

DEVELOPMENT ASSESSMENT REPORT
Shire of Augusta Margaret River
13 October to 19 October 2022

APPLICATIONS RECEIVED

Date Rec'd	Reference No.	Address	Proposal
PLANNING			
13/10/2022	P222700	33 (Lot 32) Riedle Drive, Gnarabup	Amendment to Planning Approval P222368 (Single House)
14/10/2022	P222701	Lot 350 Leeuwin Road and Skippy Road, Augusta	Rural Produce Sales and Cafe Reserve
14/10/2022	P222702	80 (Lot 1036) Heron Drive, Margaret River	Building Envelope Variation
14/10/2022	P222703	78 (Lot 11) Sabina Drive, Molloy Island	Dwelling
14/10/2022	P222704	687 (Lot 722) Ellen Brook Road, Cowaramup	Amendment to Planning Approval P220824 (Rural Produce Sales (Cellar Door Outlet))
17/10/2022	P222705	63 (Lot 556) Brookfield Ave, Margaret River	Dwelling Addition (Screen Wall)
18/10/2022	P222707	365 (Lot 100) Brockman Highway, Karridale	Winery Additions
18/10/2022	P222708	Unit 2/20 (Strata Lot 2 of Lot 23) Georgette Drive, Margaret River	Bed and Breakfast
19/10/2022	P222709	21 (Lot 40) Jersey Street, Cowaramup	Motor Vehicle Repairs (Change of Use Storage Shed to Motor Vehicle Repairs)
19/10/2022	P222710	96 & 108 (Lot 1003) Redgate Road, Witchcliffe	Earthworks
19/10/2022	P222711	1 (Lot 1) Georgette Drive, Margaret River	Holiday House (Large)
BUILDING			
13/10/2022	222549	18 (Lot 563) Guernsey Gully, Margaret River	Unauthorised Works - Additions to Dwelling and Shed
13/10/2022	222550	79 (Lot 104) Baudin Drive, Gnarabup	Second Storey Deck and Staircase
17/10/2022	222551	136 (Lot 60) Heron Drive, Margaret River	Single Dwelling, Garage and Patio
17/10/2022	222552	1216 (Lot 82) Rosa Brook Road, Rosa Brook	Alterations and Additions - Extension, Internal Remodel, Patio and Reroof
17/10/2022	222553	3 (Lot 62) Calabrese Close, Margaret River	Netted Orchard Structure
17/10/2022	222554	5 (Lot 207) Walilya Way, Witchcliffe	Carport
18/10/2022	222555	1 (Lot 372) Percheron Place, Margaret River	Shed Extension
18/10/2022	222556	18 (Lot 248) Felling Road, Karridale	Single Dwelling, Verandah and Rainwater Tank
19/10/2022	222557	97 (Lot 16) Rowe Road West, Witchcliffe	Shed
19/10/2022	222558	5 (Lot 160) Clements Cres, Molloy Island	Carport
19/10/2022	222559	3 (Lot 40) Firestone Way, Augusta	Single Dwelling, Garage and Pergola
Exploration Licenses for Comment			
Nil			

APPLICATIONS DETERMINED UNDER DELEGATION

Date Rec'd	Reference No.	Address	Proposal	Outcome
PLANNING				
11/05/2022	P222333	3 (Lot 6) Redgate Road, Witchcliffe	Amendment to Planning Approval P218455	Approved
12/07/2022	P222473	16 (Lot 529) Riverslea Drive, Margaret River	Holiday House Renewal	Approved
14/07/2022	P222479	52 (Lot 1041) Heron Drive, Margaret River	Retrospective Soak Dam	Approved
20/07/2022	P222482	41 (Lot 52) Mitchell Drive, Prevelly	Holiday House (Large) Renewal	Approved
22/07/2022	P222489	42 (Lot 13) Dallip Springs Road Burnside	Bed and Breakfast Renewal	Approved
26/07/2022	P222494	5 (Lot 882) Chamberlain Place, Augusta	Single House	Approved
10/08/2022	P222538	41 (Lot 133) Grunters way, Gnarabup	Bed and Breakfast Renewal	Approved
19/08/2022	P222551	38 (Lot 66) Wrigglesworth Drive, Cowaramup	Proposed Construction of Warehouse	Approved

