

**DEVELOPMENT ASSESSMENT REPORT**  
**Shire of Augusta Margaret River**  
**18 December 2025 to 7 January 2026**

**APPLICATIONS RECEIVED**

Date Rec'd	Reference No.	Address	Proposal
<b>PLANNING</b>			
18/12/2025	P225987	12 (Lot 323) Ironstone Place, Margaret River	Building Envelope Modification and Outbuilding
18/12/2025	P225988	12 (Lot 17) Friesian Street, Cowaramup	Industry Shed
22/12/2025	P225990	Unit 4, 20 (Lot 4) Riedle Drive, Gnarabup	Holiday House (Renewal)
22/12/2025	P225991	9 (Lot 7) Station Road, Margaret River	Built Strata
22/12/2025	P225992	5 (Lot 106) Derwent Loop, Margaret River	Street Tree Relocation
23/12/2025	P225993	22 (Lot 37) Thelma Street, Augusta	Retrospective Dwelling Addition (Retaining Wall)
24/12/2025	P225995	62 (Lot 91) Willmott Avenue, Margaret River	Alterations and Additions and Change of Use
05/01/2026	P226002	152 (Lot 4) Sebbes Road, Forest Grove	Chalet
06/01/2026	P226004	11 (Lot 18) Valley Road Margaret River	Holiday House (Large) Renewal
06/01/2026	P226005	4 (Lot 25) O'Brien Street, Cowaramup	Holiday House (Large)
<b>BUILDING</b>			
18/12/2025	225902	15 (Lot 281) Sandalwood Drive, Margaret River	Garage Additions (Store)
18/12/2025	225903	Unit 2, 8 (Strata Lot 10) Fearn Avenue, Margaret River	Unauthorised Alteration to Existing Commercial Building (Opening Between Unit 1 & Unit 2)
18/12/2025	225904	Lot 2 Bussell Highway, Augusta	Farm Shed
18/12/2025	225905	11 (Lot 242) Dunham Loop, Margaret River	Single Dwelling and Garage
18/12/2025	225906	5 (Lot 500) The Boulevard, Margaret River	New Deck and Verandah
18/12/2025	225907	9 (Lot 55) Trestles Way, Margaret River	Single Dwelling, Garage and Alfresco
18/12/2025	225908	60 (Lot 65) Apsley Drive, Margaret River	Single Dwelling and Garage
18/12/2025	225909	11 (Lot 84) Edward Place, Margaret River	Dwelling Alterations/Additions (addition off main bedroom, bathroom and carport)
22/12/2025	225910	508 (Lot 76) Kevill Road West, Margaret River	Water Tank
22/12/2025	225911	23 (Lot 99) Derwent Loop, Margaret River	Single Dwelling, Garage and Water Tank
22/12/2025	225912	821 (Lot 207) Burnside Road, Margaret River	Single Dwelling, Garage and Water Tank
22/12/2025	225913	32 (Lot 175) Salter Street, Gracetown	Shed
23/12/2025	225914	752 (Lot 101) Wallcliffe Road, Margaret River	Stage 3 works - Substructure works including piling, retaining walls and slab structure
23/12/2025	225915	67 (Lot 554) Brookfield Avenue, Margaret River	Shed
23/12/2025	225916	4 (Lot 236) Hardwood Loop, Cowaramup	Single Dwelling, Alfresco, Carport and 2 x freestanding Sheds
23/12/2025	225917	24 (Lot 861) Brindley Street, Augusta	Unauthorised Alteration to Existing Commercial Building (Workshops/Storage and Showrooms)
05/01/2026	226000	5 (Lot 13) Gilgie Drive, Witchcliffe	Single Dwelling, Garage and Retaining Wall
05/01/2026	226001	35 (Lot 620) Baudin Drive, Gnarabup	Two Storey Dwelling, Carport and Retaining Wall
05/01/2026	226002	12 (Lot 21) Kyloring Drive, Witchcliffe	Single Dwelling
05/01/2026	226003	171 (Lot 1543) Vansittart Road, Karridale	Swimming Pool
05/01/2026	226004	18 (Lot 80) Holly Place, Cowaramup	Deck and Swim Spa
06/01/2026	226005	47 Wallcliffe Road, Margaret River (Margaret River Heart)	Louvred Pergola

