

DEVELOPMENT ASSESSMENT REPORT
Shire of Augusta Margaret River
18 September 2025 to 24 September 2025

APPLICATIONS RECEIVED

Date Rec'd	Reference No.	Address	Proposal
PLANNING			
18/09/2025	P225696	16 (Lot 26) Snapper Avenue, Margaret River	Single House
19/09/2025	P225697	449 (Lot 2774) Warner Glen Road, Forest Grove	Holiday House
19/09/2025	P225698	3 (Lot 70) Oxley Place, Augusta	Cancellation of Holiday House Approval
22/09/2025	P225700	133 (Lot 1026) Heron Drive, Margaret River	Holiday House (Large)
23/09/2025	P225701	15 (Lot 7) Tulip Way, Margaret River	Single House
23/09/2025	P225702	8 (Lot 105) Vita Court, Margaret River	Conversion of Shed to Studio
23/09/2025	P225703	Unit 3, 12 (Lot 3) Town View Terrace, Margaret River	Holiday House (Large)
24/09/2025	P225704	109 (Lot 2) Baudin Drive, Gnarabup	Holiday House (Large)
BUILDING			
18/09/2025	225635	265 (Lot 214) Horseford Road, Burnside	Swimming Pool, Fence and Deck
18/09/2025	225636	12 (Lot 38) Hardy Street, Augusta	Shed and Carport
18/09/2025	225637	6 (Lot 16) Cassidy Street, Augusta	Single Dwelling, Garage, Alfresco, Shed and Water Tank
19/09/2025	225638	162 Clark Drive, Alexandra Bridge Campground	Toilet Block
19/09/2025	225639	33 (Lot 116) Leschenaultia Avenue, Margaret River	Patio
19/09/2025	225640	12 (Lot 77) Holly Place, Cowaramup	Garage Extension
22/09/2025	225641	1 (Lot 513) Riverslea Drive, Margaret River	Swimming Pool and Barrier Fence
22/09/2025	225642	31 Shingler Road, Cowaramup	Dwelling Addition/Alteration
22/09/2025	225643	30 (Lot 246) McManus Circuit, Witchcliffe	Single Dwelling, Ancillary Dwelling, Water Tank x 2 and Shed
23/09/2025	225644	11 (Lot 243) Felling Road, Karridale	Water Tank
24/09/2025	225646	6 (Lot 17) Hogan Place, Witchcliffe	Shed
24/09/2025	225647	7 (Lot 399) Maclaren Crescent, Margaret River	Retaining Wall
24/09/2025	225648	27 (Lot 24) Bussell Highway, Margaret River	Carport
Exploration Licenses for Comment			
Nil			

APPLICATIONS DETERMINED UNDER DELEGATION

Date Rec'd	Reference No.	Address	Proposal	Outcome
PLANNING				
10/04/2025	P225267	44 (Lot 3) Sheridan Road, Margaret River	Holiday House Renewal (Large)	Approved
07/07/2025	P225496	1 (Lot 81) Carey Place, Margaret River	Ancillary Dwelling	Approved
10/07/2025	P225504	51A (Lot 71) Trinder Drive, Margaret River	Holiday House (large) Renewal	Approved
07/08/2025	P225576	13 (Lot 463) Daisy Rise, Cowaramup	Outbuilding (Carport)	Approved
03/09/2025	P225652	32 (Lot 121) Dalton Way, Molloy Island	Dwelling Addition (Carport)	Approved
SUBDIVISIONS				
07/08/2025	P225609	Subdivision	4 (Lot 112) Andrews Way, Margaret River	Support with conditions
LOCAL LAW PERMITS				
Nil				

LEVEL 3 PLANNING APPLICATIONS FOR DETERMINATION

Date Rec'd	Reference No.	Address	Proposal	Recommendation
PLANNING				
27/06/2025	P225475	25 (Lot 405) Hasluck Street Cowaramup	Mixed Use Development (4x Ground Floor Retail/Offices, Laundromat and 5 x First Floor Residential Units)	Approve with conditions
20/06/2025	P225446	81 (Lot 2) Tunbridge Street, Margaret River	Holiday House	Approve with conditions
02/04/2025	P225248	5 (Lot 48) Groupthree Drive Kudardup	Outbuilding (Shed)	Pending further discussion

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

P225475

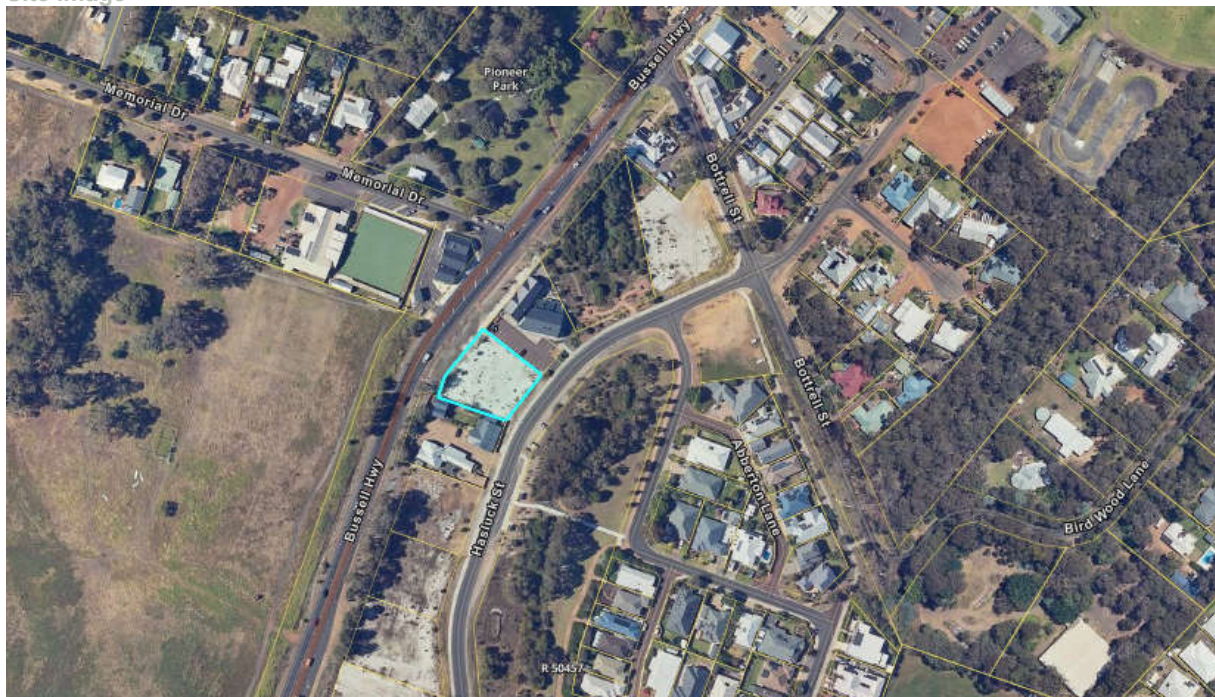
General Details

Reporting Officer	Tessa Ashworth
Disclosure of Interest	Nil
Assessment Level	Major (Level 3) – objection received

