

DEVELOPMENT ASSESSMENT UNIT

Minutes of the Development Assessment Unit
Shire of Augusta Margaret River
On 22 November 2016

ATTENDANCE Kim Nolan, Johan Pienaar, Lucy Gouws, Chris Wenman, Angela Satre

CONFIRMATION OF MINUTES

PLANNING APPLICATIONS RECEIVED

Date Rec'd	Assess No.	Address	Proposal	DA No.
14/11/2016	A2310	58 (Lot 14) Turner Street, Augusta	Dwelling Additions (Shed)	P216629
15/11/2016	A8480	306 (Lot 1) Low Road, Rosa Glen	Dwelling Additions	P216631
15/11/2016	A6822	2 (Lot 10) Dallip Spring Road, Burnside	Dwelling Additions	P216632
15/11/2016	A538	Lot 1 Kudardup Road, Kudardup	Signage	P216633
15/11/2016	A538	Lot 1 Kudardup Road, Kudardup	Sign Permit	P216634
16/11/2016	A7991	34 (Lot 151) Grunters Way, Gnarabup	Bed and Breakfast	P216636
16/11/2016	A8409	1 (Lot 203) Churchill Avenue, Margaret River	Dwelling Additions (Retaining Wall and Fence)	P216637
17/11/2016	A5182	960 (Lot 2284) Osmington Road, Osmington	Chalets x 3	P216639
17/11/2016	A9584	29 (Lot 344) Honeysuckle Glen, Cowaramup	Dwelling, Outbuildings x 2 (Garage and Shed) and Retaining Wall	P216640
17/11/2016	A5331	Lot 4070 Brockman Highway, Karridale	Use not listed - Truck Rest Area	P216642
18/11/2016	A9529	Lot 20 Holben Road, Treeton	Dwelling	P216643
18/11/2016	A11840	10 (Lot 6) Dobbins Place, Witchcliffe	Dwelling Additions (Shed)	P216644
18/11/2016	A3366	Lot 2 Armstrong Road, Cowaramup	Amendment to Planning Approval P215347 for Cabins x 6	P216645

BUILDING LICENCE APPLICATIONS RECEIVED

Date Rec'd	Assess No.	Address	Proposal	BLDG No.
18/11/2016	A725	11 Nixon Crescent, Margaret River	Patio	216500
18/11/2016	A11303	5962 (Strata Lot 9 of Lot 410) Caves Road, Margaret River	Single Dwelling	216501
18/11/2016	A5941	108 (Lot 1620) Forest Grove Road, Forest Grove	Shed	216503
18/11/2016	A4675	32 Tunbridge Street, Margaret River	Patio	216504
16/11/2016	A9837	6 (Lot 497) Goodwine Way, Cowaramup	Single Dwelling	216479
16/11/2016	A2095	4 (Lot 55) Merchant Street, Margaret River	Carport	216495
16/11/2016	A11840	10 (Lot 6) Dobbins Place, Witchcliffe	Shed	216496
16/11/2016	A2803	12 (Lot 28) Cygnet Crescent, Augusta	Demolition	216497
16/11/2016	A9212	10 (Lot 48) Tinglewood Court, Cowaramup	Shed	216498
15/11/2016	A9197	17 (Lot 33) Tinglewood Court, Cowaramup	Single Dwelling	216487
15/11/2016	A6822	2 (Lot 10) Dallip Spring Road, Burnside	Dwelling Additions	216492
15/11/2016	A9658	18 (Lot 802) Honeyeater Loop, Margaret River	Carport and Store	216494
14/11/2016	A11570	13 (Lot 15) Dempster Drive, Witchcliffe	Single Dwelling	216489

SUBDIVISIONS DETERMINED

Date Rec'd	Officer	DA No.	Address	Description of Matter	Recommendation
10/10/2016	Johan Pienaar	P216548	7 (Lot 34) Le Souef Street Margaret River	Subdivision	Conditional support

LEVEL 1 APPLICATIONS determined under delegation

Date Rec'd	Officer	Address	Proposal	Outcome	DA No.
22/02/2016	Matt Slocomb	Unit 12 14 (Strata Lot 12 of Lot 61) Willmott Avenue, Margaret River	Chalet	Approve	P216101
20/05/2016	Johan	302 (Lot 72) Railway Terrace,	Dwelling Additions,	Approve	P216279

