

DEVELOPMENT ASSESSMENT UNIT
Minutes of the Development Assessment Unit
Shire of Augusta Margaret River
On 5 June 2018

ATTENDANCE

Jason Heine, Angela Satre, Chris McAtee, Matt Slocomb, Chris Wenman

PLANNING APPLICATIONS RECEIVED

Date Rec'd	Assess No.	Address	Proposal	DA No.
29/05/2018	A1800	Lot 2902 Jindong-Treeton Road, Rosa Brook	Farm Building	P218314
29/05/2018	A3899	31-79 (Lot 400) Wallcliffe Road, Margaret River	Local Law Permit - Margaret River Skate School (by Expression of Interest) Margaret River Skate Park	P218315
29/05/2018	A3899	Margaret River Skate Park 31-79 (Lot 400) Wallcliffe Road, Margaret River	Local Law Permit - Skate Hub (by Expression of Interest)	P218316
30/05/2018	A3943	1773 (Lot 2748) Brockman Highway, Nillup	Farm Building	P218317
30/05/2018	A4574	116 (lot 15) Mallee Fowl Way, Margaret River	Outbuilding Addition to Existing Dwelling	P218318
31/05/2018	A4833	4 (Lot 480) Wishart Road, Augusta	Dwelling	P218319

BUILDING LICENCE APPLICATIONS RECEIVED

Date Rec'd	Assess No.	Address	Proposal	BLDG No.
28/05/2018	A12526	Lot 39 Lambertia Terrace, Margaret River	Single Dwelling with attached Garage	218249
28/05/2018	A11824	Lot 2 Higgins Street, Margaret River	Single Dwelling	218250
29/05/2018	A12304	Lot 74 Greenwood Avenue, Margaret River	Single Dwelling with attached Garage	218251
31/05/2018	A4833	Lot 480 Wishart Road, Augusta	Bedroom and Ensuite Addition	218252
29/05/2018	A3907	Res 20761 Allnut Terrace, Augusta	Removal of ACM and minor additions, including access stairs	218253
31/05/2018	A1782	Lot 104 Vattos Way, Prevelly	Dwelling Additions with Guesthouse	218254
01/06/2018	A12231	Lot 1 Greenwood Avenue, Margaret River	Single Dwelling with attached Garage	218255
01/06/2018	A12231	Lot 1 Greenwood Avenue, Margaret River	Earthworks Only	218256
01/06/2018	A9117	Lot 332 Dibbler Street, Margaret River	Unauthorised Works - Carport and Patio	218258
01/06/2018	A5414	Lot 39 Freycinet Way, Gnarabup	Ancillary Accommodation and retaining	218259

SUBDIVISIONS DETERMINED

Date Rec'd	Officer	DA No.	Address	Description of Matter	Recommendation
20/12/2016	Angela Satre	P216759	Lot 8 Trinder Drive, Margaret River	Subdivision	Refusal

LEVEL 1 APPLICATIONS determined under delegation

Date Rec'd	Officer	Address	Proposal	Outcome	DA No.
20/02/2017	Angela Satre	577 (Lot 6) Tea Tree Link Margaret River	Bed & Breakfast	No Longer Operating	P217130
19/04/2017	Angela Satre	6 (Lot 367) Davies Road Augusta	Alterations & Additions to Existing Dwelling	Approved	P217265
12/03/2018	Lucy Gouws	9 (Lot 303) Mitchell Drive Prevelly	Dwelling Additions	Approved	P218145
22/03/2018	Lisa Bell	Lot 213 McDermott Parade Witchcliffe	Outbuilding Ancillary to Dwelling	Approved	P218165
09/04/2018	Clare Hamilton	14 (Lot 80) Zinfandel Street Margaret River	Dwelling Additions and Alterations	Cancelled	P218203

LEVEL 2 APPLICATIONS for determination

Date Rec'd	Officer	Address	Proposal	Outcome of DAU Meeting	DA No.
04/04/2018	Matt Slocomb	360 (Lot 153) Wilson Road, Kudardup	Rural Workers Accommodation	Called in by Council	P218194

23/03/2018	Lucy Gouws	22 (Lot 33) Cross Street, Augusta	Holiday House	Conditional Approval	P217711
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LOCAL LAW PERMITS

Nil

OTHER APPLICATIONS determined under delegation

Nil

COMPLIANCE

Nil

ELECTED MEMBERS ATTENTION

Nil

CLOSURE OF MEETING



DEVELOPMENT APPLICATION ASSESSMENT (DAU)
Report to Manager Planning and Development Services
Proposed Holiday House at 22 (Lot 33) Cross Street Augusta

