

**DEVELOPMENT ASSESSMENT REPORT**  
**Shire of Augusta Margaret River**  
**10 April 2025 to 16 April 2025**

**APPLICATIONS RECEIVED**

Date Rec'd	Reference No.	Address	Proposal
<b>PLANNING</b>			
10/04/2025	P225267	44 (Lot 3) Sheridan Road, Margaret River	Holiday House (Large)
10/04/2025	P225268	Unit 4 (Lot 4) 18 Town View Terrace, Margaret River	Holiday House
11/04/2025	P225272	14 (Lot 34) Secluded View, Cowaramup	Single House, Ancillary Dwelling and Garage
11/04/2025	P225273	7 (Lot 41) Walkington Avenue, Margaret River	Ancillary Dwelling
11/04/2025	P225274	13 (Lot 31) Tinglewood Court, Cowaramup	Studio (Art Workshop)
11/04/2025	P225275	23 (Lot 241) Chuditch Place, Gnarabup	Pool
11/04/2025	P225276	20 (Lot 23) Shetland Place, Margaret River	Outbuilding (Shed)
11/04/2025	P225277	114 (Lot 502) Bussell Highway, Margaret River	Extension of Term to P224224
11/04/2025	P225278	163 (Lot 269) Brookfield Avenue, Margaret River	Relocation of Street Tree
14/04/2025	P225279	139 (Lot 1537) Glenarty Road, Karridale	Plantation (Eucalyptus Tree Farm)
14/04/2025	P225280	4 (Lot 125) Dunkley Close, Molloy Island	Carport
15/04/2025	P225281	11 (Lot 118) Mentelle Road, Burnside	Building Envelope Variation
16/04/2025	P225282	23 (Lot 26) Formosa Street, Margaret River	Holiday House
16/04/2025	P225283	Lot 900 Leschenaultia Avenue, Margaret River	Extension of Planning Approval P223089
16/04/2025	P225284	Unit 2, 22 (Lot 222) Elva Street, Margaret River	Holiday House Renewal
<b>BUILDING</b>			
10/04/2025	225280	7 (Lot 34) Jersey Street, Cowaramup	Factory Shed Extension Stage 2A
10/04/2025	225281	7 (Lot 34) Jersey Street, Cowaramup	Factory Fitout, Mezzanine and Firewall Stage 2B
10/04/2025	225282	Lot 1005 Calgardup Road, Forest Grove	Single Dwelling, Shed and Carport
10/04/2025	225283	668 (Lot 70) Wurring Road, Cowaramup	Shed
11/04/2025	225284	165 (Lot 270) Brookfield Avenue, Margaret River	Single Dwelling, Garage and Alfresco
11/04/2025	225285	10 (Lot 219) Dunham Loop, Margaret River	Single Dwelling, Garage and Alfresco
11/04/2025	225286	28 (Lot 252) Hardwood Loop, Cowaramup	Single Dwelling, Garage and Alfresco
11/04/2025	225287	39 (Lot 628) Surf Break Drive, Cowaramup	Single Dwelling, Ancillary Dwelling, Garage, Decking, Retaining Wall and Alfresco x 2
11/04/2025	225288	8 (Lot 57) Tremandra Boulevard, Witchcliffe	Water Tank
11/04/2025	225289	24 (Lot 861) Brindley Street, Augusta	Demolition of Shed
13/04/2025	225290	8 (Lot 15) Copse Way, Cowaramup	Spa
14/04/2025	225291	40 (Lot 523) Powderbark Way, Witchcliffe	Shed
14/04/2025	225292	1 (Lot 322) Honeysuckle Glen, Cowaramup	Single Dwelling, Garage and Alfresco
14/04/2025	225293	59 (Lot 207) Dryandra Drive, Margaret River	Single Dwelling, Garage, Alfresco, Ancillary Dwelling
14/04/2025	225294	8 (Lot 419) Atkins Street, Margaret River	Single Dwelling, Garage and Alfresco
14/04/2025	225295	31-79 (Lot 1003) Wallcliffe Road Margaret River	Football Club Scoreboard

