

DEVELOPMENT ASSESSMENT REPORT
Shire of Augusta Margaret River
15 – 21 July 2021

APPLICATIONS RECEIVED

Date Rec'd	Reference No.	Address	Proposal
PLANNING			
16/07/2021	P221491	10402 (Lot 210) Bussell Highway, Witchcliffe	Small Bar
19/07/2021	P221493	12 (Lot 500) Burton Road, Margaret River	Community Purpose (Storeroom Addition)
19/07/2021	P221494	12 (Lot 500) Burton Road, Margaret River	Community Purpose (Community Pantry - Shop & Commercial Kitchen)
20/07/2021	P221496	10402 (Lot 210) Bussell Highway, Witchcliffe	Section 40 (Small Bar)
20/07/2021	P221497	4 (Lot 525) Hillside Avenue, Margaret River	Dwelling Additions (Patio)
20/07/2021	P221498	31 (Lot 225) Ironbark Avenue, Margaret River	Home Business (Commercial Kitchen)
20/07/2021	P221499	4 (Lot 450) Smokebush Court, Cowaramup	Dwelling (Carport Addition)
20/07/2021	P221500	16 (Lot 11) Tunbridge Street, Margaret River	Holiday House (Renewal)
20/07/2021	P221501	4 (Lot 136) Blue Gum Place, Cowaramup	Dwelling
21/07/2021	P221503	12 (Lot 129) Tall Trees Court, Cowaramup	Dwelling
BUILDING			
15/07/2021	221481	5 (Lot 214) Bole Way, Karridale	Single Dwelling
15/07/2021	221482	1 (Lot 25) Merrit Lane, Margaret River	Patio
15/07/2021	221483	15 (Lot 29) Seahawk Rest, Gracetown	Unauthorised Works - Ancillary Accommodation
15/07/2021	221484	6 (Lot 145) Mooring Court, Molloy Island	Rainwater Tank
15/07/2021	221485	802 (Lot 52) Manear Road, Rosa Glen	Demolition - Single Dwelling
16/07/2021	221486	6480 (Lot 1611) Caves Road, Margaret River	Ancillary Dwelling, Garage and Rainwater Tank
20/07/2021	221487	20 (Lot 23) Shetland Place, Margaret River	Demolition of a Shed
16/07/2021	221488	129 (Lot 44) Terry Drive, Margaret River	Alterations and additions to existing dwelling- re roof ancillary and construct carport
20/07/2021	221489	82 (Lot 201) Ashton Street, Margaret River	Alterations and Additions to existing structure - new roof and study
19/07/2021	221490	Lot 4075 Mann Road, Nillup	Two Storey Dwelling and Rainwater Tank
20/07/2021	221491	57 (Lot 2) Coppin Grove, Redgate	Alterations and Additions to Existing Structure - Garage and Two Storey Addition
20/07/2021	221492	5 (Lot 54) Cidergum Loop, Margaret River	Single Dwelling and Carport
20/07/2021	221493	2 (Lot 10) Dallip Spring Road, Burnside	Alterations and Additions to Existing Structure - 3 rooms and bathroom
21/07/2021	221494	204 (Lot 3) Clayton Road, Treeton	Unauthorised works - Ancillary Dwelling
21/07/2021	221495	4 (Lot 91) Price Street, Margaret River	Single Dwelling

APPLICATIONS DETERMINED UNDER DELEGATION

Date Rec'd	Reference No.	Address	Proposal	Outcome
PLANNING				
07/01/2021	P221014	7 (Lot 98) Nebbiolo Place, Margaret River	Dwelling Addition (Outbuilding)	Conditionally approved.
24/03/2021	P221213	11214 (Lot 101) Bussell Highway, Forest Grove	Dwelling Outbuilding & Vegetation Modified Outside Building Envelope	Conditionally approved.
08/06/2021	P221402	79 (Lot 104) Baudin Drive, Gnarabup	Dwelling (Roof Addition)	Conditionally approved.
08/06/2021	P221403	11 (Lot 40) Paperbark Grove, Margaret River	Dwelling (Shed Addition)	Conditionally approved.
24/06/2021	P221439	15 (Lot 63) Casselton Grove, Margaret River	Ancillary Dwelling	Conditionally approved.