	Pienaar	Margaret River	Outbuilding (Shed) and Boundary Fence		
02/06/2016	Lara Hoole	9 (Lot 303) Mitchell Drive, Prevelly	Surfboard Art Installation (Ancillary to Cafe/Restaurant)	Approve	P216300
18/10/2016	Lucy Gouws	63 (Lot 4) Lantana Lane, Margaret River	Retaining and Fill (Level 1)	Approve	P216568
24/10/2016	Angela Satre	21 (Lot 143) Mahogany Way, Cowaramup	Dwelling Additions (Outbuilding and Patio)	Approve	P216584
04/11/2016	Lucy Gouws	89 / 157 (Lot 688) Stevens Road, Margaret River	Additions & Alterations to existing Winery and Licensed Restaurant	Approve	P216618

LEVEL 2 APPLICATIONS for determination under delegation

Date Rec'd	Officer	Address	Proposal	Outcome of DAU Meeting	DA No.
10/10/16	Lucy Gouws	26 (Lot 334) Flora Grove, Molloy Island	Dwelling and Water Tank	Approve	P216547
22/09/2016	Angela Satre	Lot 109 Yalgardup Place, Margaret River	Dwelling additions and Bed & Breakfast	Approve	P216510

LOCAL LAW PERMITS

Date Rec'd	Officer	Address	Proposal	Outcome	DA No.
29/07/2016	Nick Logan	Rivermouth Reserve 41545	Permit awarded by expression of interest to Hooked Up Fish and Chips to operate	Approve	P216582

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 Services**

Proposed Dwelling at 26 (Lot 334) Flora Grove, Molloy Island

Major (Level 2)

P216547; PTY/9607

REPORTING OFFICER : Lucy Gouws
DISCLOSURE OF INTEREST : Nil

General Information	
Lot Area	1289m ²
Zone	Residential R10/15 (SCA 2)
Proposed Development	<p>Planning approval is sought for a dwelling and associated 90,000L rain water tank.</p> <p>The proposed dwelling and water tank comply with the provisions of the LPS1 in regards to location forward of the dwelling. The proposal generates the requirement for planning approval given the location within SCA2.</p>
Permissible Use Class	'P' permitted subject to approval
Heritage/Aboriginal Sites	Nil
Encumbrance	Covenant – relates to Molloy Island Home Owner's Association obligations.
Date Received	10/10/2016



Policy Requirements	
Is the land or proposal referred to in any Council Policy?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes, state the	Local Planning Policy 1 – Outbuildings, Farm Buildings and Swimming Pools (LPP1)

