

**DEVELOPMENT ASSESSMENT REPORT**  
**Shire of Augusta Margaret River**  
**22 February to 28 February 2024**

**APPLICATIONS RECEIVED**

Date Rec'd	Reference No.	Address	Proposal
<b>PLANNING</b>			
22/02/2024	P224147	18 (Lot 11) Copse Way, Cowaramup	Outbuilding (Water Tank)
23/02/2024	P224148	11 (Lot 31) Ellen Place, Margaret River	Holiday House Renewal (Large)
23/02/2024	P224149	17 (Lot 121) Walkington Avenue, Margaret River	x2 Group Dwellings & x2 Holiday House
23/02/2024	P224150	Unit 8 / 145 (Lot 4) Bussell Highway, Margaret River	Section 40
23/02/2024	P224151	4 (Lot 325) Honeysuckle Glen, Cowaramup	Outbuilding (Shed)
27/02/2024	P224153	Unit 4, 35 (Lot 4) Stewart Street, Margaret River	Holiday House Renewal (Large)
27/02/2024	P224154	27 (Lot 20) Isaacs Road, Margaret River	Holiday House (Renewal)
27/02/2024	P224155	97 (Lot 63) Treeton Road North, Cowaramup	Holiday House Renewal
28/02/2024	P224159	15 (Lot 8) Tyrone Loop Margaret River	Outbuilding (Shed)
28/02/2024	P224160	10 (Lot 12) Hideaway Entrance	Outbuilding (Shed)
<b>BUILDING</b>			
26/02/2024	224119	12 (Lot 297) Jenkins Road, Cowaramup	Swimming Pool and Barrier Fence
26/02/2024	224120	8 (Lot 105) Vita Court, Margaret River	Swimming Pool
26/02/2024	224121	8 (Lot 105) Vita Court, Margaret River	Swimming Pool Barrier Fence
26/02/2024	224122	106 (Lot 141) Brookfield Avenue, Margaret River	Single Dwelling with Studio, Garage and Patio
26/02/2024	224123	35 (Lot 262) McManus Circuit, Witchcliffe	Shed
26/02/2024	224124	35 (Lot 9) Karrack Crescent, Witchcliffe	Single Dwelling, Patio, Rainwater Tanks and Carport
26/02/2024	224125	4 (Lot 19) Carnaby Crescent, Witchcliffe	Single Dwelling, Garage and Patio
26/02/2024	224126	65 (Lot 9) Waverley Road, Cowaramup	Patio
26/02/2024	224127	14 (Lot 301) Lemon Gum Retreat, Margaret River	Retaining Walls and Pump House
26/02/2024	224128	407 (Lot 1740) Donaldson Road, Cowaramup	Demolition of Farm Shed
27/02/2024	224129	3 (Lot 173) Elm Court, Margaret River	Shed
27/02/2024	224130	63 (Lot 8) Waverley Road, Cowaramup	Single Dwelling, Garage and Patio
27/02/2024	224131	22 (Lot 59) Osbourne Street, Gracetown	Alterations and Additions - reroof and reclad and internal renovation
27/02/2024	224132	52 (Lot 275) Callistemon Drive, Margaret River	Shed
27/02/2024	224133	6 (Lot 7) Plumage Close, Margaret River	Single Dwelling, Garage and Patio
28/02/2024	224134	27 (Lot 219) Coracina Avenue, Witchcliffe	Single Dwelling and Rainwater Tank
28/02/2024	224135	Lot 1005 Hawkesford Place, Margaret River (Margaret River Lifestyle Village)	Shed
28/02/2024	224136	407 (Lot 1740) Donaldson Road, Cowaramup	Rainwater Tanks x2
28/02/2024	224137	352 (Lot 241) Bullant Road, Forest Grove	Two Storey Dwelling and Two Storey Garage/Dwelling Additions, Roofed Walkway and Spa with Barrier Fence
28/02/2024	224138	352 (Lot 241) Bullant Road, Forest Grove	Rainwater Tank
<b>Exploration Licenses for Comment</b>			
Nil			

**APPLICATIONS DETERMINED UNDER DELEGATION**

Date Rec'd	Reference No.	Address	Proposal	Outcome
<b>PLANNING</b>				
08/06/2022	P222376	Lot 9014 John Archibald Drive Margaret River (Rapids Landing Lifestyle Community)	Structure Plan	Approved

