

**DEVELOPMENT ASSESSMENT REPORT**  
**Shire of Augusta Margaret River**  
**13 November 2025 to 19 November 2025**

**APPLICATIONS RECEIVED**

Date Rec'd	Reference No.	Address	Proposal
<b>PLANNING</b>			
13/11/2025	P225870	82 (Lot 103) Gnarawary Road, Margaret River	Section 40 (Vineyard)
13/11/2025	P225871	7 (Lot 310) 7 Noreuil Circuit, Cowaramup	Ancillary Dwelling
13/11/2025	P225872	72 (Lot 101) Town View Terrace, Margaret River	Retrospective Storage Additions to Office (Shipping Container)
13/11/2025	P225873	Reserves 41545, 27618 and 37456	Amendment to Planning Approval P223497 - Public Event (WSL Surf Pro)
13/11/2025	P225874	66 (Lot 87) Forrest Road, Margaret River	Outbuilding (Shed)
17/11/2025	P225880	53 (Lot 69) Mitchell Drive, Prevelly	Holiday House Renewal
17/11/2025	P225881	1A (Lot 2) Walkington Avenue, Margaret River	Holiday House Renewal
17/11/2025	P225882	1 (Lot 30) Osborne Street, Gracetown	Holiday House Renewal
17/11/2025	P225883	20 (Lot 62) Le Souef Street, Margaret River	Holiday House Renewal
18/11/2025	P225885	157 (Lot 266) Brookfield Avenue, Margaret River	Relocation of Street Tree
18/11/2025	P225886	4 (Lot 861) Chamberlain Place, Augusta	Holiday House (Large)
18/11/2025	P225890	119 (Lot 4) Glenellie Road, Margaret River	Retrospective Development (Farm Building) Outside Building Envelope
<b>BUILDING</b>			
13/11/2025	225786	21 (Lot 512) Powderbark Way, Witchcliffe	Shed
13/11/2025	225787	11 (Lot 401) Cockatoo Place, Karridale	Single Dwelling, Mezzanine, Verandah x 2 and Garage
13/11/2025	225788	32 (Lot 121) Dalton Way, Molloy Island	Carport
13/11/2025	225789	4 (Lot 562) Highland View, Margaret River	Change of Use - Shed to Ancillary Dwelling
14/11/2025	225790	29 (Lot 32) Uluwatu Approach, Margaret River	Single Dwelling, Garage and Alfresco
14/11/2025	225791	6 (Lot 82) Ripple Place, Cowaramup	Single Dwelling, Garage and Alfresco
14/11/2025	225792	10 (Lot 5) Offshore Crescent Margaret River	Carport
18/11/2025	225793	40 (Lot 634) Truffle Circuit Cowaramup	Single Dwelling
18/11/2025	225794	24 (Lot 861) Brindley Street, Augusta	Alteration Addition of Existing Workshop, Showrooms, Light Industrial Units and Storage Facility
18/11/2025	225795	15 (Lot 9) Wambenga Retreat, Witchcliffe	Single Dwelling, Ancillary Dwelling and Water Tank
18/11/2025	225796	4 (Lot 47) Coronation Street, Margaret River	Ancillary Dwelling
18/11/2025	225797	19 (Lot 7) Wambenga Retreat, Witchcliffe	Single Dwelling, Store and Water Tank
19/11/2025	225798	Unit 3, 24 (Lot 3) Auger Way, Margaret River	Occupancy Permit - Change of Building Use
19/11/2025	225799	11 (Lot 26) Duggan Drive, Cowaramup	Swimming Pool, Retaining Walls including Pool Fencing
19/11/2025	225800	26 (Lot 251) Hardwood Loop, Cowaramup	Single Dwelling
19/11/2025	225801	116 (Lot 146) Brookfield Avenue, Margaret River	Shed
19/11/2025	225802	539 (Lot 4588) Bullant Drive, Karridale	Carport, Shed and Patio
19/11/2025	225803	19 (Lot 150) Bottlebrush Drive, Margaret River	Carport (Freestanding)
19/11/2025	225804	21 (Lot 71) Barrett Street, Margaret River	Patio (New Roof)
19/11/2025	225805	41 (Lot 9000) Tyrone Loop, Margaret River	Shed
19/11/2025	225806	Lot 789 Burnside Road, Burnside	Single Dwelling
19/11/2025	225807	19 (Lot 222) Brumby Place, Margaret River	Conversion of Garage into 1 Bedroom Studio
19/11/2025	225808	Unit 2, 180 Railway Terrace, Margaret River	Shed

