

DEVELOPMENT ASSESSMENT UNIT
Minutes of the Development Assessment Unit
Shire of Augusta Margaret River
On 19 January 2021

ATTENDANCE : Angela Satre, Lucy Gouws, Chris Wenman, Chris McAtee, Jason Heine

PLANNING APPLICATIONS RECEIVED

Date Rec'd	Assess No.	Address	Proposal	DA No.
14/1/2021	A12818	56 (Lot 203) McDermott Parade Witchcliffe	Single Dwelling (Water Tank Addition)	P221038
14/1/2021	A9406	12 (Lot129) Tall Trees Court Cowaramup	Grouped Dwellings x 2	P221040
14/1/2021	A1051	Lot 15 Allnut Terrace, Augusta	Survey Strata	P221045
15/1/2021	A8306	7 Tea Tree Link, Margaret River	Dwelling (Gazebo Addition)	P221046
18/1/2021	A12054	34 (Lot 57) McDermott Parade, Witchcliffe	Dwelling (Outbuilding Addition)	P221047
18/1/2021	A5132	168 (Lot 2953) Clews Road and 261A (Strata Lot 1) Fifty One Road, Cowaramup	Winery, Restaurant, Cellar Door & Events (JDAP application)	P221048
18/1/2021	A12422	63 (Lot 13) Rowe Road West, Witchcliffe	Holiday House	P221050
19/1/2021	A2977	Lots 11 & 12 Redgate Road, Witchcliffe	Modification to Structure Plan	P221052
20/1/2021	A3062	2 (Lot 99) Hale Avenue, Molloy Island	Single Dwelling	P221053

BUILDING LICENCE APPLICATIONS RECEIVED

Date Rec'd	Assess No.	Address	Proposal	BLDG No.
14/1/2021	A9412	7 Lot 135 Tall Trees Court, Cowaramup	Single Dwelling	220689
14/1/2021	A7964	13 Lot 122 Lesueur Place, Gnarabup	Two Storey Dwelling	221001
14/1/2021	A12843	81 Redgate Road, Witchcliffe	3 x Rainwater Tanks	221016
14/1/2021	A12986	9 Lot 20 Treeside Lane, Margaret River	Single Dwelling	221017
14/1/2021	A12728	13 Lot 360 Winton Street, Margaret River	Single Dwelling	221019
14/1/2021	A12744	64 Lot 381 Pimelia Drive, Margaret River	Single Dwelling and Garage	221020
14/1/2021	A12736	8 Lot 372 Winton Street, Margaret River	Single Dwelling and Garage	221021
14/1/2021	A8651	16 Lot 690 Silver Top Blvd, Margaret River	Single Dwelling	221022
14/1/2021	A9502	5 Charles Hine Avenue, Margaret River	Verandah	221025
15/1/2021	A9828	16 Currawong Street, Cowaramup	Single Dwelling	221026
18/1/2021	A13024	2 Lot 108 Vita Court, Margaret River	Shed	221027
18/1/2021	A12986	9 Treeside Lane, Margaret River	Shed	221028
18/1/2021	A12825	8 Lot 221 Walilya Way, Witchcliffe	Rainwater Tank	221029
18/1/2021	A11039	4 Lot 2 Wooredah Crs, Prevelly	Two Storey Dwelling	221030
19/1/2021	A12741	1 Lot 378 Mc Cormick Cr, Margaret River	Single Dwelling	221032
19/1/2021	A2747	318 Boodjidup Road, Margaret River	Solar Panels	221033
19/1/2021	A1113	76 Sabina Drive, Molloy Island	Patio	221034
19/1/2021	A12087	21 Lot 216 Coracina Avenue, Witchcliffe	Single Dwelling	221035
20/1/2021	A9934	10A Lot 211 Brady Street, Augusta	Two Storey Dwelling	221036

SUBDIVISIONS DETERMINED

Date Rec'd	Assess No.	DA No.	Address	Description of Matter	Recommendation
30/10/2020	A9460	P220712	25 (Lot 12) Diana Road, Augusta	Subdivision	Support
5/11/2020	A5385	P220719	Lot 108 Boodjidup Road, Margaret River	Subdivision	Support
12/11/2020	A6603	P220738	Lot 21 Caves Road, Hamelin Bay	Subdivision	Support
17/11/2020	A4190	P220753	19 (Lot 3) Brumby Place, Margaret River	Subdivision	Support
1/12/2020	A5384	P220786	456 (Lot 107) Boodjidup Road, Margaret River	Subdivision	Support