08/08/2023	P223499	93 (Lot 4) Bussell Highway, Margaret River	Caretakers Residence	Cancelled
14/11/2023	P223758	673 / 691 (Lot 152) Rosa Brook Road, Rosa Brook	Holiday House (Large)	Approved
29/11/2023	P223812	23 (Lot 20) Shetland Place, Margaret River	Home Business (Meditation and Tai Chi Classes)	Approved
01/12/2023	P223823	104 (Lot 36) Ashton Street, Margaret River	Single House and Outbuilding	Approved
05/12/2023	P223829	6 (Lot 3) Loriini Lane, Cowaramup	Holiday House	Approved
06/12/2023	P223835	1 (Lot 1) Chuditch Place, Gnarabup	Outbuilding Additions	Approved
13/12/2023	P223844	Unit 6/2 (Lot 6) Station Road, Margaret River	Holiday House	Approved
13/12/2023	P223845	Unit 5/2 (Lot 5) Station Road Margaret River	Holiday House	Approved
21/12/2023	P223887	34 (Lot 332) Ironstone Place, Margaret River	Single Dwelling (Outbuilding)	Approved
23/01/2024	P224062	18 (Lot 25) Treeside Lane, Margaret River	Holiday House	Approved
24/01/2024	P224065	1 (Lot 16) Treeside Lane, Margaret River	Holiday House Renewal	Approved
06/02/2024	P224098	13 (Lot 111) Orchid Ramble, Margaret River	Bed and Breakfast	Approved
08/02/2024	P224103	13 (Lot 122) Lesueur Place, Gnarabup	Boundary Fence	Approved
13/02/2024	P224114	Lot 9004 Moondyne Ridge, Kudardup	Entry Signage	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>				
25/10/2023	P223699	8 (Lot 105) Walton Way, Gracetown	Grouped Dwelling	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 Regulatory Services**  
**Proposed Grouped Dwelling at 8 (Lot 105) Walton Way, Gracetown**

**Level 3 - 2 objections**

**P223699; PTY/628**

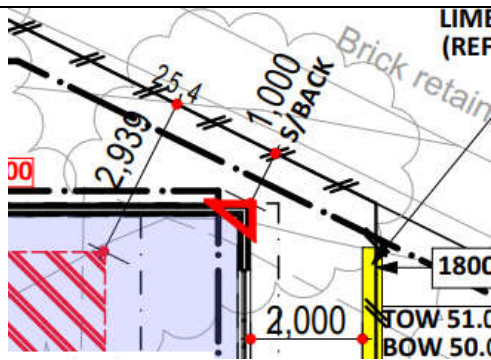
**REPORTING OFFICER** : **Tessa Ashworth**  
**DISCLOSURE OF INTEREST** : **Nil**

General Information	
Lot Area	1288m <sup>2</sup>
Zone	<b>R15</b>
Proposed Development	Proposed Grouped Dwelling on proposed strata lot, approved by the Department of Planning Lands and Heritage (P221511).
Permissible Use Class	'D' Grouped Dwelling
Heritage/Aboriginal Sites	None
Encumbrance	None
Date Received	25/10/2023



<b>Policy Requirements</b>	
Is the land or proposal referred to in any Council Policy? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Officer Comment</b>	<b>Government Sewerage Policy (GSP)</b> The subject site is located in a sewerage sensitive area in accordance with the Government Sewerage Policy. The GSP provides guidance around the minimum lot size in Sewerage Sensitive Areas and was considered through the subdivision assessment for this site (detail provided below). This would have included referral to the Department of Health for feedback.
<b>Structure Plans and Local Development Plans (LDP's)</b>	
Is the land in any Structure Plan Area or subject to a LDP? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>Planning History</b>	
P221511 Survey Strata approved 09/09/2021 as per the plan below.	
<p>The location plan shows two survey strata lots, Lot 1 (644m²) and Lot 2 (604m²), situated on Walton Way. Lot 1 contains a single-story fibro building with a fibro roof (FFL=51.47m), a deck, stairs, pavers, a brick retaining wall, a water tank, and a shed. Lot 2 contains a single-story fibro building with a fibro roof. The plan also shows two potential 150m² disposal areas, a common property area (40m²), an access leg (59m²), and various other features like power poles, guide wires, and retaining walls. Neighboring lots 104, 106, 108, 109, and 110 are also indicated.</p>	
<b>Advertising/Agency Referrals</b>	
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:	
<b>Details of Submission</b>	<b>Officer Comment</b>
<p>2 x objections</p> <ul style="list-style-type: none"> <li>Concern that the development exceeds maximum height allowance, particularly due to natural ground level variations.</li> <li>Require development to be within current codes and guidelines.</li> </ul>	<p>The applicant has provided confirmation that the development will be within the 7m wall height and 8m roof height limit. A condition will be added to require the development to be surveyed upon completion to ensure these height limits are met.</p> <p>Proposal assessed against R-Codes with performance criteria achieved.</p>
<b>Internal Department Comments</b>	<b>Officer Comments</b>
Health	

