

**DEVELOPMENT ASSESSMENT UNIT**  
**Minutes of the Development Assessment Unit**  
**Shire of Augusta Margaret River**  
**On 18 August 2020**

**ATTENDANCE**

Lucy Gouws, Devin Moltoni, Chris McAtee, Jason Heine

**PLANNING APPLICATIONS RECEIVED**

Date Rec'd	Assess No.	Address	Proposal	DA No.
13/08/2020	A3163	29 (Lot 3) Mitchell Drive, Prevelly	Holiday House (Renewal)	P220457
13/08/2020	A11668	22 (Lot 901) Baker Close, Augusta	Amendment to P219386 (Camping Ground)	P220459
13/08/2020	A9079 A6819 A7341	186 (Lot 2) Saunders Road, Cowaramup	Dwelling Additions (Outbuilding)	P220460
14/08/2020	A12753	841 (Lot 204) Burnside Road, Margaret River	Building Envelope Variation	P220463
14/08/2020	A35	280 (Lot 62) Railway Terrace, Margaret River	Dwelling Additions (Outbuilding)	P220464
14/08/2020	A6536	Lot 233 Minchin Way, Margaret River	Addition	P220465
14/08/2020	A12686	Lot 6 Hall Road, Cowaramup	Survey Strata	P220466
14/08/2020	A8556	213 (Lot 17) Manear Road, Rosa Brook	Subdivision	P220467
17/08/2020	A5014	232 (Lot 2275) Bramley River Road, Osmington	Caravan Park Extension	P220468
17/08/2020	A12308	7 (Lot 78) Greenwood Avenue, Margaret River	Dwelling Addition (Outbuilding)	P220469
18/08/2020	A12940	96 (Lot 420) Ironstone Place, Margaret River	Building Envelope Variation	P220471
18/08/2020	A10459	4 (Lot 37) Curtis Avenue, East Augusta	Single Dwelling - Associated Clearing	P220472
19/08/2020	A7750 A7627	38 (Lot 10) Merlot Place, Margaret River	Single Dwelling - Associated Clearing	P220473
19/08/2020	A10538	23 (Lot 712) Burke Circle, Cowaramup	Dwelling Addition (Outbuilding)	P220474
19/08/2020	A6773	Unit 2 35 (Lot 2) Marmaduke Point Drive, Gnarabup	Holiday House	P220475

**BUILDING LICENCE APPLICATIONS RECEIVED**

Date Rec'd	Assess No.	Address	Proposal	BLDG No.
13/08/2020	A12178	11 Lot 8 Brookside Blvd, Cowaramup	Single Dwelling	220344
13/08/2020	A12520	7 Lot 28 Merrit Lane, Margaret River	Single Dwelling	220347
13/08/2020	A1766	3 Dawson Terrace, Augusta	Demolition House and 2 x Sheds	220348
13/08/2020	A12396	23 Lot 232 Lumber Cres, Karridale	Single Dwelling	220349
17/08/2020	A1169	13669 Lot 934 Site 47 Bussell Highway, Augusta	Patio	220351
17/08/2020	A11216	31 Lot 1007 Heron Drive, Margaret River	Alterations and Additions to Existing Dwelling	220353
17/08/2020	A12827	70 Lot 223 McDermott Parade, Witchcliffe	Single Dwelling and Rainwater Tank	220354
18/08/2020	A3906	10B 49 Lot 66 Town View Terrace, Margaret River	Laundromat Fitout	220355
18/08/2020	A8552	Unit 2 16 Lot 36 William Place, Margaret River	Unauthorised Works - Studio	220356
18/08/2020	A6288 A2433	5 Waverley Road, Cowaramup	Verandah and Deck	220357
18/08/2020	A10135	10 Lot 397 Coral Vine Cross, Cowaramup	Shed	220358
19/08/2020	A12300	23 Lot 70 Greenwood Avenue, Margaret River	Single Dwelling	220359
18/08/2020	A3241	22-26 Albany Terrace, Augusta	Single Dwelling	220360
19/08/2020	A11845	1 Lot 11 Hogan Place, Witchcliffe	Shed	220361