Policy/Policies	State Planning Policy 3.7 – Planning in Bushfire Prone Areas		
Officer Comment	<p><u>LPP1</u> Acceptable Development</p> <ul style="list-style-type: none"> • Outbuildings located behind the front of an existing dwelling. <p>The water tank is proposed to be located in front of the dwelling. The location is for ease of access for fire purposes and filling the tank. This arrangement is very common on the island. The location of the water tank is 4.8m from the side boundary and 12m from the front, which complies with the 30% reduction allowed under the LPS1.</p> <p>The water tank will be non-reflective dark grey/green that will blend in with the natural surrounding environment. Several trees and grass trees are to be retained in front of property, along with vegetation in the road reserve to screen the site from the street.</p> <p><u>SPP 3.7</u> The policy came into effect on the 8th of December 2015 and is intended to implement effective risk-based land use planning and development to preserve life and reduce the impact of bushfire on property and infrastructure.</p> <p>The policy applies to the 4 tiers of the planning process i.e. higher order strategic planning documents, strategic planning proposals, subdivision proposals and development applications.</p> <p>Policy measure 6.7 is applicable to the subject site considering the BAL 40 rating of the site. The development is defined as 'minor development' in that the proposal is for a single house on an existing lot 1100m² or greater. The application accompanied a BAL assessment, which included fuel reduction measures, within the boundaries of the site, to ensure the BAL40 standard remain appropriate. In assessing the application against the provisions of policy measure 6.7.1 it is concluded that the proposed development is acceptable for the following reasons:</p> <ul style="list-style-type: none"> – No reduction of fuel levels outside the property boundaries is required to achieve BAL 40 rating. – The bushfire hazard level will not increase due the proposed development and will remain the same provided the land owner comply with the Shire's Annual Firebreak and Fuel Hazard Reduction Notice and maintain the fuel levels as per the recommendation of the BAL assessment report. – The BAL assessor has confirmed that the BAL rating will remain at 40 irrespective of where the dwelling is sited on the site. The Building has been sited to ensure any fuel reduction requirements are contained within the boundaries of the site. <p>Molly Island has dedicated firefighting equipment and a volunteer bushfire brigade. The BAL assessor has confirmed that the BAL rating of BAL40. The Building has been sited to ensure any fuel reduction requirements are contained within the boundaries of the site. Molly Island has dedicated firefighting equipment and a volunteer bushfire brigade.</p> <p>It is recommended as a condition of approval that the development be constructed to a BAL 40.</p>		
Structure Plans and Local Development Plans (DAP)			
Is the land in any Structure Plan Area or subject to a DAP? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Advertising/Agency Referrals			
Has the application been referred to adjoining landowners/agency?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> N/A
Has a submission been received by Council?		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> N/A
Have agency or authority comments been received?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> N/A
Name	Nature of Submission	Officer Comment	
Molloy Home Owners Association	<ul style="list-style-type: none"> • Concerns with the clearing, no regard to natural qualities of site. 	<p>A bush fire attack level assessment and document in support of minor development from a fire assessor consultant has been submitted in support of the proposal. The site is located in an extreme bushfire hazard risk zone. The proposed dwelling is average in size (235sqm), with the addition of a further 160m² for decks, garage, courtyard and workshop. The development consists of approximately 31% development of the site area. The site has a vegetated narrow frontage, which will be softened by the existing vegetation.</p>	

	<ul style="list-style-type: none"> Water tank dominate the site. Concerns with the variations to the setbacks, even though within the 30% as there is not considered to be sufficient justification. Not compatible with development on Molloy Island. No information with regard to the external cladding and colour. 	<p>Noted.</p> <p>The proposal complies with 30% setback variation permitted under the LPS1. The development has been designed to maximise outlook and solar passive to the north and for views over the river.</p> <p>Noted. The design is considered appropriate. Development with water tanks and shed forward of the dwellings exists elsewhere on the island.</p> <p>The applicants advised MIHOA that the colours are to be natural green, greys and blues, and no whites or bright colours are to be used. An appropriate condition is recommended.</p>	
Has the application been referred to internal departments?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> N/A
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 checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
Design Element	Policy / R Codes Req	Provided	Officer comment
Front Setback	15m (can be reduced by 30% - LPS1 = 10.5m)	12m for water tank and 20m for dwelling.	Complies with the 30% variation under LPS1
Sides Setback	East: 5m (can be reduced by 30% - LPS1 = 3.5m) West: 5m (can be reduced by 30% - LPS1 = 3.5m)	4.4m 3.5m	Complies with the 30% variation under LPS1 Complies with the 30% variation under LPS1
Rear Setback	6m	9.1m	Complies
Driveway Width	3-6m	3m	Complies
Open Space Requirement	50%	>50%	Complies
Upgrade Landscaping	<input type="checkbox"/> Required	<input checked="" type="checkbox"/> Not Required	
Overlooking	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Street surveillance	<input checked="" type="checkbox"/> Yes Study window	<input type="checkbox"/> No	
Street Walls and Fences	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Overshadowing	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Energy efficiency/solar access	N/A		
Other Variations	<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	
Special Control Area 3 – Molloy Island (SPA 3)	Objective is to protect the existing natural qualities and amenity of Molloy Island. Applications are required to be referred to MIHOA. The local government is to have due regard to, but not be bound by, any recommendations of the MIHOA.		
Car Parking			
LPS1 / R Codes Requirement	Car Bays Required - 2	Car Bays Proposed -2+	
Dimensions	2.5 x 5.5m	<input checked="" type="checkbox"/> Complies <input type="checkbox"/> Doesn't Comply	
Turning Bay/Circles and vehicle manoeuvring	<input checked="" type="checkbox"/> Complies <input type="checkbox"/> Doesn't Comply		
Disabled Bays	Disabled Bays – N/A		

