

DEVELOPMENT ASSESSMENT REPORT
Shire of Augusta Margaret River
5 February 2026 to 11 February 2026

APPLICATIONS RECEIVED

Date Rec'd	Reference No.	Address	Proposal
PLANNING			
05/02/2026	P226087	13 (Lot 122) Lesuer Place, Gnarabup	Holiday House (Large) Renewal
05/02/2026	P226088	500 (Lot 4) Boodjidup Road, Redgate	Holiday House (Large) Renewal
05/02/2026	P226089	21 (Lot 476) Chenin Street, Cowaramup	Dwelling Addition (Carport)
05/02/2026	P226090	4 (Lot 104) Vattos Way, Prevelly	Holiday House (Large) Renewal
06/02/2026	P226092	45 (Lot 181) Marmaduke Point Drive, Gnarabup	Section 40 (Producers License)
09/02/2026	P226094	24 (Lot 17) Merchant Street, Margaret River	Dwelling Additions (Ancillary Dwelling)
09/02/2026	P226095	28 (Lot 121) Derwent Loop, Margaret River	Single House
09/02/2026	P226096	512 (Lot 68) Tanah Merah Road, Bramley	Extension of Term (P218026)
09/02/2026	P226097	Lot 36 Jacques Loop, Hamelin Bay	Dam (Soak)
10/02/2026	P226104	7 (Lot 4) Snapper Avenue, Margaret River	Street Tree Relocation
10/02/2026	P226105	18 (Lot 27) Snapper Avenue, Margaret River	Single House
11/02/2026	P226110	9 (Lot 66) Thomasia Court, Augusta	Holiday House Renewal
11/02/2026	P226111	1 (Lot 38) Waters Edge, Margaret River	Cancellation of Holiday House Approval
11/02/2026	P226113	12 (Lot 6) Stewart Street, Margaret River	Amendment to P225580
BUILDING			
05/02/2026	226092	17 (Lot 404) Hasluck Street, Cowaramup	Gymnasium
05/02/2026	226093	426 Bussell Highway, Margaret River (Lot 86 Shiraz Lane, Margaret River Lifestyle Village)	Patio
05/02/2026	226094	20 (Lot 16) Yonitj Grove, Witchcliffe	Workshop & Storeroom
05/02/2026	226095	38 (Lot 95) Drosera Street, Witchcliffe	Water Tank
05/02/2026	226097	1399 (Lot 71) Osmington Road, Osmington	Shed
05/02/2026	226098	22 (Lot 51) McDermott Parade, Witchcliffe	Shed & Carport
05/02/2026	226099	9985 (Lot 11) Caves Road, Deepdene	Water Tanks x 3
06/02/2026	226100	2 (Lot 1) Walkington Avenue, Margaret River	Shed
06/02/2026	226101	50 (Lot 60) Marginata Road, Witchcliffe	Shed
06/02/2026	226102	2 (Lot 278) Sawdust Street, Karridale	Patio
06/02/2026	226103	45 (Lot 277) Sawmill Loop, Karridale	Shed
06/02/2026	226104	1700 (Lot 2) Osmington Road, Osmington	Shed
06/02/2026	226105	62 (Lot 54) Chittick Loop, Witchcliffe	Single Dwelling, Verandah, Carport, Water Tank & Sea Containers x 2
06/02/2026	226106	17 (Lot 40) Town View Terrace, Margaret River	Single Dwelling, Alfresco and Decking
09/02/2026	226107	47 (Lot 73) Drosera Street, Witchcliffe	Shed
09/02/2026	226108	13 (Lot 8) Tulip Way, Margaret River	Single Dwelling and Garage
09/02/2026	226109	19 (Lot 101) Derwent Loop, Margaret River	Single Dwelling, Garage and Alfresco
09/02/2026	226110	22 (Lot 125) Mentelle Road, Burnside	Shed
09/02/2026	226111	5 (Lot 607) Niblett Retreat, Margaret River	Stage 1 - Unauthorised Two Storey Dwelling Addition (Lock Up) & Retaining Wall
09/02/2026	226112	81 (Lot 1) Copping Grove, Redgate	Single Dwelling, Garage, Shed, Retaining Wall and Water Tank
09/02/2026	226113	39 (Lot 526) Kurrajong Way, Witchcliffe	Single Dwelling and Water Tank
09/02/2026	226114	49 (Lot 209) Hardwood Loop, Cowaramup	Patio
09/02/2026	226115	Unit 2, 37 (Lots 1-2) Town View Terrace, Margaret River	Patio
11/02/2026	226116	3 (Lot 28) Secluded View, Cowaramup	Swimming Pool
Exploration Licenses for Comment			
Nil			