**SUBDIVISIONS DETERMINED**

Date Rec'd	Assess No.	DA No.	Address	Description of Matter	Recommendation
06/07/2020	A12745	P220366	66 (Lot 382) Pimelia Drive, Margaret River	Subdivision	Conditionally Supported
21/07/2020	A6777	P220406	7981 Caves Road, Forest Grove	Built Strata Subdivision - Reapplication of P215091	Supported

**LEVEL 1 APPLICATIONS determined under delegation**

Date Rec'd	Officer	Address	Proposal	Outcome	DA No.
08/11/2019	Lara Hoole	Lot 571 Devon Drive, Margaret River	Building Envelope Variation	Cancelled	P219677
11/03/2020	Lezia Sandon	942 (Lot 3936) Rosa Glen Road, Rosa Glen	Dam	Approved	P220169
02/06/2020	Lezia Sandon	Lot 61 Sebbes Road, Forest Grove	Farm Building	Approved	P220288
19/06/2020	Lara Hoole	10 (Lot 86) Georgette Way, Prevelly	Single Dwelling (Alterations & Additions)	Cancelled	P220319
22/06/2020	Devin Moltoni	3 (Lot 1) Dyson Road, Cowaramup	Farm Building	Cancelled	P220324
08/07/2020	Lezia Sandon	37 (Lot 196) McDermott Parade, Witchcliffe	Dwelling Additions (Outbuilding & Water Tank)	Approved	P220370
31/07/2020	Matt Slocomb	Unit 10 62 (Lot 10) Orchid Ramble, Margaret River	Grouped Dwelling Additions	Approved	P220433

**LEVEL 2 APPLICATIONS for determination**

Date Rec'd	Officer	Address	Proposal	Outcome of DAU Meeting	DA No.
08/07/2020	Lucy Gouws	56 (Lot 59) Victoria Parade, Augusta	Holiday House	Approve	P220372
23/06/2020	Devin Moltoni	Unit 2 of 9 (Lot 2) Blackwood Avenue, Augusta	Holiday House	Approve	P220326

**MANAGEMENT OF VEGETATION ON SHIRE RESERVES**

Nil

**LOCAL LAW PERMITS**

Nil

**OTHER APPLICATIONS determined under delegation**

Date Rec'd	Officer	Address	Proposal	Outcome	DA No.
31/07/2017	Matt Cuthbert	Lots 1, 2, 4, 101, 102 & 103 Exmoor Drive, Lots 3, 112 & 113 Brumby Place, Lots 110 & 111 Waller Place and Lots 104, 105, 106, 107 & 108 Boodjidup Road, Margaret River	Scheme Amendment No. 58 to Local Planning Scheme No. 1 and Associated Structure Plan	Approved	P217463
08/04/2019	Matt Cuthbert	32 (Lot 26) & 16 (Lot 16) Illawarra Avenue and 13 (Lot 20) Merino Way, Margaret River	Scheme Amendment No 60 to Local Planning Scheme No 1 and Associated Structure Plan	Approved	P219221

**ELECTED MEMBERS ATTENTION**

Nil

**CLOSURE OF MEETING**



**DEVELOPMENT APPLICATION ASSESSMENT (DAU)**  
**Report to Manager Planning and Development Services**

**Proposed Holiday House at 56 (Lot 59) Victoria Parade Augusta**

**Major (Level 2)**

**P220372; PTY/3375**

REPORTING OFFICER : Lucy Gouws  
 DISCLOSURE OF INTEREST : Nil

General Information	
Lot Area	950m <sup>2</sup>
Zone	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 4 short stay guests at any one time. The management arrangements are to be with manger who resides in Augusta.  During the assessment, guest numbers were reduced from 6 to 4 given that the house only has 2 bedrooms.
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	08/07/2020
Date of Report	18/08/20



