

DEVELOPMENT ASSESSMENT UNIT
Minutes of the Development Assessment Unit
Shire of Augusta Margaret River
On 23 October 2018

ATTENDANCE

Chris Wenman, Chris McAtee, Leigh Medlen, Angela Satre, Hilary Metcalfe

PLANNING APPLICATIONS RECEIVED

Date Rec'd	Assess No.	Address	Proposal	DA No.
15/10/2018	A5957	1078 (Lot 1907) Rosa Brook Road, Rosa Brook	Reception Centre	P218633
15/10/2018	A11023	40 (Lot 313) Conto Road, Boranup	Telecommunications Infrastructure (Phone Tower)	P218634
15/10/2018	A2306	40 (Lot 12) O'Halloran Place, Augusta	Dwelling Addition (Outbuilding)	P218635
15/10/2018	A10516 A2657	436 (Lot 11) Rosa Glen Road, Rosa Glen	Animal Husbandry (Poultry Farm), Rural Stall and Freestanding Sign	P218636
15/10/2018	A9157	901 (Lot 2245) Jindong Treeton Road, Treeton	Farm Building Ancillary to Agriculture Extensive	P218637
15/10/2018	A4461	Reserve 29668 (Lot 380) Hillview Road, Augusta	Community Purpose (RFDS Patient Transfer Station Building)	P218638
16/10/2018	A9584	29 (Lot 344) Honeysuckle Glen, Cowaramup	Bed and Breakfast (Renewal)	P218644
16/10/2018	A2373	Lot 4419 Scadden Road, Courtenay	Extractive Industry	P218645
16/10/2018	A11592	53C (Lot 434) Ironstone Place, Margaret River	Holiday House	P218647
16/10/2018	A3901	106 (Lot 1) Darch Road, Margaret River	Camping Ground	P218648
16/10/2018	A538	330-366 (Lot 1) Kudardup Road, Kudardup	Subdivision	P218650
18/10/2018	A7978	35 (Lot 136) Grunters Way, Gnarabup	Home Office	P218663
17/10/2018	A11127	19 (Lot 483) Stewart Street, Margaret River	Local Development Plan	P218664
18/10/2018	A7978	35 (Lot 136) Grunters Way, Gnarabup	Section 40 (Wholesale Wine Sales)	P218665
19/10/2018	A2329	24 (Lot 119) Willmott Avenue, Margaret River	Holiday House Renewal	P218666

BUILDING LICENCE APPLICATIONS RECEIVED

Date Rec'd	Assess No.	Address	Proposal	BLDG No.
15/10/2018	A3302	Lot 7 Memorial Drive, Cowaramup	Patio and Deck	218480
15/10/2018	A11875	Lot 88 Leeuwin Road, Augusta	Single Dwelling	218481
15/10/2018	A11860	Lot 26 Knox Place, Witchcliffe	Single Dwelling with attached Garage and Water Tank	218482
16/10/2018	A2648	Lot 27 Pinot Way, Margaret River	Unauthorised Works - Carport attached to park home	218483
16/10/2018	A2648	Lot 7 Pinot Way, Margaret River	Unauthorised Works - Carport and Alfresco attached to existing Park home	218484
16/10/2018	A2648	Lot 29 Pinot Way, Margaret River	Unauthorised Works - Carport and Alfresco attached to existing Park home	218485
16/10/2018	A2648	Lot 38 Pinot Way, Margaret River	Unauthorised Works - Carport and Alfresco attached to existing Park home	218486
16/10/2018	A2648	Lot 42 Pinot Way, Margaret River	Unauthorised Works - Carport attached to existing Park home	218487
16/10/2018	A514	Lot 50 Hawkesford Place, Margaret River	Unauthorised Works - Carport and Alfresco to existing Park home	218488
16/10/2018	A2461	Lot 31 Bussell Highway, Margaret River	Internal Renovations	218489
17/10/2018	A6350	Lot 42 The Boulevard, Margaret River	Deck, Patio, Swimming Pool, Ancillary and Laundry Addition	218490
18/10/2018	A988	Lot 21 Turner Street, Augusta	Minor internal renovations	218491
18/10/2018	A8681	Lot 30 Southerly Place, Augusta	Renovations and additions	218492
18/10/2018	A12327	Lot 121 Mentelle Road, Margaret River	Single Dwelling, Carport and Shed	218493
19/10/2018	A12045	Lot 642 Curtis Street, Cowaramup	Renovations and Additions	218494
19/10/2018	A5161	1/14 Albany Terrace, Augusta	Two storey single dwelling	218495
19/10/2018	A12398	Lot 234 Lumber Crescent, Karridale	Single Dwelling	218496

16/10/2018	A4396	Lot 258 (Reserve 20232) Osnaburg Street, Augusta	Memorial	218497
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SUBDIVISIONS DETERMINED

Date Rec'd	Officer	DA No.	Address	Description of Matter	Recommendation
12/09/2018	Leigh Medlen	P218576	42 (Lot 22) Ashton Street, Margaret River	Subdivision	Supported