Building Height	
Scheme / Policy Requirement	Wall - 7m Roof - 8m
State the proposed building height	Wall – 3.6m Roof – 3.6m
	<input checked="" type="checkbox"/> Complies <input type="checkbox"/> Doesn't Comply
Clause 67	
A. 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	Yes.
B. In the opinion of the officer:	
i. Are utility services available and adequate for the development?	Yes.
ii. Has adequate provision been made for the landscaping and protection for any trees or other vegetation on the land?	Yes.
iii. Has adequate provision been made for access for the development or facilities by disabled persons?	N/A
iv. Is development likely to cause detriment to the existing and likely future amenity of the neighbourhood?	No.
v. Is the development likely to comply with AS3959 at the building permit stage?	Yes a BAL 40 standard of development is required.
Other Comments	
Any further comments in relation to the application?	
Officer Comment	The water tank is proposed in front of the dwelling which is a variation to the Outbuildings Policy. Water tanks and outbuildings in front of a dwelling, and are visible from the street are typical development found on the island. The water tank is appropriately setback behind the front setback line. Conditional approval is recommended.

OFFICER RECOMMENDATION

That the Statutory Planning Coordinator GRANTS Planning Consent under Delegated Authority Instrument No. 15 pursuant to Clause 68(2) of the Deemed Provisions of Local Planning Scheme No. 1 for Dwelling at 26 (Lot 334) Flora Grove, Molloy Island 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 – P4 received by the Shire on the 10 October 2016
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- 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. (P)
- The walls and roof of the building(s) and structures (including water tank) shall be clad in a non-reflective material and painted in a colour of natural or earth toning consistent with the existing landscape and existing development. To this end, reflective materials (including but not limited to 'silver' sheeting) or reflective colours as cladding/external painting (including but not limited to white, cream, off white or pale grey) are prohibited. (P)
- All stormwater and drainage run-off from the development shall be contained within the lot boundaries or disposed offsite by an approved connection to the Shire's drainage system.
- The Dwelling shall be constructed in accordance with the BAL 40 rating under *Australian Standard 3959 - Construction of Buildings in Bushfire Prone Areas*.
- A minimum 90,000 litre rain water tank or alternative potable water supply for domestic use, shall be provided prior to occupation of the dwelling and thereafter maintained to the satisfaction of the Shire.

ADVICE NOTES

- You are advised of the need to comply with the requirements of the following other legislation:
 - 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*;
 - Health Act 1911* and Department requirements in respect to the development and use of the premises; and
 - The *Bush Fires Act 1954* as amended, Section 33(3), Annual Bush Fires Notice applies to this property.



