

DEVELOPMENT ASSESSMENT REPORT
Shire of Augusta Margaret River
26 May to 1 June 2022

APPLICATIONS RECEIVED

Date Rec'd	Reference No.	Address	Proposal
PLANNING			
P222367	26/05/2022	29 (Lot 279) Ironbark Avenue, Margaret River	Bed and Breakfast (Renewal)
P222377	27/05/2022	12 (Lot 69) Le Souef Street, Margaret River	Cancellation of Holiday House Approval P220832
P222378	30/05/2022	77 (Lot 103) Baudin Drive, Gnarabup	Holiday House Renewal
P222380	01/06/2022	6 (Lot 145) Mooring Court, Molloy Island	Single House (Outbuilding and Water Tank Additions)
P222381	01/06/2022	35 (Lot 440) Daisy Rise, Cowaramup	Single Dwelling
BUILDING			
26/05/2022	222301	14 (Lot 59) Timber Court, Cowaramup	Shed
27/05/2022	222302	17 (Lot 572) Guernsey Gully, Margaret River	Swimming Pool and Barrier Fence
30/05/2022	222305	59 (Lot 298) Clarke Road, Margaret River (Montessori School)	Patio
30/05/2022	222308	5 (Lot 200) Blackwood Avenue, Augusta	Alterations and Additions - Bedroom and Ensuite Bathroom
26/05/2022	222309	16 (Lot 73) McDowell Road, Witchcliffe	Shed and Carport
26/05/2022	222310	5 (Lot 256) Logging Road, Karridale	Rainwater Tank
26/05/2022	222311	91 (Lot 36) Rainbow Cave Road, Margaret River	Entry Sign
26/05/2022	222312	18 (Lot 14) Stewart Smith Loop, Cowaramup	Single Dwelling, Garage, Verandah and Patio
26/05/2022	222313	46 (Lot 202) Boronia Road, Rosa Glen	Single Dwelling, Garage, Patio and Rainwater Tank
26/05/2022	222314	15 (Lot 33) Stewart Smith Loop, Cowaramup	Single Dwelling, Garage and Patio
27/05/2022	222315	40 (Lot 30) Sabina Drive, Molloy Island	Shed
27/05/2022	222316	140 (Lot 1957) McLeod Creek Road, Karridale	Farm Shed
27/05/2022	222317	13 (Lot 2) Kulbardi Way, Witchcliffe	Single Dwelling, Rainwater tank x2 and Carport with Store
27/05/2022	222318	156 (Lot 13) Rainbow Cave Road, Margaret River	Alterations and Additions - Extension and conversion of existing garage into a living area, bedroom and bathroom.
27/05/2022	222319	44 (Lot 104) Hermitage Drive, Margaret River	Patio
27/05/2022	222320	7 (Lot 60) Waverley Road, Cowaramup	Ancillary Dwelling, Deck and Alterations and Additions to Garage
27/05/2022	222321	453 (Lot 2280) Bramley River Road, Osmington	Rainwater Tank
27/05/2022	222323	68 (Lot 266) Blackwood Avenue, Augusta	Gazebo
30/05/2022	222324	855 (Lot 203) Burnside Road, Burnside	Single Dwelling, Garage, Patio and Retaining Wall
30/05/2022	222325	8 (Lot 675) Meridian Street Augusta	Single Dwelling, Garage and Patio
30/05/2022	222326	7 (Lot 53) O'Brien Street, Cowaramup	Demolition of a Single Storey Dwelling
31/05/2022	222327	19 (Lot 8) Kulbardi Way, Witchcliffe	Single Dwelling, Verandah and Rainwater Tank
01/06/2022	222328	32 (Lot 23) Humble Way, Margaret River	Swimming Pool and Barrier Fence
01/06/2022	222329	22 (Lot 51) Mc Dermott Parade, Witchcliffe	Ancillary Dwelling, Carport and Patio
01/06/2022	222331	66 (Lot 198) Marmaduke Point Drive, Gnarabup	Shed
01/06/2022	222332	74 (Lot 3) Kulbardi Way, Witchcliffe	Single Dwelling, Patio, Carport and Rainwater Tank