14/04/2025	225296	159 (Lot 3635) Bessell Road, Rosa Glen	Single Dwelling, Patio, Alfresco, 2 x Garage, Workshop, Swimming Pool and Barrier Fence
14/04/2025	225297	1 (Lot 238) Meadows View, Cowaramup	Single Dwelling, Garage and Alfresco
15/04/2025	225298	2 (Lot 64) Salkilld Place, Augusta	Two Storey Dwelling, Garage, Balcony and Retaining Walls
15/04/2025	225299	31-79 (Lot 1003) Wallcliffe Road, Margaret River	Occupancy Permit - Alterations to Storeroom
15/04/2025	225300	9 (Lot 13) Plumage Close, Margaret River	Single Dwelling, Garage and Water Tank x 2
15/04/2025	225301	695 (Lot 4) Wurring Road, Cowaramup	Farm Shed
15/04/2025	225302	8 (Lot 35) Rakali Road, Witchcliffe	Shed
15/04/2025	225303	404 (Lot 103) Bussell Highway, Margaret River	Shed
15/04/2025	225304	23 (Lot 48) Merchant Street, Margaret River	Shed
16/04/2025	225305	77 (Lot 124) Woodland Drive, Burnside	Gazebo
16/04/2025	225306	10 (Lot 427) Daisy Rise, Cowaramup	Swimming Pool and Barrier Fence
16/04/2025	225307	404 (Lot 103) Bussell Highway, Margaret River	Shed
16/04/2025	225308	7 (Lot 86) Rafferty Entrance, Kudardup	Water Tank
16/04/2025	225309	203 (Lot 26) Calkarri Drive, Augusta	Water Tank
16/04/2025	225310	47 (Lot 714) Halcyon Crescent, Margaret River	Shed
16/04/2025	225311	24 (Lot 230) Alferink Crescent, Margaret River	Alteration/Addition to Existing Dwelling
16/04/2025	225312	16 (Lot 288) Sawmill Loop, Karridale	Single Dwelling
16/04/2025	225313	5 (Lot 163) Coldstream Grove, Margaret River	Single Dwelling, Garage and Alfresco
16/04/2025	225314	19 (Lot 202) Platanus Crescent, Margaret River	Single Dwelling, Garage and Alfresco
16/04/2025	225315	376 (Lot 2838) Rosa Glen Road, Rosa Glen	Alfresco, Carport, Spa and Barrier Fence
16/04/2025	225316	25 (Lot 507) Gidgee Road, Witchcliffe	Single Dwelling, Verandah and Water Tanks x 2
<b>Exploration Licenses for Comment</b>			
Nil			

#### APPLICATIONS DETERMINED UNDER DELEGATION

Date Rec'd	Reference No.	Address	Proposal	Outcome
<b>PLANNING</b>				
20/12/2024	P224981	164 (Lot 661) Kevill Road East, Margaret River	Holiday House Renewal	Approved
14/01/2025	P225027	Unit 4, 30 (Lot 39) Town View Terrace, Margaret River	Holiday House Renewal	Approved
22/01/2025	P225045	10 (Lot 303) Whistler Drive, Karridale	Single House	Approved
31/01/2025	P225073	55 (Lot 105) Mansfield Avenue, Margaret River	Holiday House Renewal	Approved
05/02/2025	P225081	41 (Lot 72) Moondyne Ridge, Kudardup	Single House & Outbuildings (Shed, Water Tank & Sea Container)	Approved
05/02/2025	P225083	21 (Lot 512) Powderbark Way, Witchcliffe	Tree Clearing	Approved
10/02/2025	P225099	32 (Lot 56) McDermott Parade, Witchcliffe	Dwelling Addition (Carport)	Approved
12/02/2025	P225104	18 (Lot 107) Zinfandel Street, Margaret River	Outbuilding (Shed)	Approved
19/02/2025	P225119	32 (Lot 230) Dunham Loop, Margaret River	Relocation of Street Tree	Approved