Application Details

Address	25 (Lot 405) Hasluck Street Cowaramup			
Proposed Development	Mixed Use Development (4x Retail/Office, 1 x laundromat, and 5 x Residential Units)			
Zoning	Future Development (Village Centre)			
Lot Area	1654m ²			
Use Class and Permissibility	Shop 'P'; Office 'P'; Laundromat 'D', Multiple dwellings 'D'.			
Heritage/Aboriginal Sites	None			
Other Considerations	Visual Management Area	☐	Sewerage Sensitive Area	☐
	Special Control Area	☐	Watercourses/Rivers	☐
	Bushfire Prone Area	☒	Environmentally Sensitive Areas	☐
Structure Plans/LDP's	Local Development Plan – Lots 400-408 Bussell Hwy			
Easements/Encumbrances	Restrictive Covenant – no access to Bussell Hwy, 3m setback to Hasluck Street			
Why is Development Approval Required?	The development is not exempt from requiring planning approval.			

Site Image



Assessment

Referrals	Yes	No
Adjoining Neighbours/Property Owners	☒	☐
Government Agencies	☐	☒
Internal Shire Departments Infrastructure / Environmental Health / Waste / Building	☒	☐
Where any objections received?	☒	☐
Where any issues raised through the referrals process?	☒	☐

Internal Department Comments	
INSERT NAME Department	
Department Comments	Officer Comments
Health Likely a Noise Impact Assessment would be required under SPP 5.4 Road and Rail Noise. This would be for all units due to the proximity to Bussell Hwy and for the residential units above the commercial premises to address sound transmission between floors. It's likely that a Quiet House Package is to be implemented but hard to say without an acoustic report. Recommended department conditions: - Consideration of potential traffic noise intrusion, in accordance with the State Planning Policy 5.4 "Road & Rail Noise" requirements. - Requirement to comply with the Building Code of Australia (BCA), Part F5 – Sound Transmission and Insulation.	Acoustic report required as condition of approval. Any required noise attenuation to be outlined in Building Permit.
Building No issues. Certified building permit required.	Noted.
Infrastructure Conditions provided	Conditions applied
Waste Requirement for waste management plan	Conditions applied

Community Engagement	
Submitter Comments	Officer Comments
Submitter 1 - Objection - Should be 8m maximum height limit - Bin Store next to brewing shed on adjoining lot that would cause unpleasant odour and attract vermin close to facility.	See discussion below regarding building height. Alternative options for bin storage were discussed with the applicant. Due to the design of the carpark and the landscaping requirements, there are limited alternative options as to where it could be located. Relocation against the Bussell Hwy boundary was considered, however this would result in a poor streetscape outcome. A condition has been applied for further design and location details of the bin storage area to be provided to ensure no odour impacts the adjoining property. The bin store may need to be enclosed. A waste management plan is to be provided as a condition of approval.

Policy Framework	Yes	No
Does the proposal involve variations to the Residential Design Codes?	☒	☐
Does the proposal involve any variations to Scheme Requirements?	☒	☐
Does the proposal involve any variations to Policy Requirements?	☐	☒
Other matters that require discretion (Vegetation Removal)	☐	☒

Policy Requirements

Local Planning Scheme No.1 – Schedule 9		
Standard	Required	Provided
Setback (Front)	Nil	4.5m – complies

Setback (Side) – North	Nil	14m – complies
Setback (Side) - South	Nil	6m – complies
Setback (Rear)	Determined on a case-by-case basis	1m – complies
Site Coverage	50%	30.7%
Plot Ratio	0.5	0.54 – variation
Landscaping	Determined on a case-by-case basis	Complies – see discussion below
Building Height (delete for Outbuildings)		
Standard	Required	Provided
Wall	7m	6.4m
Overall	8m	9.1m – variation
Car Parking		
Standard	Required	Provided
Local Planning Scheme No.1 (insert ratio)	Residential: - Three (3) two-bedroom apartments – 3 bays - One (1) three-bedroom apartment – 1 bay - One (1) Studio apartment – 1 bay + 1 visitor bay = 6 bays Commercial: - Shop/Office 1 space/25m² NLA – 292.43m² = 11.7 bays - Laundromat no parking standard – previously applied 1 bay per 4 machines. Number of machines is not specified. 1 space per 25m² – 74m² = 2.96 bays = 14.66 rounded up to 15 bays Total 21 bays required.	6 x bays for residential 13 x bays for ground floor = 19 bays +10% active transport concession = 21 bays – complies A bike stand is in the plans and additional end of trip facilities have been provided. The applicant is to provide an active transport plan as a condition of approval.
Design	Forward entry into the Street/AS 2890.1 Parking Facilities: Off street car parking/AS 2890.6 Parking Facilities: Off street parking for people with disabilities	No issues raised from infrastructure.

R-Codes Part C

The Town Centre lots have an R60 coding, and the proposal is assessed under Part C of the RCodes. An assessment against part C is attached as **Appendix 2** below. The proposal presents the following variations:

- C1.1.3 - 1 bedroom dwelling has a private open space dimension of 1.6m in lieu of 2m. Has total area of 12m² above minimum requirement of 8m². Minor variation supported.
- C3.5.2 – Retaining above 1m on street setback. 1.2m high retaining proposed on Bussell Highway Elevation. The ground level reflects the existing pad on the site created at subdivision and the building has the same FFL as the adjoining northern lot. There is an existing steep slope to Bussell Hwy off this pad. Landscaping Plan shows cascading plants along retaining which will help reduce impact and will be consistent with retaining at the site to the north. Minor variation is supported.

Other aspects that are assessed through the RCodes have not been detailed in the proposal and will be addressed through conditions including: screening of waste storage and utilities; noise report for separation of noise sources; stormwater plan to ensure stormwater retained on site.

