

DEVELOPMENT ASSESSMENT REPORT
Shire of Augusta Margaret River
8 May 2025 to 14 May 2025

APPLICATIONS RECEIVED

Date Rec'd	Reference No.	Address	Proposal
PLANNING			
08/05/2025	P225339	458A (Lot 212) Boodjidip Road, Margaret River	Development Outside the Building Envelope (Carport)
08/05/2025	P225341	6 (Lot 37) Rosella Court, Cowaramup	Veranda
09/05/2025	P225342	111 (Lot 202) Dalton Way, Molloy Island	Amendment to P223479 -Single Dwelling
09/05/2025	P225343	40 (Lot 432) Ashton Street Margaret River	Development Outside the Building Envelope (Carport and Outbuilding)
13/05/2025	P225347	Lot 28 Palmdale Avenue, Augusta	Single House
BUILDING			
08/05/2025	225374	52 (Lot 1) Le Souef Street Margaret River	6 x Two Storey Dwellings, Carports, Pergolas and Retaining Wall
08/05/2025	225375	8 (Lot 7) Dobbins Place, Witchcliffe	Water Tank
08/05/2025	225376	38 (Lot 272) Noreuil Circuit, Cowaramup	Single Dwelling, Garage and Alfresco
08/05/2025	225377	40 (Lot 235) Albany Terrace, Augusta	Shed Extension
12/05/2025	225378	333 (Lot 32) Clayton Road, Treeton	Farm Shed
12/05/2025	225379	11 (Lot 2) Peake Street, Cowaramup	Single Dwelling, Garage, Alfresco and Retaining Walls
13/05/2025	225380	3 (Lot 813) Honeyeater Loop, Margaret River	Carport
13/05/2025	225381	39 (Lot 214) Hardwood Loop, Cowaramup	Single Dwelling, Garage and Alfresco
13/05/2025	225382	12B (S/L 6) Vattos Way, Prevelly	Shed
13/05/2025	225383	14 (Lot 514) Kurrajong Way, Witchcliffe	Water Tank
13/05/2025	225384	6 (Lot 38) Secluded View, Cowaramup	Carport and Shed
13/05/2025	225385	2 Darch Road Witchcliffe	Demolition of Deck
13/05/2025	225386	61 (Lot 336) Firetail Rise, Karridale	Patio
14/05/2025	225387	114 (Lot 145) Brookfield Avenue, Margaret River	Single Dwelling, Garage and Alfresco
14/05/2025	225388	27 (Lot 6) Kyloring Drive, Witchcliffe	Single Dwelling, Carport, Garage and Pergola
Exploration Licenses for Comment			
Nil			

APPLICATIONS DETERMINED UNDER DELEGATION

Date Rec'd	Reference No.	Address	Proposal	Outcome
PLANNING				
28/01/2021	P221083	10 (Lot 305) Wandoo Place, Cowaramup	Bed & Breakfast (Renewal)	No Longer Operating
05/12/2024	P224922	19 (Lot 602) Grosse Road, Hamelin Bay	Chalets x 2 and Café	Approved
14/01/2025	P225026	673 (Lot 152) Rosa Brook Road, Rosa Brook	Holiday House (Renewal)	Approved
15/01/2025	P225031	9 (Lot 232) Bandicoot Close, Gnarabup	Holiday House	Approved
14/02/2025	P225114	21 (Lot 66) Casselton Grove, Margaret River	Outbuilding (Shed)	Approved
20/02/2025	P225128	29 (Lot 517) Powderbark Way, Witchcliffe	Single House -Vegetation Removal	Approved
24/02/2025	P225137	82 (Lot 415) Leschenaultia Avenue, Margaret River	Single House (Retaining & Fill)	Approved

