

DEVELOPMENT ASSESSMENT REPORT
Shire of Augusta Margaret River
8 January to 14 January 2026
APPLICATIONS RECEIVED

| Date Rec'd | Reference No. | Address | Proposal |
|---|---------------|---|--|
| PLANNING | | | |
| 08/01/2026 | P226007 | 65 (Lot 53) Leeuwin Road, Augusta | Holiday House Renewal |
| 09/01/2026 | P226009 | 2 (Lot 1) Secluded View, Cowaramup | Amendment to P225651 |
| 12/01/2026 | P226017 | 43 (Lot 60) Forrest Road, Margaret River | Conversion of Shed to Ancillary Dwelling |
| 13/01/2026 | P226018 | 4 (Lot 114) Derwent Loop, Margaret River | Street Tree Relocation |
| 14/01/2026 | P226019 | 47 (Lot 55) Mitchell Drive, Prevelly | Garage |
| 14/01/2026 | P226020 | 60 (Lot 188) Abelia Avenue, Margaret River | Single House |
| BUILDING | | | |
| 08/01/2026 | 226012 | 32 (Lot 80) Uluwatu Approach, Margaret River | Single Dwelling and Garage |
| 08/01/2026 | 226013 | 143 (Lot 260) Brookfield Avenue, Margaret River | Single Dwelling and Garage |
| 09/01/2026 | 226014 | 7 (Lot 65) Magnolia Court, Cowaramup | Patio |
| 09/01/2026 | 226015 | 15 (Lot 282) Coracina Avenue, Witchcliffe | Single Dwelling and Shed |
| 09/01/2026 | 226016 | Lot 45 Cullen Road, Gracetown | Shed |
| 12/01/2026 | 226017 | Lot 571 Devon Drive, Margaret River | Patio |
| 12/01/2026 | 226018 | 48 (Lot 26) Karri Loop, Margaret River | Ancillary Dwelling |
| 12/01/2026 | 226019 | 21 (Lot 476) Chenin Street, Cowaramup | Carport |
| 13/01/2026 | 226020 | 58 (Lot 187) Abelia Avenue, Margaret River | Single Dwelling, Garage and Water Tank |
| 14/01/2026 | 226021 | 18 (Lot 27) Snapper Avenue, Margaret River | Single Dwelling and Garage |
| 14/01/2026 | 226022 | 62 (Lot 189) Abelia Avenue, Margaret River | Single Dwelling |
| 14/01/2026 | 226023 | 17 (Lot 102) Derwent Loop, Margaret River | Single Dwelling and Garage |
| 14/01/2026 | 226024 | 59 (Lot 103) Diana Road, Augusta | Single Dwelling |
| 14/01/2026 | 226025 | 13 (Lot 20) Merino Way, Margaret River | Water Tank |
| 14/01/2026 | 226026 | 24 (Lot 57) Hudsbeth Way, Margaret River | Swimming Pool |
| 14/01/2026 | 226027 | 70 (Lot 69) Apsley Drive, Margaret River | Single Dwelling, Garage and Water Tank |
| 14/01/2026 | 226028 | 34 (Lot 255) Hardwood Loop, Cowaramup | Single Dwelling and Garage |
| 14/01/2026 | 226029 | 5 (Lot 70) Cabernet Place, Margaret River | Ancillary Dwelling |
| 14/01/2026 | 226030 | 10 (Lot 125) Kingston Powles, Kudardup | Single Dwelling and Carport |
| 14/01/2026 | 226031 | 49 (Lot 209) Hardwood Loop, Cowaramup | Shed |
| 14/01/2026 | 226032 | 5 (Lot 57) Trestles Way, Margaret River | Single Dwelling and Garage |
| 14/01/2026 | 226033 | 304 (Lot 20) Kudardup Road, Kudardup | Shed |
| Exploration Licenses for Comment | | | |
| Nil | | | |