APPLICATIONS DETERMINED UNDER DELEGATION

Date Rec'd	Reference No.	Address	Proposal	Outcome
PLANNING				
03/11/2025	P225832	3 (Lot 56) Kookaburra Nook, Cowaramup	Retaining Wall and Earthworks	Approved
03/11/2025	P225835	261A (Lot 1) Fifty One Road and 168 (Lot 2953) Clews Road, Cowaramup	Intensive Agriculture (Market Garden and Orchard)	Approved
04/11/2025	P225838	Unit B / 21 (Lot 217) Brumby Place, Margaret River	Development Outside Building Envelope (Water Tank) and Outbuilding	Approved
13/11/2025	P225871	7 (Lot 310) Noreuil Circuit, Cowaramup	Ancillary Dwelling	Approved
24/11/2025	P225898	4 (Lot 63) Thomasia Court, Augusta	Dwelling Addition (Patio)	Cancelled
24/11/2025	P225901	40 (Lot 266) McManus Circuit, Witchcliffe	Single House	Approved
01/12/2025	P225914	Unit 2 / 70 Town View Terrace, Margaret River	Cancellation of Holiday House Approval	Approved
09/12/2025	P225947	175 (Lot 57) Bussell Highway, Margaret River	Cancellation of Holiday House Approval	Approved
06/01/2026	P226005	4 (Lot 25) O'Brien Street, Cowaramup	Holiday House (Large)	Approved
20/01/2026	P226028	Unit 1 / 24 (Strata Lot 1) Freycinet Way, Gnarabup	Cancellation of Holiday House Approval	Approved
04/02/2026	P226085	53 (Lot 18) Dallip Spring Road, Burnside	Cancellation of Holiday House Approval	Approved
SUBDIVISIONS				
Nil				
LOCAL LAW PERMITS				
05/02/2026	P226093	Rotary Park, Reserve 18451	Permit to operate a mobile food business at Rotary Park - Pasta Artisan	Approved

LEVEL 3 PLANNING APPLICATIONS FOR DETERMINATION

Date Rec'd	Reference No.	Address	Proposal	Recommendation
PLANNING				
21/10/2025	P225797	6 (Lot 3) Wildflower Lane, Margaret River	Building Envelope Variation and Development (Site Works) Outside of the Building Envelope	Approve with Conditions
18/11/2025	P225886	4 (Lot 861) Chamberlain Place, Augusta	Holiday House (Large)	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 APPLICATION ASSESSMENT P225797

General Details

Reporting Officer	Grace Koschel
Disclosure of Interest	Nil.
Assessment Level	Major (LEVEL 3) – objection received

Application Details

Address	6 (Lot 3) Wildflower Lane, Margaret River			
Proposed Development	Building Envelope Variation and Development (Site Works) Outside of the Building Envelope			
Zoning	Rural Residential RR23			
Lot Area	5,066sqm			
Use Class and Permissibility	Permitted			
Heritage/Aboriginal Sites	None			
Other Considerations	Visual Management Area	<input type="checkbox"/>	Sewerage Sensitive Area	<input checked="" type="checkbox"/>
	Special Control Area	<input type="checkbox"/>	Watercourses/Rivers	<input type="checkbox"/>
	Bushfire Prone Area	<input checked="" type="checkbox"/>	Environmentally Sensitive Areas	<input type="checkbox"/>
Structure Plans/LDP's	Development Guide Plan – Lot 51 and Lot 54 Kevill Road West, Margaret River & subdivision approved in September 2022 (Ref: 162647),			
Easements/Encumbrances	Yes – Restrictive Covenants, Easements & Notifications			
Why is Development Approval Required?	Variations to Building Envelopes require planning approval.			