28/02/2025	P225162	16 (Lot 71) Rafferty Entrance, Kudardup	Outbuilding (Shed)	Approved
12/03/2025	P225192	41 (Lot 101) Donovan Street, Augusta	Outbuilding (Shed)	Approved
01/04/2025	P225246	6 (Lot 535) Bushland Rise, Margaret River	Cancellation of Planning Approval (P222007)	No Longer Operating
11/04/2025	P225275	23 (Lot 241) Chuditch Place, Gnarabup	Dwelling Additions (Pool)	Approved
SUBDIVISIONS				
Nil				
LOCAL LAW PERMITS				
28/11/2024	P224898	Reserve 41545 and 27618	Authorisation to Film on Shire Reserve - Margaret River Pro and associated activity - 15 to 27 May 2025	Approved
25/04/2025	P225330	Rosa Brook Oval, Reserve 19568	Permit renewal - Dog agility classes - 11\05\2025- 18\05\2025 & 08\06\2025 - 29\06\2025	Approved
08/05/2025	P225340	Gracetown Main beach, Reserve 27618	Amendment to Local Law Permit to operate mobile food business	Approved

LEVEL 3 PLANNING APPLICATIONS FOR DETERMINATION

Date Rec'd	Reference No.	Address	Proposal	Recommendation
PLANNING				
10/01/2025	P225018	32B (Lot 2) Elva Street, Margaret River	Grouped Dwelling	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 Assessment P225018



General Details

Reporting Officer	Caitlin Jameson
Disclosure of Interest	Nil
Assessment Level	Major Level 3

Application Details

Address	32B (Lot 2) Elva Street, Margaret River			
Proposed Development	Grouped Dwelling			
Zoning	Residential R20			
Lot Area	400sqm			
Use Class and Permissibility	Grouped Dwelling – 'D'			
Heritage/Aboriginal Sites	No			
Other Considerations	Visual Management Area	<input 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"/>
Structure Plans/LDP's	Nil			
Easements/Encumbrances	Nil			
Why is Development Approval Required?	'D' – Discretionary land use, the application incorporates a ridge height of 9.13m in lieu of 8m.			

Development Assessment P225018



Site Image



Assessment

Referrals	Yes	No
Adjoining Neighbours/Property Owners	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Government Agencies	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Internal Shire Departments Infrastructure	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Where any objections received?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Where any issues raised through the referrals process?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Internal Department Comments	
Infrastructure	
Department Comments	Officer Comments
All works to create the battle-axe driveway and to drain the new dwelling have been constructed at the time of subdivision.	Noted.

Community Engagement	
Private Submitter 1	
Submitter Comments	Officer Comments
<p>The submitter initially did not support nor object to the proposal, instead requesting further information regarding setback requirements and the colour palette of the dwelling.</p> <p>The submitter was provided with further information and later objected to the proposal, stating the following concerns:</p> <ul style="list-style-type: none"> The proposed dwelling will be the only two storey dwelling within the immediate locality and will therefore not be in harmony with the general character of the neighbourhood. The dwelling is located too close to the boundary and will be visible from the submitter's living area and kitchen. The design does not incorporate vegetation along the common boundary fence to reduce visual impact. 	Officer comments provided in discussion.

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 type="checkbox"/>	<input checked="" type="checkbox"/>

Policy Requirements

Building Height (delete for Outbuildings)		
Standard	Required	Provided
Wall	7m	6.2m
Overall	8m	9.13m (variation)
Car Parking		
Standard	Required	Provided
Residential Design Codes	2 Bays	2 bays

Residential Design Codes		
Standard	Required	Provided
Primary Street Setback (east)	Primary street - 6m Visual privacy setback from boundary – 1.5m	Primary street - >6m Visual privacy setback from boundary – 4.5m
Side Setback (north)	Ground floor - 1.5m First floor bedroom – 4.5m (visual privacy) First floor living – 6m (visual privacy)	Ground floor – 1.5m First floor bedroom – 5m First floor living – 6m
Side Setback (south)	Ground floor – 1.5m First floor – 2.1m	Ground floor – 1.523m First floor – 4.623m