19/11/2025	225809	2 (Lot 121) Darch Road, Witchcliffe	Retaining Wall
19/11/2025	225810	5 (Lot 6) Kulbardi Way, Witchcliffe	2 x Water Tanks
<b>Exploration Licenses for Comment</b>			
Nil			

#### APPLICATIONS DETERMINED UNDER DELEGATION

Date Rec'd	Reference No.	Address	Proposal	Outcome
<b>PLANNING</b>				
28/08/2025	P225641	4 (Lot 2) Bettong Place, Witchcliffe	Outbuilding (Shed)	Approved
02/09/2025	P225648	5 (Lot 70) Cabernet Place, Margaret River	Ancillary Dwelling	Approved
15/09/2025	P225689	8 (Lot 572) Jansonia Avenue, Margaret River	Dwelling Addition (Retaining Wall)	Approved
17/09/2025	P225691	23 (Lot 175) Marmaduke Point Drive, Gnarabup	Holiday House Renewal	Approved
23/09/2025	P225703	Unit 3/12 (Lot 3) Town View Terrace, Margaret River	Holiday House (Large)	Approved
01/10/2025	P225708	Lot 9003 Brockman Highway, Karridale (Hamelin Grove Estate)	Amendment to Local Development Plan	Approved
01/10/2025	P225713	12 (Lot 500) Burton Road, Margaret River	Tree Removal	Approved
12/11/2025	P225864	2 (Lot 121) Darch Road, Witchcliffe	Section 40 (Producers License)	Approved
<b>SUBDIVISIONS</b>				
Nil				
<b>LOCAL LAW PERMITS</b>				
Nil				

#### LEVEL 3 PLANNING APPLICATIONS FOR DETERMINATION

Date Rec'd	Reference No.	Address	Proposal	Recommendation
<b>PLANNING</b>				
09/07/2025	P225502	191 (Lot 592) Kevill Road, Margaret River	Building Envelope Variation & Retrospective Clearing	Approve with 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 P225502

### General Details

<b>Reporting Officer</b>	Grace Koschel
<b>Disclosure of Interest</b>	Nil.
<b>Assessment Level</b>	Major Level 3

### Application Details

<b>Address</b>	191 (Lot 592) Kevill Road, Margaret River			
<b>Proposed Development</b>	Building Envelope Variation & Retrospective Clearing			
<b>Zoning</b>	Rural Residential			
<b>Lot Area</b>	10,004sqm			
<b>Use Class and Permissibility</b>	Permitted			
<b>Heritage/Aboriginal Sites</b>	Nil			
<b>Other Considerations</b>	Visual Management Area	<input checked="" type="checkbox"/>	Sewerage Sensitive Area	<input type="checkbox"/>
	Special Control Area	<input type="checkbox"/>	Watercourses/Rivers	<input type="checkbox"/>
	Bushfire Prone Area	<input checked="" type="checkbox"/>	Environmentally Sensitive Areas	<input type="checkbox"/>
<b>Structure Plans/LDP's</b>	Detailed Area Plan (March 2013)			
<b>Easements/Encumbrances</b>	Yes – bushfire prone area & no reticulated sewer			
<b>Why is Development Approval Required?</b>	Building Envelope & front setback variation – LPS1			

### Site Image



## Proposal

Planning approval is sought for the development of dwelling, water tank, ancillary dwelling, and future shed on a heavily vegetated and sloping rural residential lot located along Kevill Road. The proposed development includes a variation to the existing designated Building Envelope (BE), which was established as part of the approved subdivision plan in 2023.

The applicant has advised that the relocation is intended to better respond to the natural slope of the land, avoiding excavation into rocky terrain and minimizing impacts on larger mature native trees, particularly those to the north of the site.

This application also seeks retrospective approval for vegetation clearing that has already occurred on the site, involving the removal of 12 peppermint trees, 3 blackbutt trees, and 9 marri trees as cited by the Shire's Environmental Officers at the commencement of the assessment.