Site Image



Assessment

Referrals	Yes	No
Adjoining Neighbours/Property Owners – 1 x Objection	<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 any objections received?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Were any issues raised through the referrals process?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Community Engagement	
Private Submitter 1	
Submitter Comments	Officer Comments
<p>Objection Summary Opposes changes to the originally agreed planning rules for Wildflower Lane subdivision, specifically the expansion of the building envelope at Lot 3 (6 Wildflower Lane), which would move structures closer to the objector's property boundary.</p> <p>Main Concerns</p> <ol style="list-style-type: none"> Loss of Residential Amenity <ul style="list-style-type: none"> Building closer to the boundary will create an overbearing impact, reducing rural character and visual outlook. Privacy, Noise, and Safety <ul style="list-style-type: none"> Reduced separation distance increases overlooking and noise. Compromises bushfire safety due to decreased firebreak clearance. Precedent for Future Development <ul style="list-style-type: none"> Approval could encourage similar changes for other lots, compounding negative impacts. Contradiction of Original Agreement <ul style="list-style-type: none"> Original subdivision approval was reluctantly accepted based on fixed envelopes and screening requirements. Changes disregard prior discussions and commitments. <p>Additional Context Past Issues with Development Compliance:</p> <ul style="list-style-type: none"> Poor road construction and drainage causing erosion and maintenance issues. Delayed and inadequate nature screening along property lines. Unauthorized use of objector's land during construction, causing damage and disruption. <p>Request Council refuse the application.</p>	<p>Noted – Applicant was issued a summary of concerns following advertising and provided responses. See below discussion.</p>

Policy Framework	Yes	No
Does the proposal involve variations to the Residential Design Codes?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the proposal involve any variations to Scheme Requirements?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Does the proposal involve any variations to Policy Requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other matters that require discretion (Vegetation Removal)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Policy Requirements

Local Planning Scheme No.1 – Schedule 9		
Standard	Required	Provided – Proposed BE
Setback (Front) – North West to Wildflower Lane Entrance (Driveway)	~20m Approved BE 30m LPS1	~22.7m – Complies
Setback (Side - South)	~10m Approved BE 10m LPS1	~15.4m - Complies
Setback (Side - West)	~26m Approved BE 10m LPS1	~11.8m - Complies
Setback (Side – North)	~4m Approved BE 10m LPS1	~12m - Complies
Setback (Rear)	20m Approved BE 30m LPS1	20m - Complies
Site Coverage	NA	NA
Plot Ratio	0.1	Complies
Building Envelope	Max 2,000sqm	~1,020sqm - Complies
Building Height		
Standard	Required	Provided
Wall	7m	3.15m – Complies
Overall	8m	5m – Complies

Discussion

Planning approval is sought for a variation to the approved building envelope on a newly subdivided rural residential lot in Margaret River. The proposed building envelope would maintain the same size as the existing and be repositioned to the west, removing a vegetated area to the north from the building envelope area. The proposed repositioning moves the building envelope 11.8m from the western boundary, reducing the previously existing 26m western side setback.

The adjustment is proposed to optimise the dwelling's northern orientation, improving access to natural light and enhancing the energy efficiency and liveability of the future dwelling. Importantly, the revised envelope has been positioned to avoid the removal of any existing trees, thereby maintaining the site's natural landscape character.

Consideration has also been given to protecting the privacy of surrounding landowners. The main living areas are oriented northward, facing the vegetation and retaining an appropriate visual buffer between the proposal and neighbouring properties.

Planning History

Lot 3 Wildflower Lane was created through a subdivision approved in September 2022 (WAPC Ref: 162647), which followed an earlier Scheme Amendment endorsed in January 2020 (Ref: P29120).

During the Scheme Amendment process, agency referrals particularly from the Department of Fire and Emergency Services (DFES) resulted in the preparation of a Fire Management Plan (FMP). The FMP incorporated Emergency Access Ways (EAWs) and 40m buffer requirements measured from

the building envelopes to the western boundaries which in turn informed the shape and positioning of the original envelopes.