06/01/2026	226006	1 (Lot 1) Tyrone Loop, Margaret River	Patio
06/01/2026	226007	39 (Lot 704) Burke Circle, Cowaramup	Ancillary Dwelling
07/01/2026	226008	148 (Lot 153) Ashton Street, Margaret River	Patio
07/01/2026	226009	12 (Lot 454) Smokebush Court, Cowaramup	Shed/Store and Garage
07/01/2026	226010	93 (Lot 4) Bussell Highway, Margaret River	Demolition of Backpackers
07/01/2026	226011	35 (Lot 18) Snapper Avenue, Margaret River	Single Dwelling and Garage

**Exploration Licenses for Comment**

Nil

**APPLICATIONS DETERMINED UNDER DELEGATION**

Date Rec'd	Reference No.	Address	Proposal	Outcome
<b>PLANNING</b>				
16/04/2024	P224272	674 (Lot 1002) Warner Glen Road, Forest Grove 520 (Lot 1001) Warner Glen Road, Forest Grove	Dam Expansion and Dam Construction	Approved
04/12/2024	P224917	287 (Lot 780) Burnside Road, Burnside	Winery (Cellar Door Sales)	Approved
14/03/2025	P225201	8 (Lot 61) Thomasia Court, Augusta	Single House	Approved
28/04/2025	P225301	37 (Lot 519) Powderbark Way, Witchcliffe	Single House	Approved
05/08/2025	P225560	4 (Lot 15) Tulip Way, Margaret River	Single House	Approved
10/09/2025	P225678	40 (Lot 266) McManus Circuit, Witchcliffe	Outbuilding (Shed)	Approved
25/09/2025	P225705	16 (Lot 35) Tallwood Loop, Witchcliffe	Building Envelope Variation	Approved
01/10/2025	P225712	30 (Lot 253) Hardwood Loop, Cowaramup	Single Dwelling	Approved
01/10/2025	P225714	95 (Lot 126) Woodland Drive, Burnside	Holiday House (Large)	Approved
02/10/2025	P225725	35 (Lot 2) Marmaduke Point, Gnarabup	Holiday House Renewal	Approved
03/10/2025	P225727	191 (Lot 592) Kevill Road, Margaret River	Boundary Fence	Approved
08/10/2025	P225748	Lot 24 Wambenga Retreat, Witchcliffe	Local Development Plan - Lifestyle Lots (Stage 5D, Witchcliffe Eco Village)	Approved
09/10/2025	P225750	40 (Lot 324) Ironmonger Road, Karridale	Outbuilding (Shed)	Approved
10/10/2025	P225754	Unit A, 5 (Lot 501) The Boulevard, Margaret River	Change of Use (Garage to Ancillary Dwelling)	Approved
13/10/2025	P225766	26 (Lot 53) McDermott Parade, Witchcliffe	Outbuilding (Shed)	Approved
13/10/2025	P225768	Shop 7, 2 (Lot 111) Andrews Way, Margaret River	Small Bar (Amendment to P218770 Extending operating hours)	Approved
15/10/2025	P225778	7087 (Lot 512) Caves Road, Redgate	Farm Building (Wine Store) and Cellar Door Additions (Toilets)	Approved
15/10/2025	P225779	37 (Lot 10) Karrack Crescent, Witchcliffe	Holiday House	Approved
16/10/2025	P225789	12 (Lot 454) Smokebush Court, Cowaramup	Dwelling Addition (Carport/Store & Outbuilding)	Approved
21/10/2025	P225796	43 (Lot 165) Marmaduke Point Drive Gnarabup	Holiday House Renewal	Approved
22/10/2025	P225804	8 (Lot 4) Formosa Street, Margaret River	Holiday House Renewal	Approved
22/10/2025	P225805	Unit 10, 20 Riedle Drive, Gnarabup	Holiday House Renewal	Approved
23/10/2025	P225811	Unit 9, 5 (Strata Lot 9 of Lot 100) Station Road Margaret River	Holiday House Renewal	Approved
24/10/2025	P225815	Unit 40, 20 (Lot 40) Riedle Drive, Gnarabup	Holiday House Renewal	Approved
24/10/2025	P225818	49 (Lot 209) Hardwood Loop, Cowaramup	Outbuilding (Shed)	Approved
24/10/2025	P225819	12 (Lot 38) Hardy Street, Augusta	Outbuilding (Shed)	Approved
27/10/2025	P225821	665 (Lot 18) Wallcliffe Road, Margaret River	Holiday House Renewal	Approved
27/10/2025	P225822	17 (Lot 232) Treeside Lane, Margaret River	Holiday House Renewal	Approved
27/10/2025	P225823	16 (Lot 22) Bayview Drive, Gracetown	Holiday House (Large)	Approved
28/10/2025	P225826	Unit 1, 30 (Lot 1) Riedle Drive, Gnarabup	Holiday House Renewal	Approved