Local Development Plan – Lots 400-408 Bussell Hwy

The LDP provides that the uses are to be as per the town centre zone with regard given to the Cowaramup Village Centre Design Guidelines (a full assessment against these below).

The proposed building addresses both Bussell Hwy and Hasluck Street frontages with plenty of glazing in the upper and ground floor facades, clearly defined entrances, and effective landscape design. The setbacks comply with a 4.1m setback to Hasluck street (minimum 3m) and a vegetated buffer including planting on the verge.

The building has good northern solar access and has some fragmentation in the bulk of the roof structure via gables that sit on the north and south elevations. The use of textured concrete, weatherboard and timber, and a colour palette of neutral earthy tones further aligns with the provisions of the LDP. These include a wall cladding combination of Colorbond ‘Surfmist’ tilt up panel, rough sawn concrete and Dulux ‘Oyster Linen’ weatherboard. The use of ‘Surfmist’ has been accepted at other development sites along Hasluck St. The roof is to be Colorbond ‘Shale Grey’. The existing fence along the boundary to the south is to be retained, with a permeable access gate to the carpark for the apartments.



Figure 2: Exterior colour palette

Cowaramup Village Strategy and Design Guidelines

The Cowaramup Village Strategy identifies the subject lot as commercial, with new development to be architecturally designed to reflect and enhance the distinctive rural character of Cowaramup. This is reflected in the Cowaramup Design Guidelines.

The Guidelines stipulate a maximum 8m roof height which the proposal varies with a 9.1m maximum height. The variation in roof height is discussed below. The scale of the building is reduced through fragmentation by twin gables, overhanging balconies, gables on all elevations and use of pergolas along the north façade. It complies with a consistent 35-degree roof pitch and split roofs with gable ends facing the street. The proposed building does have a larger frontage character but is suitable in the context of the newer commercial zone of the township.

The side setbacks are landscaped, safe pedestrian access and shelter is provided and the front setback to Bussell Hwy reflects adjoining lots. The materials in the Design Guidelines reflect those in the LDP and therefore the materials proposed are consistent. There is ample glazing to both frontages, verandas to the underside of balconies and a pergola on the north side for shade.

Except for building height, the proposal complies with the Cowaramup Design Guidelines.

SPP7.0 – Design of the Built Environment

The proposal went through the Design Review process prior to lodgement. The Design Review Panel's general feedback against SPP7.0 was that the building form, scale and aesthetics are largely supported, however, the poor landscaping response requires professional advice. The review recognises that addressing two street frontages in a development is difficult and often requires compromise in one or more components to arrive at a workable outcome. The main points of consideration included:

- *The lack of access to Bussell Highway is a drawback that could be improved with a pedestrian link.* The Shire is carrying out some upgrades to pathways in Cowaramup that is likely to include a new pathway across Bussell Hwy from the south side of Memorial Drive. While there is no proposed linkage as far south as the lot, the applicant has allowed for steps in the retaining and gaps in the landscaping for future connection.
- *The landscape area is less than 50% of what is required, the site is dominated by paving and the input of a landscape professional is strongly advised.* The applicant employed a professional landscape architect to integrate more landscaping into the design. They have now achieved the minimum coverage for landscaping. No allowance has been made for permeable paving to support the shading trees for the carpark. Details of this will need to be provided with vehicle parking construction engineering plan. No details of external lighting have been provided in the landscape plan. These requirements have been included in the recommended conditions of approval.
- *Relocating and reorienting the building to place both parking areas to one side of the building should be considered and to release more land for landscaping.* The applicant had worked through a series of options for moving the building within the site, however, had been unable to find a way to move it that would allow effective orientation to both street frontages. Having the carpark split between two uses does reduce the large expanse of parking that could occur.
- *Whilst the building orientation bodes well for passive environmentally sustainable design outcomes, there has been no professional sustainability input that could make this a better project.* The applicant has considered the use of solar PV, but due to potential built strata/lease arrangements that could occur in future, it would be difficult to implement in the early stages. The orientation of the building to the north is a benefit for energy efficiency, the upstairs apartments achieve good cross ventilation, and the shading that the trees and pergola provide to the north will help with cooling in summer. Waterwise landscaping has been incorporated into the design and the applicant has included showers in two additional retail/office units for active transport end of trip facilities.
- *Consideration should be given to the possibility of the residential component being converted to permanent housing in the future and the R-codes implications.* Initially proposed as short stay accommodation, the applicant has amended the proposal to residential use and is compliant with the R-Codes for residential development, with the exception of a couple of clauses mentioned in relevant sections above.

The applicant has addressed the concerns raised by the Design Review Panel and amended plans accordingly. A detailed list of areas for improvements, response and officer comment can be found at **Appendix 1**, below.

LPP30 - Public Art

As per the Shire's Public Art Policy, commercial developments (with a construction cost above \$1,000,000) are required to provide the equivalent of 1% of the cost of construction as public art. No public art has been proposed as part of the

application and the proposal will meet the threshold. Therefore, provision of public art is recommended as a condition of approval.

LPP26 – Signage

The applicant has not proposed any signage as part of the application. A condition is added that windows facing Bussell Highway shall not be tinted, reflective, painted or obscured by signage, and that details shall be provided with the building permit. Any future signage will be subject to planning approval in the instance it is not exempt under the Signage Policy.

Discussion

The proposed land uses are consistent with the Shire's Local Planning Scheme mixed use requirements in the town centre zone as well as the relevant Structure Plan which labels the lot as commercial.

The proposal has a minor variation to the development standards for plot ratio area for 0.54 in lieu of 0.5. The variation is minor and poses no major impacts on adjoining lots and adequate landscaping and parking have been provided for within the lot.

Building height

The building has a proposed height of 9.1m in lieu of 8m. The justification being that a 3m ceiling height that is preferred as an industry standard for the ground floor retail/office space, while at the same time having an allowance for a pitch on the upper floor that meets the Cowaramup Design Guidelines. The wall height is at 6.3m.

The building to the north has a height of 8.9m and therefore the variation can be considered in context of other height variations. The building is set in the middle of the block, and the effect of building bulk will be minimal to adjoining properties. The finished floor level is 131.6AHD which matches that of the adjoining lot to the north. The buildings on the lot to the south have a level of 131.3AHD.

Clause 5.13.1.2 of the Scheme allows for variations up to 20%. The proposed height is a variation of 13.75% and it is considered acceptable.