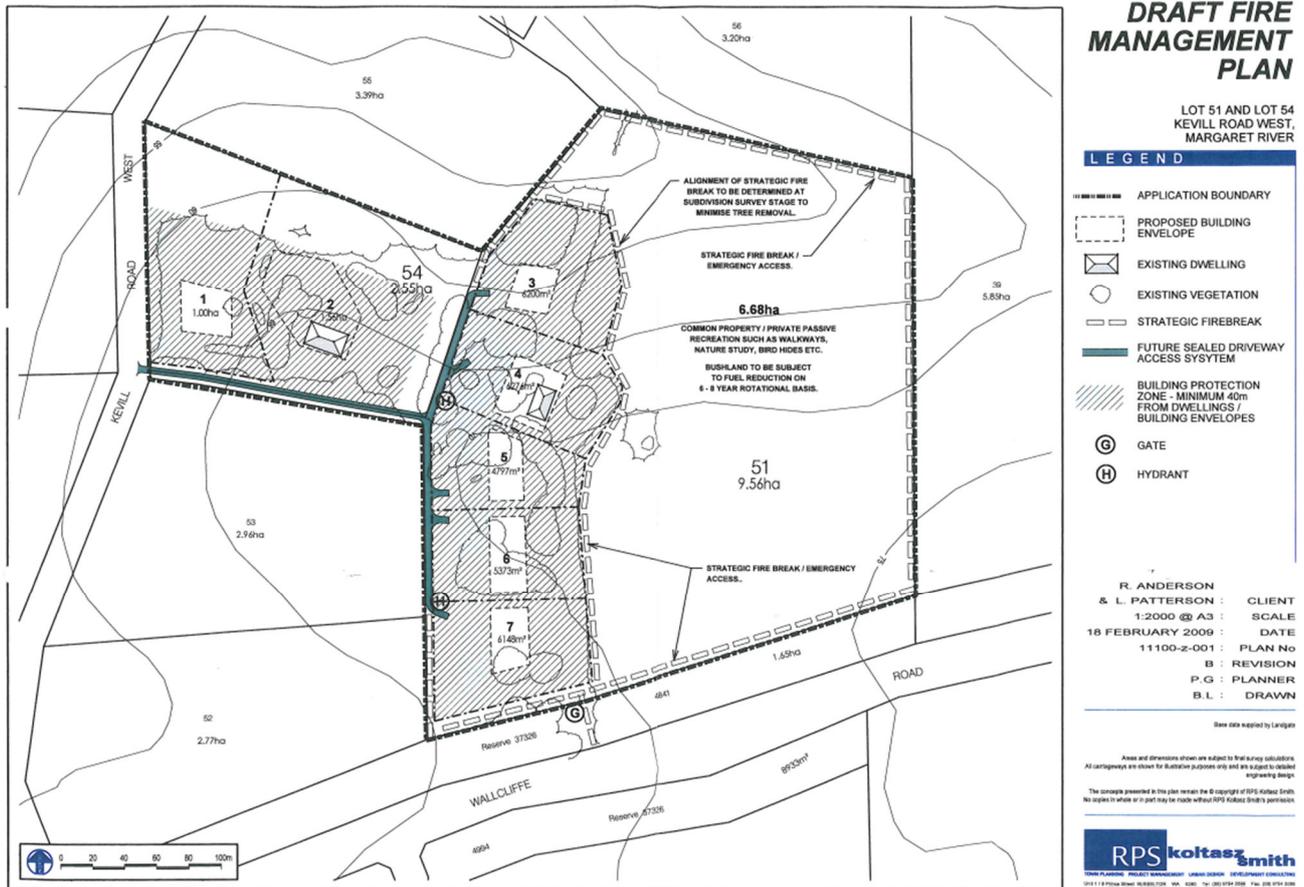


Figure 1 Scheme Amendment Draft Fire Management Plan & Building Envelopes

As part of the subsequent subdivision application, the location of the building envelopes was modified to minimise the extent of native vegetation clearing within each lot. Additional buffer planting was also required along the western boundary to address visual and acoustic amenity concerns raised during public consultation. The building envelope modifications notably reduced the 40m setback to the western boundary to 26m for Lot 3. The below subdivision plan shows a clear pattern of the building envelope setback to the west and eastern boundaries.