Have there been any objections?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Comments Received</b>	
Nature of Submission	Officer Comments
2 letters of objections were received. The concerns raised were in connection with guests using the deck and noise, proximity of the deck to the neighbours bedrooms, lack of parking and potential for guests to park on the street.	Augusta is considered a coastal settlement consistent <i>Local Planning Policy 7- Short Stay Accommodation (LPP7)</i> , and holiday houses can be considered.  The issues of noise and behavior of guests is dealt with by the requirement for house rules. House rule are conditioned as part of any holiday house approval. It is also dealt with through the allocation of a local property manager who is responsible to deal with issues as they arise. House rules provided by the proponent require guests to behave in a courteous manner in order to prevent adverse noise impact on neighbouring residents. The contact details of the property manager will be required to be displayed on the front of the holiday house at all times.

The deck the subject property is located on the side and front of the dwelling. LPP7 requires that *decks and balconies are located away from the bedrooms of neighbouring dwellings and if located close to living and dining areas of neighbouring dwellings suitable screening is provided*. The existing deck is setback 3.4m from the shared boundary, is screened by both permanent screening along the deck and vegetation. The location of the deck is acceptable.

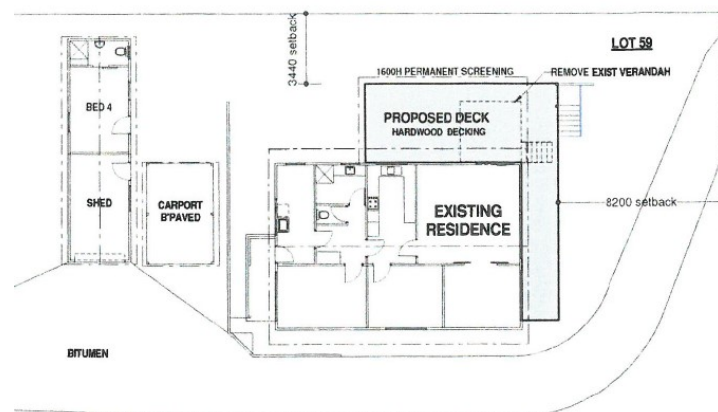


Figure 1: Showing the deck

Policy Requirements		
Policy Element	Provision	Comment
Location	Coastal settlement	<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?
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	
Following assessment against LPP7 it is considered that the intensity of the proposed use is no greater than the usual residential use of the property and the above items can be managed through application of appropriate conditions. The application is recommended conditional approval for 12 months.		

#### OFFICER RECOMMENDATION

That the Manager Planning and Development Services GRANTS Planning Consent under Delegated Authority Instrument No. 16 pursuant to clause 68 (2) of the Deemed Provisions of Local Planning Scheme No. 1 for a Holiday House at 56 (Lot 59) Victoria Parade Augusta 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 to P2 received by the Shire on the 8 July 2020
--------------------------	---

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 and Bushfire Management 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 **4 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.
- 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.





**DEVELOPMENT APPLICATION ASSESSMENT (DAU)  
Report to Manager Planning and Development Services**

**Proposed Holiday House at 9 Unit 2 (Lot 2) Blackwood Avenue Augusta**

**Major (Level 2)**

**P220326; PTY/10009**

**REPORTING OFFICER : DM**  
**DISCLOSURE OF INTEREST : Nil**

General Information	
Lot Area	441m <sup>2</sup>
Zone	Residential R20
Existing Development	<input type="checkbox"/> Single House <input checked="" 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 management arrangements are with an Augusta based property manager.
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	23/06/2020
Date of Report	17/08/2020



