

DEVELOPMENT ASSESSMENT REPORT
Shire of Augusta Margaret River
22 December 2022 to 4 January 2023

APPLICATIONS RECEIVED

Date Rec'd	Reference No.	Address	Proposal
PLANNING			
22/12/2022	P222890	15 (Lot 77) Georgette Road, Gracetown	Holiday House Renewal
22/12/2022	P222891	37A (Strata Lot 1 of Lot 19) Le Souef Street, Margaret River	Holiday House (Large)
23/12/2022	P222892	73 (Lot 195) Marmaduke Point Drive, Gnarabup	Holiday House Renewal
04/01/2023	P223001	62 (Lot 200) Marmaduke Point Drive, Gnarabup	Holiday House (Large) Renewal
04/01/2023	P223002	81 (Lot 124) Duggan Drive, Cowaramup	Bed and Breakfast Renewal
04/01/2023	P223003	17 (Lot 48) Osborne Street, Gracetown	Holiday House Renewal
BUILDING			
04/01/2023	223000	13 (Lot 42) The Boulevard, Margaret River	Minor Roof Cladding, Repairs to Dwelling, Replacement shed structure off existing concrete pad
04/01/2023	223001	11 (Lot 13) Wooditch Road, Margaret River	Pool Storage Shed
03/01/2023	223002	53 (Lot 69) Mitchell Drive, Prevelly	Storage Shed
04/01/2023	223003	561 (Lot 11) Osmington Road, Bramley	Steel framed roof structure over loading dock
Exploration Licenses for Comment			
Nil			

APPLICATIONS DETERMINED UNDER DELEGATION

Date Rec'd	Reference No.	Address	Proposal	Outcome
PLANNING				
31/10/2022	P222745	35 (Lot 2) Marmaduke Point Gnarabup	Holiday House Renewal	Approved
SUBDIVISIONS				
Nil				
LOCAL LAW PERMITS				
Nil				

LEVEL 3 PLANNING APPLICATIONS FOR DETERMINATION

Date Rec'd	Reference No.	Address	Proposal	Recommendation
PLANNING				
04/08/2022	P222516	3 (Lot 217) Turner Street Augusta	Single House (Dwelling)	Approve subject to conditions

DEVELOPMENT ASSESSMENT REPORTING PROCEDURE

Assessment of Development Applications (DAs)

For the purposes of this procedure there are three types of development applications:

Level 1

DA not advertised

Level 2

DA is advertised; and

- No submissions; or
- Submission received but meets one of the following:
 - Not related to the reason the DA was advertised.
 - The development is modified to comply or to remove the element of concern to the submitter.
 - Submission is either of support, conditional support or is 'indifferent'; or is from a non-affected person.

Level 3

A submission in opposition is received from an 'affected' person or special interest group in relation to the reason the DA is advertised or the development application is recommended for refusal.

Note: This procedure applies to development applications only. It does not apply to structure plans, scheme amendments or other types of planning proposals.



DEVELOPMENT APPLICATION ASSESSMENT
Report to Manager Planning and Development Services

Proposed Single House
3 (Lot 217) Turner Street Augusta

Level 3

P222516; PTY/1315

REPORTING OFFICER : Don Bothwell
DISCLOSURE OF INTEREST : Nil

General Information	
Lot Area	1065m ²
Zone	Residential R15
Proposed Development	<p>The proposal involves the development of a Single House which proposes the following variation to the R-Codes:</p> <ul style="list-style-type: none">Proposed retaining/fill in the front setback area of 0.85m in-lieu of 0.5m. <p>The original proposal involved a building height variation and was advertised to the surrounding landowners. The plans which are the subject of this report have been amended to address the previously proposed building height variations.</p>
Permissible Use Class	Single Dwelling – 'P'
Heritage/Aboriginal Sites	None identified.
Encumbrance	Nil
Date Received	04/08/2022





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			
P25203 – Dwelling – Approved 1 July 2005			
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: 2 submissions of objection
Details of Submission		Officer Comment	
<u>Submission 1</u>			
<ul style="list-style-type: none"> - Overall height of 9m excessive. Especially taking into account the retaining of approximately 1m in height. - Far south-east corner of property has been raised almost 6m through use of retaining walls. - Architect should revisit plans to accommodate bylaws. Could set an undue precedent. 		<p>Noted. The applicant has submitted amended plans showing a compliant wall and overall building height.</p> <p>Noted. Existing retaining walls on-site have had a building permit approval. In relation to site works proposed, please refer to the design principal assessment below.</p> <p>Noted. Application has been amended to propose complaint building height. The reduction in the overall height has been achieved by the applicant by dropping the height of the originally proposed retaining, reducing the roof pitch to 25 degrees and reducing the overall gable overhang to 150mm.</p>	
<u>Submission 2</u>			
<ul style="list-style-type: none"> - Object to building height – wall and overall proposed would greatly impact on views, de-value our property and result in loss of privacy. - Object to site works – a previous owner undertook site works/retaining. Concerned original ground levels have not been taken into account. - Request that dwelling be constructed in a way which is fair for all parties and feel that this can be achieved without exceeding the R-Codes and LPS1. 		<p>Noted. The applicant has submitted amended plans showing a compliant wall and overall building height. The reduction in the overall height has been achieved by the applicant by dropping the height of the originally proposed retaining, reducing the roof pitch to 25 degrees and reducing the overall gable overhang to 150mm.</p> <p>Noted. Existing retaining walls on-site have had a building permit approval. In relation to site works, please refer to the design principal assessment below.</p> <p>Noted. The design has been amended to propose compliant building heights with a variation proposed to Clause C7.1 of the R-Codes in relation to the retaining wall associated with the proposed carport.</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 checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Design Element	Policy / R Codes	Provided	Officer comment