Conditional approval recommended.

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 Mixed-Use Development (4x Retail/Office, 1 x Laundromat, and 5 x Residential Units) at 25 (Lot 405) Hasluck Street Cowaramup 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 1 received by the Shire on the 17 September 2025 Plans 2-7 received by the Shire on the 27 June 2025
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2. 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.
3. 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.
4. Prior to lodging a building permit, an **Acoustic Report** is to be provided with consideration of potential traffic noise intrusion, in accordance with the State Planning Policy 5.4 "Road & Rail Noise" requirements and compliance with the Building Code of Australia (BCA), Part F5 – Sound Transmission and Insulation.
5. Prior to lodging a building permit application, a detailed **Stormwater Management Engineering Plan** shall be prepared to the satisfaction of the Shire and submitted to the Shire showing drainage details, stated storage capacity, lid levels, drainage pipe inverts, sump connections details, slow-release details and calculations, offsite infrastructure connection details and a feature survey showing existing services, street trees, footpaths and furniture etc. The Shire's written acceptance of the Stormwater Management Plan must be provided with the building permit application. (Refer to advice note 'b').
6. Prior to practical completion of the development, stormwater management systems on the subject site shall be constructed in accordance with the accepted Stormwater Management Engineering Plan referred to in abovementioned condition and shall thereafter be maintained.
7. Prior to lodging a building permit application, a detailed **Vehicle Parking Construction Engineering Plan** shall be prepared in accordance with the Australian Standard AS 2890 to the satisfaction of the Shire and submitted to the Shire showing construction details including bay lengths and widths, aisle widths, pavement levels, thickness, cross fall, lighting proposal, permeable paving around shade trees and drainage disposal method. The Shire's written acceptance of the Vehicle Parking Engineering Plan(s) must be provided with the building permit application (refer to advice note 'b').

8. Prior to occupation of the development, vehicle parking areas shall be constructed and thereafter maintained in accordance with accepted Vehicle Parking Construction Plan(s), the Australian Standard AS 2890 and the Shire's Standards and Specifications.
9. Prior to occupation of the development, crossovers shall be designed, constructed, sealed, and drained in accordance with the Shire's standards and specifications.
10. ACROD bay and statutory signs shall be located convenient to the building entrance and shall be designed in accordance with AS2890.6 Parking Facilities Part 6: Off street Parking for People with Disabilities to the satisfaction of Local Government.
11. Prior to occupation of the development, an **Active Transport Plan** (ATP) is to be prepared, approved by the Shire and implemented. The ATP shall detail facilities to be provided to encourage non-motorised forms of transport including the provision of end of trip facilities.
12. Prior to lodging a building permit, details shall be submitted for the design and location of the bin storage area to the satisfaction the Shire. Prior to commencement of the use, the storage area shall be installed and thereafter maintained.
13. Prior to commencement of the development, a **Waste Management Plan** must be submitted to and approved by the Shire for the intended use. The Waste Management Plan must then be implemented to the satisfaction of the Shire, and have due regard to the following:
 - a) Ownership, maintenance and management of waste receptacles;
 - b) Provider of waste collection services;
 - c) Categories (landfill, recycling, FOGO, etc.) and volumes of waste expected to be produced;
 - d) Bin storage area and types of receptacles – showing quantity and placement of bins in storage area;
 - e) Method of collection and disposal of waste including access, circulation and collection times for the servicing of waste bins/receptacles;
 - f) Hygiene and noise, odour and vermin control;
 - g) Health, safety and environmental considerations, particularly focussed around manual handling, and prevention of accidental spills and releases; and,
 - h) Waste avoidance and staff education on avoiding waste.
14. Prior to issue of a building permit for the development, the proponent shall make a contribution toward public art in accordance with the Shire's *Local Planning Policy 30 – Public Art*. The contribution shall be one percent (1%) of the total estimated cost of development.
15. Windows facing Bussell Highway shall not be tinted, reflective, painted out or obscured by signage. Details shall be provided with the building permit.
16. Any external fan, air conditioner or similar equipment shall be installed and located so that there is no loss of amenity to the locality by appearance, noise, emissions or otherwise, to the satisfaction of the Shire.
17. Prior to lodging of a building permit, details of external lighting layout that demonstrates adequate lighting to communal open spaces including pathways and vehicle access areas shall be provided to the satisfaction of the Shire.
18. Prior to commencement of the use, landscaping shall be implemented on site and in the Hasluck Street Road reserve in accordance with the approved Landscape Plan prepared by Endemicus dated June 2025, and shall be maintained at all times thereafter.

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
- b) Engineering plans are required to be developed and designed by a suitably qualified engineer and submitted to the Shire's Asset Services department (PH 9780 5274) The plans shall include a feature survey of the Shires road reserve as part of the submission.
- c) At all times, all stormwater and drainage run-off from the development shall be detained within the lot boundaries and where available disposed offsite by an approved connection to the Shire's drainage system. At all times stormwater shall be managed to predevelopment flow regimes.
- d) Commercial developments should contain the 5% AEP on site using appropriate onsite storage with suitably designed storage such as pipe and pit, raingardens and shaping the carpark to function as part of the onsite detention with slow release to mimic predevelopment flows.
- e) Noise emissions (sound levels) shall comply with 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.