The proposed changes to the building envelope are as follows:

- Relocation of the envelope further south, east & west on the lot
- Front setback variation
- Expansion of the envelope area from 1,670 m<sup>2</sup> to 1,986.48 m<sup>2</sup>

## Assessment

Referrals	Yes	No
Adjoining Neighbours/Property Owners- 2 Objection Submissions	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Government Agencies	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Internal Shire Departments - Environment	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Were any objections received?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Were any issues raised through the referrals process?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Internal Department Comments	
Environment Department	
Department Comments	Officer Comments
<p>Unauthorized clearing – lot greater than 2,000sqm. Environmental officers undertook site visit to review. From the site inspection it appears the following clearing has occurred:</p> <ul style="list-style-type: none"> <li>- 12 x peppermint trees ranging between 200-400mm in diameter.</li> <li>- 3 x blackbutt trees approx. 300-400mm diameter.</li> <li>- 9 x marri trees between 200mm and 600mm in diameter</li> </ul> <p>All of the trees appeared to be alive. Some were within the building envelope and some outside.</p> <p>Arborist undertook clearing and thought the clearing was approved, this was not the case.</p>	<p>See discussion below.</p>
Community Engagement	
Summary of Submitter Comments	Officer Comments
<ul style="list-style-type: none"> <li>• Objection to development outside the approved building envelope, specifically the proposed shed and ancillary dwelling.</li> <li>• Concern that the proximity of the proposed buildings to the lot boundary will negatively impact neighbouring amenity</li> <li>• Expectation that all development remains within the building envelope as approved under the original subdivision.</li> <li>• Concern that the proposed building locations may increase bushfire risk and may not comply with bushfire protection requirements.</li> <li>• Questioning whether the ancillary dwelling is intended for short-term accommodation use.</li> </ul>	<p>Concerns &amp; Objection Noted.</p> <p>A summary of the concerns raised by submitters was issued to the applicant and in response to this the applicant moved the shed further north (downhill). See below further discussion.</p>



Policy Framework	Yes	No
Does the proposal involve variations to the Residential Design Codes?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the proposal involve any variations to Scheme Requirements?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Does the proposal involve any variations to Policy Requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other matters that require discretion (Vegetation Removal)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### Policy Requirements

Outbuildings		
Standard	Required	Provided
Outbuilding Area	120sqm	70sqm
Ridge Height	4.5m	TBC – detail not part of this application
Location	Within Building Envelope	Within newly proposed BE and behind dwelling – Complies
Local Planning Scheme No.1 – Schedule 9		
Standard	Required	Provided
Setback (Front)	20m (Approved Building Envelope)	12.875m – Variation
Setback (Side - West)	10m	10m - Complies
Setback (Rear – South)	30m	30m – Complies
Ancillary Dwelling	70sqm	70sqm – Complies
Building Envelope Size	Max 2,000sqm	1,986.48sqm - Complies
Building Height		
Standard	Required	Provided
Wall	7m	6.3m - Complies
Overall	8m	7.664m - Complies
Car Parking		
Standard	Required	Provided
Local Planning Scheme No.1	2 Bays	2 Bays - Complies
Design	Forward entry into the Street	Forward entry achieved.

#### Discussion

##### Consultation

Advertising was sent to surrounding properties with two objections received. See below a summary of the concerns and responding officer assessment.

Objection Concerns	Officer Assessment
Objection to development outside the approved building envelope, specifically the proposed shed and ancillary dwelling.	<p>Building envelopes are often nominated through earlier stages of the planning process. In this case the envelopes were nominated through a structure plan in 2013. They are based on broader studies at that point in time and it is common that for technical reasons or changes to policy requirements (such as bushfire) that these need to be modified to accommodate development.</p> <p>Variations to building envelope locations can be sought, and are required to be assessed on their merits through a planning application process. Detailed discussion on this, including setback changes is provided further below.</p>
Concern that the proximity of the proposed buildings to the lot boundary will negatively impact neighbouring amenity.	See discussion on amenity impacts below.
Expectation that all development remains within the building envelope as approved under the original subdivision.	See comments above.
Concern that the proposed building locations may increase bushfire risk and may not comply with bushfire protection requirements.	A Bushfire Attack Level (BAL) assessment has been undertaken and assessed as a BAL 29 which meets the requirements of the Planning for Bushfire Protection Guidelines.
Questioning whether the ancillary dwelling is intended for short-term accommodation use.	The ancillary dwelling is intended to function as a secondary dwelling associated with the main residence. Should the landowner wish to use the dwelling for hosted short-term accommodation, this is exempt from requiring planning approval under current regulations, provided it remains consistent with the definition of hosted accommodation.