06/07/2021	P221465	2 (Lot 22) Wooredah Crescent, Prevelly	Bed & Breakfast (Renewal)	Conditionally approved.
SUBDIVISIONS				
11/05/2021	P221357	Lot 100 Le Souef Street, Margaret River	Survey Strata	Recommended for conditional approval
LOCAL LAW PERMITS				
14/06/2021	P221464	2021-2022 Portion of Gnarabup Beach, Gnarabup, Gracetown Swimmers Beach, Flinders Bay, Augusta	Local Law Permit - Vac Swim Lessons	Approved
15/07/2021	P221492	41 Wallcliffe Road, Margaret River	Local Law Permit renewal - Running Group Gloucester Park, (main oval primary location)	Approved

LEVEL 3 PLANNING APPLICATIONS FOR DETERMINATION

Date Rec'd	Reference No.	Address	Proposal	Recommendation
PLANNING				
15/04/2021	P221278	Unit 1/5 (Lot 703) Freycinet Way, Gnarabup	Dwelling Additions	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 (DAU)
Report to Manager Planning and Development Services

Proposed Dwelling Additions: Unit 1, 5 (Lot 703) Freycinet Way, Gnarabup

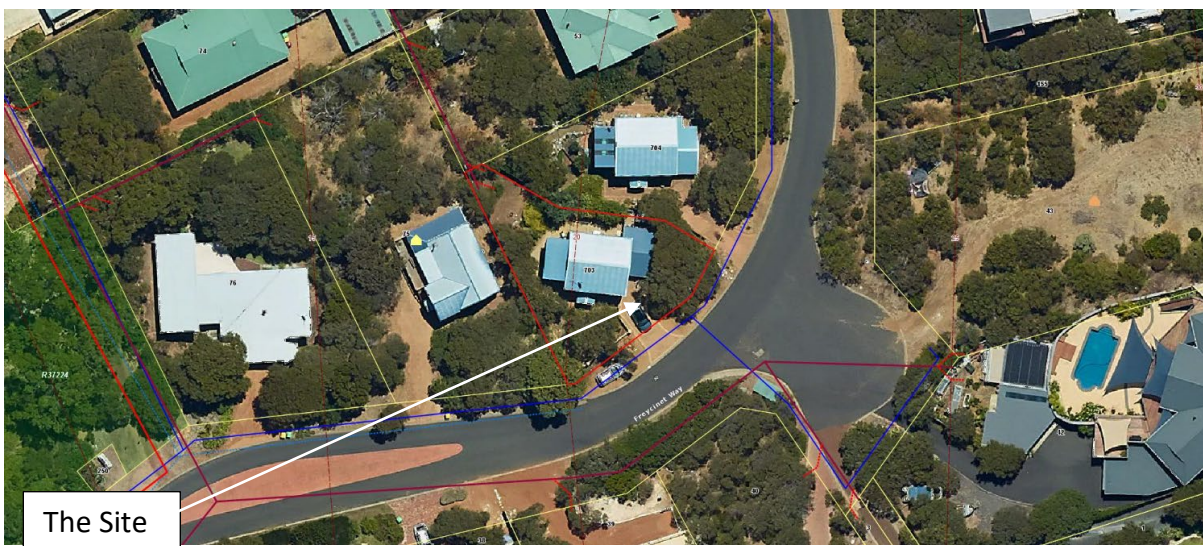
Major (Level 3)

P221278; PTY/6549

REPORTING OFFICER : Lara Hoole
DISCLOSURE OF INTEREST : Nil

General Information	
Lot Area	470m ²
Zone	Residential R17.5 (Special Control Area 3)
Proposed Development	<p>Dwelling additions as follows:</p> <ul style="list-style-type: none"> • New veranda and entry on the south/front elevation of the dwelling. • Converting existing carport to a two-storey addition comprising a garage on the ground floor and bedroom and bathroom above. • Front fence addition (7m long) of brick pillars and timber slats, solid up to 1.2m and including a 3m long gate. • Up to three peppermint trees to be removed in the front setback. <p>Variations to the 'deemed to comply' standards of the RCodes are:</p> <ul style="list-style-type: none"> • Front setback 1.8m for the additions varying the 6m front boundary setback standard.
Permissible Use Class	'P' (permitted). All development requires planning approval in SCA 3.
Heritage/Aboriginal Sites	Not listed.
Encumbrance	Subject to special conditions contained in Crown Grant Vol 1044 Fol 979 (re: discovery of caves). Restrictive Covenant. Easement Burden (Sewerage). No impacts arising from the encumbrances on title.
Date Received	15/04/2021