Front Setback	6m average	6m achieved to primary street (Turner Street)	Complies
Sides Setback			Complies
Rear Setback	6m	12m	Complies
Garage/Carport Setback	6m average	Carport proposed at 3m to primary street (Turner Street) 6m average achieved	Complies
Driveway Width	<p>Access to the site to be taken from primary street.</p> <p>Driveways are to be provided to the primary street, with no driveway wider than 6m at the street boundary and no greater in aggregate than 9m.</p>	<p>Access taken from Turner Street as the primary street.</p> <p>4m wide 'Access Track' at the property boundary.</p>	<p>The existing access is informal, consisting of a gravel crossover and driveway.</p> <p>Driveways are required to be paved under the R-Codes. In addition, a paved crossover to the street is required.</p> <p>A condition of development approval has been added to ensure a crossover is constructed to the satisfaction of the Shire.</p>
Garage Width			N/A – open style carport proposed.
Open Space Requirement	50%	>50%	
Upgrade Landscaping	<input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required Provision of tree with a 2.0m planting area required.		
Overlooking	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Street surveillance	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Street Walls and Fences	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Overshadowing	<input type="checkbox"/> Yes <input type="checkbox"/> No		
Other Variations	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Retaining wall of approximately 0.85 metres from natural ground level proposed in-lieu of 0.5m within front setback area to Turner Street.		
Officer's Comments against Design Principles	<p>The proposed variation to Clause C7.1 of the deemed-to-comply provisions of the R-Codes of 0.85m in-lieu of 0.5m is considered to satisfy the relevant design principles for the following reasons:</p> <ul style="list-style-type: none"> • The proposed retaining wall to the carport considers and responds to the natural features of the site requiring minimal site works. • The proposed retaining wall to the carport respects the natural ground level at the respective lot boundaries of the site and as viewed from the street. • The proposed retaining wall results in an area to the carport which can be effectively used for the benefit of residents and do not detrimentally affect adjoining properties. • The finished floor level and associated retaining of the proposed dwelling has been reduced from 97.25 to 96.70 with the finished floor level of carport and associated retaining reduced from 97.15 to 96.60. • The relevant deemed-to-comply provision of the R-Codes – Clause C7.1 sets out that retaining should be not more than 0.5m above or below the natural ground level within the street setback area except where necessary to provide for pedestrian, universal and/or vehicle access, drainage or natural light to a dwelling. In this case, the 0.85m retaining wall is proposed to facilitate appropriate levels to allow vehicular access to the carport on a site which has a significant fall in topography from west to east by approximately 4.55m. 		
Development Standards (Schedule 9)			
Are the development Standards applicable?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Car Parking			
LPS1 / R Codes Requirement	Car Bays Required - 2	Car Bays Proposed - 2	
Dimensions	2.5m 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	<input type="checkbox"/> Complies <input type="checkbox"/> Doesn't Comply	
Building Height			
Scheme / Policy Requirement	Wall – 7.0m	Roof – 8.0m	
State the proposed building height	Wall – 6.5m	<input checked="" type="checkbox"/> Complies <input type="checkbox"/> Doesn't Comply	
	Roof – 7.947m		

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	Yes.
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. Development will require a BAL assessment and demonstrate compliance with AS3959 at the building permit stage.
Other Comments	
Any further comments in relation to the application?	
Officer Comment	The proposal is consistent with the requirements of the Residential Design Codes and Local Planning Scheme No.1 and is recommended for conditional approval.

OFFICER RECOMMENDATION

That the Planning Coordinator GRANT Planning Consent under Delegated Authority Instrument No. 34 pursuant to Clause 68(2) of the Deemed Provisions of Local Planning Scheme No. 1 for the proposed Single House at 3 (Lot 217) Turner 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 – P5 received by the Shire on 13 December 2022
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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.
- All stormwater and drainage run-off from the development shall be detained within the lot boundaries, managed to pre-development flow regimes and/or disposed offsite by an approved connection to the Shire's drainage system in accordance with the Shire of Augusta Margaret River Standards & Specifications.
- The building shall not exceed 8 metres in height from natural ground level in accordance with the provisions of Local Planning Scheme No.1.
- A licenced surveyors report shall be submitted to the Shire within 30 days of completion of the building to confirm compliance with the maximum height limit.
- Prior to issuing of the building permit, a Landscape Plan shall be submitted to the satisfaction of the Shire demonstrating the following in accordance with the *Residential Design Codes* deemed to comply standards at clause 5.3.2:
 - a minimum of one tree within a tree planting area of at least 2m x 2m to be provided on the site; and
 - landscaping within the street setback area with no more than 50% of this area consisting of impervious surfaces.
- Vehicle crossovers shall be designed and constructed in accordance with the Shire's crossover standards and specifications, prior to occupation of the development.
- The vehicle parking and access ways shall be designed, constructed and drained to a minimum compacted gravel or similar material standard in accordance with the Shire's standards and specifications, prior to occupation of the development.

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 (Miscellaneous Provisions) 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.