## Building Envelope Variation

The following considerations apply to the variation of a building envelope:

- The objectives of the zone are not compromised.
- The visual amenity and rural character will not be affected.
- Development will not render the fire protection of property more difficult.
- The proposed size can accommodate future development.

## Zone Objectives

The relevant objectives of the zone are listed as follows:

- Conservation of physical, environmental and landscape characteristics
- To facilitate conservation of natural vegetation and promote revegetation
- Ensure adequate bushfire management while preserving landscape and environmental issues.

Discussion around the above objectives has been included below.

## Amenity and Character

The proposal seeks to balance the amenity of adjoining properties with the need to protect visually sensitive locations to the north, including the Margaret River and Kevill Road Waterfalls. These areas will benefit from an increased vegetated buffer, which is achieved through the retention of vegetation and compliant southern setbacks.

The amended Building Envelope (BE) to the east introduces a reduced front setback (12.875m compared to the existing 20m). Whilst this setback is less than the established pattern of development along Kevill Road, the position on the ancillary dwelling avoids of mature vegetation on site, allowing for its retention. It is considered that for a relatively small structure, the landscape/streetscape impact of a reduced setback is less significant than the impact of vegetation loss required to facilitate a compliant setback.

In response to concerns raised by adjoining landowners regarding the initial reduction of the southern rear setback (from 32m to 15m), the applicant amended the plans to increase the southern (rear) setback to 30m, consistent with Schedule 9 development standards and increasing the separation between development on the subject site and adjoining properties.

To further mitigate visual impact, a condition requiring revegetation/landscaping between the shed and the adjoining boundary is recommended, as well as modifying the building envelope to exclude vegetated areas adjacent to the indicative shed location. The proposed shed location also aligns with the existing shed on the neighbouring property, reducing potential conflict.

A condition has been included requiring non-reflective colours and materials in accordance with the Visual Management Strategy.

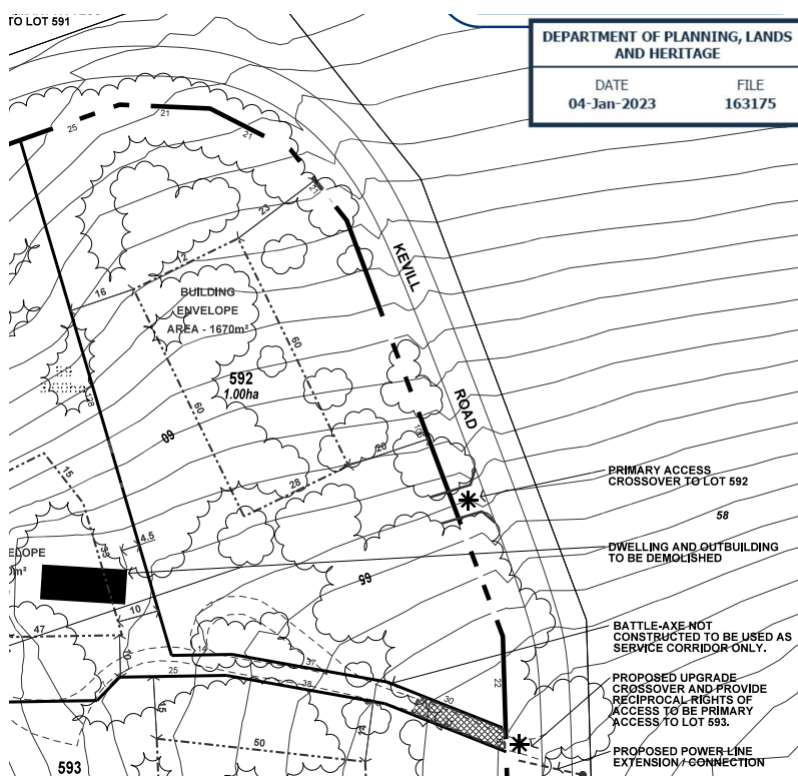


Figure 1 Subdivision approved building envelope 2023



## Bushfire & Vegetation Modification

A BAL29 was determined by the bushfire consultant following the unauthorised clearing that took place by an arborist. The unauthorised clearing was addressed at the beginning of the assessment with a site inspection undertaken by the environmental officer to review the number of native trees that were removed without planning permission. The applicant was charged a penalty fee as a consequence of these works occurring prior to approval.