03/11/2025	P225836	24 (Lot 861) Brindley Street, Augusta	Amendment to P223192 (Light Industry, Showrooms and Storage Units)	Approved
04/11/2025	P225837	5 (Lot 6) Brookside Boulevard, Cowaramup	Outbuilding (Shed)	Approved
04/11/2025	P225839	10 (Lot 247) Owen Tucker Lane, Margaret River	Extension of Term P221690	Approved
04/11/2025	P225840	7 (Lot 52) Peppermint Place, Margaret River	Outbuilding (Shed)	Approved
04/11/2025	P225841	Unit 1, 5 (Lot 1) Station Road, Margaret River	Holiday House	Approved
11/11/2025	P225855	Lot 1036 Heron Drive, Margaret River	Building Envelope Variation, Development (Water Tank) Outside of Building Envelope, Clearing, and Outbuilding (Shed)	Approved
24/11/2025	P225900	12 (Lot 527) Riesling Street, Cowaramup	Outbuilding (Shed)	Approved
01/12/2025	P225919	20 (Lot 23) Shetland Place, Margaret River	Dwelling Addition/Alteration (Roof to Main Bedroom, Ensuite, WIR and Verandah)	Approved
03/12/2025	P225926	12 (Lot 17) Mayflower Place, East Augusta	Outbuilding (Shed)	Approved
12/12/2025	P225960	Outbuilding (Shed) Lot 45 Cullen Road, Gracetown	Outbuilding (Shed) Lot 45 Cullen Road, Gracetown	Approved
15/12/2025	P225966	62 (Lot 189) Abelia Avenue, Margaret River	Single House	Approved
17/12/2025	P225975	50 (Lot 60) Marginata Road, Witchcliffe	Ancillary Dwelling	Approved
<b>SUBDIVISIONS</b>				
21/11/2025	P225909	Subdivision (Amalgamation) 34 (Lot 100) & 44 (Lot 256) Clarke Road, Margaret River	Subdivision (Amalgamation) 34 (Lot 100) & 44 (Lot 256) Clarke Road, Margaret River	Support with Conditions
21/11/2025	P225912	Subdivision 17 (Lot 29) Le Souef Street, Margaret River	Subdivision 17 (Lot 29) Le Souef Street, Margaret River	Support with Conditions
<b>LOCAL LAW PERMITS</b>				
11/12/2025	P225954	Rivermouth Car Park, Reserve 41545	Local Law Permit to Operate Mobile Food Business - Arty Farty Gelati	Approved
18/12/2025	P225986	Cinnamon Circle, Surfers Point and Flinders Bay	Amendment to Permit P225849 to Operate Mobile Food Business	Approved

### LEVEL 3 PLANNING APPLICATIONS FOR DETERMINATION

Date Rec'd	Reference No.	Address	Proposal	Recommendation
<b>PLANNING</b>				
20/10/2025	P225790	9 (Lot 12) Molloy Street, Augusta	Holiday House (Large)	Approve with Conditions
8/01/2025	P225733	15 (Lot 30) Le Souef Street, Margaret River	Holiday House	Approve with Conditions

