Nuisance / Increased Traffic: The House Rules specify no parties and Objection no extra guests. We will also reduce the request to a small Holiday House with only - Not all neighbours in the estate were notified in writing of the proposal from the Shire. 6 guests to address this concern. We are - The state of the property is terrible. It is poorly maintained and a looking to attract young families and couples. The area is very quiet, and fire hazard. Falling trees have caused power outages and Calkarri Drive is a quiet circle road without damaged fences. The house is unsafe, with unfenced high verandahs and windows thoroughfare traffic. I would not envisage there would be more than two cars at the that close themselves. It would need extensive renovation to bring it up to standard for holiday accommodation. property at one time. Usually the house - Why is there a need for more holiday accommodation in this area. would be rented to one family (one car), so the increase to traffic would be similar The house was providing long term accommodation for a young family who have nowhere to go. We should be doing all we can to the current situation or perhaps less to keep long term accommodation. than is the case now as the current tenants have two cars. Having 8 guests is worrying - that many people will create additional traffic, noise and activity. The neighbourhood is quiet and peaceful and will be disturbed by large groups of people on Septics: holiday having little regard for permanent residents. If they light We acknowledge the comments of Objectors and Environmental Health fires or drop a cigarette butt, there is huge risk of a fire starting. regarding the septics. We have spent over - I do not want bins left out and potentially spilling / littering should changeover day not coincide with collection day. \$7000 on repairing the septic tank and a broken leach drain, inherited from the - This proposal should be annulled, the quiet neighbourhood is not ready for accommodation on this scale. The fact some people did previous owner. However, we are very not receive notification of the proposal is troubling. happy to reduce the guest number to six to alleviate some of the concerns raised. Objection - Fire concerns - the block is poorly maintained and has not passed initial fire inspections. Tourists are not aware of the delicate nature of this high fuel loaded area. The Objectives of Lack of Compliance with LPP7 **Objectives:** LPP7 would not be met. I have looked at the Objectives and Objection - All neighbours were not notified because they do not cannot see how we are not complying, live opposite, but will still be affected. The impact of a large holiday further information would be needed to house would be traffic, noise, excess people and a family being come up with an approach to rectify this. evicted. Let us keep our peace. **Officer Comment** The applicant's response demonstrates respect to the amenity of their neighbours. They have explained their intentions regarding occupation of the Holiday House, using the property partly for their own enjoyment and partly as a HH to generate an income to facilitate home and property improvements. They have also detailed their ongoing plans to improve maintenance and bushfire compliance of the large block which should alleviate some of the Objector's concerns regarding Bush Fire Safety. The Applicant's have offered to reduce the number of guests from eight to six to address concerns regarding noise nuisance from large groups, traffic and septic capabilities and have also offered to restrict pets if the proposed House Rules are not considered sufficient. The House Rules restricting parties and amplified music, plus the nearby location of the management company will aid to further mitigate potential issues. With regards to the property location, the site satisfies the locational criteria and Objectives for holiday homes under the Shire's Local Planning Policy (LPP7). Furthermore, the recent changes to Regulations (clause 78B) results in all applications for a 'change of use' to hosted or un-hosted accommodation being exempt from the bushfire requirements, so this concern is not a valid reason to refuse the proposal in itself. However, the Applicant has attempted to alleviate neighbour concerns, and a BEEP has been provided.

The proposal was initially advertised to 9 properties which adjoin the site. A request was received during the consultation period from a neighbour who was not written to initially, who were supplied details and invited to make comment on the proposal. Neighbour notification was undertaken in accordance with the requirements of LPS1 and consistent with other similar applications considered by the Shire.

The decision is unable to be made in a manner pre-empting amenity impacts, particularly in circumstances where the nature of the use does not vary greatly from what could be expected from residential use. As is standard with short term uses, an initial 12-month approval is recommended whereby the proponents will need to demonstrate that management measures are sufficient to prevent impacts on the amenity of the neighbouring properties. A condition restricting pets is not considered necessary at this time but could be added to a renewal if required. 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.

