

DEVELOPMENT ASSESSMENT UNIT
Minutes of the Development Assessment Unit
Shire of Augusta Margaret River
On 15 August 2017

ATTENDANCE

Chris Wenman, Jason Heine, Lauren Bidesi, Angela Satre, Lara Hoole, Johan Pienaar, Ian McLeod, Kim Nolan

PLANNING APPLICATIONS RECEIVED

Date Rec'd	Assess No.	Address	Proposal	DA No.
08/08/2017	A11290 A11551	687 (Lot 722) Ellen Brook Road, Cowaramup	Section 40	P217486
08/08/2017	A3846	361 (Lot 64) Kevill Road West, Margaret River	Ancillary Dwelling	P217487
09/08/2017	A3486	599 (Lot 4) Wallcliffe Road, Margaret River (MR Golf Club site)	Telecommunications Infrastructure (NBN Fixed Wireless Tower)	P217489
08/08/2017	A11020	Portion of Reserve 41545, Gnarabup Beach, Wallcliffe Road, Gnarabup	Public Event On Shire Reserve - Gnarabup Ocean Swim	P217490
10/08/2017	A9406	12 (Lot 129) Tall Trees Court, Cowaramup	Dwelling	P217493
11/08/2017	A10976	56 (Lot 150) Hermitage Drive, Margaret River	Bed and Breakfast	P217494
11/08/2017	A11841	8 (Lot 7) Dobbins Place, Witchcliffe	Bed and Breakfast	P217495

BUILDING LICENCE APPLICATIONS RECEIVED

Date Rec'd	Assess No.	Address	Proposal	BLDG No.
08/08/2017	A12453	Lot 301 Mahoney Street, Margaret River	Single Dwelling	217248
09/08/2017	A12490	Lot 299 Jenkins Road, Cowaramup	Single Dwelling and attached garage	217310
08/08/2017	A12460	Lot 349 Duncan Street, Margaret River	Single Dwelling	217318
09/08/2017	A12486	Lot 295 Jenkins Road, Cowaramup	Single Dwelling and Garage	217319
09/08/2017	A3658	158 Bussell Highway, Margaret River	Reroofing	217324
07/08/2017	A12177	Lot 7 Brookeside Boulevard, Cowaramup	Single Dwelling, Ancillary Accommodation, Workshop, Retaining Walls and Water Tank	217334
07/08/2017	A10415	19 Lot 425 Beech Drive, Margaret River	Single Dwelling	217336
07/08/2017	A8915	127 (Lot 10) Hillview Road, Augusta	Dwelling Additions Storeroom and Alfresco	217337
08/08/2017	A12494	5 (Lot 303) Jenkins Road, Cowaramup	Single Dwelling	217338
08/08/2017	A12089	Lot 218 Coracina Avenue, Witchcliffe	Single Dwelling and Shed	217340
09/08/2017	A12457	3 (Lot 345) Duncan Street, Margaret River	Single Dwelling	217341

SUBDIVISIONS DETERMINED

Date Rec'd	Officer	DA No.	Address	Description of Matter	Recommendation

LEVEL 1 APPLICATIONS determined under delegation

Date Rec'd	Officer	Address	Proposal	Outcome	DA No.
06/06/2017	Lara Hoole	2 (Lot 259) Wisteria Crescent, Margaret River	Dwelling	Approved	P217341
16/06/2017	Angela Satre	12 (Lot 109) Yalgardup Place, Margaret River	Bed & Breakfast (Freestanding Sign Addition)	Approved	P217358
22/06/2017	Angela Satre	17 (Lot 29) Duggan Drive, Cowaramup	Bed and Breakfast	Approved	P217372
03/07/2017	Angela Satre	Lot 2 Lovejoy Road, Cowaramup	Unauthorised Development	Matter concluded	P217394