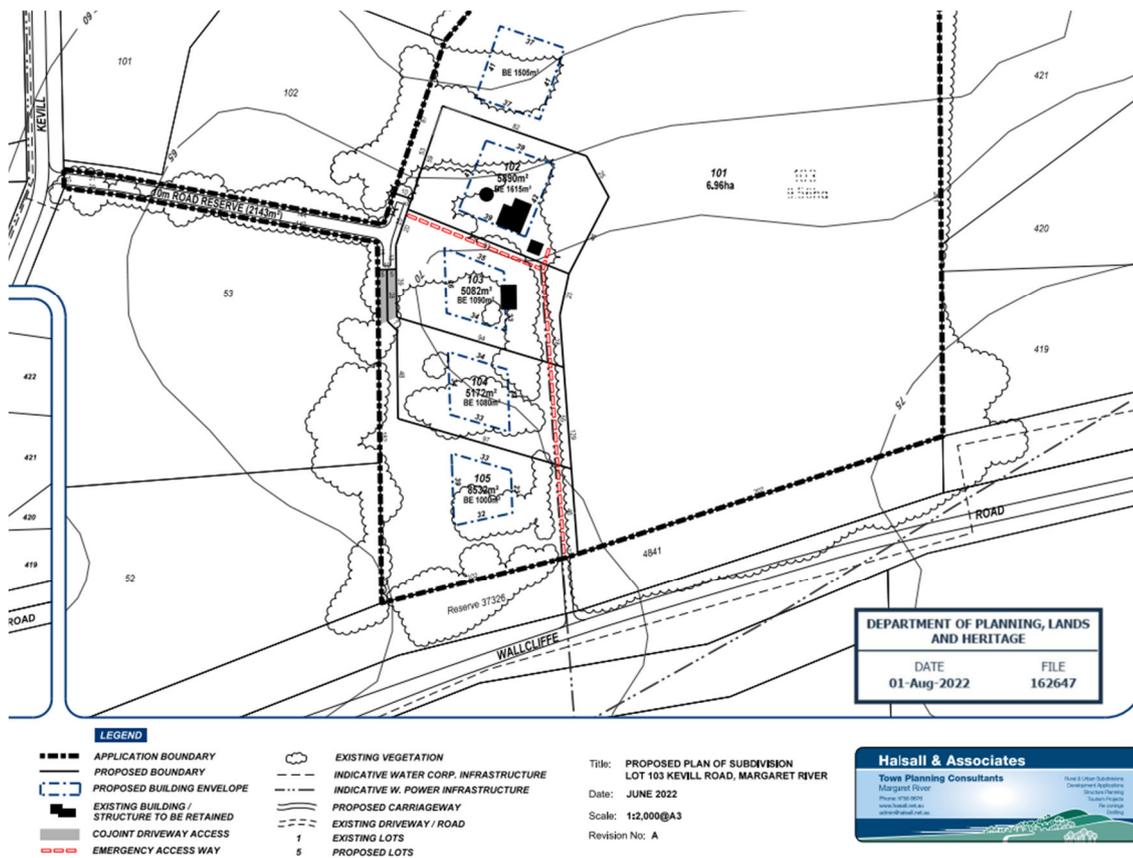


Figure 2 Modified Building Envelopes - Subdivision Plans

Advertising

A summary of the submitter's concerns, the applicant's response, and the assessing officer's comments is provided below.

Submitter Concerns	Applicant Response	Officer Assessment
<p>Loss of Residential Amenity - Building closer to the boundary will create an overbearing impact, reducing rural character and visual outlook.</p>	<p>The proposed dwelling is single-storey and low-profile, comfortably within the Rural Residential height limits, thereby limiting any perception of bulk or visual dominance. Locating the envelope within the cleared paddock enables retention of existing vegetation to the north and east, maintaining rural character and providing effective visual separation between properties.</p>	<p>Development must meet the standards in LPS1 Schedule 9, which ensure consistency in rural character and protect neighbouring amenity. The proposed building envelope meets the standards of LPS1, with some minor development proposed outside including some fill (house pad) & underground septs.</p>
<p>Privacy, Noise, and Safety - Reduced separation distance increases overlooking and noise. Compromises bushfire safety due to decreased firebreak clearance.</p>	<p>The proposed dwelling complies with all applicable boundary setbacks, ensuring that separation distances remain consistent with the standards for Rural Residential development. Given these setbacks and the single-storey form, there is no reasonable expectation of increased overlooking or loss of privacy compared to a compliant dwelling within the existing envelope. The use remains a single dwelling, with activity and noise levels typical of the zone. The BAL-19 outcome and associated APZ confirm that bushfire risk and firebreak requirements are satisfactorily</p>	<p>While separation distances differ from those contemplated at subdivision stage, the applicant demonstrates compliance with BAL-19 requirements.</p> <p>Buffer planting is conditioned along the western boundary to address concerns raised by the submitter. Protection of existing vegetation will also be reinforced through standard conditions.</p>