Appendix 1 – Design Review

SPP 7.0	Areas for improvement from Panel	Applicant response	Officer comment
1. Context and character	- Building does not address both street frontages fully. However, acknowledge difficulty because of subdivision. - Pedestrian Link to Bussell to be provided - Further info to tie building and landscape together	Considered shifting building to better face Bussell Hwy but isolated the building visibility to Hasluck Street. Updated landscape plan to show future pedestrian connect to Hwy and make site coherent.	Applicant has addressed areas for improvement. Difficulty of the site is acknowledged. There is no pedestrian footpath on this side of Bussell Hwy.
2. Landscape Quality	- Landscaping very minimal - Needs input from professional to ensure its well-integrated into design - Impervious paving unacceptably high. Consider the use of lighter paving finish and boundary landscaping/swale and permeable paving - Should not rely on verge planting - Strengthen street boundaries with quality landscaping. - Shade in parking areas - Landscaping at arrival lobby - Ongoing maintenance	Professional landscaping plan provided. Meets minimum requirements for landscaping as per R-codes. Reduction in parking due to active transport has led to less hardstand. Landscaping shown in plan.	Applicant has provided landscaping plan that addresses the DRP comments as well as to meet the R-Code requirements. Permeable paving to be included in vehicle parking construction plan. Applied in condition.
3. Built form and scale	- Resolve pitch of roofs to be the same - Detailed sections to show construction methods	Updated architectural docs Sections provided	Roof now all same pitch.
4. Functionality and build quality	- Consider possibility of changing units to residential, to comply with R-codes for storage etc. - Parking rationalised by taking out reversing bay, but allow for 1m turnout - Better integrate landscape with building - Provide showers in ground floor for end of trip	Changed units to long term residential Provided two commercial tenancies with showers Provided updated architectural drawings	Positive change to long term residential. End of trip facilities go towards active transport/sustainability outcomes below.
5. Sustainability	- Develop ESD strategy - Further detail on landscape quality, water sensitive design, incl water tanks, reticulation, shading, PV's, EV charging, shade trees, wind control. - Water management details - Consider sewerage system as part of ESD	Whilst we appreciate the DRP's advice, they have focused on making the building sustainable through - Orientation and passive design - Cross ventilation - Use of shading to north of commercial tenancies - Waterwise landscaping - Solar PV will be considered in future.	Details on landscape quality and attention to passive solar design are noted and discussed in report above.
6. Amenity	- Poor landscape/use of open space amenity - Consider acoustic requirements adjacent to a major roads	- Refer landscape plan	Landscape plan provided. Additional landscape for communal outdoor area at apartment entry. Have engaged acoustic consultant to comply with SPP5.4. condition of approval to provide.
7. Legibility	Two entry points has advantages in separating functions, however	- Two entry points were unfeasible,	

	a single point of public entry would substantially reduce the paved area and increase landscape opportunities. • Provide a clear hierarchy for pedestrian and vehicle access • Consider breakout spaces for both uses. • Include landscape buffers to NE and SW boundaries. • Signage strategies are required. See also lighting below in 8. • Residential unit entry could be better defined, landscaped and weather protected.	as discussed above. - Refer Landscape plan - Further detail on signage in future - Noted, architectural drawings updated and landscape plan.	Applicant has updated unit's entry design and provided communal open space through landscaping. The split of carpark between the units and the commercial element is legible. Landscape buffers included in plan. Details of lighting to be provided as condition of approval.
8. Safety	• The commercial car bays could be flipped to be on the building side for better pedestrian movement and safety. • Alternatively re-examine having all parking on one side of the building to release land for landscaping. • Further develop a "subtle" external lighting strategy.	Noted and implemented. Considered within the landscape masterplan.	Commercial bays have been flipped to be adjacent to the building. As above, position of building on the lot is acceptable. External lighting as condition of approval.
9. Community	• Further discussion with Council on providing pedestrian access to Bussell Highway and the park and footpath opposite • 1% public art will be required (>\$1m cost). Consider an outcome to benefit the project and the town. • Design for potential conversion to permanent housing is encouraged. • More levels on the plans would be useful in evaluating accessibility.	Future MRWA and Shire consideration. Further details on public art to be provided at a later date. Noted and implemented. Refer architectural documentation.	As discussed in report. Condition of approval. Have changed to permanent housing design. Short stay will need to be applied for separately. Levels shown on drawings.
10. Aesthetics	• Maintain a consistent roof pitch. • There is a clear need to improve the interrelationship between the building and landscape/setting. • Provide more detail on fencing and signage strategy for the commercial tenancies.	Noted and implemented. Noted and implemented. Refer to landscape plan.	Have changed roof pitch to be consistent. Landscaping plan shows good integration. Signage locations shown on elevations.

Appendix 2 – Part C R-Codes Assessment

1.0 THE GARDEN

1.1 PRIVATE OPEN SPACE

DEEMED-TO-COMPLY		YES	NO	N/A	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	COMMENTS / CONDITION OF APPROVAL
C1.1.1	Primary garden area in accordance with Table 1.1a	☐	☐	☒				
C1.1.2	Splitting of PGA for grouped dwellings	☐	☐	☒				
C1.1.3	Private open space to multiple dwellings (balcony) in accordance with Table 1.1b	☐	☒	☐	1 bed – 8m ² /2m Others comply	1 bed – 1.6m wide	12.7m ² – still big, no major issues.	Other units comply
C1.1.4	Balconies to be unscreened for 25%	☒	☐	☐				

1.2 TREES AND LANDSCAPING

DEEMED-TO-COMPLY	MEETS DEEMED-ADDRESSES DESIGN	NOT APPLICABLE	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	COMMENTS / CONDITION OF APPROVAL
C1.2.1 – 15% soft landscaping per site	☒	☐	☐	248m ²	308m ²	
C1.2.2 – 30% soft landscaping of the primary street setback area	☒	☐	☐			
C1.2.3 – Communal street and communal open space is landscaped and provided with adequate lighting to footpaths and vehicle access areas	☐	☐	☐			
C1.2.4 – Minimum trees and deep soil area in accordance with Tables 1.2a & 1.2b.	☒	☐	☐			
C1.2.5 – Shade trees for uncovered at grade car-parking for grouped and multiple dwellings	☒	☐	☐			
C1.2.6 – reduced landscaping subject to retaining a significant existing tree	☐	☐	☒			
C1.2.7 – Where a significant existing tree is retained on site, tree protection zone is provided in accordance with AS4970	☐	☐	☒			
C1.2.8 – Landscaping plan (for multiple dwellings or 5+ dwellings) in accordance with Appendix 3	☒	☐	☐			

1.3 COMMUNAL OPEN SPACE – Multiple dwellings only

DEEMED-TO-COMPLY	MEETS DEEMED-ADDRESSES DESIGN	NOT APPLICABLE	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	COMMENTS / CONDITION OF APPROVAL
C1.3.1 – Minimum communal open space requirements	☒	☐	☐			

C1.3.2 – Communal open space separated or screened sources of noise and odour	☐	☐	☒				
C1.3.3 – Design and orientation of communal open space to minimise impacts of noise, odour, lightspill and overlooking	☒	☐	☐				

1.4 WATER MANAGEMENT AND CONSERVATION

DEEMED-TO-COMPLY	MEETS DEEMED-	ADDRESSES DESIGN	NOT APPLICABLE	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	COMMENTS / CONDITION OF APPROVAL
C1.4.1 – Stormwater retained on site	☐	☐	☐				Stormwater plan as condition
C1.4.2 – Notwithstanding C1.4.1, stormwater directed to a district or local stormwater drainage system where required by the decision-maker	☐	☐	☐				