22/08/2022	P222552	20 (Lot 885) Allnut Terrace, Augusta	Proposed Single House and Retaining Walls	Approved
22/08/2022	P222553	1 (Lot 884) Chamberlain Place, Augusta	Proposed Single House and Retaining Walls	Approved
31/08/2022	P222575	98 (Lot 180) Yates Road, Margaret River	Holiday House Large (Renewal)	Approved
01/09/2022	P222585	1 (Lot 164) Laurina Place, Gnarabup	Single House (Dwelling Addition & Ancillary Accommodation - Amendment to Approval P220784)	Approved
12/09/2022	P222620	28 (Lot 489) Hillview Road, Augusta	Boundary Fence Addition	Approved
SUBDIVISIONS				
30/08/2022	P222571	31 (Lot 10) & 27 (Lot 11) & 29 (Lot 150) Aullnut Tce, Augusta	Survey Strata	Supported subject to conditions
01/09/2022	P222587	7087 (Lot 51) Caves Road, Redgate	Subdivision	Not supported
LOCAL LAW PERMITS				
Nil				
OTHER				
09/08/2022	P222530	2 (Lot 111) Andrews Retreat Margaret River	Local Development Plan	Approved

LEVEL 3 PLANNING APPLICATIONS FOR DETERMINATION

Date Rec'd	Reference No.	Address	Proposal	Recommendation
PLANNING				
07/06/2022	P222388	21 (Lot 231) Lumber Crescent, Karridale	Family Day Care	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.



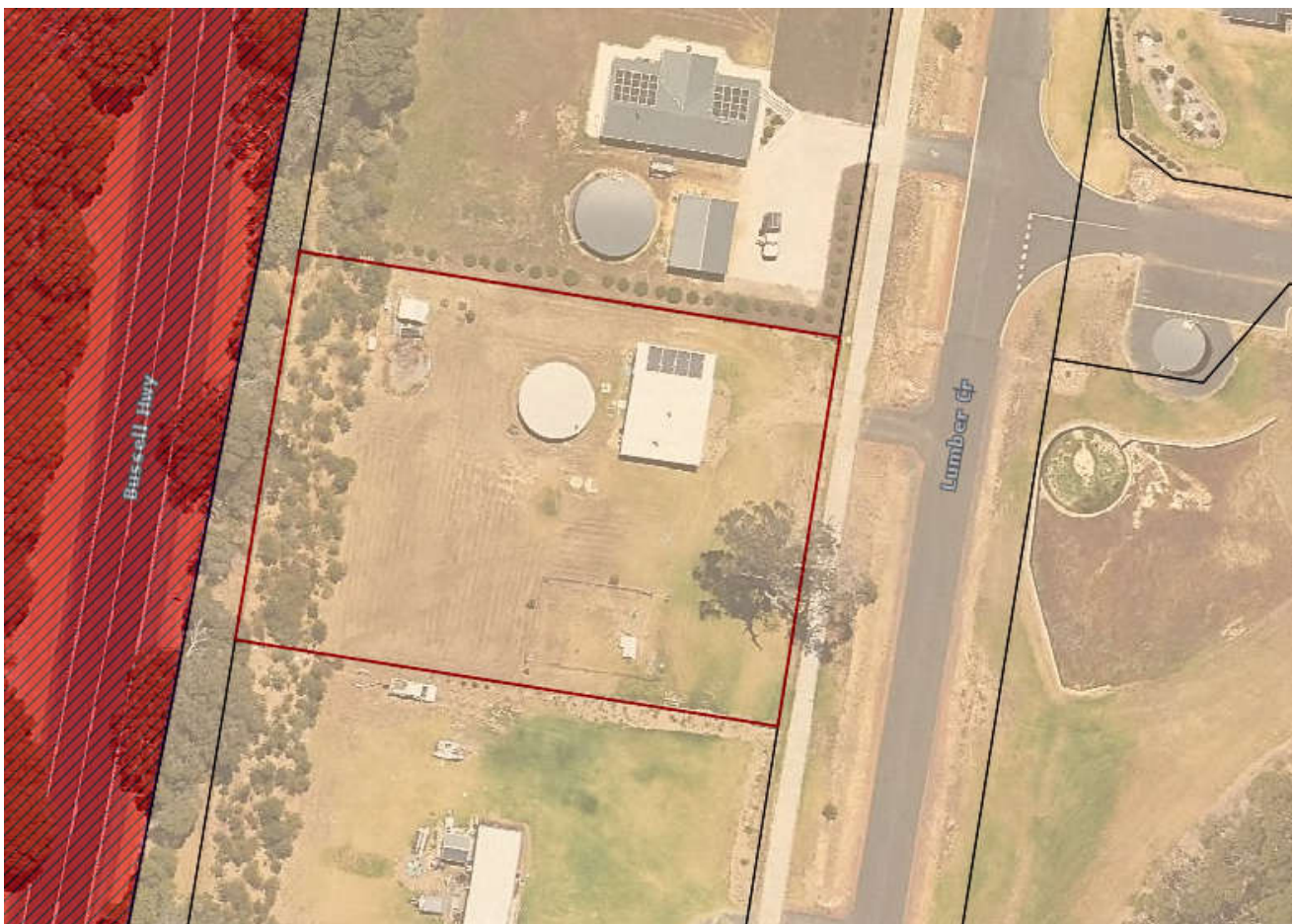
DEVELOPMENT APPLICATION ASSESSMENT
Report to Manager Planning and Development Services
Proposed Family Day Care at 21 (lot 231) Lumber Crescent, Karridale