	addressed, and the proposal does not increase risk to adjoining properties.	
Precedent for Future Development - Approval could encourage similar changes for other lots, compounding negative impacts.	Any future request to modify a building envelope on other lots would be assessed on its individual merits against the Local Planning Scheme, with consideration of vegetation, topography, amenity and bushfire risk. Approval of this application does not establish an automatic entitlement for similar modifications. In this instance, the modification is confined to a largely cleared area, avoids vegetation removal and achieves an appropriate BAL outcome, and therefore does not create an uncontrolled precedent.	LPS1 allows applications to modify building envelopes. Support may be given where criteria under Clause 5.10 are satisfied. See below discussion for assessment.
Contradiction of Original Agreement - Original subdivision approval was reluctantly accepted based on fixed envelopes and screening requirements.	While building envelopes were initially established at the subdivision stage, the Scheme provides for modification where relevant criteria are satisfied. The 2022 subdivision already updated the 2010 envelopes to better address vegetation management and bushfire risk. The current proposal is consistent with this approach, retaining the single-dwelling rural-residential outcome, relocating development onto cleared land, enhancing vegetation protection, and maintaining substantial setbacks and a low-profile built form.	As above. The Scheme allows amendments where justified, and conditions of planning approval may be applied to manage vegetation protection and amenity outcomes.

A site visit was undertaken following the advertising to review the site context, with a particular focus on how the proposed building envelope may impact surrounding properties, in particular to the west. See below photo taken showing the view from the proposed dwelling to the western property, with trees and visible distance to neighbouring dwellings. Conditioned buffer will further provide visual privacy.



Figure 2 View to West along side boundary easement

Building Envelope LPS1

Building envelope variations are assessed against criteria outlined under Clause 5.10 of the Local Planning Scheme.

Provisions 5.10.2 Building Envelopes	Response/Comment
a) the objectives of the zone are not compromised;	The proposal does not compromise the objectives of the Rural Residential zone. The envelope remains contained within a cleared portion of the lot, protects vegetation, and allows for low-density rural-residential development consistent with the intended character.
b) the visual amenity and rural character of the locality will not be affected to any greater degree by development within the proposed new building envelope to that which might have occurred within the building envelope as originally proposed;	<p>The adjusted building envelope accommodates a single-storey dwelling of modest scale within a cleared area. While the development moves closer to properties to the west, the dwelling complies with all relevant development standards under LPS1, ensuring built form remains compatible with the Rural Residential context. Minor earthworks and the underground septic system extend slightly beyond the building envelope; however, these components will not increase visual impacts or detract from rural character.</p> <p>The fill outside the building envelope associated with the building pad is at its highest 400mm.</p> <p>Native landscape screening along the western boundary would further mitigate impacts and assist in softening the interface between properties. Combined with the retention of existing vegetation, the proposal maintains the rural landscape setting, provides appropriate screening, and results in no greater visual impact than development within the originally approved envelope.</p>
c) development within the proposed new building envelope will not render the protection of the property from the risk of bushfire any more difficult to achieve than would be the case with the approved building envelope; and	The revised envelope achieves BAL-19, demonstrates compliant APZ distances, and does not increase bushfire risk to the site or adjoining properties. No habitable structures are located in higher-risk areas.
d) the proposed size and location of the envelope can accommodate future development, including on-site septic effluent disposal systems and water supply tanks, and not have a detrimental effect on the environment	The site is serviced by mains water, therefore no water tank is required. The septic system will be partially located outside the building envelope; however, this is acceptable as the system is mostly underground and will not impact environmental values or amenity. Also noted is that under draft LPS2 underground septic systems will no longer be required to be sited within building envelopes.

Conclusion

The revised envelope makes practical use of an already cleared area, avoids vegetation removal, and allows the dwelling to meet all required setbacks of LPS1. Bushfire requirements are satisfied, and any minor works outside the envelope will not detrimentally impact amenity or rural character. Buffer planting along the western boundary is conditioned along with vegetation retention to further reduce impacts on neighbouring properties. Overall, the proposal meets the intent of the Rural Residential zone and the relevant provisions of LPS1, and is recommended for approval.

Determination

That the Manager of Planning and Regulatory 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 Building Envelope Variation & Development (Site Works) Outside of the Building Envelope at 6 (Lot 3) Wildflower Lane, 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 -P5 received by the Shire on the 6/2/2026
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2. If the development, the subject of this approval, is not substantially commenced within two (2) years from the date of this letter, the approval shall lapse and be of no further effect. Where an approval has lapsed, development is prohibited without further approval being obtained.
3. At all times, all stormwater and drainage run-off from the development shall be detained within the lot boundaries and managed to predevelopment flow regimes and/or disposed offsite by an approved connection to the Shire's drainage system in accordance with the Shire of Augusta Margaret River's Standards & Specifications.
4. The revised building envelope hereby approved, wholly replaces that previously applicable to the site.
5. Prior to lodging of a building permit application a Landscape Plan shall be prepared to the satisfaction of the Shire by a suitably qualified and/or experienced landscape consultant. The Landscape Plan shall be drawn to scale and show the following:
 - a. The location, name and mature heights of existing vegetation being retained, proposed trees, shrubs and ground covers on both the subject site and the adjoining street verge(s);
 - b. Any lawns and paved areas to be established;
 - c. Any natural landscaped areas to be retained; and
 - d. Those areas that are to be reticulated or irrigated are demonstrated to be designed using water sensitive principles.
 - e. Planting schedule/timing.
6. Landscaping shall be implemented, in accordance with the approved Landscape Plan, prior to occupation/use of the development and shall be maintained at all times.
7. Clearing of vegetation is prohibited outside the building envelope, unless in accordance with the Bush Fires Act 1954 or required for the purpose of constructing an approved driveway, installing essential services, or removing dead or dangerous trees as verified by a suitably qualified arboriculturist.