APPLICATIONS DETERMINED UNDER DELEGATION

| Date Rec'd | Reference No. | Address | Proposal | Outcome |
|--------------------------|---------------|---|---|----------|
| PLANNING | | | | |
| 01/10/2025 | P225711 | 397 (Lot 911) Rosa Glen Road, Rosa Glen | Building Envelope Variation & Ancillary Dwelling & Outbuilding (Shed) | Approved |
| 15/10/2025 | P225776 | 3 (Lot 139) Tattersall Street, East Augusta | Outbuilding (Shed) | Approved |
| 21/10/2025 | P225798 | Unit 2 / 17 (Lot 2) Elva Street, Margaret River | Holiday House Renewal | Approved |
| 10/11/2025 | P225850 | 26 (Lot 4) Stewart Street, Margaret River | Dwelling Additions (Second Storey) | Approved |
| 11/11/2025 | P225853 | 45 (Lot 211) Hardwood Loop, Cowaramup | Single House | Approved |
| 12/11/2025 | P225867 | 73 (Lot 195) Marmaduke Point Drive, Gnarabup | Dwelling Additions | Approved |
| 01/12/2025 | P225918 | 2 (Lot 38) Trestles Way, Margaret River | Single House | Approved |
| 17/12/2025 | P225981 | 26 (Lot 251) Hardwood Loop, Cowaramup | Single House | Approved |
| SUBDIVISIONS | | | | |
| Nil | | | | |
| LOCAL LAW PERMITS | | | | |

Nil

LEVEL 3 PLANNING APPLICATIONS FOR DETERMINATION

| Date Rec'd | Reference No. | Address | Proposal | Recommendation |
|-----------------|---------------|---------------------------------------|-------------------------|-------------------------|
| PLANNING | | | | |
| 23/10/2025 | P225814 | 1 Eucalyptus Court, Margaret River | Holiday House | Approve with Conditions |
| 2/12/2025 | P225922 | 46 (Lot 110) Woodland Drive, Burnside | Holiday House (Renewal) | 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 P225814

General Details

| | |
|-------------------------------|-----------------|
| Reporting Officer | Suzi Magnall |
| Disclosure of Interest | Nil |
| Assessment Level | Major - Level 3 |

Application Details

| | |
|--|--|
| Address | 1 Eucalyptus Court, Margaret River |
| Existing Development | <input checked="" type="checkbox"/> Single House <input type="checkbox"/> Grouped Dwelling |
| Zoning | Rural Residential |
| Lot Area | 10,376m² |
| Proposed Use | A planning application has been received for a Holiday House use. The existing dwelling is to be used to accommodate up to ten (10) short stay guests at any one time. The management arrangements are to be Swell Stays Management Company based in Margaret River. |
| 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 | None |
| Easements/Encumbrances | None |
| Date Received | 23/10/2025 |
| Date of Report | 8/1/2026 |
| Planning History | P98187 – Dwelling and Shed – Approved 18 June 1998 |

Site Image



Assessment

| Referrals | Yes | No |
|--|-------------------------------------|-------------------------------------|
| Adjoining Neighbours/Property Owners – 2 Submissions | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Government Agencies | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Internal Shire Departments - Public Health | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Where any issues raised through the referrals process? Septics System requires Upgrade | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

| Internal Department Comments | |
|---|---|
| Department Comments | Officer Comments |
| <u>Public Health Department:</u> Effluent approval found on Building Permit from 1998 but for 4 bedrooms. On review of this system, it was determined that the existing effluent disposal system is adequate to accommodate 6 occupants. The existing effluent disposal system will require upgrading to accommodate more than 6 guests and it is likely that this will need to go to Department of Health for approval due to the size. Confirmed standard condition to permit 6 guests until upgrades completed, then increase number of guests to 10 can be considered. Standard conditions recommended. | Noted. The Applicant has been notified about the Public Health comments and has contacted the Department directly. A condition will be added to the approval to limit the number of guests to six until the septic system has been upgraded and approved, to ensure the septic system is adequate for the proposed number of guests. |