10/07/2017	Robyn Fergusson	7 (Lot 521) Wilkes Road, Margaret River	Bed and Breakfast (Renewal)	Approved	P217418
31/07/2017	Johan Pienaar	42 (Lot 29) Karri Loop, Margaret River	Dwelling Additions (Carport)	Cancelled	P217464
02/08/2017	Johan Pienaar	15 (Lot 81) Elizabeth Street, Margaret River	Industry - Cottage (workspace for creating fine art)	Approved	P217469

LEVEL 2 APPLICATIONS for determination under delegation

Date Rec'd	Officer	Address	Proposal	Outcome of DAU Meeting	DA No.
19/05/2017	Lara Hoole	13 (Lot 25) Connelly Road, Margaret River	Holiday House (Large)	Approve	P217310

LOCAL LAW PERMITS

Date Rec'd	Officer	Address	Proposal	Outcome	DA No.

OTHER APPLICATIONS determined under delegation

Date Rec'd	Officer	Address	Proposal	Outcome	DA No.

COMPLIANCE

Date Rec'd	Officer	Address	Proposal	Outcome	DA No.

ELECTED MEMBERS ATTENTION

Date Rec'd	Officer	Address	Proposal	Outcome of DAU Meeting	DA No.

CLOSURE OF MEETING



DEVELOPMENT APPLICATION ASSESSMENT (DAU)
Report to Manager Planning and Development Services
Proposed Holiday House: 13 (Lot 25) Connelly Road, Margaret River

Major (Level 2)

P217310; PTY/6976

REPORTING OFFICER : LH
 DISCLOSURE OF INTEREST : Nil

General Information	
Lot Area	1ha
Zone	Rural Residential
Existing Development	<input checked="" type="checkbox"/> Single House <input type="checkbox"/> Grouped Dwelling
Nature of application	<input checked="" type="checkbox"/> New application <input type="checkbox"/> Renewal
Proposed use	Planning approval is sought for a Holiday House use of a 4 x bedroom, 2 bathroom, single storey dwelling to accommodate a maximum of six (6) guests.
Permissible Use Class	'A' – discretionary use
Advertising Required	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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	Right of Carriage Way. An easement agreement to share access of the battle-axe driveway of Lot 24 with Lot 25. The costs to construct a sealed driveway was shared between both properties and the agreement also includes shared costs of the maintenance of the sealed driveway. The easement also states that the use of the driveway is for domestic purposes. The maximum number of six guests for the holiday house on Lot 25 has the same impact as that of a dwelling and is considered an appropriate use.
Date Received	19/05/2017
Date of Report	14/08/2017

Location Maps





Planning History	P23012 Dwelling approved in 2003.
Has the application been advertised to adjoining landowners?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Have there been any objections?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Two submissions of indifference that raised some concerns were received.

Comments Received		
Nature of Submission	Comments Received	Officer Comment
Private submission (indifference)	<ul style="list-style-type: none"> • Driveway shown on plans is non-existent. • Concerns over repetitive commercial use of driveway. • Insufficient allocation for visitor parking. Needs to be some assessment of variation to the existing arrangement if development is to go ahead. 	<p>First set of plans received showed a driveway access way from the middle of the property at the front onto Connolly Road. Revised plans were received showing the current driveway as a shared battle-axe access way that abounds the western boundary of the subject site.</p> <p>Parking has been revised and is shown within the property boundaries within the building envelope boundaries or within the curtilage of the dwelling.</p> <p>The maximum number of guests has been reduced from eight (8) to six (6) reducing potential traffic impacts on surrounding landowners.</p>
Private submission (indifference)	<ul style="list-style-type: none"> • The car parking bays numbered 4 and 5 on the revised site plan do not currently exist. I assume they will be constructed prior to use, otherwise vehicles parking there may block access to Lot 24. 	<p>Parking bays proposed along side the eastern side of the battle-axe driveway have been removed as mentioned above.</p> <p>A condition is recommended to require directional signage at the end of the driveway to direct traffic to the Holiday House</p>