Level 2 (objection received)

P222388; PTY/12395

REPORTING OFFICER: Stephen Schreck
 DISCLOSURE OF INTEREST: Nil.

General Information	
Lot Area	2950m ²
Zone	Residential 'R5'
Proposed Development	A proposed Family Day Care is to operate within the existing dwelling on site and within the front setback area. A maximum number of 7 children will be cared for at any one time.
Permissible Use Class	Family Day Care 'A'
Heritage/Aboriginal Sites	No.
Encumbrance	The proposed Family Day Care has no impact on the Easements/ caveats on the title.
Date Received	7 June 2022



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	DPLH Planning Bulletin 72/2009 – Child Care Centres
Officer Comment	The application is for a Family Day Care within an existing low scale residential area. The proposal is unlikely to result in a significant increase in the number of vehicles on the local road and will not result in a negative traffic impact on the surrounding area.
Structure Plans and Local Development Plans (LDP's)	
Is the land in any Structure Plan Area or subject to a LDP?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes, state the Policy/Policies	

Officer Comment	<p>Fencing requirements:</p> <p>The LDP for Hamelin Grove requires fencing to be of 'post and rail' or 'post and wire'.</p> <p>The proposal includes open style pool fencing setback approximately 14 metres from the front boundary of the property. The pool style fencing is also proposed along the northern side of the child play area, setback from the northern boundary to accommodate car parking and vehicle circulation. The fencing maintains an open appearance from the street and does not block views to and from the dwelling. The fencing will be used to maintain separation between two dogs on site and the children's play area. The fencing along the front setback and side boundaries of the site remain as open 'post and wire'. The proposed pool fencing is an appropriate style of fencing for the implementation of the family day care and is generally aligned to the LDP.</p> <p>It should be noted that the pool fencing was installed prior to the application being approved and no complaints from the surrounding community were received.</p>		
Planning History			
N/A			
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: 5			
Details of Submission		Officer Comment	
<p>Submitters raised concerns around the operation of the Family Day Care at the premises including the hours of operation. Submitters were concerned with children being dropped off at 6am, particularly the potential noise impacts and increase in traffic within a residential area.</p> <p>Submitters also raised concerns around the suitability of the site stating that there were two dogs that were often aggressive and a large tree on site that has a number of large dead limbs hanging and have frequently dropped.</p>		<p>The applicant was contacted following the submission period to provide comment. The applicant stated that the number of children being dropped off before 7am would be limited to parents that specifically needed it for the hours that they worked. The applicant did not expect that many children would be dropped off at 6am. The applicant also confirmed that children would be kept inside the dwelling until after 7am.</p> <p>The applicant stated that drop off and pick up times would be staggered to alleviate parking and traffic issues. In addition, the number of children was being limited to 7 and could include multiple children from one family. A condition of planning approval has been added to ensure that all parking and vehicle movements are maintained inside the lot.</p> <p>The applicant has stated that the pool fence and separate area within the dwelling have been installed to separate children and the dogs. The Department of Communities is responsible for ensuring the suitability and safety of children within a Family Day Care.</p>	
Internal Department Comments		Officer Comments	