Rear Setback	Ground floor – 1.5m First floor – 1.5m	Ground floor 3.157m First floor – 2.357m
Garage Setback	4.5m	>4.5m
Garage Width	<50% frontage	<50%
Driveway Width	3-9m	4m
Outdoor Living Area	30sqm	56.46sqm
Open Space	50%	56.06% (50% common property area incorporated into total site area)
Overshadowing	9.9%	8.04%
Standard	Complies	Does Not Comply
Visual Privacy	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Street Surveillance	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Street Walls and Fences	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

The application proposes the construction of a two-storey grouped dwelling on a R20 lot. The roof is to be Colorbond Night Sky (or similar) and walls to be Colorbond Surfmist (or similar).

The proposal includes a variation to Clause 5.13.1 of the Shire's *Local Planning Scheme No.1 (LPS1)* which states, the maximum ridge height for residential buildings is 8m above natural ground level. The application proposes a maximum ridge height of 9.13m.

Clause 5.13.2 of LPS1 states that the local government may, following advertising procedures, permit the construction of buildings or structures exceeding the height limitations specified in LPS1 (up to 20%) when the proposal aligns with the provisions of Clause 5.13.2. The proposed ridge height of 9.13m is within 20% of 8m and can therefore be considered through a development application.

The applicant's justification and officer assessment against the provisions of Clause 5.13.2 is provided below.

<p>a) Site constraints are such as to prevent the construction of a reasonable building on the site without exceeding the relevant limit; or</p> <p>b) The nature of the proposed building or structure is such that, to be functional, it must be built to a higher level; or</p> <p>(c) Other extraordinary circumstances exist as reasonably determined by the local Government.</p>	
Applicant's Justification	Officer Assessment
<p>The site has a natural slope, and to minimise excessive earthworks, the residence has been positioned on slightly higher ground. This approach avoids excessive cut and fill, which is particularly important due to the likelihood of clay-based soils, reducing both construction costs and potential long-term structural concerns.</p> <p>The proposed design includes increased internal ceiling heights, enhancing comfort, natural light, and airflow, creating a high-quality living environment. Additionally, a steeper roof pitch is necessary to achieve the modern barn-style architecture. Both elements are integral to the functionality and integrity of the design.</p>	<p>The dwelling design responds to the natural features of the site proposing a maximum fill level of 0.5m. If the level of fill was reduced, additional cut would be required, particularly along the northern elevation, resulting in the garage and entrance to the property being further below natural ground level. As discussed in the applicant's justification, the proposal avoids excessive site works, therefore reducing construction costs.</p> <p>As shown on the 3D images provided by the applicant (see Images 1-4), the extent of roof coverage above 8m</p>

<p>The combination of site topography, two-storey design, and architectural design inherently results in a structure exceeding the 8m limit. Even with minimum 2400mm ceiling heights on both levels, the necessary roof pitch for aesthetic and functional reasons would exceed the height restriction under standard conditions.</p>	<p>from natural ground level is minor due to the high roof pitch and reduced floor area of the second storey.</p>
<p>d) Plans including sections and elevations of the proposed development are submitted to and determined by the local government as being satisfactory for the purposes of advertising.</p>	
<p>Applicant's Justification</p>	<p>Officer Assessment</p>
<p>Detailed plans have been submitted.</p>	<p>Detailed plans have been provided to the Shire.</p>
<p>e) The local government, after considering both the information provided by the applicant and any submissions made by persons in response to the proposal being advertised is satisfied that the proposed building:</p> <p>(i) will be in harmony with the general character of buildings in the locality;</p> <p>(ii) will not adversely affect the beauty, character, quality of environment or the area generally;</p> <p>(iii) will maintain a satisfactory relationship to the boundaries of the lot on which it is to be constructed and relates satisfactorily to the siting, design and aspect of buildings on other nearby lots; and</p> <p>(iv) will not impair the amenity or development potential of adjoining lots.</p>	
<p>Applicant's Justification</p>	<p>Officer Assessment</p>
<p>(i) The modern barn-style architecture complements the emerging architectural trends within the South-West and Margaret River regions.</p> <p>(ii) The height increase does not detract from the area's beauty, character, or environmental quality. Instead, it contributes to the architectural diversity and enhances property values.</p> <p>(iii) The two-storey design allows for larger internal and external living spaces, optimising the site layout while maintaining</p>	<p>The subject site is located within an older part of the Margaret River townsite. While most dwellings in the immediate locality are predominantly single storey, there are several two-storey dwellings, including:</p> <ul style="list-style-type: none"> • 50 Elva Street • 1 Coronation Street • 14 Elva Street <p>Although two-storey dwellings are uncommon within the locality, the Margaret River townsite is experiencing a gradual increase in two-storey development, particularly on smaller lots.</p>