Have there been any objections?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Have there been any substantial changes to the LPS1 or Policy?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<b>Comments Received</b>	
<b>Nature of Submission</b>	<b>Officer Comments</b>
During the advertising period four (4) submissions were received. Issues that were raised were in connection with pets, noise, parking, amenity from guests clutter, and impacts from high guest turnaround.	The site is located within a coastal settlement, and meets the location requirements of Local Planning Policy No. 7 (LPP7). Pets are not permitted. A condition of approval will prohibit amplified music from being played at the holiday house between the hours of 10pm and 10am. If noise issues arise, the local holiday house manager is there to respond to concerns as they arise. The property manager resides locally in Augusta. Guests are made aware that any noise complaints will result in forfeiture of the bond, as outlined in the house rules.  There is parking for 3 cars on the Site, as required to meet the Shires policy LPP7.

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
	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  Upon review, the Community Emergency Services Manager identified minor errors in the BAL assessment. However, the CESM has confirmed that these errors do not alter the BAL outcome. Therefore, the BAL is accepted as BAL 19.
	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  The BMP has been reviewed and considered acceptable.
	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  The BEEP has been reviewed, and following feedback, has been amended and accepted.
	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 Manager of Planning and Development GRANTS Planning Consent under Delegated Authority Instrument No. 16 pursuant to clause 68 (2) of the Deemed Provisions of Local Planning Scheme No. 1 for a Holiday House at 9 Unit 2 (Lot 2) Blackwood Avenue, Augusta subject to compliance with the following conditions:

#### CONDITIONS

1. The development is to be carried out in compliance with the plans and documentation listed below and endorsed with Council's stamp, except where amended by other conditions of this consent.

Plans and Specifications	P1 to P2 received by the Shire on 23 June 2020
--------------------------	--

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 and Bushfire Management 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.
8. Amplified music shall not be played outside of the holiday house between the hours of 10pm and 10am.
9. 'House Rules' shall be developed to the satisfaction of the Shire prior to the commencement of use. Thereafter the 'House Rules' shall be provided to all guests and shall be displayed within a prominent position within the Holiday House. (Refer to advice note 'f')
10. Any marketing material for this Holiday House shall include display of the planning approval reference number for this approval. (Refer to advice note 'g')
11. Pets shall not be permitted to be kept by short stay guests in association with the Holiday House use.

#### ADVICE NOTES

- a) Following satisfactory performance of the approved use, and in the absence of any substantiated complaints over the twelve (12) month approval period, the Shire may grant further planning approval for the continuation of the use for a further three (3) years. A new planning application seeking such approval should be submitted 90 days before the expiry of this approval, along with the appropriate planning fee.
- b) If at any time there is not an appointed manager or a contactable employee of the manager for the site, the use must cease until such time as a manager is appointed.
- c) Evidence of installation of the sign will be required to be provided, to the satisfaction of the Shire, at the time an application to renew the Holiday House use is lodged.
- d) This approval does not affect the entitlement to use the dwelling for permanent residential purposes.
- e) You are advised of the need to comply with the requirements of the following other legislation:
  - (i) *Health (Miscellaneous Provisions) Act 1911* and Department requirements in respect to the development and use of the premises.
  - (ii) The *WA Building Regulations 2012 (r.59)* requires that the owner of a dwelling (as defined in the Building Code of Australia) must not make the dwelling available for hire unless hard wired, battery backup smoke alarms are installed, complying with the Building Code of Australia and AS3786.
- f) The 'House Rules' document shall be consistent with key elements of the NSW Code for Holiday Houses (please refer to the attached document).
- g) Evidence of the display of the planning approval reference number within the marketing of the Holiday House is required to be provided, to the satisfaction of the Shire, at the time an application to renew the Holiday House use is lodged. Applicants are advised to include a screenshot of the website, to show that the planning approval reference number is being displayed.
- h) Please note that the Shire does not notify landowners in writing of the expiry of a Holiday House planning approval. It is the owner's responsibility to monitor and ensure that the planning approval remains valid while the use is being undertaken.