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

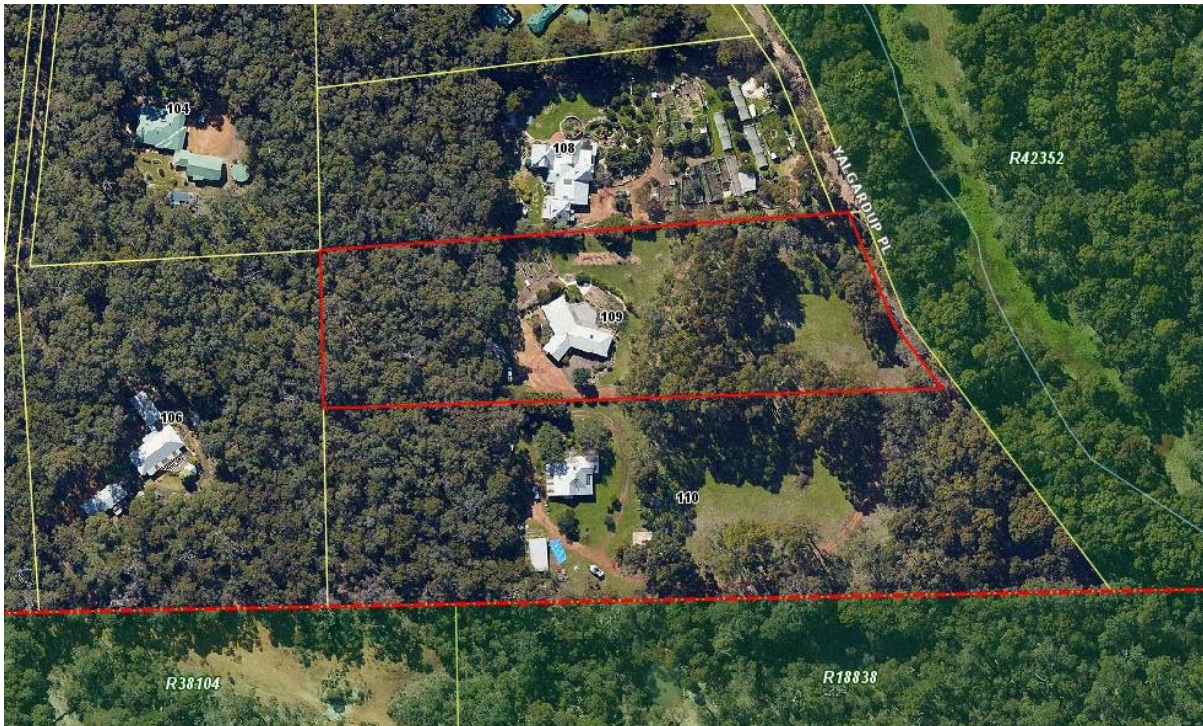
Proposed Dwelling Additions & Bed & Breakfast at 12 (Lot 109) Yalgardup Place Margaret River

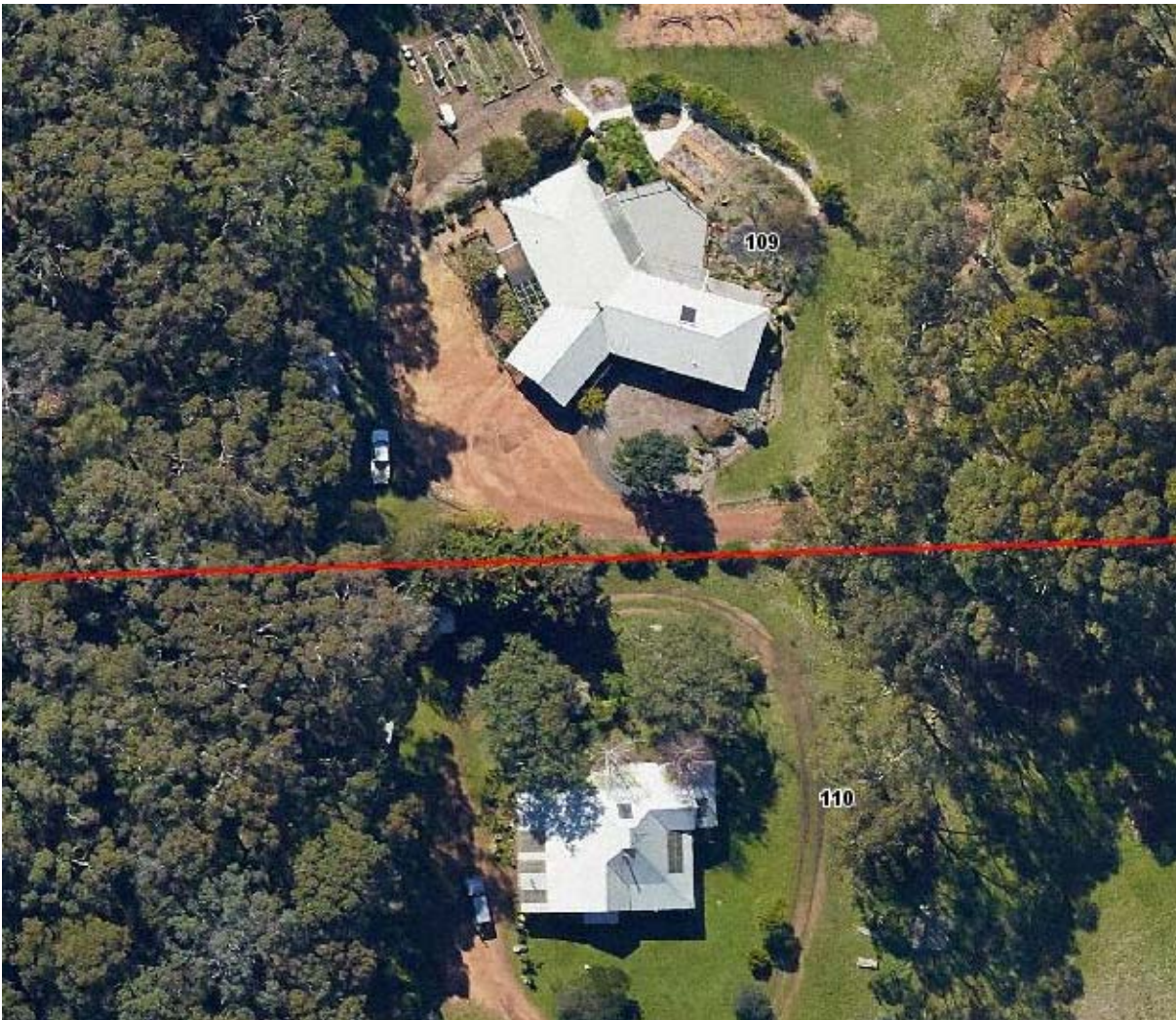
Major (Level 2)