2.0 THE BUILDING

2.1 SIZE AND LAYOUT OF DWELLINGS

DEEMED-TO-COMPLY	MEETS DEEMED-	ADDRESSES DESIGN	NOT APPLICABLE	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
C2.1.1 – Designated primary living space, for multiple dwellings the primary living space with a minimum dimension of 3.8m	☒	☐	☐				
C2.1.2 – Primary living space to have direct and physical access to primary garden area/private open space (single houses and grouped dwellings)	☐	☐	☒				
C2.1.3 – Primary living space to have direct access to private open space (multiple dwellings)	☒	☐	☐				
C2.1.4 – Max depth of single aspect primary living space (multiple dwellings only)	☒	☐	☐				
C2.1.5 – Bedrooms to have a minimum internal floor area of 9m ² and a minimum dimension of 2.7m (multiple dwellings only)	☒	☐	☐				
C2.1.6 – Minimum ceiling height (multiple dwellings)	☒	☐	☐				
C2.1.7 –Minimum internal dwelling floor area (multiple dwellings)	☒	☐	☐				
C2.1.8 – Dwelling mix (10+ multiple dwellings)	☐	☐	☒				
C2.1.9 – Storage requirements in Table 2.1b	☒	☐	☐		Attic storage provided, meets requirements		
C2.1.10 – Reduced storage area dimension	☐	☐	☒				
C2.1.11 – Major openings setback a minimum of 3m where facing directly onto car parking and corridors (multiple dwellings)	☐	☐	☒				
C2.1.12 – Separation of noise sources (multiple dwellings)	☐	☒	☐				Acoustic report to be provided.

2.2 SOLAR ACCESS AND NATURAL VENTILATION

DEEMED-TO-COMPLY	MEETS DEEMED-	ADDRESSES DESIGN	NOT APPLICABLE	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
C2.2.1 – Openable external window requirements for habitable rooms	☒	☐	☐				
C2.2.2 – Courtyard requirements (when proposed as the only source of daylight to a habitable room)	☐	☐	☒				

C2.2.3 – Openable window requirements for bathrooms on external walls (excluding boundary walls)	☐	☐	☒				
C2.2.4 – Orientation of major openings to primary living spaces (single houses and grouped dwellings)	☐	☐	☒				
C2.2.5 – Percentage of dwellings achieving solar access to major openings to primary living spaces (multiple dwellings)	☒	☐	☐				

2.3 PARKING

DEEMED-TO-COMPLY	MEETS DEEMED-	ADDRESSES DESIGN	NOT APPLICABLE	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
C2.3.1 – Occupant parking in accordance with Table 2.3a	☒	☐	☐				
C2.3.2 – Motorcycle/scooter parking (multiple dwellings)	☒	☐	☐				
C2.3.3 – Design of car spaces and manoeuvring areas as per <i>AS2890.1</i>	☒	☐	☐				
C2.3.4 – Visitor parking in accordance with Table 2.3a	☒	☐	☐				
C2.3.5 – Design and location of visitor parking	☒	☐	☐				
C2.3.6 – Bicycle parking in accordance with Table 2.3b	☒	☐	☐				

2.4 WASTE MANAGEMENT

DEEMED-TO-COMPLY	MEETS DEEMED-	ADDRESSES DESIGN	NOT APPLICABLE	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
C2.4.1 – Space for bin storage	☒	☐	☐				
C2.4.2 – Waste management plan (multiple dwellings or 5+ grouped dwellings)	☒	☐	☐				Waste management plan as condition
C2.4.3 – Screening of waste storage	☒	☐	☐				Condition screening
C2.4.4 – Communal waste storage area requirements	☒	☐	☐				May need to be moved

2.5 UTILITIES

DEEMED-TO-COMPLY	MEETS DEEMED-	ADDRESSES DESIGN	NOT APPLICABLE	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
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C2.5.1 – Service utilities	☒	☐	☐				Condition screening of utilities
C2.5.2 – Functional utilities	☒	☐	☐				Condition functional utilities
C2.5.3 – Solar collectors (where provided)	☐	☐	☒				

2.6 OUTBUILDINGS

DEEMED-TO-COMPLY	MEETS DEEMED-	ADDRESSES DESIGN	NOT APPLICABLE	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
C2.6.1 – Requirements for outbuildings	☐	☐	☒				
C2.6.2 – Additional outbuilding standards where designed to be compatible with the colour and materials of the dwelling	☐	☐	☒				

2.7 UNIVERSAL DESIGN

DEEMED-TO-COMPLY	MEETS DEEMED-	ADDRESSES DESIGN	NOT APPLICABLE	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
C2.7.1 – 20% of dwellings to achieve silver level universal design (10 + grouped or multiple dwellings)	☐	☐	☒				
C2.7.2 – Gold level universal design requirements where seeking to apply site area variation in Part D, C1.1.6 or C1.1.7	☐	☐	☒				

2.8 ANCILLARY DWELLINGS

DEEMED-TO-COMPLY	MEETS DEEMED-	ADDRESSES DESIGN	NOT APPLICABLE	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
C2.8.1 – Ancillary dwelling requirements	☐	☐	☒				

2.9 SMALL DWELLINGS

DEEMED-TO-COMPLY	MEETS DEEMED-	ADDRESSES DESIGN	NOT APPLICABLE	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
C2.9.1 – Small dwelling requirements	☐	☐	☒				

2.10 HOUSING ON LOTS LESS THAN 100m²

DEEMED-TO-COMPLY	MEETS DEEMED-	ADDRESSES DESIGN	NOT APPLICABLE	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
C2.10.1 – Design standards for houses on lots less than 100m ²	☐	☐	☒				

3.0 NEIGHBOURLINESS

3.1 SITE COVER

DEEMED-TO-COMPLY	MEETS DEEMED-	ADDRESSES DESIGN	NOT APPLICABLE	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
C3.1.1 – Site cover in accordance with Table 3.1a (For single house and grouped dwelling development, refer section 5, C5.1 until 10 April 2026)	☒	☐	☐				

3.2 BUILDING HEIGHT

DEEMED-TO-COMPLY	MEETS DEEMED-	ADDRESSES DESIGN	NOT APPLICABLE	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
C3.2.1 – Building height in accordance with Table 3.2a	☐	☐	☒				

