

DEVELOPMENT ASSESSMENT REPORT
Shire of Augusta Margaret River
29 July - 4 August 2021

APPLICATIONS RECEIVED

Date Rec'd	Reference No.	Address	Proposal
PLANNING			
29/07/2021	P221525	54 (Lot 60) Victoria Parade, Augusta	Dwelling (Alterations & Additions)
29/07/2021	P221527	133 (Lot 37) Blackwood Avenue, Augusta	Holiday House (Renewal)
29/07/2021	P221528	Shop 6/2 (Lot 111) Andrews Way, Margaret River	Small Bar (Alterations & Additions)
29/07/2021	P221529	29 (Lot 344) Honeysuckle Glen, Cowaramup	Bed & Breakfast (Renewal)
02/08/2021	P221530	Lot 1 Mentelle Road, Burnside	Dwelling (Vegetation Clearing)
02/08/2021	P221531	1 (Lot 372) Storm Bay Road, Augusta	Holiday House (Renewal)
03/08/2021	P221532	10 (Lot 65) Thomasia Court, Augusta	Dwelling (1 x Bedroom Addition)
03/08/2021	P221533	Lot 151 Caves Road, Margaret River (Salmon Place)	Subdivision
BUILDING			
30/07/2021	221508	11 (Lot 23) Tallwood Loop, Witchcliffe	Two Rainwater Tanks
30/07/2021	221509	25 (Lot 25) Mitchell Way, Prevelly	Retaining Walls, Cross Over and Driveway
30/07/2021	221510	410 Bussell Highway (Lot 54 Hawkesford Lane), Margaret River	Single Dwelling, Garage and Alfresco
30/07/2021	221511	255 (Lot 181) Kevill Road, Margaret River	Alterations and Additions to Existing Structure - internal remodel and extension
30/07/2021	221512	480 (Lot 503) Ellen Brook Road, Cowaramup	Swimming Pool
30/07/2021	221513	5B (Lot 8) Hall Road, Cowaramup	Single Dwelling
02/08/2021	221514	18 (Lot 36) Tallwood Loop, Witchcliffe	Shed
02/08/2021	221515	35 (Lot 33) Brookside Boulevard, Cowaramup	Shed
02/08/2021	221516	35 (Lot 261) Culhane Road, Margaret River	Two Storey Garage and Workshop
02/08/2021	221517	19 (Lot 602) Grosse Road, Hamelin Bay	Single Dwelling and Rainwater Tanks
03/08/2021	221518	410 Bussell Highway (Lot 39 Pinot Way), Margaret River	Single Dwelling, Carport and Alfresco
03/08/2021	221519	665 (Lot 3) Warring Road, Cowaramup	Carport and Deck

APPLICATIONS DETERMINED UNDER DELEGATION

Date Rec'd	Reference No.	Address	Proposal	Outcome
PLANNING				
31/05/2021	P221389	65 (Lot 4) Turner Street, Augusta	Dwelling Additions	Approved
14/06/2021	P221411	Tenancies 1 and 2 of 111 (Lot 200) Bussell Highway, Margaret River	Cafe/Small Bar (Change of Use from Office)	Approved
21/06/2021	P221429	Lot 9014 MacLaren Crescent (John Archibald Drive), Margaret River	Proposed Local Development Plan	Approved
22/06/2021	P221433	5103 (Lot 201) Caves Road, Cowaramup	Rural Industry & Rural Produce Sales (Venison Pork Beef Sheep and Goat Produce Outlet)	Approved
23/06/2021	P221436	10347 (Lot 9001) Bussell Highway, Witchcliffe	Community Purpose (Community Hall)	Approved
30/06/2021	P221448	31 (Lot 225) Ironbark Avenue, Margaret River	Bed & Breakfast	Approved
07/07/2021	P221467	125 (Lot 1) Bussell Highway, Margaret River	Tavern (Signage)	Approved

13/07/2021	P221481	8 (Lot 257) Noreuil Circuit, Cowaramup	Dwelling Additions (Outbuilding)	Approved
16/07/2021	P221491	10402 (Lot 210) Bussell Highway, Witchcliffe	Small Bar	Approved
SUBDIVISIONS				
15/06/2021	P221423	Lot 51 Waverley Road & Lot 304 Wurring Road, Cowaramup	Subdivision	Completed
16/06/2021	P221425	Lots 2283 & 2289 Jindong-Treeton Road, Treeton	Subdivision	Completed
LOCAL LAW PERMITS				
Nil				

LEVEL 3 PLANNING APPLICATIONS FOR DETERMINATION

Date Rec'd	Reference No.	Address	Proposal	Recommendation
PLANNING				
25/06/21	P221442	7 (Lot 306) Flora Grove, Molloy Island	Dwelling (Outbuilding Addition)	Conditional Approval