Major (Level 2)

P217711; PTY/1891

REPORTING OFFICER : Lucy Gouws
DISCLOSURE OF INTEREST : Nil

General Information	
Lot Area	910m ²
Zone	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 was sought to use the existing 4 bedroom dwelling as a Holiday House (Large) for a maximum of 8 guests. During the course of the application, proposed guest numbers were reduced from 8 to 6 due to the limitations of the waste water system on site.
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	N/A
Date Received	15/11/2017
Date of Report	23/03/18



Planning History	N/A	
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 3 x Objections 2 x Support	
Comments Received		
Nature of Submission	Comments Received	Officer Comment
Object	Concerns have been raised with the potential for noise and lack of privacy. Areas of concern are from the use of the patio and driveway which are located close to the boundary.	The proponent has provided a detailed management statement that includes the House Rules in which all guests who occupy the Holiday House are required to comply. The House Rules addressed matters such as noise: <ul style="list-style-type: none"> Offensive noise is prohibited and may result in termination of permission to

		<p><i>occupy the property, eviction, loss of rental paid and extra charges for security and other expenses.</i></p> <p>In response to the concerns raised by the neighbour, additional conditions have been added to the House Rules that address guest's use of the driveway and patio at the rear of the dwelling.</p> <p>Failure to adhere to these rules will result in eviction of the dwelling.</p>
Object	Concerns with allowing a commercial rental within a residential areas occupied by older occupiers. 8 guests could impact neighbours through noise, traffic and parties.	<p>The provisions of the LPS1 determine what land uses can be considered within the residential zone. A Holiday House is an 'A' use which is discretionary land use. The LPS1 states that:</p> <p>Holiday Houses are '<i>considered appropriate within the coastal communities... where in close proximity to major tourist attractions</i>'.</p> <p>The responsibility of the proponent is to ensure that the Holiday House is managed to ensure it does not impact the amenity of the area. Details of the manager has been provided, and they reside less than 1 hour from the property. House Rules have also been provided. Guests are required to adhere to these rules during their stay, otherwise it can result in the termination of their stay.</p>
Object	Lack of residential properties in Augusta. Concern are raised with noise given its location is a quiet residential area.	<p>Refer to the response above.</p> <p>The concerns raised during the notification period are noted, however they have been addressed and do not warrant refusal of the application.</p>
Support	No comments made.	Noted.
Support	No objection are raised to this proposal.	Noted.
Policy Element	Provision	Comment
1. Location	Coastal settlement; or	<input checked="" type="checkbox"/> Augusta
	None of the Above	<input type="checkbox"/>
2. Occupancy	Does the proposed number of guests 6 comply with the acceptable development criteria?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Have there been any complaints since previous approval?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
4. Design	Complies with the objectives and provisions of the zone?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Is the dwelling of sufficient size 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 Approval for the on Site waste water system was issued 1 June 2018. The Environmental Health Officers have advised that the waste water system is only suitable for an occupancy of 6 guests. In response, the application is limited to 6 guests.
	Sufficient potable water supply?	<input checked="" type="checkbox"/> Yes Connected to town water
5. Management	Sealed Crossover	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Emergency Response Plan and Fire Management Plan submitted?	<input checked="" type="checkbox"/> Yes an Emergency Response Plan has been provided. A BMP is not required at the Site of the proposal is considered as 'Minor development' under SPP3.7 on a lot that is less than 1100m ² .
	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	
Any discretionary considerations under LPP7's performance criteria.	Planning approval is recommended for 12 months.	

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 at 22 (Lot 33) Cross Street, Augusta 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 to P2 received at the Shire on the 15 November 2017
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- The Holiday House use is limited to a period of **twelve (12) months** from the date of this approval. (Refer to advice note a.)
- The Emergency Response Plan shall be displayed in a conspicuous location within the dwelling at all times.
- 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.)
- 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)
- All vehicles & boats connected with the premises shall be parked within the boundaries of the property.
- The short stay use of the dwelling shall not be occupied by more than **six (6) people** at any one time.
- Amplified music shall not be played outside of the Holiday House between the hours of 10pm and 10am.
- '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

- 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.
- 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.
- 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.
- This approval does not affect the entitlement to use the dwelling for permanent residential purposes.
- You are advised of the need to comply with the requirements of the following other legislation:
 - Health (Miscellaneous Provisions) Act 1911* and Department requirements in respect to the development and use of the premises;
 - 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.
- The 'House Rules' document shall be consistent with key elements of the NSW Code for Holiday Houses (please refer to the attached document).