<p>suitable setbacks and respecting the surrounding built environment.</p> <p>(iv) The design has been carefully considered to ensure that the increased height does not compromise privacy, overshadowing, or the future development potential of adjoining lots.</p>	<p>The application does not propose any other variations to the Residential Design Codes or the Local Planning Scheme. Therefore, the assessment is based on the impact of the over-height roof on the amenity of neighbouring properties and the character of the locality.</p> <p>The subject site is situated to the rear of 32A Elva Street, reducing the visibility of the dwelling from the street, with minimal impact to the existing streetscape.</p> <p>The barn-style roof contributes positively to the overall design of the dwelling by creating visual interest and complementing the character of buildings in the locality that feature high-pitch roof designs. The high roof pitch will not adversely impact the streetscape, the character of the locality, or the quality of the environment.</p> <p>The reduced floor area and increased setback of the second storey minimise the extent of building bulk adjacent to adjoining properties.</p> <p>The siting and design of the dwelling ensure compliance with the visual privacy, overshadowing, and setback requirements of the Residential Design Codes, which are intended to limit the impact of development on the amenity of neighbouring properties.</p>
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Image 1



Image 2



Image 3



Image 4

Visual Privacy

The finished floor level (FFL) of the verandah, guest room and study were above 0.5m from natural ground level (NGL) and did not comply with visual privacy setback requirements as specified in Design Element 5.4.1. The applicant was advised a 1.6m fence (from FFL) or reduction in FFL was required to comply with Design Element 5.4.1. The applicant chose to reduce the FFL to 0.5m, with amended plans received on 17 April 2025. The amended plans indicate a 7cm ridge height reduction (initially 9.2m reduced to 9.13m).

Submission

One objection was received during the advertising period. A summary of the submitters concerns and officer comments in response to the submission is provided below.

Submitter Comments	Officer Comments
<p>a) The proposed dwelling will be the only two storey dwelling within the immediate locality and will therefore not be in harmony with the general character of the neighbourhood.</p> <p>b) The dwelling is located too close to the boundary and will be visible from the submitter's living area and kitchen.</p> <p>c) The design does not incorporate vegetation along the common boundary fence to reduce visual impact.</p>	<p>a) While two-storey development is uncommon, it is permitted. As previously discussed, the only variation pertains to the roof ridge height.</p> <p>The assessment of the application is based on the impact of the over-height roof, rather than the presence of a two-storey dwelling.</p> <p>b) The proposal complies with the boundary setback, visual privacy, and overshadowing requirements outlined in the Residential Design Codes. If the roof ridge height</p>

were reduced, the dwelling would still remain visible from the living area of the adjoining property.

The extent of roof coverage above 8m adjacent to the submitter's lot is illustrated in Image 5. As shown, the roof coverage above 8m is limited, located centrally to the site and will not adversely impact the amenity of the property.

