

DEVELOPMENT ASSESSMENT UNIT
Minutes of the Development Assessment Unit
Shire of Augusta Margaret River
On 3 March 2020

As there were no Level 2 Applications, no DAU meeting was held.

PLANNING APPLICATIONS RECEIVED

Date Rec'd	Assess No.	Address	Proposal	DA No.
24/02/2020	A11593 A12652 A11593	Location 735 (Lot 101) Osmington Road, Bramley	Dam	P220132
25/02/2020	A1954	335 (Lot 3146) Rowe Road, Witchcliffe	Single Dwelling - Additions (Outbuilding)	P220133
25/02/2020	A4889	12 (Lot 293) Flora Grove, Molloy Island	Single Dwelling – Addition	P220134
25/02/2020	A11898 A165	9904 (Lot 1007) Bussell Highway, Margaret River	Intensive Agriculture - Avocado Trees and Clearing	P220135
25/02/2020	A5227	11486 (Lot 21) Bussell Highway, Karridale	Extension of Term P214675	P220136
25/02/2020	A3732	75 (Lot 30) Kevill Road, Margaret River	Holiday House (Large)	P220137
25/02/2020	A7591	11 (Lot 104) Shady Glen, Burnside	Single Dwelling - Building Envelope Variation - Dwelling Addition (Outbuilding)	P220139
27/02/2020	A5070	55 (lot 105) Mansfield Avenue, Margaret River	Holiday House (Renewal)	P220141
27/02/2020	A9457	81 (Lot 124) Duggan Drive, Cowaramup	Bed and Breakfast (Renewal)	P220142
27/02/2020	A5215	34 (Lot 225) Minchin Way, Margaret River	Addition (Storage Building)	P220143
28/02/2020	A2670	779 (Lot 511) Davis Road, Rosa Glen	Section 40 (Producers License)	P220145
28/02/2020	A2670	779 (Lot 511) Davis Road, Rosa Glen	Rural Produce Sales (Cellar Door)	P220146

BUILDING LICENCE APPLICATIONS RECEIVED

Date Rec'd	Assess No.	Address	Proposal	BLDG No.
24/02/2020	A3916	67 Mentelle Road, Margaret River	Additions to Existing Dwelling	220075
24/02/2020	A8442 A3680	31 Lot 71 Brockman Highway, Cowaramup	Unauthorised Works - Swimming Pool	220076
24/02/2020	A12211	9819 Lot 29 Caves Road, Deepdene	Sea Container	220077
25/02/2020	A12725	11 Lot 357 McCormick Cres, Margaret River	Single Dwelling	220079
25/02/2020	A5126	205 Lot 7 Rosa Brook Road, Margaret River	Occupancy Permit - Cellar Door Additions	220080
25/02/2020	A12185	18 Lot 11 Copse Way, Cowaramup	Shed	220081
26/02/2020	A4415	Reserve 22471 12 Redgate Road, Witchcliffe	Rainwater Tank	220082
26/02/2020	A3816	110 Lot 9 Glenellie Rd, Margaret River	Additions to Existing Dwelling	220083
26/02/2020	A4220	25 Mallee Fowl Way, Margaret River	Carport	220084
26/02/2020	A11391	Unit 5 26 Auger Way, Margaret River	Occupancy Permit - Workshop	220085
27/02/2020	A832	805 Redgate Road, Witchcliffe	Shed and Rainwater Tank	220086
27/02/2020	A11567	44 Lot 12 Eldridge Avenue, Witchcliffe	Patio	220087
28/02/2020	A6626	410 Roxburgh Road, Margaret River	Rainwater Tank	220088
28/02/2020	A8337	12 Lot 99 Hillside Avenue, Margaret River	Two Storey Dwelling	220089

SUBDIVISIONS DETERMINED

Nil

LEVEL 1 APPLICATIONS determined under delegation

Date Rec'd	Officer	Address	Proposal	Outcome	DA No.
12/11/2019	Lezia Sandon	19 (Lot 11) St Alouarn Place, Margaret River	Holiday House (Large)	Approved	P219682
09/12/2019	Lara Hoole	7 (Lot 505) Bankside Retreat, Margaret River	Dwelling Additions (Outbuilding - Shed/Carport)	Approved	P219767
19/12/2019	Lezia Sandon	16 (Lot 5) Stewart street, Margaret River	Holiday House x 3	Approved	P219808
06/01/2020	Devin Moltoni	25 (Lot 2) Mallee Fowl Way, Margaret River	Building Envelope Variation - Dwelling Additions (Carport)	Approved	P220003
31/01/2020	Lezia Sandon	9 (Lot 342) Duncan Street, Margaret River	Outbuilding	Approved	P220074
04/02/2020	Lucy Gouws	9 (Lot 12) St Alouarn Place, Margaret River	Holiday House (Large) (Renewal)	Approved	P220079