| Community Engagement | |
|---|--|
| Submitter Comments | Applicant Response |
| <p><u>Private Submitter 1:</u></p> <p>My concerns are:</p> <ul style="list-style-type: none"> - The occupancy of 10 leaves it open to groups - The outside entertaining area is opposite our bedroom <p><u>Private Submitter 2:</u></p> <p>We would like to register our strong objection to this application.</p> <p>In particular, we are concerned about the high number of prospective occupants – in our opinion / experience 10 people equates to a 'party house' and is totally unacceptable for the size of the house and the location in a quiet residential area.</p> <p>In the last 12 months the house has been let out to guests on numerous occasions and we have noticed a dramatic increase in noise, traffic and the use of floodlights in the backyard that impact our premises. We imagine this would be worse as a registered holiday house with up to 10 guests.</p> <p>We are aware that there is a history of septic overflow with the property. Previous owners had to pump out often with just two people living there. How can it cope with 10 people?</p> <p>Since the property has been under new ownership, we have noticed a lack of maintenance to the grounds – it has become overgrown and unkempt. To further encourage non-residential occupation is unlikely to improve this situation. Also, the property is not suitable for pets as it is not fenced.</p> <p>In conclusion, we do not support this application in any way. We already have two businesses operating from the other property adjoining ours at number 4 Eucalyptus Court with extra cars, deliveries etc, now we have the possibility of a large holiday house on our other boundary is distressing, and the quiet residential cul-de-sac would become a busy, noisy business / accommodation area.</p> | <p>Response to Neighbour Submissions</p> <p>1. Concerns regarding a “party house” and noise impacts</p> <p>The proposed Holiday House will be operated in accordance with the Shire's Holiday Home requirements, including strict compliance with noise regulations and guest behaviour standards. The owner does not support parties, events or gatherings, and this will be clearly stated in the house rules and booking conditions.</p> <p>The maximum guest numbers will be enforced through booking platforms and management oversight, and neighbours will be provided with a local contact number to report any issues promptly, consistent with Shire requirements.</p> <p>It is also noted that the immediate reduction to six guests further mitigates concerns regarding intensity of use.</p> <p>2. Alleged increase in noise, traffic and floodlighting</p> <p>The owner is not aware of any substantiated complaints lodged with the Shire or Police in relation to noise or lighting. Regardless, the owner is willing to implement the following measures to proactively address these concerns:</p> <ul style="list-style-type: none"> • External lighting to be reviewed and adjusted to ensure it is low-spill, downward-facing and compliant with residential amenity expectations • Guest house information to clearly outline quiet hours, parking arrangements and neighbour considerations • Ongoing property management oversight to ensure compliance <p>These measures will apply whether the maximum guest number is six or ten.</p> <p>3. Septic system capacity</p> <p>We acknowledge the Environmental Health assessment. As confirmed, the existing system is suitable for six guests, and the owner commits to upgrading the effluent disposal system and extending the leach drains to meet Department of Health</p> |

requirements prior to any increase beyond six guests.

The owner is comfortable with this being secured by condition and understands that approvals will be required before the guest increase is enacted.

4. Property maintenance

The owner does not agree that the property is being neglected. Any periods of reduced maintenance have been temporary and are being addressed. Regular gardening and property maintenance are ongoing and will continue as part of the Holiday House operation. The use of the property as short-term accommodation is not expected to negatively impact maintenance standards and, if anything, supports ongoing upkeep.

5. Pets and fencing

The application does not propose unrestricted pet accommodation. If pets are permitted at any stage, this would be managed in accordance with Shire requirements and appropriate fencing considerations. Alternatively, the owner is amenable to a condition restricting pets if deemed necessary.

6. Cumulative impacts and character of the area

The proposal remains residential in nature and does not introduce a commercial building or permanent business use. Holiday Houses are a discretionary use within the zone and are commonly approved subject to appropriate conditions. Traffic generation from a Holiday House is intermittent and comparable to standard residential use. The owner notes that other activities in the area are not associated with this application and should be considered separately.

In summary, the owner proposes:

- Approval for **six (6) guests initially**
- A **condition allowing an increase to ten (10) guests** following approval and completion of septic system upgrades
- Ongoing compliance with noise, parking, lighting and management requirements to protect residential amenity

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 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 checked="" type="checkbox"/> Yes <input 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No Septic suitable for 6 guests, upgrade required for 10 guests |
| | Decks and balconies located away from the bedrooms of neighbouring dwellings? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No 15m from the outdoor entertainment area to lot boundary and >40m between dwellings. |
| | 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 for a Holiday House (Large) with up to ten (10) guests at 1 Eucalyptus Court.

The proposal received two submissions during the standard advertising period which have been summarised above, along with the applicant's response to the comments made. The applicant's response demonstrates respect to the amenity of their neighbours, detailing their intent for strict compliance with the Shire's rules and the appointment of a local property

management team (Swell Stays) to control / screen guest bookings and behaviour to prevent parties, events or gatherings. They have explained their intention to implement measures to proactively address some of the concerns raised including altering the exterior lighting, restricting pets and providing detailed guest information about quiet times. The applicants have also committed to ongoing property maintenance and gardening to ensure the upkeep of the property. These measures should alleviate some of the concerns raised and the property use can be monitored during the initial approval period.