DETERMINED UNDER DELEGATION

Date Rec'd	Reference No.	Address	Proposal	Outcome
PLANNING				
25/03/2022	P222220	122 (Lot 2) Bussell Highway, Margaret River	Amendment to Planning Approval P219101 (Shop)	Approved
01/04/2022	P222241	5 (Lot 47) Town View Terrace, Margaret River	Holiday House Renewal (3 x Group Dwellings)	Approved
24/03/2022	P222214	158 (Lot 10) Hillview Road, Augusta	Single House (Outbuilding Addition)	Approved
25/03/2022	P222224	32 (Lot 269) Noreuil Circuit, Cowaramup	Single House (Outbuilding Addition)	Approved
06/04/2022	P222254	3 (Lot 17) Treeside Lane Margaret River	Single House	Approved
10/01/2022	P222013	62 (Lot 45) Hermitage Dr, Margaret River	Holiday House Large (Renewal)	Approved
11/05/2022	P222332	3 (Lot 6) Redgate Road, Witchcliffe	Section 40	Approved
27/05/2022	P222377	12 (Lot 69) Le Souef Street, Margaret River	Cancellation of Holiday House Approval P220832	No Longer Operating
03/03/2022	P222152	35 (Lot 1) Station Road, Margaret River	Section 40	Approved
13/04/2022	P222272	13 (Lot 13) Mitchell Road, Rosa Glen	Section 40 Liquor Licence Certificate - Brewery Winery & Rural Produce Sales (Cidery & Wine Production & Storage)	Approved
31/01/2022	P222073	21 (Lot 22) Osnaburg Street, Augusta	Change of Use (Dwelling to Dwelling & Industry - Cottage)	Approved
22/02/2022	P222133	11 (Lot 148) Grunters Way, Gnarabup	Holiday House Large (Renewal)	Approved
22/04/2022	P222294	59 (Lot 312) Kevill Road, Margaret River	Building Envelope Variation (Ancillary Dwelling)	Approved
29/04/2022	P222309	38 (Lot 43) Townview Terrace, Margaret River	Holiday House Renewal	Approved
11/05/2022	P222330	17 (Lot 128) Hurford Place, Augusta	Single House (Retaining)	Approved
SUBDIVISIONS				
Nil				
LOCAL LAW PERMITS				
03/03/2022	P222171	Reserve 41545 Mitchell Drive, Prevelly	Local Law Permit - Crossfit classes - 1 year	Cancelled
10/03/2022	P222183	Reserve 24653 Davies Road, Augusta	Local Law Permit - Yoga Classes Flinders Bay	Cancelled
19/05/2022	P222356	Long Reef Beach and Blackwood Rivermouth to 30 November 2022 Reserve 41545, Gnarabup and Reserve 37957, Augusta	Local Law Permit Extension - Operate a Kite Surf School	Approved
25/05/2022	P222371	Rivermouth beach and Margaret Rivermouth, portion of Reserve 41545	Authorisation to film on Shire Property - South West Edge tourism campaign. - 31 May 2022	Approved
19/05/2022	P222373	Rivermouth - Portion of Reserve 41545, Rivermouth Road, Prevelly	Local Law Permit Extension - Operate Canoe and Kayak Tours from Rivermouth 1 June to 30 November 2022	Approved
20/05/2022	P222374	Reserve 41545, 11533 and 27618, Prevelly	Local Law Permit Extension - Operate Surf and stand up Paddle lessons 1 June to 30 November 2022	Approved
OTHER APPLICATIONS				
07/04/2022	P222259	4 (Lot 9506) Concerto Drive, Cowaramup	Local Development Plan - Symphony Waters Stage 4	Approved

LEVEL 3 PLANNING APPLICATIONS FOR DETERMINATION

Date Rec'd	Reference No.	Address	Proposal	Recommendation
PLANNING				
10/03/2022	P222186	137 (Lot 1028) Heron Drive, Margaret River	Holiday House	Approve subject to conditions
18/02/2022	P222126	11 (Lot 30) Wooredah, Crescent Prevelly	Holiday House	Approve subject to 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 APPLICATION ASSESSMENT
Report to Manager Planning and Development Services