04/02/2025	P225079	15A (Lot 2) Town View Terrace, Margaret River	Holiday House (Large) Renewal	Approved
<b>SUBDIVISIONS</b>				
25/02/2025	P225147	382 (Lot 104) Boodjidup Road, Margaret River	Subdivision	Support with Conditions
<b>LOCAL LAW PERMITS</b>				
28/11/2024	P224896	Portions of Reserve 41545, Prevelly	Local Law Permit to operate car parking areas and associated event signage - Margaret River Pro 2025 17/27 May	Approved
24/03/2025	P225239	Adjacent to 107 (Lot 211) Bussell Highway, Margaret River	Local Law Permit to operate alfresco dining adjacent to Rhum Burgundy	Approved
01/04/2025	P225270	Gracetown Swimmers Beach	Amendment to Permit to operate mobile food business - La Loup - Gracetown 20 April	Approved

### LEVEL 3 PLANNING APPLICATIONS FOR DETERMINATION

Date Rec'd	Reference No.	Address	Proposal	Recommendation
<b>PLANNING</b>				
7/02/2025	P225091	67 (Lot 56) Colyer Drive, Hamelin Bay	Holiday House	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**  
**67 (Lot 56) Colyer Drive, Hamelin Bay**

**Level 3**

**P225091; PTY/7309**

**REPORTING OFFICER : Tessa Ashworth**  
**DISCLOSURE OF INTEREST : Nil**

General Information	
Lot Area	1.43ha
Zone	<b>Rural Residential</b>
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 6 short stay guests at any one time. The management arrangements are to be Maxine Petty of Experience 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	07/02/2025
Date of Report	9/4/2025



Have there been any objections?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Have there been any substantial changes to the LPS1 or Policy?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A As of 1 July 2024, the Planning and Development (Local Planning Schemes) Amendment (Short-Term Rental Accommodation) Regulations 2024 – Changes to clause 78B result in all applications for a 'change of use' to hosted or unhosted accommodation are exempt from the bushfire requirements.
Comments Received	
Nature of Submission	Officer Comments

<b>Object</b> <ul style="list-style-type: none"> <li>• Already Holiday Homes further north on Colyer Drive for which complaints were made about noise levels</li> <li>• Having another Holiday House will be worse for noise</li> <li>• Do not want disruption to their peace</li> </ul>	Noted – see discussion below
<b>Environmental Health</b> Building referral required. There is a building license on file and the building is classed 1A building but the bedrooms do not appear on the building license. The applicant has marked up the plans in the current application to include the bedrooms.  There is a septic approval for 2 x 6m leach drains, the plans show a larger system. Wastewater assessment is generally not required for holiday homes with 6 or fewer guests, but will be required to verify the number of guests can be accommodated.	Condition added for wastewater system to be assessed by Environmental Health.  Health requirements around room size are 14m <sup>3</sup> per person. Each room has 29m <sup>3</sup> , making it adequate for 2 people per room. Therefore 6 guests can be accommodated within the dwelling.
<b>Building</b> This will need a retrospective building approval for the changes. It has some building code compliance issues.	Building is approved as a dwelling, however internal building works to divide the ground floor level into 3 bedrooms and storage room, has been carried out without approval. As a result a condition has been imposed which requires that building approval certificate will be required before the holiday house use can be commenced. Building have confirmed that, with remediation work, it is possible for the dwelling to become compliant.