With regards to the concern about the proximity of the outdoor entertaining area to the neighbour's bedroom, it is noted there is a 15m distance from the property's entertainment area to the western lot boundary, and over 40m between the two dwellings. This distance is considered sufficient to comply with the requirements of LPP7, however the neighbours are encouraged to report any amenity issues that arise.

The Shire's Public Health Department raised issues with the current septic system being inadequate for ten guests. The department have confirmed the existing septic system is sufficient to allow up to six guests, with a standard condition applied to allow an increase to the number of guests to ten (10) once the upgrades have been completed and approved. This will allow the property to operate at a reduced capacity initially, and addresses the septic concerns raised.

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 perceived amenity issues.

In relation to the impact on community and residential character of the area, the site is located in an area where holiday houses can be considered. 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 regard to potential amenity impacts, the Shire is unable to pre-empt amenity impacts, particularly where the spatial characteristics of the site appear to reduce this risk as discussed above. 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 (Large) at 1 (Lot 9) Eucalyptus Court, 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 the 23 October 2025 |
|--------------------------|---|

2. The Holiday House use permitted for a period of **twelve (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. This number may be increased to ten (10) if it can be demonstrated to the satisfaction of the Shire that the on-site wastewater management system has been upgraded to cope with the higher number of people.
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.
- 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/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>
- k) The proponent will need to ensure that the occupants of the holiday house comply with the requirements of the Environmental Protection (Noise) Regulations 1997.
- l) Should food be provided for patrons, notification shall be made in the approved form to the Shire in accordance with the Food Act 2008 and subsequent compliance shall be achieved in relation to chapter 3 of the Food Safety Standards within the Food Standards Code.
- m) The development is to provide a potable water source in accordance with The Australian Drinking Water Guidelines (EH)

Development Assessment P225922

General Details

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|-------------------------------|-----------------|
| Reporting Officer | Lucy Gouws |
| Disclosure of Interest | Nil |
| Assessment Level | Major (Level 2) |

Application Details

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|---|--|
| Nature of application | Holiday House (Large) Renewal - Level 3 46 (Lot 110) Woodland Drive, Burnside PTY/7056 A twelve (12) month approval (P221485) was issued on 8 October 2021 for a holiday house for eight (8) guests. A further 3 years (P223027) was approved in 2023. |
| Proposed use | A planning application has been received for the renewal of the Holiday House. As previously approved, the existing dwelling is to be used to accommodate up to 8 short stay guests at any one time. The existing management arrangements are to be retained and the duration of the approval sought in this case for a further 5 years. |
| Is the application same as previous? | Yes |
| Have there been any objections? | Yes (1 x letter) raising concerns with the numbers of short-term accommodation in Margaret River. In relation to the neighbours concerns, it is noted that the site is located in a predetermined area under the Shire's Local Planning Policy which is considered suitable for holiday homes. The policy does not have limitations around the overall number of holiday homes within the allowable area, meaning this concern, whilst not invalid is better directed to a review of the policy framework rather than an individual holiday house application. |
| Have there been any complaints over the recent period of approval? | None |
| Recommended period of approval | <input type="checkbox"/> 12 months <input type="checkbox"/> 3 years <input checked="" type="checkbox"/> 5 years |

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 (Large) Renewal at 46 (Lot 110) Woodland Drive, Burnside

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.

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|--------------------------|---|
| Plans and Specifications | P1 to P3 received by the Shire on the 14 March 2023 |
|--------------------------|---|

2. The Holiday House use is permitted for a period of **5 years** from **<end of previous period of approval> to <end of period 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 to 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 ground level. The sign shall be erected within the property frontage and must be visible from the street front. (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 **8 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. Any marketing material for this Holiday House shall include display of the planning approval reference number for this approval. (Refer to advice note 'f')
10. 'House Rules' shall be provided to all guests and shall be displayed within a prominent position within the Holiday House. (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 five (5) 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:
 - (iii) *Health (Miscellaneous Provisions) Act 1911* and Department requirements in respect to the development and use of the premises.
 - (iv) 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) 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) The 'House Rules' document shall be consistent with key elements of the NSW Code for Holiday Houses.
- 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.
- 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>