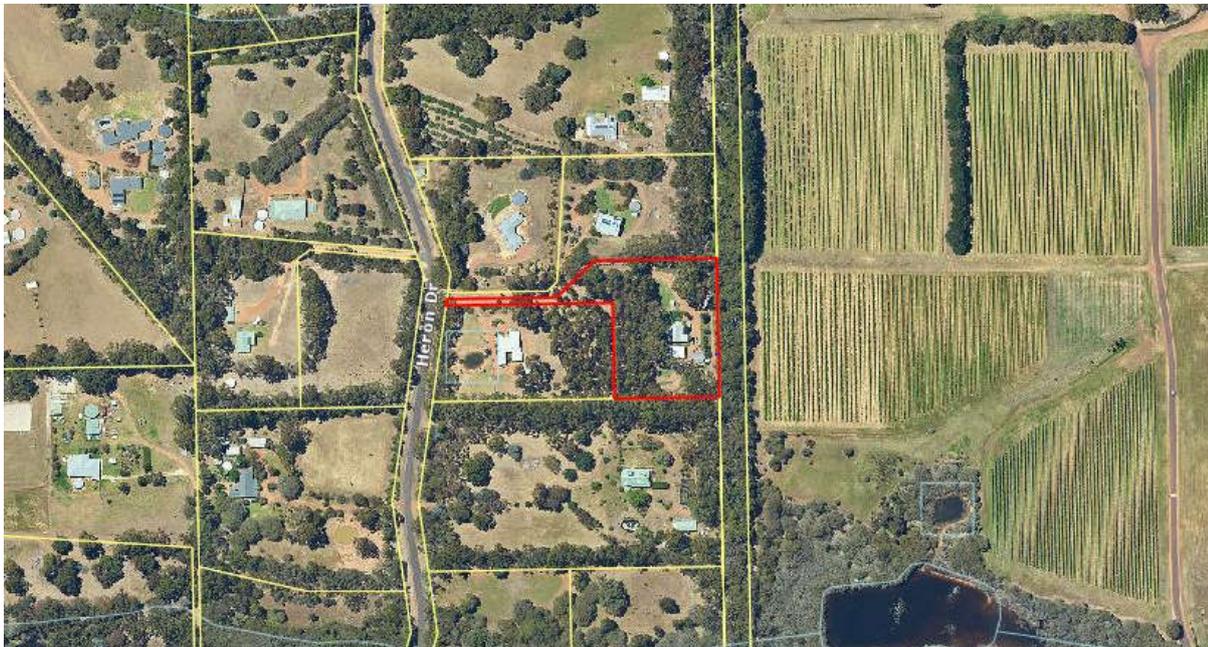
Proposed Holiday House at 137 (Lot 1028) Heron Drive Margaret River

(Level 3) objection received

P222186; PTY/11609

REPORTING OFFICER : Lina O'Halloran
DISCLOSURE OF INTEREST : Nil

General Information	
Lot Area	1ha
Zone	Rural Residential RR13
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 six (6) short stay guests at any one time. The Holiday House would be managed by residents of the neighbouring property at 38 Heron Drive.
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	10/03/2022
Date of Report	2/06/2022



Have there been any objections?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Comments Received		
Nature of Submission	Officer Comments	
<p>Private Submission – Objection: Heron Drive already has a number of holiday rentals and the whole reason for living in this area will change due to increased traffic, more people and possible increased noise. Since buying our property 26 years ago the area has been subdividing, bringing a proliferation of houses, people and traffic. People using holiday rentals usually stay for short periods. This can be a security risk to the permanent residents. There is often a disregard for noise and the effect on residents. Having holiday makers with no intention of developing friendships is detrimental to residents in the vicinity.</p>	<p>The following comments are made in response:</p> <ul style="list-style-type: none"> The site meets the locational criteria for a Holiday House under <i>Local Planning Policy 7 – Short Stay Accommodation</i> (LPP7). Potential amenity impacts to residents from noise can be addressed by effective management of the holiday house, house rules and conditions of planning approval. Furthermore, the limitation to a 12 month approval period provides the Shire with the ability to monitor the effectiveness of the Holiday House management. Security and relationships with surrounding neighbours are not guaranteed by permanent residential use of the property and are not considerations under LPP7. The increased density of development along Heron Drive is not related to the proposed holiday house use. 	
<p>DFES: The BMP has been supported subject to modifications:</p>	<ul style="list-style-type: none"> Plots 6 & 7 fall outside the boundaries of the lot and relate largely to low threat vegetation surrounding the 	