Aerial Extracts



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	<u>Local Planning Policy 4 – Boundary Fencing (LPP4).</u> Acceptable Development Standards:

AD2.1 Materials – rammed earth, masonry, modular metal panels, timber, wrought iron.

AD2.3 Front fences within the primary setback area that area visually permeable above 1.2m of natural ground level with a maximum height of 1.8m. Can have pillars 400m x 1.8m high, with spacing of 1.2m in between pillars. Walls and fences and other structures truncated or reduced to no higher than 0.75m within 1.5m of where walls, fences, or other structures adjoin.

The proposed boundary fence complies with the acceptable standards under LPP4.

Figure 1 – Photo taken of the south-eastern elevation of Lot 703 (the subject site).



Structure Plans and Local Development Plans (LDP's)

Is the land in any Structure Plan Area or subject to a LDP? Yes No

If yes, state the Policy/Policies 'Gnarabup Beach Structure Plan' endorsed 27/11/2006.

Officer Comment Property is identified as a 'duplex' lot. The parent lot was subdivided to create Lot 703 (the subject site) & Lot 704. No other implications arising from the structure plan.

Development History

Planning Approval

P2503 Grouped Dwelling approved 20/12/1994.

Building Licence

BLD/950032 Grouped Dwelling (Duplex) issued 13/03/1995.

Advertising/Agency Referrals

Has the application been referred to adjoining landowners/agency? Yes No N/A

Has a submission been received by Council? Yes No N/A

No. received: **Two submissions** were received, from owners of two neighbouring properties.

Details of Submission

Objection:

- Removal of significant Agonis Flexuosa Tree/complex will change the vegetated streetscape of Freycinet Way.
- Setting a precedent, whereby a building can be built within the 6 metre building setback area means everyone can do it & it will negatively affect the ambience of the street.
- Having a two-storey building with double roller door so close to the road will make the street feel like an inner city suburb.

Officer Comment

The proposal involves removal of two to three peppermint trees at the front of the dwelling and grass trees which are proposed to be relocated. Removal of the vegetation will have an impact to the streetscape. The proposal involves further plantings to soften the visual impact of the development. The requirement for landscaping in the front setback area is recommended as a condition of any approval.

The development involves a variation to the front street setback, however, similar development setbacks exist in the street with the first house on the south side of Freycinet Way setback 1.8m and fronting the street with a garage and gravel parking area.

The additions are designed to be sensitive to the streetscape. The proposed second storey would be setback back 2m from the front elevation of the garage

	<p>reducing potential building bulk impacts. The second storey has openings on three sides providing surveillance to the street and enhancing the residential design/aspect and streetscape interaction.</p> <p>This particular lot has a number of limitations to development potential. The subject site is reasonably small for the locality (470m²) and is one of only two lots that is triangular in shape. The property is located on a curved frontage with the bulk of development in the front and located adjacent to a bend in the road. The rear yard of the property is also triangular in shape sloping to the north-west with a fall of up to 5m. Development opportunity on the site is constrained and potential housing extension to the rear difficult, limited by topography and the irregular lot shape.</p> <p>The current dwelling is also modest in size; two-storey with a ground floor living area of 63m². The total ground floor footprint would increase to 167m² including the garage. The additions are considered modest particularly in relation to the current scale of the dwelling and relative to residential development in the locality.</p> <p>The subject site is a very small, unusual shaped lot with steep fall at the rear. The proposed development is consistent with that of a small lot with front fencing and limited space. Although there will be some streetscape impacts arising from the proposal, these are considered to be suitably mitigated with design features and proposed landscaping. Furthermore, the proposed development is considered to be modest and justifiable based on the limitations of the site.</p>
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Internal Department Comments	Officer Comments
<u>Infrastructure Services</u> No issues	Noted.