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 Dwelling (Outbuilding Addition)
7 (Lot 306) Flora Grove, Molloy Island

Level 3

P221442; PTY/4902

REPORTING OFFICER : Lucy Gouws
DISCLOSURE OF INTEREST : Nil

General Information	
Lot Area	1432sqm
Zone	R10/15
Proposed Development	<p>Planning approval is sought for a shed (outbuilding) with a total floor area of 36m² and a ridge height of 3.2m. The shed would be ancillary to an existing dwelling.</p> <p>The shed is proposed to be located forward of the dwelling on site which varies the Acceptable Development standard AD1.4 of the Shire's Local Planning Policy 1.</p> <p>The location of the shed also relies on the 30% variation to the front and side setback standard; a front setback of 10.5m is proposed in lieu of 15m and a side setback of 3.5 is proposed in lieu of 5m.</p>
Permissible Use Class	'P' Permitted Use
Heritage/Aboriginal Sites	Registered Aboriginal Heritage Site. Proposal referred to DPLH. No approvals are required under the Aboriginal Heritage Act 1972 (AHA).
Encumbrance	None affected.
Date Received	25/06/2021



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 Policy/Policies	<i>Local Planning Policy 1 Outbuildings, Farm Buildings & Swimming Pools (LPP1)</i>
Officer Comment	The shed involves a variation to Acceptable Development standard AD1.4, given the shed is proposed to be located forward of the dwelling. AD1.4 provides that outbuildings should be located behind the front of an existing dwelling. In this case the shed is proposed to be located 10.5m from the road and 5m forward of the dwelling. The existing house is situated on the lot such that there is not sufficient space at the rear or side of the dwelling to accommodate a shed.

	<p>The variation has been assessed against the Performance Criteria under LPP1 and whilst the shed is located forward of the dwelling, it has been found to be acceptable for the following reasons:</p> <ul style="list-style-type: none"> the outbuilding will be screened by existing vegetation; the proposed front setback is consistent with the setback of the adjoining western property; the adjoining western property is also developed with a shed forward of the dwelling and with a similar front setback due to this dwelling being positioned at the rear of the site; the outbuilding is considered to be of a suitably small scale and finish to compliment the dwelling; and given the scale of the structure, it will not have an adverse impact upon neighbouring properties in terms of loss of privacy or loss of sunlight or ventilation. <p>While the proposal is uncharacteristic in the area, the justification for the development is noted and the proposal meets the relevant Performance Criteria.</p>		
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			
Advertising/Agency Referrals			
Has the application been referred to adjoining landowners/agency?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
The application was not referred to adjoining landowners given the application complies with the LPS1 for a 30% variation to setbacks.			
Has a submission been received by Council?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
No. received: 1			
Details of Submission		Officer Comment	
<p>Molloy Home Owner's Association Confusion with the setbacks that are being applied for. The MHOA still raise an objection to the variations to the front and side setback, however are happy with the colour.</p>		<p>Updated site plan shows only a 30% variation is being sought for the front and side setbacks as permitted within Local Planning Scheme No. 1 (the Scheme). It is noted that the Scheme allows for a 30% variation to the setback standards.</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	15m (LPS1)	10.5m	Complies with 30% variation
Sides Setback	5m (LPS1)	3.5m	Complies with 30% reduction
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	Planning approval is recommended. The shed complies with the provisions of the Scheme for the Molloy Island Special Control Area.		
In the opinion of the officer			
i. Are utility services available and adequate for the development?		Existing for the dwelling.	
ii. Has adequate provision been made for the landscaping and protection		The application states that no clearing is required, only the existing trees will be pruned to make way for the new shed. The site is flat	

for any trees or other vegetation on the land?	and will not require excavation. The topsoil will be removed and clean compacted sand will be replaced.
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?	None
v. Is the development likely to comply with AS3959 at the building permit stage?	n/a
Other Comments	
Any further comments in relation to the application?	
Officer Comment	Planning approval 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 the proposed Dwelling (Outbuilding Addition) at 7 (Lot 306) 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 received at the Shire on the 3 August 2021 and P2 received the 25 June 2021
--------------------------	--------------------------------------------------------------------------------

- 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.
- 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.
- The walls and roof of the outbuilding 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 or reflective colours as cladding/external (including but not limited to) 'silver' sheeting painting white, cream, off white or pale grey are prohibited. Details to be submitted with the building permit.
- The outbuilding shall be used solely for purposes incidental and ancillary to the authorised use of the land.
- The outbuilding shall not be used for human habitation.

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.