- Further photographic evidence is required to support vegetation classification of plots 6 & 7 as Class G Grassland. Noting the BAL rating is unlikely to change as a result, the classification should still be substantiated.
- Dwelling construction to AS3959 standards does not apply retrospectively but should be considered by the decision maker.
- Vehicle access:
 - A5.5e - BMP needs to demonstrate the entire driveway complies with the Guidelines.
 - A5.5f – BMP needs to demonstrate compliant signage is provided.
- Water A5.6 – BMP needs to demonstrate the firefighting water tank is accessible and located in an area of BAL-29.

site such as the managed vineyard to the east and pastured areas on adjoining lots, at least 44m from the dwelling. Whilst photos of these plots have not been provided, the aerial imagery used to classify the plots clearly substantiates the classification. Furthermore, the classification of these plots does not impact the BAL-FZ rating given that the vegetation of highest threat is closer to the dwelling.

- The Shire has not historically required dwelling upgrades to AS3959 standards for Holiday House use. In any case, the BMP has volunteered 4 upgrades that could be made at the discretion of the landowner, to improve the bushfire resistance of the dwelling. DFES comments are noted however it is not recommended that the Shire enforce dwelling upgrades
- The BMP was prepared against Version 1.3 of the Guidelines and lodged before Version 1.4 became compulsory. Nevertheless, the BMP is considered to acceptably comply with the bushfire protection criteria.
- A5.5e: the compliance requirements for the 180m long driveway are:
 - 4m width
 - 6m horizontal clearance
 - 4.5m vertical clearance
 - 15t weight capacity
 - Maximum gradient 1:10 (10%)

Compliance with these factors is required prior to commencement of the Holiday House use, and they are achievable for the site.

- A5.5f: The BMP requires the adoption of the BEEP, which is to be displayed within the holiday house, and that the firefighting water tank is to be sign posted for use by emergency services. The BMP demonstrates compliant signage is provided.
- A5.6: The existing firefighting water tank is located within the APZ and adjacent to the vehicle entrance to the site, forward of the dwelling and providing adequate hard stand and turn around area – refer to Figure 1. The tank also achieves the Schedule 2.2 Technical Requirements. The tank is not subject to a BAL-29 rating, however this is not a requirement of The Guidelines and further clearing to achieve BAL-29 at the water tank is not supported. In any case, the tank complies with A5.6 requirements.