LEVEL 2 APPLICATIONS for determination

Nil

MANAGEMENT OF VEGETATION ON SHIRE RESERVES

Nil

LOCAL LAW PERMITS

Nil

OTHER APPLICATIONS determined under delegation

Nil

ELECTED MEMBERS ATTENTION

Date Rec'd	Officer	Address	Proposal	Outcome of DAU Meeting	DA No.
21/02/2020	Lucy Gouws	Reserve 41545 Surfers Point and The Box, Prevelly and Reserve 8428 Cowaramup Bay Road, Gracetown	Public Event (WSL Surf Pro) - Amendment to Planning Approval P218521	Approve	P220129

CLOSURE OF MEETING



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

**Proposed Public Event (WSL Surf Pro) - Amendment to Planning Approval P218521
Reserve 41545 Surfers Point**

Minor (Level 1)

P220129; PTY/11020

REPORTING OFFICER : Lucy Gouws
DISCLOSURE OF INTEREST : Nil

General Information	
Lot Area	Reserve 41545
Zone	Parks and Recreation
Proposed Development	<p>The subject proposal seeks to amend the existing approval for the WSL Surf Pro (ref P218521). Planning approval to use the site for the Margaret River Pro event is in place until February 2024. The amendment consists of the following changes which relate only to the main event site at Surfers Point:</p> <ul style="list-style-type: none"> - Removing the VIP licensed area (87.5sqm) from the ground floor of the marquee, known as the double decker. This area was licensed for a maximum of 72 patrons. - Moving the VIP area into the public licensed area known as the Corona bar. By combining the two licensed areas into one, the Corona bar is to be increased in floor area by 60.5sqm, and will allow an additional 70 patrons. <p>The intention is to remove the VIP licensed area from the double decker marquee and use this as a staff area. The Department of Local Government, Sport and Cultural Industries (DGSCI) have issued a liquor license for the amended licensed area of up to 147.5sqm and a maximum of 130 patrons.</p>
Permissible Use Class	Can be considered
Heritage/Aboriginal Sites	Nil
Encumbrance	Nil
Date Received	21/02/2020

Policy Requirements	
Is the land or proposal referred to in any Council Policy?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Structure Plans and Local Development Plans (LDP's)	
Is the land in any Structure Plan Area or subject to a LDP?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Planning History	
<p>Background Margaret River Pro conducted annually since 1985. Recent approvals have consisted of:</p> <ul style="list-style-type: none"> - 2014 a five year approval was granted for the event to be held at Surfers Point and the Box. - 2016 an amendment to the previous approval was granted to include North Point as a temporary event location. - 2017 – 2018 approvals were granted to allow the use of North Point. - 2019 a five year approval was granted for the event to be held at Surfers Point, the Box, and North Point for a period of four days and not for more than eight hours per day. - 2019 an amendment to the previous five year approval was granted to modify the planning conditions allowing the use of North Point for a maximum period two days for the event, and two days for either the semi-final or final round of the competition. 	
Advertising/Agency Referrals	
Has the application been referred to adjoining landowners/agency?	Officers are of the view that given the minor change to the arrangement of licensed areas, and that no new licensed areas or increase in patron numbers are proposed, the application does not warrant being advertised.
Has a submission been received by Council?	N/A
Agency Comments	
<p>The Department of Local Government, Sport and Cultural Industries</p> <ul style="list-style-type: none"> - Issued a license (ref 0214151520) to the increased area of 147.5sqm. - Number of patrons is not to exceed 130 at any one time. - Fencing is required to be erected around the boundary of the licensed area to clearly delineate the licensed premises. 	<p>Officer Comment Conditions of the liquor license are acknowledged, and reinforce the limitations placed upon the public licensed area. These conditions ensure the licensed area remains separate from the main areas of the event site, and restricts the maximum number of patrons. This conditions control the use and ensure the scale remains low.</p>
Assessment of Application	
Is the land referred in the Heritage Inventory?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there any Contributions applicable?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there any compliance issues in relation to existing development?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
R Codes	
Are R Codes applicable?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Development Standards (Schedule 9)	
Are the development Standards applicable?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Car Parking	
The car parking is not required to be reviewed as part of the assessment.	
Building Height	
No building heights are required to be reviewed as part this assessment.	
Clause 67	
In the opinion of the officer, would approval of the planning consent be appropriate under Clause 67 of the Deemed Provisions of the Scheme?	
Officer Comment	<p>The previous five year approval for the site introduced a licensed area, known as the Corona Bar. The area is a fenced off and located away from the main family viewing area of the event site. This separate area was originally introduced to the event at the request of Department of Local Government, Sport and Cultural Industries to define a public licensed area of the event site.</p> <p>At the 2019 event, the Corona Bar was in operation, and no complaints or concerns were received by the Shire in regards to this licensed area.</p> <p>The previous planning approval and liquor licenses allowed for the Corona bar and VIP area to have a total combined floor area of 157.5sqm which allowed for a total of 142 patrons. The amendment under assessment is for a total area of 147sqm for a maximum of 130 patrons. The result is a small reduction in licensed floor area and 12 less patrons.</p> <p>The increase to the Corona bar area to accommodate this change will have little to no impact to the overall event layout at Surfers Point.</p>
In the opinion of the officer	
i. Are utility services available and adequate for the development?	No changes
i. Has adequate provision been made for the landscaping and protection for any trees or other vegetation on the land?	None impacted
ii. Has adequate provision been made for access for the development or facilities by disabled persons?	No changes
iii. Is development likely to cause detriment to the existing and likely future amenity of the neighbourhood?	No changes
iv. Is the development likely to comply with AS3959 at the building permit stage?	n/a
Other Comments	
Any further comments in relation to the application?	
Officer Comment	Recommend approval of the proposed amendment subject to using the previous planning conditions.