Policy Requirements		
Policy Element	Provision	Comment

Location	Coastal settlement	√Yes □No
	Urban area located within Policy Plan 1?	Vites ⊔ino □Yes √No
	Within 50m of Village Centre zone?	1
	Located outside of Policy Plan 1 but comprise of an	□ Yes √ No
	area not less than 1ha?	√Yes □No
Design / Layout	One parking bay per bedroom, Or two bays for grouped dwellings	√Yes □No
	Reticulated water supply, or minimum 120,000 (plus firefighting provision) rainwater tank?	√Yes □No
	Existing or proposed one site effluent disposal system sized accordingly to number of guests?	☐ Yes √No See Comments below.
	Decks and balconies located away from the bedrooms of neighbouring dwellings?	√Yes □No
	Decks and balconies located close to the living and dining areas of neighbouring dwellings, provided with suitable screening?	√Yes □No
	Each bedroom accommodates a maximum of two persons?	√Yes □No
Management	Management Plan submitted?	√Yes □No
	BEEP provided	√Yes □No
	Manager, or employee permanently resides 35m drive from Site? In House Holidays, Augusta	√Yes □No
	House Rules?	√Yes □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
Environmental Health Comments	<ul> <li>1992: Approval was granted for the installation consisting of 1 x 1200mm and 1 x 1500mm sep drains however, there was no record of an installation nor was an 'As Constructed' pla Subsequently a <i>Permit to Use Apparatus</i> haproperty.</li> <li>1994: 2 additional bedrooms added, no record system</li> <li>The existing effluent disposal system will require 8 occupants.</li> </ul>	tic tanks, with 2 x 12m leach inspection at the time of an submitted to the Shire. as not been issued for the of upgrading the wastewater
	<b>Officer Comments –</b> It has not been demonstrated that t for the proposed use with eight (8) guests. The Applican guests to six (6) to address this and other concerns.	
Recommended period of approval	$\sqrt{12}$ months $\square$ 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 57 (Lot 23) Calkarri Drive, Augusta subject to compliance with the following conditions:

## CONDITIONS

1. The development is to be carried out in compliance with the plans and documentation listed below and endorsed with Council's stamp, except where amended by other conditions of this consent.

Plans and Specifications	P1 to P5 received by the Shire on 29 <sup>th</sup> January 2025
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- The Holiday House use permitted for a period of 12 months from <a href="cdate-of-this-approval"></a> to <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 **six (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')
- 11. The proposal will require additional equipment for the onsite treatment and disposal of wastewater and shall be installed in accordance with the *Health (Treatment of Sewage and Disposal of Effluent & Liquid Waste) Regulations 1974* and to the satisfaction of the Local Government/Department of Health prior to the use an application is required (EH).
- 12. Until it is demonstrated that the existing wastewater system has the capacity for an 8-person holiday house, the house may only be used to accommodate 6 persons (EH)
- 13. Noise emissions resulting from development/use of premises for the approved purpose shall not exceed the assigned levels in the Environmental Protection (Noise) Regulations 1997, and shall not unreasonably interfere with the health, welfare, convenience, comfort or amenity of an occupier of any other premises. (EH)
- 14. A minimum 120,000 litre potable water supply shall be supplied for domestic use. A further 10,000 litre minimum water supply for firefighting purposes shall be provided in a separate tank on the subject site. Water tanks shall be installed prior to the commencement of the use and thereafter maintained. To enable standardisation of fire brigade access, the firefighting supply shall be fitted with a single 80mm female camlock fitting, maintained in a correct operating condition and adequately sign posted at all times at the property owners expense.

### **ADVICE NOTES**

- a) Following satisfactory performance of the approved use, and in the absence of any substantiated complaints over the twelve (12) month approval period, the Shire may grant further planning approval for the continuation of the use for a further three (3) years. A new planning application seeking such approval should be submitted 90 days before the expiry of this approval, along with the appropriate planning fee.
- b) If at any time there is not an appointed manager or a contactable employee of the manager for the site, the use must cease until such time as a manager is appointed.
- c) Evidence of installation of the sign will be required to be provided, to the satisfaction of the Shire, at the time an application to renew the Holiday House use is lodged.
- d) This approval does not affect the entitlement to use the dwelling for permanent residential purposes.
- e) You are advised of the need to comply with the requirements of the following other legislation:
  - (i) *Health (Miscellaneous Provisions) Act 1911* and Department requirements in respect to the development and use of the premises.
  - (i) The *WA Building Regulations 2012* (r.59) requires that the owner of a dwelling (as defined in the Building Code of Australia) must not make the dwelling available for hire unless hard wired, battery backup smoke alarms are installed, complying with the Building Code of Australia and AS3786.
- f) The 'House Rules' document shall be consistent with key elements of the NSW Code for Holiday Houses (please refer to the attached document).
- g) Evidence of the display of the planning approval reference number within the marketing of the Holiday House is required to be provided, to the satisfaction of the Shire, at the time an application to renew the Holiday House use is lodged. Applicants are advised to include a screenshot of the website, to show that the planning approval reference number is being displayed.
- h) Please note that the Shire does not notify landowners in writing of the expiry of a Holiday House planning approval. It is the owners responsibility to monitor and ensure that the planning approval remains valid while the use is being undertaken.

- i) Please note that approval as short stay accommodation will change the rating category applied to the property to Tourism and may lead to an increase in rates levied for the site. For further information on these changes contact the Shires Revenue team on 9780 5234 or by email at <u>revenue@amrshire.wa.gov.au</u>.
- j) From 1 January 2025, short term accommodation will also require registration through the State Government <u>Short-Term Rental Accommodation Register</u>. 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 <u>https://www.wa.gov.au/organisation/department-of-energy-mines-industry-regulation-and-safety/short-term-rental-accommodation-register</u>