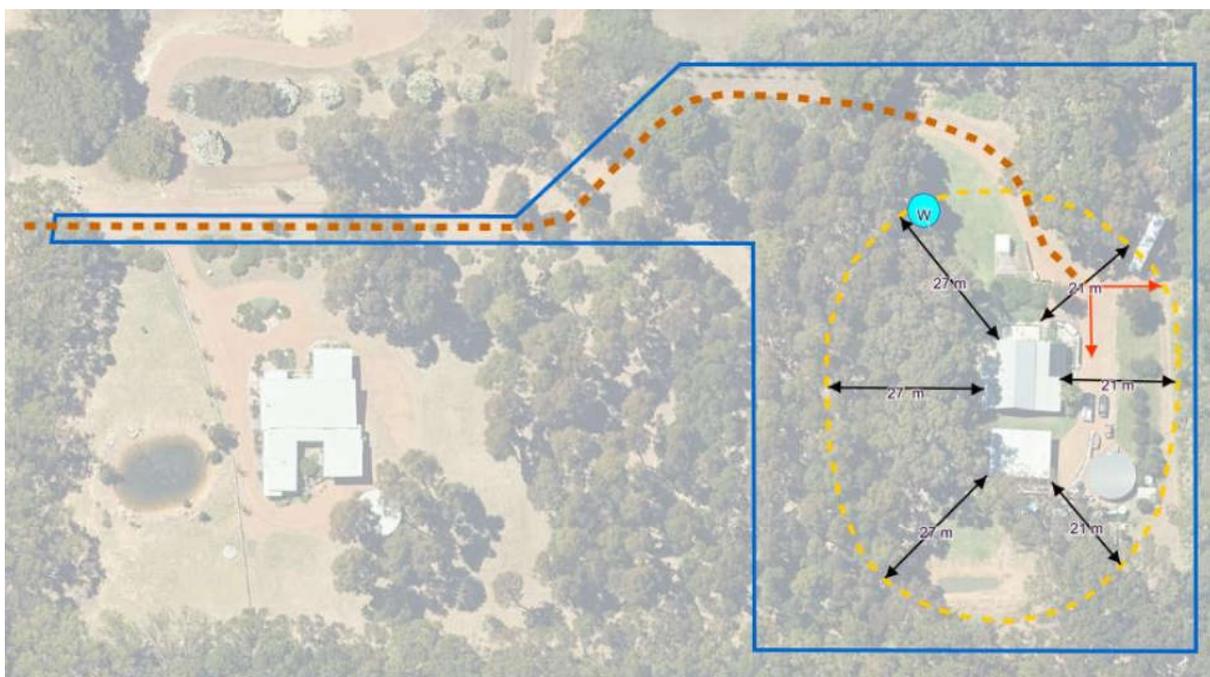


Figure 1: Extract from BMP of proposed risk management strategies

Policy Requirements		
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 (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 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
Fire	If within bushfire prone area a BAL provided?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	For sites with a BAL above Low, a BMP prepared by accredited consultant and where required referred to DFES for comments?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	BAL rating at BAL-40 or FZ?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No The site has a determined rating of BAL-FZ, however the BMP demonstrates an achievable BAL-29 rating.
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	

OFFICER RECOMMENDATION

That the Statutory Planning Coordinator 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 137 (Lot 1028) Heron Drive, Margaret River subject to compliance with the following conditions:

CONDITIONS

- 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 & P2 received by the Shire on 10 March 2022
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- 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')
- The approved Bushfire Emergency Evacuation Plan and Bushfire Management Plan shall be displayed in a conspicuous location within the dwelling at all times.
- 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')
- 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')
- All vehicles & boats connected with the premises shall be parked within the boundaries of the property.

6. The short stay use of the dwelling shall not be occupied by more than **six (6) people** at any one time.
7. Amplified music shall not be played outside of the holiday house between the hours of 10pm and 10am.
8. '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')
9. 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.
- a) 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.
- b) 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.
- c) This approval does not affect the entitlement to use the dwelling for permanent residential purposes.
- d) You are advised of the need to comply with the requirements of the following other legislation:
 - (i) *Health (Miscellaneous Provisions) Act 1911* and Department requirements in respect to the development and use of the premises.
 - (i) The *WA Building Regulations 2012* (r.59) requires that the owner of a dwelling (as defined in the Building Code of Australia) must not make the dwelling available for hire unless hard wired, battery backup smoke alarms are installed, complying with the Building Code of Australia and AS3786.
- 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.