### DEVELOPMENT ASSESSMENT REPORTING PROCEDURE

#### Assessment of Development Applications (DAs)

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

##### Level 1

DA not advertised

##### Level 2

DA is advertised; and

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

### **Level 3**

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

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

# Development Assessment P225790



## General Details

<b>Reporting Officer</b>	Tessa Ashworth
<b>Disclosure of Interest</b>	Nil
<b>Assessment Level</b>	Major (Level 3) – 1 objection

## Application Details

<b>Address</b>	9 (Lot 12) Molloy Street, Augusta
<b>Existing Development</b>	<input checked="" type="checkbox"/> Single House <input type="checkbox"/> Grouped Dwelling
<b>Zoning</b>	<b>Residential R15</b>
<b>Lot Area</b>	<b>955sqm</b>
<b>Proposed Use</b>	A planning application has been received for a Holiday House use. The existing dwelling is to be used to accommodate up to 6 short
<b>Use Class and Permissibility</b>	'A' – discretionary use
<b>Advertising Required</b>	Yes – completed
<b>Reason not exempted from planning approval?</b>	Discretionary uses are not permitted unless the Shire exercises its discretion by granting development approval.
<b>Heritage/Aboriginal Sites</b>	None
<b>Easements/Encumbrances</b>	None
<b>Date Received</b>	20/10/2025
<b>Date of Report</b>	22/12/2025



### Site Image



### Assessment

Referrals	Yes	No
Adjoining Neighbours/Property Owners – <b>2 submissions</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Government Agencies	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Internal Shire Departments - Environmental Health	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Were any issues raised through the referrals process?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Were objections received?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Internal Department Comments

Department	Department Comments	Officer Comments
Environmental Health	Extension to leach drains / or confirmation form plumber of size of current drains to be provided if they wish to have 8 guests	Applicant has amended application to 6 guests. No septic upgrade required.

### Community Engagement

Submitter	Submitter Comments	Officer Comments
Private Submitter 1	<b>Objection</b> <ul style="list-style-type: none"> <li>With 8 guests, high probability for parties and noise from guests. Our main living area is near the deck of the holiday house.</li> <li>Concern vehicles will be parking over verge and footpath with so many</li> </ul>	The applicant has agreed to reduce guest numbers to 6. They will be locking the upstairs bedroom with attached living and balcony, reducing bedrooms to 3. This will reduce noise carrying from the upstairs outdoor area.

	<p>guests and potential additional vehicles such as boats.</p> <ul style="list-style-type: none"> <li>• Other holiday houses in the area will mean more traffic/parking impacts.</li> <li>• Concern that guests may leave pets unattended</li> </ul> <p>Whilst opposing the application in total, a compromise would be to limit the accommodation to 6 guests. Approval should be withdrawn if visitors are disrespectful to neighbours.</p>	
Private Submitter 2	<p>Support</p> <p>House was a rental under the previous owners without issue.</p>	Noted.

#### Policy Requirements

Local Planning Policy 7 – Short Stay Accommodation		
Policy Element	Provision	Comment
Location	Coastal settlement	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Urban area located within Policy Plan 1?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Within 50m of Village Centre zone?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Located outside of Policy Plan 1 but comprise of an area not less than 1ha?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Design / Layout	One parking bay per bedroom, Or two bays for grouped dwellings	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Reticulated water supply, or minimum 120,000 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Each bedroom accommodates a maximum of two persons?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Management	Management Plan submitted?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	BEEP provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Manager, or employee permanently resides 35m drive from Site?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	House Rules?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Amplified music may not be played outside between the hours of 10pm to 10am	Require as a condition
	Display the manager's 24hr contact details	Require as a condition
Recommended period of approval	<input checked="" type="checkbox"/> 12 months <input type="checkbox"/> 3 years <input type="checkbox"/> 5 years	

#### Discussion

The proposed holiday house satisfies the relevant requirements of Local Planning Policy 7 – Short Stay Accommodation (LPP7) in terms of its location, guest numbers and car parking availability.

An objection has been received and in response, the applicant has agreed to reduce the number of guests proposed. This goes some way to resolving the concerns raised, nevertheless concerns remain about pets being left unattended, traffic impacts and general amenity impacts.