Policy Requirements		
Policy Element	Provision	Comment
<b>Location</b>	Coastal settlement	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Urban area located within Policy Plan 1?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Within 50m of Village Centre zone?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Located outside of Policy Plan 1 but comprise of an area not less than 1ha?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Design / Layout</b>	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
	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 type="checkbox"/> Yes <input type="checkbox"/> No
	Each bedroom accommodates a maximum of two persons?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Management</b>	Management Plan submitted?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	BEEP provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Manager, or employee permanently resides 35m drive from Site?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	House Rules?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No



	Amplified music may not be played outside between the hours of 10pm to 10am	Require as a condition
	Display the manager's 24hr contact details	Require as a condition
<b>Recommended period of approval</b>	<input checked="" type="checkbox"/> 12 months <input type="checkbox"/> 3 years	

## Discussion

Prior to the use, the applicant will be required to get retrospective building and wastewater approval.

In relation to the neighbours' concerns, it is noted that the site is located in a predetermined area under the Shires Local Planning Policy which is considered suitable for holiday homes.

The decision is unable to be made in a manner pre-empting amenity impacts, particularly in circumstances where the nature of the use, including the number of occupants and scale of development does not vary greatly from what would be expected for a single house. As is standard with short term uses, an initial 12-month approval is provided whereby the proponents will need to demonstrate that management measures are sufficient to prevent impacts on the amenity of the neighbouring properties. At the time of renewal, the neighbours will be consulted to help determine whether these management arrangements are effective. If it is apparent management has been ineffective then a renewal may be refused, or a shorter approval timeframe applied. This is considered a reasonable approach to allow for recommending approval of the holiday house. The submitter has been responded to this effect.

## 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 67 (Lot 56) Colyer Dr, Hamelin Bay 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 7 February 2025
--------------------------	---

2. The Holiday House use permitted for a period of **12 months** from demonstrating to the Shire's satisfaction that conditions 11 and 12 have been met. (Refer to advice note 'a')
3. The approved Bushfire Emergency Evacuation Plan shall be displayed in a conspicuous location within the dwelling at all times.
4. A Manager or a contactable employee of the Manager that permanently resides no greater than a 35 minute drive from the site shall be nominated for the Holiday House and this person shall attend to any callout within 35 minutes of a reported incident. The Manager or contactable employee is to be retained at all times during the use of the site as a Holiday House. (Refer advice note 'b')
5. At all times the Holiday House use is in operation, the 24-hour contact details of the **Manager** of the Holiday House shall be displayed on a sign that is clearly visible from the nearest street frontage. The sign is limited to a maximum size of 0.2 metres square and not exceeding 1.5 metres in height from the ground level. The sign shall be erected within the property frontage and must be visible from the front street. (Refer to advice note 'c')
6. All vehicles & boats connected with the premises shall be parked within the boundaries of the property.
7. The short stay use of the dwelling shall not be occupied by more than **6 people** at any one time.
8. Amplified music shall not be played outside of the holiday house between the hours of 10pm and 10am.

9. 'House Rules' shall be developed to the satisfaction of the Shire prior to the commencement of use. Thereafter the 'House Rules' shall be provided to all guests and shall be displayed within a prominent position within the Holiday House. (Refer to advice note 'f')
10. Any marketing material for this Holiday House shall include display of the planning approval reference number for this approval. (Refer to advice note 'g')
11. Prior to commencement of the use, a building approval certificate shall be submitted to the Shire for the unauthorised changes to the dwelling.
12. Prior to commencement of the use, a Permit to Use Apparatus shall be obtained for the wastewater disposal system to demonstrate it is sufficiently sized to accommodate 6 occupants, to the specification and satisfaction of the Shire.

#### **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](mailto:revenue@amrshire.wa.gov.au).
- j) From 1 January 2025, short term accommodation will also require registration through the State Government [Short-Term Rental Accommodation Register](#). Registrations are valid for 1 year and will need to be renewed every 12 months. Fees apply. For more information on the STRA register, please visit <https://www.wa.gov.au/organisation/departments/department-of-energy-mines-industry-regulation-and-safety/short-term-rental-accommodation-register>