DEVELOPMENT APPLICATION ASSESSMENT
Report to Manager Planning and Development Services

Proposed Holiday House at 11 (Lot 30) Wooredah Crescent, Prevelly

(Level 2) no submissions received

P222126; PTY/3492

REPORTING OFFICER : Lina O'Halloran
 DISCLOSURE OF INTEREST : Nil

General Information	
Lot Area	1071m ²
Zone	Residential R15
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 six (6) short stay guests at any one time. The Holiday House would be managed by the property owners who reside in the ancillary dwelling at the rear of the site.
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	18/02/2022
Date of Report	30/05/2022
	Note final plans were received 14 March 2022



Have there been any objections? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Comments Received	
Nature of Submission	Officer Comments
<p>DFES: DFES does not support the application as it does not meet the intent of Element 5: Vulnerable Tourism Land Uses, particularly vehicular access. The proposal is intensifying land use in a bushfire prone area with only one point of access and egress. The following specific comments were made:</p> <ul style="list-style-type: none"> Vegetation classifications of Plots 1 and 2 require further photographic evidence to validate their respective classifications. If unsubstantiated, the vegetation classifications should be revised. DFES does not accept fire break notices as part of the vegetation management required to achieve an APZ or low-threat classification. 	<ul style="list-style-type: none"> The classification for Plot 1 has been upgraded from Class B Woodland to Class A Forest, and the BAL rating upgraded to BAL-29. <p>7 additional photos have been added to substantiate the classification of Plot 2 as excluded.</p> <ul style="list-style-type: none"> No reference to the Shire's firebreak notice has been made in the BMP, and there is no indication

<ul style="list-style-type: none"> • Construction to AS3959 standards does not apply retrospectively but the Shire may consider upgrades to the dwelling. • The BMP does not demonstrate compliance with elements A5.4a Siting and Design and A5.5a Vehicular Access. • The BEEP should be considered in light of Section 5.5.2 of the Guidelines. 	<p>the BALrating is reliant upon the Shire's firebreak notice.</p> <ul style="list-style-type: none"> • The Shire has not historically required dwelling upgrades to AS3959 standards for Holiday House use. This is not recommended. • The BMP has been updated with a response to Elements A5.1 – A5.3. DFES has historically not considered Prevelly to be a residential built out area and does not support the location for holiday house use due to only one access road. However the Shire considers Prevelly to a residential built out area. Accordingly, the response to Elements A5.1 – A5.3 is acceptable. The revised BMP demonstrates the site complies with the Guidelines. • An acceptable BEEP has been submitted with the application. <p>It is also noted that the owners of the Holiday House reside within the ancillary dwelling at the rear of the site. In combination with the proximity to surrounding development and the separation distance from the site to unmanaged vegetation adjacent to the caravan park, the proposed holiday house use is not considered to pose an undue fire risk.</p>
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Policy Requirements		
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 (plus firefighting provision) rainwater tank?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Reticulated water
	Existing or proposed on site effluent disposal system sized accordingly to number of guests?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No On-site septic
	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
Fire	If within bushfire prone area a BAL provided?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No BAL rating has been upgraded from BAL-12.5 to BAL-29 in response to DFES comments
	For sites with a BAL above Low, a BMP prepared by accredited consultant and where required referred to DFES for comments?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	BAL rating at BAL-40 or FZ?	<input type="checkbox"/> Yes <input checked="" 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	

OFFICER RECOMMENDATION

That the Statutory Planning Coordinator 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 11 (Lot 30) Wooredah Crescent, Prevelly subject to compliance with the following conditions:

CONDITIONS

10. 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 & P3 received at the Shire on 8 March 2022 P2 received at the Shire on 14 March 2022
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11. 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')
12. The approved Bushfire Emergency Evacuation Plan and Bushfire Management Plan shall be displayed in a conspicuous location within the dwelling at all times.
13. 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')
14. 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')
15. All vehicles & boats connected with the premises shall be parked within the boundaries of the property.
16. The short stay use of the dwelling shall not be occupied by more than **six (6) people** at any one time.
17. Amplified music shall not be played outside of the holiday house between the hours of 10pm and 10am.
18. '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')
19. 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

- h) 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.
- i) 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.
- j) 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.
- k) This approval does not affect the entitlement to use the dwelling for permanent residential purposes.
- l) You are advised of the need to comply with the requirements of the following other legislation:
(ii) *Health (Miscellaneous Provisions) Act 1911* and Department requirements in respect to the development and use of the premises.
(iii) 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.
- m) The 'House Rules' document shall be consistent with key elements of the NSW Code for Holiday Houses (please refer to the attached document).
- n) 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.
- o) 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.