P216510; PTY/5074

REPORTING OFFICER : **Angela Satre**
DISCLOSURE OF INTEREST : **Nil**

General Information	
Lot Area	1.3h
Zone	Rural Residential (RR18)
Proposed Development	Single storey two bedroom, one bathroom, games room & gazebo addition to the existing dwelling.
Permissible Use Class	'A' advertising required
Heritage/Aboriginal Sites	n/a
Encumbrance	Nil
Date Received	22/09/2016
DAU Report	18/11/16





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 (DAP)		
Is the land in any Structure Plan Area or subject to a DAP? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Advertising/Agency Referrals		
Has the application been referred to adjoining landowners/agency?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Has a submission been received by Council?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A No. received: <u>1</u>
Have agency or authority comments been received?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
Name	Nature of Submission	Officer Comment
Nearby land owner	<ol style="list-style-type: none"> Potential noise disturbance and loss of privacy to the southern adjoining dwelling from guests using the access way to the property & due to the location of parking areas. The adjoining ring lock fence will not adequately screen or provide separation between the properties. The existing vegetation along the southern boundary will not be suitable screening (to noise and visual impacts) from the proposed use and adjoining premises on the southern boundary. There is concern that the outdoor living areas of the southern dwelling will be in view of the guest arrival area 	<p>The access way and parking areas are existing. The level of development on the site is consistent with the normal residential use of a premises. The use of the proposed parking bays is consistent with the normal residential use of the site and is considered acceptable.</p> <p>The dwellings have a separation distance of 35m. The B & B addition would be setback 45m from the adjoining dwelling. This setback area is screened by existing vegetation. The setback area and location of screening is considered to be sufficient to mitigate impacts from noise, vehicle use on the access way and from the location of parking areas.</p> <p>The request for a separate fence is noted, however development outside the envelope</p>