3.3 STREET SETBACKS

DEEMED-TO-COMPLY	MEETS DEEMED-	ADDRESSES DESIGN	NOT APPLICABLE	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
C3.3.1 – Setback of buildings in accordance with Table 3.3a	☒	☐	☐				
C3.3.2 – Porch, verandah, balcony projections into the street setback area	☒	☐	☐				
C3.3.3 – Setback from corner truncations	☐	☐	☒				
C3.3.4 – Garages setback from primary street in accordance with Table 3.3b	☐	☐	☒				
C3.3.5 – Setback of carports from a primary street	☐	☐	☒				
C3.3.6 – Setback of garages and carports from a secondary street, right-of way and communal street in accordance with Table 3.3a	☐	☐	☒				

3.4 LOT BOUNDARY SETBACKS

DEEMED-TO-COMPLY	MEETS DEEMED-	ADDRESSES DESIGN	NOT APPLICABLE	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
C3.4.1 – Buildings set back from lot boundaries in accordance with Table 3.4a	☒	☐	☐				
C3.4.2 – Maximum length for two storey walls	☒	☐	☐				

C3.4.3 – Setback of carports, patios, verandahs or equivalent structure	☒	☐	☐				
C3.4.4 – Maximum height and length of boundary walls in accordance with Table 3.4b	☐	☐	☒				
C3.4.5 – Boundary wall abutting an existing or simultaneously constructed wall	☐	☐	☒				
C3.4.6 – Grouped dwellings on the same lot set back as if there is a boundary between them	☐	☐	☒				
C3.4.7 – Multiple dwelling buildings on the same lot set back as though there is a lot boundary	☐	☐	☒				

3.5 SITE WORKS AND RETAINING WALLS

DEEMED-TO-COMPLY	MEETS DEEMED-	ADDRESSES DESIGN	NOT APPLICABLE	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
C3.5.1 – Retaining walls, fill and excavation in the street setback area max 0.5m, except where necessary to provide for pedestrian universal access and/or vehicle access, drainage works, or natural light to a dwelling	☒	☐	☐				
C3.5.2 - Retaining walls and fill behind the street setback in accordance Table 3.5a	☐	☒	☐	1m	1.2m retaining on bussell hwy elevation	Responds to site, already an existing slope. Landscaping plan shows cascading plants along retaining which will reduce impact.	
C3.5.3 – Excavation behind the street setback line and up to the lot boundary	☒	☐	☐				

3.6 STREETScape

DEEMED-TO-COMPLY	MEETS DEEMED-	ADDRESSES DESIGN	NOT APPLICABLE	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
C3.6.1 – Single houses and grouped dwellings address the street	☐	☐	☒				
C3.6.2 – Multiple dwelling upper level balconies address the street	☒	☐	☐				
C3.6.3 – Front door protection from the weather	☒	☐	☐				
C3.6.4 – Ground floor multiple dwellings access to the street	☐	☐	☒				
C3.6.5 – Maximum garage door width	☐	☐	☒				

C3.6.6 – Maximum carport width	☐	☐	☒				
C3.6.7 – Fence or wall within the primary street setback area requirements	☒	☐	☐				
C3.6.8 – Pillars as part of street fence/wall	☐	☐	☒				
C3.6.9 – Secondary street fencing for corner sites	☐	☐	☒				

3.7 ACCESS

DEEMED-TO-COMPLY	MEETS DEEMED-	ADDRESSES DESIGN	NOT APPLICABLE	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
C3.7.1 – Vehicle access hierarchy	☒	☐	☐				
C3.7.2 – One vehicle access per lot	☐	☒	☐				
C3.7.3 – Driveway dimension requirements	☒	☐	☐				
C3.7.4 – Driveways that allow vehicles to exit in forward gear	☒	☐	☐				
C3.7.5 – Driveway allow passing (when 30m+)	☐	☐	☒				
C3.7.6 – Driveways onto primary distributor or integrator arterial roads	☐	☐	☒				
C3.7.7 - Sightlines	☒	☐	☐				
C3.7.8 – Pedestrian access (grouped and multiple dwellings)	☒	☐	☐				
C3.7.9 – Delineated or separate pedestrian access (10+ grouped and multiple dwellings)	☒	☐	☐				
C3.7.10 – Pedestrian access legs	☐	☐	☐				
C3.7.11 – Communal street or battleaxe leg requirements	☐	☐	☒				
C3.7.12 – Lighting and landscaping of communal streets or battleaxe legs	☒	☐	☐				
C3.7.13 – Notwithstanding C3.7.11, communal streets to 20 or more lots requirements	☐	☐	☒				

3.8 RETAINING EXISTING DWELLINGS

DEEMED-TO-COMPLY	MEETS DEEMED-	ADDRESSES DESIGN	NOT APPLICABLE	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
C3.8.1 – Requirements where a dwelling is retained	☐	☐	☒				

3.9 SOLAR ACCESS FOR ADJOINING SITES

DEEMED-TO-COMPLY	MEETS DEEMED-	ADDRESSES DESIGN	NOT APPLICABLE	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
C3.9.1 – Maximum overshadowing in accordance with Table 3.9a	☒	☐	☐	50%	3.5% - complies		
C3.9.2 – Maximum overshadowing where R40 or greater and has a lot frontage of 7.5m or less	☐	☐	☒				
C3.9.3 – Maximum overshadowing requirements where the adjoining property shares a northern lot boundary with more than one lot	☐	☐	☒				

3.10 VISUAL PRIVACY

DEEMED-TO-COMPLY	MEETS DEEMED-	ADDRESSES DESIGN	NOT APPLICABLE	DEEMED-TO-COMPLY REQUIREMENT	PROVIDED	DESIGN PRINCIPLE (IF APPLIED)	CONDITION OF APPROVAL (IF APPLIED)
C3.10.1 – Visual privacy requirements where adjoining a developed site	☒	☐	☐	6m from outdoor living on above R50			
C3.10.2 – Notwithstanding C3.10.1, Visual privacy design solutions	☐	☐	☒				
C3.10.3 – Offsetting of bedroom and study windows	☐	☐	☒				
C3.10.4 – Overlooking for grouped or multiple dwellings within a lot	☐	☐	☒				
C3.10.5 – Visual privacy where adjoining a vacant or unknown site	☐	☐	☒				
C3.10.6 – Notwithstanding C3.10.5, visual privacy design solutions where adjoining a vacant or unknown site	☐	☐	☒				

Development Assessment P225446



General Details

Reporting Officer	Caitlin Jameson
Disclosure of Interest	Nil
Assessment Level	Major (Level 3) – objection received