At this stage, a decision is unable to be made in a manner pre-empting amenity impacts, particularly where the nature of the proposed holiday house use, including the number of guests, does not vary greatly from what would be expected for a single house use. As is standard with short term uses, an initial 12-month approval would be 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 have been 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.

## 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 9 (Lot 12) Molloy Street, Augusta 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 17 November 2025 Plan 2 and 3 received by the Shire on 20 October 2025
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2. The Holiday House use permitted for a period of **12 months** from **<date of this approval>** to **<end of date of approval>**. (Refer to advice note 'a')
3. The approved Bushfire Emergency Evacuation Plan shall be displayed in a conspicuous location within the dwelling at all times.
4. A Manager or a contactable employee of the Manager that permanently resides no greater than a 35 minute drive from the site shall be nominated for the Holiday House and this person shall attend to any callout within 35 minutes of a reported incident. The Manager or contactable employee is to be retained at all times during the use of the site as a Holiday House. (Refer advice note 'b')
5. At all times the Holiday House use is in operation, the 24-hour contact details of the Manager of the Holiday House shall be displayed on a sign that is clearly visible from the nearest street frontage. The sign is limited to a maximum size of 0.2 metres square and not exceeding 1.5 metres in height from the ground level. The sign shall be erected within the property frontage and must be visible from the front street. (Refer to advice note 'c')
6. All vehicles & boats connected with the premises shall be parked within the boundaries of the property.
7. The short stay use of the dwelling shall not be occupied by more than **6 people** at any one time.
8. Amplified music shall not be played outside of the holiday house between the hours of 10pm and 10am.
9. 'House Rules' shall be developed to the satisfaction of the Shire prior to the commencement of use. Thereafter the 'House Rules' shall be provided to all guests and shall be displayed within a prominent position within the Holiday House. (Refer to advice note 'f')
10. Any marketing material for this Holiday House shall include display of the planning approval reference number for this approval. (Refer to advice note 'g')

## Advice Notes

- a) Following satisfactory performance of the approved use, and in the absence of any substantiated complaints over the twelve (12) month approval period, the Shire may grant further planning approval for the continuation of the use for a further three (3) years. A new planning application seeking such approval should be submitted 90 days before the expiry of this approval, along with the appropriate planning fee. Please note that a three (3) year approval term may not be applied in the following instances:
  - (i) Substantiated complaints have been received by the Shire during the last period of approval which impact the amenity of the neighbouring properties;
  - (ii) A renewal application has not been received prior to the expiry of the previous approval;
  - (iii) Changes have been made to management arrangements or guest numbers over the course of the approval or as part of the subject application;
  - (iv) The use has not commenced operation.
- b) If at any time there is not an appointed manager or a contactable employee of the manager for the site, the use must cease until such time as a manager is appointed.
- c) Evidence of installation of the sign will be required to be provided, to the satisfaction of the Shire, at the time an application to renew the Holiday House use is lodged.
- d) This approval does not affect the entitlement to use the dwelling for permanent residential purposes.
- e) You are advised of the need to comply with the requirements of the following other legislation:
  - (i) *Health (Miscellaneous Provisions) Act 1911* and Department requirements in respect to the development and use of the premises.
  - (ii) The *WA Building Regulations 2012* (r.59) requires that the owner of a dwelling (as defined in the Building Code of Australia) must not make the dwelling available for hire unless hard wired, battery backup smoke alarms are installed, complying with the Building Code of Australia and AS3786.

- e) The 'House Rules' document shall be consistent with key elements of the NSW Code for Holiday Houses (please refer to the attached document).
- f) 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.
- g) 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.
- h) 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).
- i) From 1 January 2025, short term accommodation will also require registration through the State Government [Short-Term Rental Accommodation Register](#). Registrations are valid for 1 year and will need to be renewed every 12 months. Fees apply. For more information on the STRA register, please visit <https://www.wa.gov.au/organisation/department-of-energy-mines-industry-regulation-and-safety/short-term-rental-accommodation-register>