OFFICER RECOMMENDATION

That the Acting Manager of 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 Public Event (WSL Surf Pro) - Amendment to Planning Approval P218521 Reserve 41545 Surfers Point 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	P2 – P5 received at the Shire offices on 27 August 2018; P6 received the 23 January 2019; and P7 – P8 received 21 February 2020
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- A five (5) year approval is hereby granted to conduct a Public Event at Surfers Point and The Box annually on five (5) occasions from the date of the original approval (6 March 2019).
- North Point at Gracetown is approved to be used as a temporary competition location for a maximum of two (2) days, each year over the five (5) years from the date of this approval, with these two days not being utilised for either semi-final or final rounds of competition. A further two (2) days of competition may be held at North Point for the purpose of holding semi-final or final rounds of competition should conditions at approved alternative locations be agreed as unsuitable by the Shire. Prior to any semi-final or final rounds being held at North Point, the proponent is to provide a request to the Shire in writing to utilise North Point, outlining the basis as to why conditions at alternative locations are unsuitable. Semi-final or final rounds of competition may then not be held at North Point without the Shire's written approval.

4. The Public Event is restricted to operating between the hours of 0700 to 1700 hours each day.
5. The Public Event at Surfers Point is permitted to be held no longer than 31 days each year, between the months of March and June, including installation and dismantling. The 31 day period must be nominated by the Applicant annually in the 'Event Pack'.
6. The Public Event infrastructure at North Point is permitted to be in place for a period each year for a maximum of 20 days between the months of March and June including installation and dismantling. The 20 day period must be nominated by the Applicant annually in the 'Event Pack'.
7. The northern gravel car park at North Point, as shown on the approved site plan P6, is not approved as a public parking area. A temporary gate shall be erected across the access track leading to the car park in a Shire approved location.
8. Access to the Gracetown boat-ramp shall be available at all times for the purpose of launching vessels. (Refer to advice note b)
9. The number of patrons for the Public Event at Surfers Point shall not exceed 5,000 at any one time without further prior planning approval.
10. The revised Bushfire Management Plan shall be implemented on site prior to commencement of the Public Event at all times thereafter.
11. Certification is to be provided to the Shire by an accredited Bushfire Planning Practitioner confirming that all bushfire management actions detailed in the approved Bushfire Management Plan have been implemented on Site prior to commencement of the Event.
12. The Emergency Evacuation Plan shall be displayed in conspicuous locations at the Public Event at all times.
13. At least 45 days prior to the commencement of the Event each year, the following Management Plans shall be prepared to the satisfaction of the Shire:
 - a. risk;
 - b. emergency and evacuation;
 - c. traffic;
 - d. waste;
 - e. security and fencing;
 - f. event operation;
 - g. fire;
 - h. marketing and advertising; and
 - i. any other Management Plan the Shire prescribes the Applicant by written notice.
14. The Event shall at all times be conducted in accordance with the approved Management Plans.
15. The Event shall not interfere with the amenity of the locality or cause nuisance by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, dust, waste water, waste products, oil or otherwise.
16. The Reserve (including the bitumen surface of the Surfers Point car park, existing facilities and vegetation) must not be damaged as a consequence of the Event. Repairs to any damage must be undertaken to the satisfaction of the Shire within seven days of the completion of the Event at the expense of the Applicant.
17. Reserves the subject of this Approval, must be kept in a clean and tidy condition, free from both litter and refuse during and at the completion of the Event. Structures to the promotion of the Event must be removed at the conclusion of the Event to the satisfaction of the Shire. At the time of completion of the removal and rubbish clean up, the organisers shall call for an inspection with Shire staff to ensure the Event site is remediated to at least the same condition that it was prior to the Event.
18. Appropriate security and crowd control arrangements shall be undertaken to deter vandalism at the competition site.
19. All fencing, "No Parking" signs, signage and taping to be in place prior to commencement of the Event to the satisfaction of the Shire.
20. The Event organisers shall ensure appropriate use of Reserves the subject of this Approval and shall provide security personnel and prevent patron access to environmentally sensitive vegetation and rehabilitation areas. Environmentally sensitive areas shall be provided with suitable barriers and signage including fencing and 'no go' tape to protect foreshore vegetation and rehabilitation areas.
21. The Event program, road closures and residents passes shall be advertised in at least one local newspaper by the Applicant weekly for two (2) weeks prior to the Event.
22. The Applicant must make all efforts to ensure that any obstruction to the public's normal access to Reserve 41545, Reserve 27618, Reserve 26228 and Reserve 8428 due to the Event is minimised and that public access is only restricted to the extent necessary for security, safety or operation of the Event (refer to advice note m).
23. A pass shall be provided to Prevelly/Gnarabup and Gracetown householders and employees of businesses within this area so that access to and from the area for residents and employees is not unreasonably impeded.