- In sewerage sensitive area but sandy soil will reduce application area. - Suggest four soak wells instead of 2 for aerobic treatment unit wastewater calculations.	Plans revised to include 4 soak wells. Land application area determined through strata subdivision.		
<b>Assessment of Application</b>			
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
<b>R Codes</b>			
Are R Codes applicable?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<b>Design Element</b>	<b>Policy / R Codes</b>	<b>Provided</b>	<b>Officer comment</b>
<b>Front Setback</b>	6m	6m	Complies – Battleaxe lot
<b>Sides Setback</b>	North East Required: <b>1.5m</b> 15.3m Length and 3.29m Height with major openings	East – 0m- 1.55m	Associated with Nil setback to Garage to internal boundary which is not yet created. Lots currently under the same ownership on one title.
	South (First Floor) Required: <b>1.5m</b> 12.5m Length and with 2.8m height with major openings	1m to Ground Floor	<b>Variation</b> 2 <sup>nd</sup> floor complies.
	South (Second Floor) Required: <b>1.2m</b> 5.94m Length and with 5.75m height with no major openings	2.99m to 2ndF	Complies
	North – *	North – 6m	North – Complies
<b>Rear Setback</b>	6m	West - 8m	Complies
<b>Driveway Width</b>	3-6m	4m	Complies
<b>Open Space Requirement</b>	50%	26.4%	Complies
<b>Upgrade Landscaping</b>	<input checked="" type="checkbox"/> Required	<input type="checkbox"/> Not Required	
<b>Overlooking</b>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<b>Condition Applied</b>
<b>Street surveillance</b>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
<b>Street Walls and Fences</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
<b>Overshadowing</b>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
<b>Other Variations</b>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
	<b>Site works – variation</b>		
<b>Officer's Comments against performance criteria</b>	<p>5.1.3 Lot boundary setback</p> <p>As mention above, a variation is proposed for the south boundary setback of 1m in lieu of 1.5m. The performance criteria associated with this Design Element are provided below:</p> <p><i>Buildings set back from lot boundaries or adjacent buildings on the same lot so as to:</i></p> <ul style="list-style-type: none"> <li>• reduce impacts of building bulk on adjoining properties;</li> <li>• provide adequate direct sun and ventilation to the building and open spaces on the site and adjoining properties; and</li> <li>• minimise the extent of overlooking and resultant loss of privacy on adjoining properties.</li> </ul> <p>The proposal demonstrates compliance with the performance criteria as follows:</p> <ul style="list-style-type: none"> <li>• The ground floor setback is a minor corner projection, therefore the variation is anticipated to have a limited impact in terms of building bulk to the adjoining lot;</li> <li>• It will not impact on solar access for the southern adjoining properties;</li> <li>• The area of variation does not contain major opening, and will not lead to impacts in terms of visual privacy.</li> </ul> <p>Area of variation:</p>		



### 5.3.7 Site Works

As outlined above, the proposal incorporates a variation with retaining along NW boundary ranging from 0.80 to 1.3m above NGL in lieu of 0.5m. The performance criteria associated with this Design Element are provided below:

- Development that considers and responds to the natural features of the site and requires minimal excavation/fill.
- Where excavation/fill is necessary, all finished levels respecting the natural ground level at the lot boundary of the site and as viewed from the street.
- Retaining walls that result in land which can be effectively used for the benefit of residents and do not detrimentally affect adjoining properties and are designed, engineered and landscaped having due regard to clauses 5.3.7 and 5.4.1.

The proposal demonstrates compliance with the performance criteria as follows:

- The retaining is sufficiently setback from the street and will not impact on the impression of the natural topography from the streetscape;
- The site has a crossfall of around four meets, and has for the majority being sufficiently setback to minimise impacts on neighbouring properties and provide a developable area on site for use of the residents.
- No objection was raised by the affected neighbour regarding the retaining wall.

<b>Development Standards (Schedule 9)</b>		
Are the development Standards applicable?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Car Parking</b>		
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
<b>Building Height</b>		
Scheme / Policy Requirement	Wall - 7m	Roof - 8m
State the proposed building height	Wall - 6.8m Roof - 8m	<input checked="" type="checkbox"/> Complies <input type="checkbox"/> Doesn't Comply
<b>Officer Comment</b>	Condition for height applied. No spot levels provided, will need to be surveyed upon completion as close to maximum height level.	
<b>Clause 67</b>		
In the opinion of the officer, would approval of the planning consent be appropriate under Clause 67 of the Deemed Provisions of the Scheme?		
<b>Officer Comment</b>	<p><b>LPS 1 - 5.22 Dwellings without reticulated water</b> Rainwater tank capacity of 120,000L to be provided. The applicant has proposed bladders under the alfresco area as a solution for the size constraint of the lot.</p> <p>No other relevant scheme requirements to address.</p>	
<b>In the opinion of the officer</b>		
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?	Vegetation required to be removed for battleaxe driveway access which is unavoidable given the previously approved strata subdivision. No planting areas has been provided for and will be applied as condition of approval.	
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
<b>Other Comments</b>	
Any further comments in relation to the application?	
<b>Officer Comment</b>	Nil

#### OFFICER RECOMMENDATION

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 proposed Grouped Dwelling at 8 (Lot 105) Walton Way, Gracetown 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	Plans 1 to 5 received by the Shire 16 February 2024
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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.
- 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.
- The proposal shall comply with the *Government Sewerage Policy 2019*.
- The proponent shall capture and treat all wastewater associated with the proposed activity on site in accordance with the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974*. Given that the land is within a sewage sensitive area, all wastewater will need to be treated to secondary standard in accordance with the *Government Sewerage Policy 2019*.
- 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.
- Prior to lodging of a building permit application details shall be submitted for a privacy screen for the Bedroom 4 Window to address overlooking. Screening shall meet the acceptable development standards of the Residential Design Codes clause 5.4.1. Screening shall then be installed prior to occupation of the dwelling and maintained thereafter.

#### 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.