	<p>and accommodation.</p> <p>5. A solid wall is requested to replace the ring lock fence, to prevent view into the adjoining property.</p> <p>6. Signage directing guests to the B&B is also requested.</p>	<p>is not within the intent and provisions of LPS1. Furthermore boundary fencing is not considered necessary given the existing vegetation screening along the boundary.</p> <p>The proponent has agreed to additional signage.</p> <p>While the concerns are noted the issues are adequately addressed in the proposal subject to additional landscape screening along the southern boundary.</p>
Has the application been referred to internal departments?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
Environmental Health: <ul style="list-style-type: none"> As the proponents are providing food to the guests, they will need to register as a Food Business Low Risk. Given that the proponents will not be cooking for the guests, no additional kitchen requirements will be required under the Food Act 2008. 	Environmental Health issues can be dealt with separately.	
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 13)		
Are the development Standards applicable?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Officer Comment	All development is contained within the building envelope.	
Car Parking		
LPS1 / R Codes Requirement	Car Bays Required - <3>	Car Bays Proposed -<3>
Dimensions	2.5 x 5.5m	<input checked="" type="checkbox"/> Complies <input type="checkbox"/> Doesn't Comply
Turning Bay/Circles and vehicle manoeuvring	<input checked="" type="checkbox"/> Complies <input type="checkbox"/> Doesn't Comply	
Building Height		
Scheme / Policy Requirement	Wall - 7 m	Roof - 8m
State the proposed building height	Wall – 2.7m	<input checked="" type="checkbox"/> Complies <input type="checkbox"/> Doesn't Comply
	Roof – 3.5m	
Clause 67		
C. 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	Yes – the intensity of the land use is consistent with the normal residential use of a dwelling. The land use is required to be managed by the land owner occupying the premises while the short stay use is in operation.	
D. In the opinion of the officer:		
vi. Are utility services available and adequate for the development?	Yes	
vii. Has adequate provision been made for the landscaping and protection for any trees or other vegetation on the land?	Yes – Landscaping is required to be supplemented by a condition of any approval granted. The site exists in visual management zone 'A' and non-reflective materials are recommended to be required.	
viii. Has adequate provision been made for access for the development or facilities by disabled persons?	n/a	
ix. Is development likely to cause detriment to the existing and likely future amenity of the neighbourhood?	No	
x. Is the development likely to comply with AS3959 at the building permit stage?	Yes – BAL 19 applies to the development.	
Other Comments		
Any further comments in relation to the application?		
Officer Comment	The proposal generated objections and concerns from an affected land owner. The proponent has provided additional supporting information to address the concerns in relation to their willingness to increase the landscaping on site and for the provisions of appropriate signage. The issues are considered to be adequately addressed and conditional approval is recommended.	

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 Dwelling Additions & Bed & Breakfast at 12 (Lot 109) Yalgardup Place Margaret River 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 – P3 received at the Shire offices on 22 September 2016.
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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. (P)
3. The Bed and Breakfast use must commence within two years from the date of this approval, or, approval for the use will lapse. The Bed and Breakfast is approved to operate for a period of **twelve (12) months** from the date of commencement of the use (refer to advice note a). The proponent shall notify the Shire in writing upon commencement of the Bed and Breakfast use.
4. The additions, the subject of this approval, shall not be 'self-contained' and at all times the dwelling shall meet the definition of one 'single dwelling' to the satisfaction of the Shire.
5. The dwelling, in which the Bed and Breakfast use is approved, shall be occupied as a residence by the operator of the Bed and Breakfast at all times the Bed and Breakfast use is in operation. (P)
6. The Bed & Breakfast use pursuant to this approval allows for rooms to be set aside for short stay accommodation only. Short stay means tourist accommodation set aside either continuously or from time to time for temporarily living purposes but which are not occupied by the same person or group of persons for a period in excess of three (3) months in any one 12-month period. (P)
7. A maximum of two (2) bedrooms shall be used for accommodation purposes and the total number of guests shall not exceed **four (4) persons or one family** at any one time. (P)
8. An Emergency Response Plan and Fire Management Plan (i.e. fire escape route maps and other details as required) shall be prepared and submitted to the Shire prior to commencement of the use. The Emergency Response Plan shall be displayed in a conspicuous location within the dwelling. (P)
9. All stormwater and drainage run-off from the development shall be contained within the lot boundaries or disposed offsite by an approved connection to the Shire's drainage system in accordance with the Shire of Augusta Margaret River Standards & Specifications. (I)
10. Landscaping with additional trees, shrubs and ground covers shall be installed along the southern boundary prior to occupation of the development to screen the development to the south (fire retardant species are to be used).
11. The walls and roof of the building(s) and all structures shall be clad in a non-reflective material and painted in a colour of natural or earth toning consistent with the existing landscape and existing development. To this end, reflective materials (including but not limited to 'silver' sheeting) or reflective colours as cladding/external painting (including but not limited to white, cream, off white or pale grey) are prohibited.

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) 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 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.
- c) Should food be provided for lodgers, notification shall be made in the approved form to the Shire in accordance with the *Food Act 2008* and subsequent compliance shall be achieved in relation to chapter 3 of the Food Safety Standards within the Food Standards Code.