The dwelling ensures compliance with visual privacy, overshadowing and setback requirements of the Residential Design Codes which aim to limit the impact of development on the amenity of adjoining properties.

c) There is no requirement to incorporate vegetation along the property boundary. Additionally, the inclusion of vegetation would have a minimal impact on reducing the visibility of the second storey.

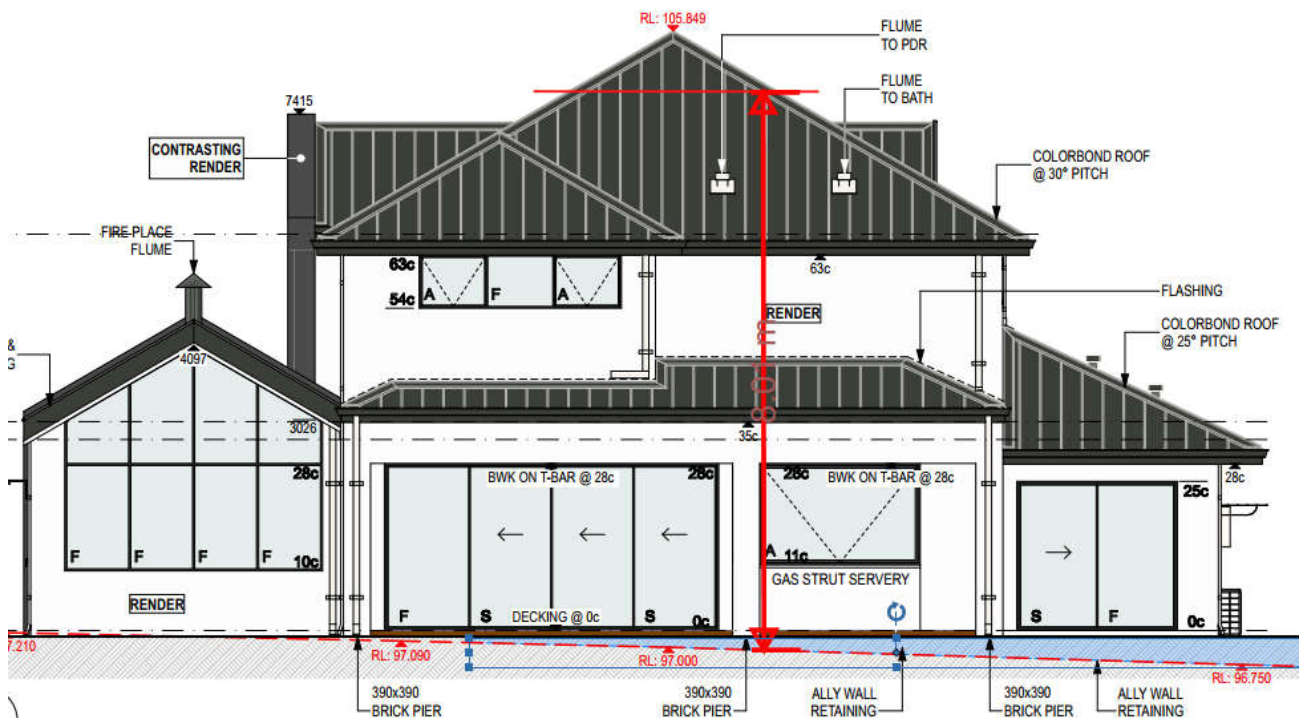


Image 5

The application complies with the provisions of the Residential Design Codes and Clause 5.13.1 of the Shire's *Local Planning Scheme No.1* and is therefore supported.

Determination

That the Manager of Planning and Regulatory 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 Grouped Dwelling at 32B (Lot 2) Elva Street, 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 - P6 received by the Shire on 17 April 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 building shall not exceed 9.13 metres in height from natural ground at the highest point of the building in accordance with the provisions of Local Planning Scheme No.1.
5. A licenced surveyors report shall be submitted to the Shire within 30 days of completion of the roof framing to confirm compliance with the maximum height limit.

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.