Advice Notes

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

- (i) This is not a Building Permit. A Building Permit must be issued by the relevant Permit Authority before any work commences on site as per the *Building Act 2011*;
- (ii) *Health (Miscellaneous Provisions) Act 1911* and Department requirements in respect to the development and use of the premises; and
- (iii) The *Bush Fires Act 1954* as amended, Section 33(3), Annual Bush Fires Notice applies to this property.



DEVELOPMENT APPLICATION ASSESSMENT P225886

General Details

Reporting Officer	Grace Koschel
Disclosure of Interest	Nil.
Assessment Level	Major (Level 3)

Application Details

Address	4 (Lot 861) Chamberlain Place, Augusta
Existing Development	<input checked="" type="checkbox"/> Single House <input type="checkbox"/> Grouped Dwelling
Zoning	R17.5
Lot Area	715.83sqm
Proposed Use	A planning application has been received for a Holiday House use. The existing dwelling is to be used to accommodate up to eight (8) short stay guests at any one time. The management arrangements are to be a local resident of Augusta business name Cull Co-Custom Made. No previous HH applications.
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	Restrictive Covenant – none that affect this application
Date Received	18/11/2025
Date of Report	9/2/2026

Site Image



Assessment

Referrals	Yes	No
Adjoining Neighbours/Property Owners – 4 Submissions (Objections)	<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"/>
Where any issues raised through the referrals process?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Community Engagement		
Submitter	Submitter Comments	Officer Comments
Private Submitter 1 - Object	We already have an Airbnb next door and this will now mean there is one directly in front. The existing one already treated by people who aren't only concerned with having a good time as they are on holiday with no regards for those who have to work next door. This would mean that of the 3 houses closest to us 2 would be short term accommodation with their party house mentality.	Noted – see below discussion for officer assessment.
Private Submitter 2 - Object	<p>I wish to register my opposition to my neighbours application to convert their property into a Holiday House (ie: Airbnb).</p> <p>Our community is small, close knit, and already has more than enough short stay accommodation for its size. Allowing yet another Airbnb will only reduce the already limited supply of full time rentals available to local residents who need stable housing.</p> <p>Short stay properties increase traffic, noise and late night disturbances, which significantly impact neighbours who value the peace and security of a residential area. Regular turnover of unfamiliar guests can also affect community cohesion and make it harder for residents to feel safe in their own streets.</p> <p>For these reasons, I respectfully request that the proposal be rejected in favour of preserving long term housing and protecting the character and amenity of our community.</p>	
Private Submitter 3 - Object	<p>Object due to</p> <ul style="list-style-type: none"> • Security/noise concerns • Parking on street likely > 2 cars • Unfamiliar people/animals constant • Preference for long term tenancy → know the people 	
Private Submitter 4 - Object	I Object to the proposed Airbnb opposite my home allowing up to 8 guests. This is far too many for our little residential street and will create noise, parking problems, loss of privacy, and reduce neighbourhood safety. I ask the Shire to refuse the application or reduce the number of guests allowed.	

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"/>
	Existing or proposed one site effluent disposal system sized accordingly to number of guests?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Connected to sewer
	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

Planning approval is sought for a new Holiday House within the permitted coastal settlement of Augusta. Over the course of the assessment, issues were raised by neighbouring properties about the proposed use. Eight neighbours were advertised to during the assessment, see below a summary and assessment of the 4 objections received.