# Development Assessment P225733



## General Details

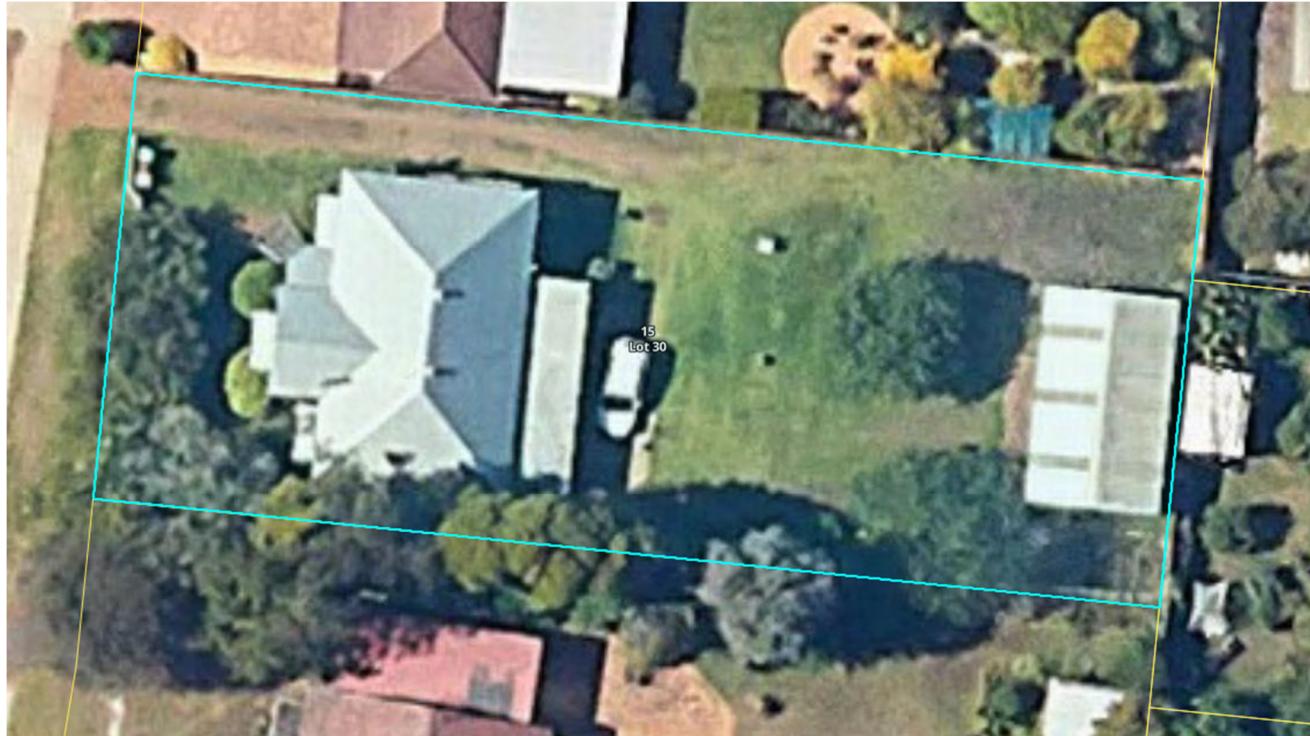
<b>Reporting Officer</b>	Rechelle Brookes
<b>Disclosure of Interest</b>	Nil
<b>Assessment Level</b>	Major (Level 3)

## Application Details

<b>Address</b>	15 Le Souef Street, Margaret River
<b>Existing Development</b>	<input checked="" type="checkbox"/> Single House <input type="checkbox"/> Grouped Dwelling
<b>Zoning</b>	<b>Residential R30/40</b>
<b>Lot Area</b>	1,012m <sup>2</sup>
<b>Proposed Use</b>	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 across 3 bedrooms at any one time. The property will be managed by Swell Stays. The property was previously approved as a holiday house from 2018 – 2023, but as the approval lapsed, the present application is treated as a new application, not a renewal.
<b>Use Class and Permissibility</b>	'A' – discretionary use
<b>Advertising Required</b>	Yes – completed
<b>Reason not exempted from planning approval?</b>	Discretionary uses are not permitted unless the Shire exercises its discretion by granting development approval.
<b>Heritage/Aboriginal Sites</b>	None identified
<b>Easements/Encumbrances</b>	Nil
<b>Date Received</b>	06/10/2025
<b>Date of Report</b>	24/12/2025