Application Details

Address	81 (Lot 2) Tunbridge Street, Margaret River
Existing Development	☒ Single House ☐ Grouped Dwelling
Zoning	Tourism
Lot Area	2,567 m ²
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 property will be managed by the applicant and landowner who reside in Prevelly.
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	Nil
Easements/Encumbrances	Nil affecting proposal
Date Received	20/06/2025
Date of Report	24/09/2025

Site Image





Assessment

Referrals	Yes	No
Adjoining Neighbours/Property Owners – 1 Objection	☒	☐
Government Agencies	☐	☒
Internal Shire Departments - Environmental Health	☒	☐
Where any issues raised through the referrals process?	☒	☐

Internal Department Comments		
Department	Department Comments	Officer Comments
Environmental Health Department	There are no records of the septic system which is installed onsite. For 6 guests, we assume that the system has capacity but due to the age of the system, the owners need to be aware that overloading may cause failure and that regular maintenance is required.	Applicant advised of comments via email.
Community Engagement		
Submitter	Submitter Comments	Officer Comments
Private Submitter 1	Objection <u>Parking</u> Queried why 6 car bays were being proposed when the submitter's recent application to construct a 3-bay and 2-bay carport was not supported. <u>Clearing of Vegetation</u> Noted clearing has occurred to the west of the property. <u>Disruptive Guests</u> How will concerns raised by neighbouring property owners relating to disruptive guests be dealt with. <u>Screening</u> Screening should be installed between the two properties.	<u>Parking</u> Parking is proposed within the existing driveway. The submitter's development application proposed the construction of additional carports, while this Holiday House application does not include the construction of additional car parking structures (carport/shed). <u>Clearing of Vegetation</u> Applicant response: We have been removing weed species from the property including Agapanthus, Bleeding Heart Tree, Blackwood Wattle, Fig trees, Sweet Pittosporum, Tree Privet, Arum Lily and Bridal Creeper. We had a qualified arborist prune the Peppermints where they were overhanging the power line and posed a risk to the house if they fell. We have also bought about 200 tubestock from the Margaret River Community Nursery and lots more native species to plant along the winter creek and garden beds. <u>Disruptive Guests</u> Applicant response: We also do not want disruptive guests and will do our best to make sure it's a family friendly holiday home. We will put information on the booking site to make it clear it will not be a party house. There will be the following house rules: •No music/noise after 10pm



		•No additional guests If neighbouring properties have any concerns about specific guests they can get in contact with us and we will respond appropriately and the guests will not be allowed to book in again. <u>Screening</u> The dwelling is sufficiently set back from the property boundary, with existing vegetation providing partial screening. The majority of the western boundary is not fenced. The applicant has been advised that outdoor living areas are not to be located along the western side of the dwelling. The installation of fencing is not considered imperative to determining this application and may be addressed by the landowners independently of this application. The following condition has been applied to the approval to ensure privacy is maintained: <i>Due to the absence of fencing or privacy screening along the western boundary, outdoor living areas shall not be located west of the dwelling.</i>
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Policy Requirements

Local Planning Policy 7 – Short Stay Accommodation		
Policy Element	Provision	Comment
Location	Coastal settlement	☐ Yes ☒ No
	Urban area located within Policy Plan 1?	☒ Yes ☐ No
	Within 50m of Village Centre zone?	☐ Yes ☒ No
	Located outside of Policy Plan 1 but comprise of an 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 rainwater tank?	☒ Yes ☐ No
	Existing or proposed one site effluent disposal system sized accordingly to number of guests?	☒ Yes ☐ No
	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?	☒ 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
Recommended period of approval	☒ 12 months ☐ 3 years ☐ 5 years	

Discussion

The application requests approval for a Holiday House Use at 81 Tunbridge Street, Margaret River, currently zoned 'Tourism'. The Shire's Local Planning Scheme states that a Holiday House Use can be considered in this zone.

Local Planning Policy 7 – Short Stay Accommodation (LPP7):

LPP7 does not apply to Tourism zoned land, but has been used for guidance of the assessment of the proposal.

GD.6 of LPP7 states each bedroom of the dwelling is to accommodate a maximum of two persons at any one time. The holiday house is proposed to host up to 6 short stay guests at any one time within 3 bedrooms.

GD.1 of LPP7 states one parking bay is to be provided per bedroom. Considering the holiday house is proposed to accommodate up to 6 guests across 3 bedrooms, 3 parking bays are required. Adequate space for parking is provided within the property boundary, utilising the existing driveway.

GD.2 states a reticulated water supply is provided and/or minimum 120,000 litre rainwater tank (plus provision for firefighting) as determined by the Local Authority. The property owner confirmed the property is connected to mains water.

The Shire's Public Health Team advised that due to the age of the property, there are no records of the existing septic system, however it is assumed the current system will have capacity for 6 guests.

The applicant has provided house rules and a Bushfire Emergency Evacuation Plan to the satisfaction of the Shire and has adequately responded to concerns raised during the advertising period.

Outdoor Living Area

The western boundary of the site is not fenced. The objection received stated that screening should be installed between the subject site and property to the west. The dwelling on the subject site is set back approximately 26m from the western boundary providing sufficient separation. Existing vegetation along the western boundary provides some screening. The applicant confirmed that cleared areas west of the dwelling are being revegetated which will provide additional screening in the long term. To ensure privacy is maintained, the applicant was advised that the verandah and open space west of the dwelling should not to be utilised as an outdoor living area by guests of the Holiday House. A condition of approval has been applied to this effect.

Whilst the concerns raised regarding potential disruption to amenity are considered valid, a decision is unable to be made in a manner pre-empting amenity impacts, particularly in circumstances where the nature of the use aligns with the intended purpose of the Tourism zone. 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.

The application aligns with the development provisions for the Tourism Zone and *Local Planning Policy 7 – Short Stay Accommodation* and is therefore recommended for approval.

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 81 (Lot 2) Tunbridge 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 20 June 2025

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 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. Due to the absence of fencing or privacy screening along the western boundary, outdoor living areas (including any outdoor furniture) shall not be located west of the dwelling. 'House Rules' shall state that guests are not permitted to utilise the verandah and open space to the west of the dwelling as an outdoor living area.

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.
 - (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](https://www.wa.gov.au/organisation/departments/departments-of-energy-mines-industry-regulation-and-safety/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/departments/departments-of-energy-mines-industry-regulation-and-safety/short-term-rental-accommodation-register>