Summary of Neighbour Objections to Proposed Holiday House

Across all submissions, neighbours raise consistent concerns about the negative impacts of adding another short-stay accommodation property to the street. Key themes include:

Submitter Concerns	Applicants Response	Officer Assessment
1. Concerns about increased noise, parties and disruption, especially with existing issues from another nearby Airbnb.	In our house rules we have stipulated that there be no parties to be held in the house. The tenants will be over the age of 21, with a focus on families and retirees. The stipulated quiet time will be 10.00pm. The guests will be screened by our manager. These rules will be noted in our rental advertisement. Tenants not adhering to	House rules have been submitted and include noise restrictions. Conditions of approval prohibit limit amplified music beyond 10pm.

	the rules will be asked to vacate the premises.	
2. Risk of over-concentration of short-stay rentals.	We wish to share our home with friends and family, through bookings via our manager. To our knowledge there are two other such short-stay rentals in the area of which neither of them cause problems and/or disruption to the area, to the best of our knowledge.	Augusta is a predetermined area for holiday houses under LPP7. There are no limitations to the number of holiday houses that can be permitted in the area.
3. Parking pressures and likely overflow onto small residential street.	We have ample parking space in our garage and driveway which will not impact on the road. In our short-term rental advertisement we will stipulate a maximum of three cars at the house and in the house rules we will stipulate that no cars are to park on the verge.	Standard conditions of planning approval for holiday houses require all parking to be within the lot boundaries. The applicant can provide adequate parking as per the LPP7.
4. Safety, privacy and security concerns due to frequent turnover of unfamiliar guests (and potentially their animals).	The guests will be family and friends, as well as other close acquaintances so safety security and privacy will not be a concern. They are guests we know and they will understand and respect the area, neighbourhood and Augusta as as much as we value and cherish the area. No animals will be allowed at the property. This will be stipulated in our advertisement. The rules of the property will speak to the privacy of the neighbours. Our manager will frequently conduct check-ins with the guests to ensure that these concerns are adhered to and keep close watch whilst they are staying at the property.	Applicant has provided a detailed response, and is aware of neighbours concerns. Additionally no animals will be allowed on the property as stipulated in the house rules.
5. Loss of community character and cohesion in a small, close-knit neighbourhood.	Our house is our home and the guests will be known to us. No changes will be made that would impact on the neighbourhood. We have value added to the neighbourhood with the improvements we have made to the house and garden already. We know that the people staying in our house will hold the values of cohesion and community as we do. We are happy to provide our Managers contact number to our neighbours, should they have any concerns whilst guests are at the property. We hold the community interests at the forefront as we are planning, at some point, to be part of the community permanently.	Applicant has provided a detailed response and acknowledge the neighbours concerns. Standard conditions of planning approval will require the Managers details to be signed at the front of the house, should neighbours wish to contact them.
6. Preference for long-term housing, with concerns that another	As we have always loved our holiday in Augusta this house will be our regular holiday destination. Part of the short-stay rental is to bring revenue to the shops and services to the	The Shire acknowledges housing availability is a concern. LPP7

short-stay property reduces available rentals for local residents.	area. Our idea of a short-term rental is to provide opportunities for our extended family and friends to enjoy our home and the beauty, tranquillity that Augusta provides. We would prefer not to have long-term rental as we like to frequent staying in our home during the course of the year.	limits permissible holiday house areas for this reason. This is a predetermined area for holiday houses.
7. Number of guests (up to 8) considered excessive for the street and likely to intensify amenity impacts.	We have reconsidered this and agree that a maximum of six which will be stated in our rental advertisement.	The number of bedrooms and car parking availability means up to 8 guests can be considered. The applicant may reduce guest numbers, however limiting the holiday house to 6 guests is not recommended as a condition of planning approval.

In relation to the impact on community and town character, the site is located in a predetermined area under the Shires 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. Whilst it is recognised there is a high number of holiday homes in the area, the policy framework does not allow for this to be taken into account in the decision making process.

In regards to potential amenity impacts, the Shire is unable to pre-empt amenity impacts, particularly in circumstances where the nature of the use, including the accepted reduction in occupants 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 Local Planning Policy and is considered appropriate for the designated holiday house area, subject to conditions including a maximum of 8 guests and a 12-month approval period. This approach allows monitoring of management effectiveness.

Determination

That the Senior Planning Officer 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 4 (Lot 861) Chamberlain Place, 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.

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 **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. '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](#). Registrations are valid for 1 year and will need to be renewed every 12 months. Fees apply. For more information on the STRA register, please visit <https://www.wa.gov.au/organisation/departments-of-energy-mines-industry-regulation-and-safety/short-term-rental-accommodation-register>