Policy Requirements

Policy Element	Provision	Comment
1. Location	Coastal settlement; or	<input type="checkbox"/>
	Adjoins fronts or is within an area of "significant tourist attraction"; or	<input checked="" type="checkbox"/> The site is located on a 1 hectare Rural Residential property within 500m of Caves Road (a tourist

		travel route to wineries and beaches).
	Does not adjoin, fronts or is within an area of "significant tourist attraction but exceeds 1000m ² in area.	<input type="checkbox"/>
	R2.5 and R5 coded lots not sharing boundaries with more than 3 lots.	<input type="checkbox"/>
	Does the proposed <u>Holiday House (Large)</u> in an urban area meet the zoning and or location requirements under AD1.4 of the policy?	<input type="checkbox"/>
	R30 density code or lower for Holiday Houses within grouped dwellings.	<input type="checkbox"/>
	None of the Above	<input type="checkbox"/>
2. Occupancy	Does the proposed number of guests six (6) comply with the acceptable development criteria?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3. Amenity	Have there been any complaints since previous approval?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
	Complies with the objectives and provisions of the zone?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	For <u>Holiday House (Large)</u> , is sufficient information provided to assess potential impacts on local amenity.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A Guest numbers are reduced to six (6).
4. Design	Is the dwelling <u>of sufficient size</u> to cater for intended number of guests?	<input checked="" type="checkbox"/> Yes, to cater for six (6) guests. <input type="checkbox"/> No
	Is the dwelling <u>sufficiently serviced</u> to cater for intended number of guests?	<input checked="" type="checkbox"/> Yes, for six (6) guests. <input type="checkbox"/> No
	Sufficient potable water supply?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No The dwelling is connected to scheme water.
5. Management	Emergency Response Plan and Fire Management Plan submitted?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Management Plan submitted?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	No amplified music between 10pm & 10am	Require as a condition
	Display the manager's 24hr contact details	Require as a condition
6. Period of approval	<input checked="" type="checkbox"/> 12 months <input type="checkbox"/> 3 years	

OFFICER RECOMMENDATION

That the Statutory Planning Coordinator **GRANTS** Planning Consent under Delegated Authority Instrument No. 16 pursuant to clause 68 (2) of the Deemed Provisions of Local Planning Scheme No. 1 for a Holiday House at 13 (Lot 25) Connelly Drive, Margaret River subject to compliance with the following conditions:

CONDITIONS

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

Plans and Specifications	P1 received at the Shire on 9 August 2017. P2 & P3 received at the Shire on 19 May 2017.
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- The Holiday House use is limited to a period of twelve (12) months from the date of this approval. (P) (Refer to advice note 'a')
- A directional sign, limited to a maximum of 0.2 square metres and not exceeding 1.5 metres in height from ground level, shall be posted at the end of the shared battle-axe driveway (within the property boundaries of Lot 25. The sign shall be erected and maintained to the satisfaction of the Shire. (P)

4. An Emergency Response Plan (i.e. fire escape route maps and other details as required) and Fire Management Plan shall be prepared and submitted to the Shire prior to commencement of the use. The Emergency Response Plan and Fire Management Plan shall be displayed in a conspicuous location within the dwelling at all times. (P)
5. A Manager or a contactable employee of the manager that permanently resides no greater than a 1 hour drive from the site shall be nominated for the Holiday House and this person shall attend to any callout within 1 hour 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') (P).
6. The 24 hour contact details of the manager and owner of the Holiday House shall be visible on the property from the nearest street frontage and maintained to the satisfaction of the Shire. (Refer advice note 'c') (P)
7. All vehicles & boats connected with the premises shall be parked within the boundaries of the property. (P)
8. The short stay use of the dwelling shall not be occupied by more than **six (6)** people at any one time. (P)
9. Amplified music shall not be played outside of the Holiday House between the hours of 10pm and 10am.
10. 'House Rules' shall be developed 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 advice note 'f') (P)

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. (P)
- b) In relation to condition 5, 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. (P)
- c) A sign limited to a maximum of 0.2 square metres and not exceeding 1.5 metres in height from ground level may be erected at the property frontage and within the property. (P)
- d) This approval does not affect the entitlement to use the dwelling for permanent residential purposes. (P)
- 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). (P)