LEVEL 1 APPLICATIONS determined under delegation

Date Rec'd	Officer	Address	Proposal	Outcome	DA No.
8/12/2020	Leigh Medlen	15 (Lot 179) Marmaduke Point Drive, Gnarabup	Holiday House (Large)	Approved	P220799
21/12/2020	Lucy Gouws	Lot 1 Kudardup Road, Kudardup	Entrance Statement/Signage	Approved	P220833
7/1/2021	Lina O'Halloran	275 (Lot 3126) Barrett Road, Rosa Brook	Intensive Agriculture (Farm Shed)	Approved	P221017
9/11/2020	Lara Hoole	6 (Lot 68) McDowell Road, Witchcliffe	Family Day Care	Approved	P220725

LEVEL 2 APPLICATIONS for determination

Date Rec'd	Officer	Address	Proposal	Outcome of DAU Meeting	DA No.
11/11/2020	LG	9 (Lot 2) Grunters Way, Gnarabup	Holiday House (renewal)	Conditional approval	P220730

MANAGEMENT OF VEGETATION ON SHIRE RESERVES

Nil

LOCAL LAW PERMITS

Nil

OTHER APPLICATIONS determined under delegation

Nil

ELECTED MEMBERS ATTENTION

Nil

CLOSURE OF MEETING



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

**Proposed Holiday House (Renewal)
9 (Lot 2 of Lot 149) Grunters Way Gnarabup**

Major (Level 2)

P220730; PTY/10573

**REPORTING OFFICER : Lucy Gouws
DISCLOSURE OF INTEREST : Nil**

General Information	
Lot Area	522m ²
Zone	Residential, R17.5
Existing Development	<input checked="" type="checkbox"/> Single House <input type="checkbox"/> Grouped Dwelling
Nature of application	Holiday House (Renewal)
Proposed use	A planning application has been received for the renewal of the Holiday House. As previously approved, the existing dwelling is to be used to accommodate up to six (6) short stay guests at any one time. The existing management arrangements are to be retained and the duration of the approval sought in this case is five (5) years.
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	11/11/2020
Date of Report	4/12/2020

Location Map



Planning History	A twelve (12) month approval (P215456) was issued on 17 November 2015 for a holiday house for eight (8) guests. A three (3) year approval (P216520) was issued on 22 December 2016 for a holiday house for six (6) guests.
Is the application same as previous?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Have there been any objections?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Have there been any complaints over the recent period of approval?	<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 checked="" type="checkbox"/> No
Officer comments:	3x complaints submitted to the Shire over the P216520 approval period (22/12/2016 to 22/12/2019).
Comments Received: 2 x Objections received in the advertising period for this application	
Nature of Submission	Officer Comments
Concerns have been raised with the number of vehicles parked at the house, numbers of guests exceeding 6, noise, dogs and vehicles parked on the verge.	The proponent advises they regularly use the house, at which time their occupancy numbers exceed 6 and more than 3 cars are parked on site. Notwithstanding, the proponent has committed to respond to this issue with the manager greeting guests to reiterate the house rules. The proponent has prepared new management measures in response to the concerns raised including: <ul style="list-style-type: none"> • No dogs permitted. • Change room layouts and remove bunkbeds in accordance with revised LPP7 (September 2018) which limits beds to two per bedroom. • Limit bookings to those with 3 cars. • The local manager will meet and greet all guests ensuring guests are parked within the site and check guest numbers. The measures are noted and the operation is recommended for a further three year approval. A five year approval is not recommended in this case. Three years is considered more acceptable in order to provide opportunity for the effectiveness of the management measures to be determined.
Recommended period of approval	<input type="checkbox"/> 12 months <input checked="" type="checkbox"/> 3 years <input type="checkbox"/> 5 years

OFFICER RECOMMENDATION

That the Statutory Planning Coordinator **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 (Lot 2 of Lot 149) Grunters Way, Gnarabup 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 P4 received by the Shire on the 27 September 2016
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2. The Holiday House use is permitted for a period of **three (3) years** from **<end of previous period of approval>** to **<end of period of approval>**. (Refer to advice note 'a')
3. The approved Bushfire Emergency Evacuation Plan shall be displayed in a conspicuous location within the dwelling at all times.
4. A Manager or a contactable employee of the Manager that permanently resides no greater than a 35 minute drive from the site shall be nominated for the Holiday House and this person shall attend to any callout within 35 minutes of a reported incident. The Manager or contactable employee is to be retained at all times during the use of the site as a Holiday House. (Refer to advice note 'b').
5. At all times the Holiday House use is in operation, the 24-hour contact details of the **Manager** of the Holiday House shall be displayed on a sign that is clearly visible from the nearest street frontage. The sign is limited to a maximum size of 0.2 metres square and not exceeding 1.5 metres in height from ground level. The sign shall be erected within the property frontage and must be visible from the street front. (Refer to advice note 'c')
6. All vehicles & boats connected with the premises shall be parked within the boundaries of the property.
7. The short stay use of the dwelling shall not be occupied by more than **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')

ADVICE NOTES

- a) A new planning application seeking approval should be submitted 90 days before the expiry of this approval, along with the appropriate planning fee.
- 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.
 - (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.
- 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.