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	6m	1.8m	Variation
Sides Setback	North: 1m South-west: 2m	North: 1m South-west: 4m	Complies Complies
Sides Setback 1st Floor	North: 1.1m South-west: 2.5m	North: 2.3m South-west: 13m	Complies Complies
Rear Setback	2m	21m	Complies
Secondary Street Setback	N/A	N/A	N/A
Garage/Carport Setback	4.5m	Garage: 1.8m	Variation
Driveway Width	3m to 6m	6m	Complies
Combined Driveway Width	Max. 9m	3m + 6m	Complies
Garage Width	50%	28%	Complies
Outdoor Living Area	36m ²	48m ²	Complies
Open Space Requirement	50%	74%	Complies
Upgrade Landscaping	<input checked="" type="checkbox"/> Required	<input type="checkbox"/> Not Required	
Overlooking	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Street surveillance	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
Street Walls and Fences	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
Overshadowing	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Other Variations	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	

Officer's Comments against performance criteria	<p>The development proposes the following variations to the 'deemed to comply' standards of the Residential Design Codes:</p> <ul style="list-style-type: none"> Garage proposed setback 1.8m from the front boundary, (a variation to the 6m minimum front setback standard). <p>The proposed variation meets the design principles of the Rcodes at clause 5.1.3 as follows:</p> <ul style="list-style-type: none"> The proposal incorporates building design elements and the upper floor is setback to mitigate building bulk impacts to the street; The proposal will not be adverse to the provision of sunlight and ventilation to neighbouring properties; The proposal does not result in overlooking; and The additions would make more effective use of space of occupants and will not be adverse to the amenity of neighbouring properties. <p>The proposed development is designed to be finished in materials and colours to match the existing dwelling. Adequate parking and vehicle sight lines are provided and privacy to the front area is enhanced. The proposed development meets the relevant the 'design principles' of the RCodes.</p>	
Local Planning Scheme No. 1 (LPS1)		
Are the development Standards applicable?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Officer Comment	<p>The property is located in Special Control Area – 3 – Gnarabup. The LPS1 provides that the roof colours shall be consistent with vegetation colours of the locality to the satisfaction of the local government (which is predominantly green).</p> <p>The development is proposed to match the existing dwelling finished with non-reflective materials. A condition is recommended to support this.</p>	
Car Parking		
LPS1 / R Codes Requirement	Car Bays Required - 2	Car Bays Proposed - 3
Dimensions	2.5 x 5.5m	<input checked="" type="checkbox"/> Complies <input type="checkbox"/> Doesn't Comply
Turning Bay/Circles and vehicle maneuvering	<input checked="" type="checkbox"/> Complies <input type="checkbox"/> Doesn't Comply	
Building Height		
Scheme / Policy Requirement	Wall - 7m	Roof - 8m
State the proposed building height	Wall – 5.2m	<input checked="" type="checkbox"/> Complies <input type="checkbox"/> Doesn't Comply
	Roof – 7.3m	
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.	
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. Minor development. BAL required at building permit stage.	
Officer Comment	Recommend conditional approval.	

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 Dwelling Additions at Unit 1, 5 (Lot 703) Freycinet Way, Gnarabup 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, P4, & P5 received by the Shire on 15 July 2021. P2 & P3 received by the Shire on 15 April 2021.
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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 walls and roof of the dwelling additions 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.
5. The extension and/or alterations shall be in the same materials, colour and design as the existing building.
6. Prior to lodging of a building permit application, a Landscape Plan shall be prepared to the satisfaction of the Shire. The Landscape Plan shall be drawn to scale and shall show the following:
 - a) The location, species name and mature heights of existing and proposed trees, shrubs, ground covers to be retained and proposed plantings in the front setback area; and
 - b) Those areas that are to be reticulated or irrigated are demonstrated to be designed using water sensitive principles.
7. 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.
8. The total crossover width shall not exceed 9m where the front boundary meets the street and the crossover shall be aligned at right angles to the street. Details to be provided with the building permit.

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.