See below some photos of the site taken by the officer.







Revegetation is proposed in two (2) locations on the lot to offset the authorised removal and also provide further privacy to the neighbours and the street frontage with the development that is moving closer to lot boundaries.

There are 3 large marri trees that have been identified on the site within 6m to built form. The fire consultant has provided feedback on this distance and is happy with the current setbacks meeting the APZ standards. A BAL contour map was provided, and the applicant has confirmed that no further clearing is proposed.

Shire's Environmental Officer had no concerns based on the feedback from the bushfire consultant.

#### **Future Development**

The proposed envelope is sized to accommodate a dwelling, ancillary dwelling and indicative location for a future outbuilding, which limit of development expected in this zone, indicating that the envelope is suitably sized to accomoate future development.

#### **Conclusion**

Overall, the proposed amended Building Envelope is consistent with the objectives of LPS1 clauses 5.5 and 5.10 and is recommended for approval. The revised envelope and siting responds to concerns raised by neighbours, along with additional requirements for rehabilitation, materiality and retention of established vegetation.

#### **Determination**

**That the Coordinator Planning Services 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 Building Envelope Variation & Retrospective Clearing at 191 (Lot 592) Kevill Road, Margaret River subject to compliance with the following 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	Plan P1 -P8 received by the Shire on the 17/11/2025
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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.



3. At all times, all stormwater and drainage run-off from the development shall be detained within the lot boundaries and managed to predevelopment 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's Standards & Specifications.
4. The revised building envelope hereby approved, wholly replaces that previously applicable to the site.
5. The building shall not exceed 8 metres in height from natural ground level in accordance with the provisions of Local Planning Scheme No.1.
6. 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.
7. Prior to lodging of a building permit application a revegetation plan shall be prepared and submitted to the Shire by a suitably qualified and/or experienced consultant and implemented thereafter. The revegetation plan shall indicate the following:
  - a) the location and species name of existing trees and proposed plantings;
  - b) quantity of each species to be planted;
  - c) any soil treatment or mulching;
  - d) details of any weed control and maintenance;
  - e) quantitative completion criteria;
  - e) Detail the timing of planting; and
  - f) annual monitoring plan.
8. When undertaking any clearing, revegetation and rehabilitation, the Proponent shall take the following steps to minimise the risk of introduction and spread of dieback/weeds:
  - a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
  - b) avoid the movement of soil in wet conditions;
  - c) ensure that no dieback-affected materials are brought into an area that is not affected by dieback; and
  - d) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.
9. Landscaping shall be implemented, in accordance with the approved Landscape Plan, prior to occupation/use of the development and shall be maintained at all times.
10. The existing trees are to be retained upon the lot and any trees on adjoining properties shall not be impacted by the excavation or construction phases of the development.
11. The walls and roof of the buildings shall be clad in non-reflective material and painted in a colour of natural or earth toning consistent with the existing landscape. To this end, reflective materials or reflective colours as cladding, external (including but not limited to) 'silver' sheeting, and painting in white, cream, off white or pale grey are prohibited.
12. A minimum 120,000 litre rain water tank or alternative potable water supply shall be supplied for domestic use. A further 10,000 litre minimum water supply for firefighting purposes shall be provided on the subject site in accordance with the relevant bushfire guidelines (Refer to Advice Note 'd').

#### **Advice Notes**

- a) 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 (Miscellaneous Provisions) 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.
- b) A 10,000 litre minimum water supply for firefighting purposes is recommended to be provided in a separate tank on the subject site. To enable standardisation of fire brigade access, the fire fighting supply should be fitted with a single 80mm female camlock fitting, maintained in a correct operating condition and adequately sign posted at all times at the property owners expense.
- c) The Shire of Augusta Margaret River has been declared a Bushfire Prone Area. Buildings are required to be constructed in accordance with Australian Standard 3959 - Construction of Buildings in Bushfire Prone Areas to satisfy the performance requirements of the Building Code of Australia.