Site Image



Assessment

Referrals	Yes	No
Adjoining Neighbours/Property Owners – <b>4 Submissions</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Government Agencies	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Internal Shire Departments	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Were objections received	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Community Engagement		
Submitter	Submitter Comments	Officer Comments
Private Submitter 1	<p>The submitter was <b>indifferent</b> to the application but had concerns that the shed on the property, which is close to the back fence, would be used by guests and potentially cause them disturbance.</p> <p>The submitter also had concerns about the maintenance of the backyard, with weeds apparently growing along the rear fence.</p>	<p>The applicant has advised that the shed will be locked and strictly off-limits to guests. This concern is resolved.</p> <p>The submitter was advised that general garden maintenance is beyond the scope of this application, and that it was a matter to be resolved between neighbours.</p>
Private Submitter 2	<p>The submitter <b>supported</b> the application so long as there was no damage to the dividing (boundary) fence.</p>	<p>The house rules prevent parties and/or large gatherings, to minimise any damage to the property. The applicant has advised that any damage to the dividing fence caused by guests will be rectified swiftly and that guests who cause damage will not be allowed to stay at the property again.</p>

Private Submitter 3	The submitter <b>supported</b> the application but requested that a condition of approval be added requiring the boundary fence be upgraded.	The submitter was informed that maintenance of boundary fences is a civil matter. Information was provided on the <i>Dividing Fences Act</i> and the submitter was informed that fence maintenance is beyond the scope of the subject application and this condition cannot be added. The submitter confirmed that their support for the application remained.
Private Submitter 4	The submitter <b>objected</b> to the application. The objection was not specific to the application in question, but was against any additional Holiday Homes. Their concerns surrounded noise impacts, neighbourhood character and not knowing their neighbours anymore.	The submitter's concerns are noted, however relate to Policy matters which fall outside the scope of this application and do not raise concerns with the management of this specific holiday house. The submitter was notified that the Shire's Short Stay Accommodation Policy does not consider the cumulative impact of holiday homes and that it was likely the objection could not be resolved.

#### Policy Requirements

Local Planning Policy 7 – Short Stay Accommodation		
Policy Element	Provision	Comment
Location	Coastal settlement	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Urban area located within Policy Plan 1?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Within 50m of Village Centre zone?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Located outside of Policy Plan 1 but comprise of an area not less than 1ha?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Design / Layout	One parking bay per bedroom, Or two bays for grouped dwellings	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Reticulated water supply, or minimum 120,000 rainwater tank? – <b>Reticulated water supply</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/>
	Existing or proposed one site effluent disposal system sized accordingly to number of guests? – <b>Connected to mains sewerage</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Decks and balconies located away from the bedrooms of neighbouring dwellings?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Decks and balconies located close to the living and dining areas of neighbouring dwellings, provided with suitable screening?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Each bedroom accommodates a maximum of two persons?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Management	Management Plan submitted?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	BEEP provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/>
	Manager, or employee permanently resides 35m drive from Site?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	House Rules?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Amplified music may not be played outside between the hours of 10pm to 10am	Require as a condition
	Display the manager's 24hr contact details	Require as a condition
Recommended period of approval	<input checked="" type="checkbox"/> 12 months <input type="checkbox"/> 3 years <input type="checkbox"/> 5 years	

#### Discussion

The application is in alignment with Local Planning Policy 7 (LPP7) on all requirements. The previous application in 2020 also received an objection from Private Submitter 4, who again did not raise any specific concerns with the property in question, but was opposed to more holiday houses in general.

#### Consultation

After providing submitters with further information in response to their concerns, one objection remains. The objection is on the grounds of impact on the community, neighbourhood character and amenity issues.

In relation to the impact on community and town character, the site is located in an area where Holiday Houses are allowable. The policy does not include limitations around the overall number of holiday homes that can be permitted within an area. Cumulative impact is not part of a Holiday Home assessment, with each application being assessed on its own merits and individual holiday homes being required to comply with conditions of planning approval and demonstrate efficient management.