LEVEL 1 APPLICATIONS determined under delegation

Date Rec'd	Officer	Address	Proposal	Outcome	DA No.
23/12/2016	Matt Cuthbert	Lots 1 1-15, 431-433, 18-20 & 22 Ashton Street Margaret River	Structure Plan	Approved	P217003
14/03/2018	Matt Cuthbert	Lot 483 Stewart Street Margaret River	Local Development Plan	Cancelled	P218154
22/05/2018	Clare Hamilton	43B (Strata Lot 2 of Lot 101) Town View Terrace Margaret River	Sign Permit (Freestanding Sign)	Cancelled	P218296
22/05/2018	Clare Hamilton	43B (Strata Lot 2 of Lot 101) Town View Terrace Margaret River	Freestanding Sign	Approved	P218297
02/05/2018	Lucy Gouws	69 (Lot 193) Marmaduke Point Drive Gnarabup	Dwelling	Approved	P218299
25/07/2018	Clare Hamilton	25 (Lot 21) Eldridge Avenue Witchcliffe	Dwelling Addition (Outbuilding)	Approved	P218447
19/09/2018	Robyn Fergusson	9 (Lot 232) Bandicoot Close Gnarabup	Holiday House (Renewal)	Approved	P218589
20/09/2018	Clare Hamilton	413 (Lot 12) Burnside Road Burnside	Section 40	Cancelled	P218591

LEVEL 2 APPLICATIONS for determination

Date Rec'd	Officer	Address	Proposal	Outcome of DAU Meeting	DA No.
29/08/2018	Leigh Medlen	16 (Lot 529) Riverslea Drive, Margaret River	Holiday House (Large)	Conditional Approval	P218529

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 (Large) at No. 16 (Lot 529) Riverslea Drive, Margaret River

Major (Level 2)

P218529; PTY/7926

REPORTING OFFICER : Leigh Medlen
DISCLOSURE OF INTEREST : Nil

General Information	
Lot Area	1059m ²
Zone	Residential 'R15'
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 in an existing 4 bedroom dwelling proposed to accommodate up to a maximum of eight (8) guests.
Permissible Use Class	'A' – discretionary use
Advertising Required	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Note: Advertising is compulsory In the case of an "A" use.
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	29/08/2018
Date of Report	18/10/18





Has the application been advertised to adjoining landowners?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Have there been any objections?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No One objection has been received from two owners of an adjoining property.	
Have there been any substantial changes to the LPS1 or Policy?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A The application was lodged prior to the adoption of <i>Local Planning Policy 7 – Short Stay Accommodation</i> (12 September 2018). The Application is therefore assessed under the former policy <i>Local Planning Policy 7 – Holiday Houses</i> (LPP7).	
Comments Received		
Nature of Comments	Officer Comment	
<p>Objection This proposal will result in 4 out of 5 dwellings being used for short stay businesses on this corner.</p> <p>This is a residential area and the amount of vehicles related to these businesses is a liability to road users, pedestrians and residents.</p>	<p>Planning approval for two short stay uses has been granted on Riverslea Drive in the vicinity of the subject site. Notwithstanding, each application is assessed on its own merits and against the provisions of Local Planning Scheme No. 1 and LPP7. The proposal is consistent with the acceptable development criteria of the policy and is assessed accordingly.</p> <p>Holiday Houses are not expected to result in an increase in traffic beyond that generated from the usual residential use of a premises. The site has four available car parking spaces which is adequate to wholly contain the car parking within the site. The applicant has detailed within the House Rules the areas where car parking is required within the property and that parking on the verge is not acceptable. These measures are considered adequate to address the concern raised.</p>	
Policy Requirements		
Policy Element	Provision	Comment
Location	Does not adjoin, front or is within an area of "significant tourist attraction but exceeds 1000m ² in area.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Occupancy	Does the proposed number of guests eight (8) comply with the acceptable development criteria?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No Outdoor living areas are located to the north of the dwelling and are screened to neighbouring dwellings.
Design	Is the dwelling of <u>sufficient size</u> to cater for intended number of guests?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Is the dwelling <u>sufficiently serviced</u> to cater for intended number of guests?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No The site is connected to reticulated sewerage.
	Sufficient potable water supply?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No The site is connected to Scheme Water, Sewerage and Power.
	Sealed Crossover	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Management	Emergency Response Plan and Fire Management Plan submitted?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	The site has a Bushfire Management Plan (BMP) prepared by an accredited consultant in accordance with Statement of Planning Policy 3.7 – Planning in Bushfire Prone Areas (SPP3.7) which includes: <ul style="list-style-type: none"> • A BAL rating of BAL29 has been submitted which demonstrates the property has a ‘moderate’ risk from bushfire. • The BMP has been assessed against the ‘Acceptable Solutions’ detailed in Appendix Four of the Guidelines of Planning in Bushfire Prone Areas; and • An emergency evacuation plan prepared in accordance with Section 5.5.2 of the Guideline for Planning in Bushfire Prone Areas. 	
	Management Plan submitted?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No The management plan addresses local management, noise, parking and use of outdoor areas.
	No amplified music between 10pm & 10am	Require as a condition
	Display the manager’s 24hr contact details	Require as a condition
Period of Approval	<input checked="" type="checkbox"/> 12 months <input type="checkbox"/> 3 years	
Conclusion	While the proposal generated submissions during the public advertising period, the concerns raised have been adequately addressed such that conditional approval for the application for 12 months is recommended.	

OFFICER RECOMMENDATION

That the Acting 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 (Large) at No. 16 (Lot 529) Riverslea Drive, 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 to P2 received at the Shire’s Offices on 29 August 2018.
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2. The Holiday House use is limited to a period of **12 months** from the date of this approval. (Refer to advice note a)

3. 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)
4. 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.
5. All vehicles & boats connected with the premises shall be parked within the boundaries of the property.
6. The short stay use of the dwelling shall not be occupied by more than **eight (8) people** at any one time.
7. The approved Bushfire Emergency Evacuation Plan shall be displayed in a conspicuous location within the development at all times.
8. Amplified music may only be played outside of the holiday house between the hours of 10am and 10pm.
9. '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)

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) 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.
- 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).