<p>Environmental Health:</p> <p>The proposed Family Day Care operation offers education for seven children. Only four of the children can be below pre-primary school age. Based on this a noise impact assessment would not be required for this proposal.</p> <p>The property is connected to an approved septic system.</p> <p>Compliance with the National Quality Framework including the Education and Care Services National Law (WA) Act 2012 and Education Care Services National Regulations 2012 will be required but this is not administered by the Shire.</p> <p>Recommended conditions:</p>		<p>The recommended conditions have been included in the Shire's recommendation.</p>	

<p>1. Noise emissions (sound levels) resulting from the use of the premises for a family day care shall not exceed the assigned levels in the Environmental Protection (Noise) Regulations 1997 and shall not unreasonably interfere with the health, welfare, convenience, comfort or amenity of an occupier of any other premises.</p> <p>2. Should food be provided for children, notification shall be made in the approved form to the Shire in accordance with the Food Act 2008 and subsequent compliance shall be achieved in relation to the Food Standards Code.</p> <p>3. The proposal is to provide a potable water source in accordance with Shire of Augusta Margaret River Health Local Laws 1999.</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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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 – Council discretion	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	
Officer Comment	<p>The proposed child drop offs are to be staggered to ensure that a maximum of two cars are on site at any one time. Two car parking bays are designated on site, however additional area is available if required.</p> <p>Condition added to ensure all car parking is maintained within the site.</p>	
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. Existing tree in the front of site will be maintained.	
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. the proposal is small in nature and the noise of children will be managed by the operator of the day care.	
v. Is the development likely to comply with AS3959 at the building permit stage?	Yes. No additional buildings proposed.	
Other Comments		
Any further comments in relation to the application?		
Officer Comment	The proposal is recommended for conditional approval.	

OFFICER RECOMMENDATION

That the Manager 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 proposed Family Day Care at 21 (Lot 231) Lumber Crescent, Karridale subject to compliance with the following conditions:

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	P1 received by the Shire on 7 June 2022; and P2 received by the Shire on 29 September 2022.
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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. A maximum of **seven (7) children** are permitted on site at any one time, with no more than **four (4)** children under pre-primary age.
4. The accepted Bushfire Emergency Evacuation Plan shall be implemented on site prior to commencement of the use and at all times thereafter.
5. Noise emissions (sound levels) resulting from the use of the premises for a family day care shall not exceed the assigned levels in the *Environmental Protection (Noise) Regulations 1997* and shall not unreasonably interfere with the health, welfare, convenience, comfort or amenity of an occupier of any other premises.
6. Should food be provided for children, notification shall be made in the approved form to the Shire in accordance with the *Food Act 2008* and subsequent compliance shall be achieved in relation to the *Food Standards Code*.
7. All vehicles connected with the premises shall be parked within the boundaries of the property.
8. The outdoor play area is only permitted to be used during the hours of 8:00am and 5:00pm.

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.