In regards to potential amenity impacts, the Shire is unable to pre-empt amenity impacts, particularly in circumstances where the nature of the use does not vary greatly from the expected occupancy of a single house. As is standard with short term uses, an initial 12-month approval is provided whereby the proponents will need to demonstrate that management measures are sufficient to prevent impacts on the amenity of the neighbouring properties. At the time of renewal, the neighbours will be consulted to help determine whether these management arrangements are effective. If it is apparent management has been ineffective then a renewal may be refused, or a shorter approval timeframe applied. This is considered a reasonable approach to allow for recommending approval of the holiday house.

## Conclusion

The proposal is consistent with LPP7 and approval for a period of 12 months is 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 Holiday House at 15 Le Soeuf 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 -P3 received by the Shire on the 6 October 2025
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2. The Holiday House use permitted for a period of **12 months** from **<date of this approval>** to **<end of date of approval>**. (Refer to advice note 'a')
3. The approved Bushfire Emergency Evacuation Plan shall be displayed in a conspicuous location within the dwelling at all times.
4. A Manager or a contactable employee of the Manager that permanently resides no greater than a 35 minute drive from the site shall be nominated for the Holiday House and this person shall attend to any callout within 35 minutes of a reported incident. The Manager or contactable employee is to be retained at all times during the use of the site as a Holiday House. (Refer advice note 'b')
5. At all times the Holiday House use is in operation, the 24-hour contact details of the Manager of the Holiday House shall be displayed on a sign that is clearly visible from the nearest street frontage. The sign is limited to a maximum size of 0.2 metres square and not exceeding 1.5 metres in height from the ground level. The sign shall be erected within the property frontage and must be visible from the front street. (Refer to advice note 'c')
6. All vehicles & boats connected with the premises shall be parked within the boundaries of the property.
7. The short stay use of the dwelling shall not be occupied by more than **6 people** at any one time.
8. Amplified music shall not be played outside of the holiday house between the hours of 10pm and 10am.
9. 'House Rules' shall be developed to the satisfaction of the Shire prior to the commencement of use. Thereafter the 'House Rules' shall be provided to all guests and shall be displayed within a prominent position within the Holiday House. (Refer to advice note 'f')
10. Any marketing material for this Holiday House shall include display of the planning approval reference number for this approval. (Refer to advice note 'g')

### Advice Notes

- a) A new planning application seeking approval should be submitted 90 days before the expiry of this approval, along with the appropriate planning fee. Please note that a longer approval term may not be applied in the following instances:
  - (i) Substantiated complaints have been received by the Shire during the last period of approval which impact the amenity of the neighbouring properties;
  - (ii) A renewal application has not been received prior to the expiry of the previous approval;
  - (iii) Changes have been made to management arrangements or guest numbers over the course of the

approval or as part of the renewal application;

(iv) The use has not commenced operation.

b) If at any time there is not an appointed manager or a contactable employee of the manager for the site, the use must cease until such time as a manager is appointed.

c) Evidence of installation of the sign will be required to be provided, to the satisfaction of the Shire, at the time an application to renew the Holiday House use is lodged.

d) This approval does not affect the entitlement to use the dwelling for permanent residential purposes.

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

(i) *Health (Miscellaneous Provisions) Act 1911* and Department requirements in respect to the development and use of the premises.

(ii) The *WA Building Regulations 2012* (r.59) requires that the owner of a dwelling (as defined in the Building Code of Australia) must not make the dwelling available for hire unless hard wired, battery backup smoke alarms are installed, complying with the Building Code of Australia and AS3786.

f) The 'House Rules' document shall be consistent with key elements of the NSW Code for Holiday Houses (please refer to the attached document).

g) Evidence of the display of the planning approval reference number within the marketing of the Holiday House is required to be provided, to the satisfaction of the Shire, at the time an application to renew the Holiday House use is lodged. Applicants are advised to include a screenshot of the website, to show that the planning approval reference number is being displayed.

h) Please note that the Shire does not notify landowners in writing of the expiry of a Holiday House planning approval. It is the owner's 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](https://www.wa.gov.au/organisation/department-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/department-of-energy-mines-industry-regulation-and-safety/short-term-rental-accommodation-register>