Details of the method of complying with this condition must be submitted and approved by the Shire in the marketing and advertising plan(s).

24. Formal pedestrian access must be maintained to the Rivermouth, Surfer's Point and Gracetown Town Beach foreshore areas at all times.

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.
 - (iv) Health (Miscellaneous Provisions) Act 1911 and Department requirements in respect to the development and use of the premises. A building or place or part of a building or place where persons may assemble is a Public Building and is required to comply with the Health (Miscellaneous Provisions) Act 1911; the Health (Public Building) Regulations 1992 and the Building Code of Australia. A separate licence will be required under the Health (Public Building) Regulations for the use of a Public Building. A Form 2 Application is available from the Shire and must be submitted for assessment.
- b. Two parking spaces shall be reserved at the Gracetown boat-ramp adjoining car park for the Margaret River Volunteer Marine Rescue Group at all times during the Public Event.
- c. The use of the development, building or place or part of a building or place for the assembly of persons at a temporary event is a public building and shall comply with relevant provision under the Health (Miscellaneous Provisions) Act 1911; Health (Public Building) Regulations 1992 and Building Code of Australia 2004.
- d. Accessible security gates / access ways must be attended to during the Event to ensure that those persons with authority to park vehicles at Surfers Point and Rivermouth car park can do so, in particular those cars carrying ACROD stickers.
- e. Sufficient egress/exits shall be provided to enable the efficient evacuation of patrons from the Event site in an emergency.
- f. The Event Organiser shall ensure that a copy of the Event 'Emergency Evacuation Plan' is displayed at appropriated locations within the site. A copy of the Emergency Evacuation Plan shall be provided to all security personnel, volunteers, stall operators and persons involved in organising the Event.
- g. Exit signs shall be large enough to make the exit location obvious to patrons and visible from all respective public areas.
- h. Emergency lighting shall be provided for outdoor areas that will operate if the main electrical source fails. The Event shall be provided with two (2) separate light sources so that in event of one source failing there will be sufficient light to allow an orderly evacuation of the venue. The sources may be two (2) generators or a generator and a town supply.
- i. Alcohol may only be sold and consumed in the Licence Area(s) if it is in accordance with the Liquor Control Act 1988 and any relevant permits, consents and approvals required.
- j. Any food stall or vendor operating at the Event must be a registered food business and comply with the Food Act 2008 and the Australian New Zealand Food Standards.
- k. Any amplified sound, noise or music must be in accordance with the Environmental Protection (Noise) Regulations 1997.
- l. Any closure of a road, thoroughfare or car park in the Licence Area must be done in accordance with the Road Traffic Act 1974 and with notice to the Western Australian Police.
- m. Management plans submitted as required by the Local Law Permit process, will be required to demonstrate measures to ensure that the number of spectators attending finals/semi-finals at North Point do not exceed the capacity of the infrastructure available to support those visitors. This may include security measures to discourage spectators where capacity has been reached and the provision of alternative viewing opportunities from other locations (e.g televised coverage at Surfers Point).