

**DEVELOPMENT ASSESSMENT REPORT**  
**Shire of Augusta Margaret River**  
**27 January to 2 February 2022**

**APPLICATIONS RECEIVED**

Date Rec'd	Reference No.	Address	Proposal
<b>PLANNING</b>			
27/01/2022	P222056	8 (Lot 222) Marmaduke Point Drive, Gnarabup	Holiday House (Renewal)
27/01/2022	P222057	43 (Lot 53) Mitchell Drive, Prevelly	Holiday House
27/01/2022	P222058	5021 (Lot 41) Caves Road, Cowaramup	Agriculture Intensive (Avocado Orchard)
27/01/2022	P222059	40 (Lot 10) Greenwood Avenue, Margaret River	Dwelling
28/01/2022	P222060	128 (Lot 16) Rainbow Cave Road, Margaret River	Holiday House (Renewal)
28/01/2022	P222062	113 (Lot 522) Yates Road, Margaret River	Holiday House (Renewal)
28/01/2022	P222063	158 (Lot 115) Railway Terrace, Margaret River	Holiday House (Renewal)
28/01/2022	P222064	58 - 60 (Lot 17, 18, 19 and 20) Blackwood Avenue, Augusta	Upgrade of 5 Shop Frontages
28/01/2022	P222065	5103 (Lot 201) Caves Road, Cowaramup	Ancillary Cafe & Incidental Farm Experience
28/01/2022	P222066	71 (Lot 101) Tom Cullity Drive, Cowaramup	Winery (Water Tank Addition)
28/01/2022	P222067	72 (Lot 4) Kulbardi Way, Witchcliffe	Dwelling
28/01/2022	P222068	96 & 108 (Lot 1001) Redgate Road, Margaret River	Building Envelope Variation
31/01/2022	P222071	35 (Lot 1) Station Road, Margaret River	Brewery (Production Only)
31/01/2022	P222072	14 (Lot 301) Lemon Gum Retreat, Margaret River	Building Envelope Variation (Swimming Pool)
31/01/2022	P222073	21 (Lot 22) Osnaburg Street, Augusta	Change of Use from Dwelling to Dwelling & Industry - Cottage
31/01/2022	P222074	23 (Lot 29) Brookside Boulevard, Cowaramup	Dwelling (Outbuilding Addition)
01/02/2022	P222076	21 Unit 1 (Lot 69) Baudin Drive, Gnarabup	Holiday House (Renewal)
02/02/2022	P222080	2 (Lot 101) Trinder Drive, Margaret River	Guesthouse (Renewal)
02/02/2022	P222081	412 (Lot 3154) Wickham Road, Witchcliffe	Section 40 (Cellar Door Sales)
02/02/2022	P222082	Reserve 39081 Town View Terrace, Margaret River	Community Purpose (Historic Sculpture)
<b>BUILDING</b>			
31/01/2022	222026	59 (Lot 7) Allnut Terrace, Augusta	Alterations and Additions to Existing Dwelling - Internal Works, Alfresco, Verandah, Carport, Shed and Retaining Wall
31/01/2022	222046	75 (Lot 417) Ironstone Place, Margaret River	Swimming Pool
02/02/2022	222047	6 (Lot 13) Deere Street, Augusta	Shed and Carport
31/01/2022	222048	8 (Lot 59) Concerto Drive, Cowaramup	Single Dwelling, Garage, Alfresco and Ancillary Dwelling
31/01/2022	222049	7 (Lot 336) Stanes Street, Augusta	Single Dwelling, Alfresco and Carport
02/02/2022	222050	12 (Lot 11) Honeytree Grove, Cowaramup	Swimming Pool Barrier Fence
02/02/2022	222051	5 (Lot 18) Mammoth Street, Witchcliffe	Carport
01/02/2022	222052	7 (Lot 104) Bluebell Place, Margaret River	Single Dwelling

02/02/2022	222054	7 (Lot 57) Rivulet Drive, Cowaramup	Single Dwelling, Garage and Alfresco
02/02/2022	222055	6 (Lot 166) Earl Place, Gracetown	Two Storey Dwelling, Carport, Pergola, Retaining and Rainwater Tank
02/02/2022	222057	9 (Lot 96) Barrett Street, Margaret River	Alterations and Additions - Removal of internal wall and construction of internal wall

#### APPLICATIONS DETERMINED UNDER DELEGATION

Date Rec'd	Reference No.	Address	Proposal	Outcome
<b>PLANNING</b>				
18/09/2020	P220572	Lot 43 Cullen Road, Gracetown	Dwelling	Approved
29/10/2021	P221815	41 (Lot 9) Saint Alouarn Place, Margaret River	Chalet (Additions to Existing Chalet & 1x Proposed Chalet)	Approved
30/11/2021	P221903	3 (Lot 6) Redgate Road, Witchcliffe	Liquor Store	Approved
30/11/2021	P221904	3 (Lot 6) Redgate Road, Witchcliffe	Section 40 (Liquor Store)	Approved
09/12/2021	P221934	18 (Lot 25) Treeside Lane, Margaret River	Dwelling	Approved
13/12/2021	P221936	2 (Lot 243) Bandicoot Close Gnarabup	Holiday House (Renewal)	Approved
13/12/2021	P221941	Unit 2 37 (Lot 56) Town View Terrace, Margaret River	Holiday House (Renewal)	Approved
15/12/2021	P221960	6 (Lot 37) Rosella Court, Cowaramup	Dwelling Additions (Outbuilding - Shed & Lean-to)	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>				
14/06/2021	P221413	76 (Lot 12) Sabina Drive, Molloy Island	Dwelling Additions (Outbuilding - Shed)	Refusal
21/10/2021	P221786	22 (Lot 116) Kilcarnup, Road Burnside	Holiday House (Large)	Conditional approval
05/10/2021	P221728	47 (Lot 134) Turner, Street Augusta	Single 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 (DAU)**  
**Report to Manager Planning and Development Services**

**Proposed Dwelling Additions (Outbuilding – Detached Carport/Shed): 76 (Lot 12) Sabina Drive, Molloy Island**

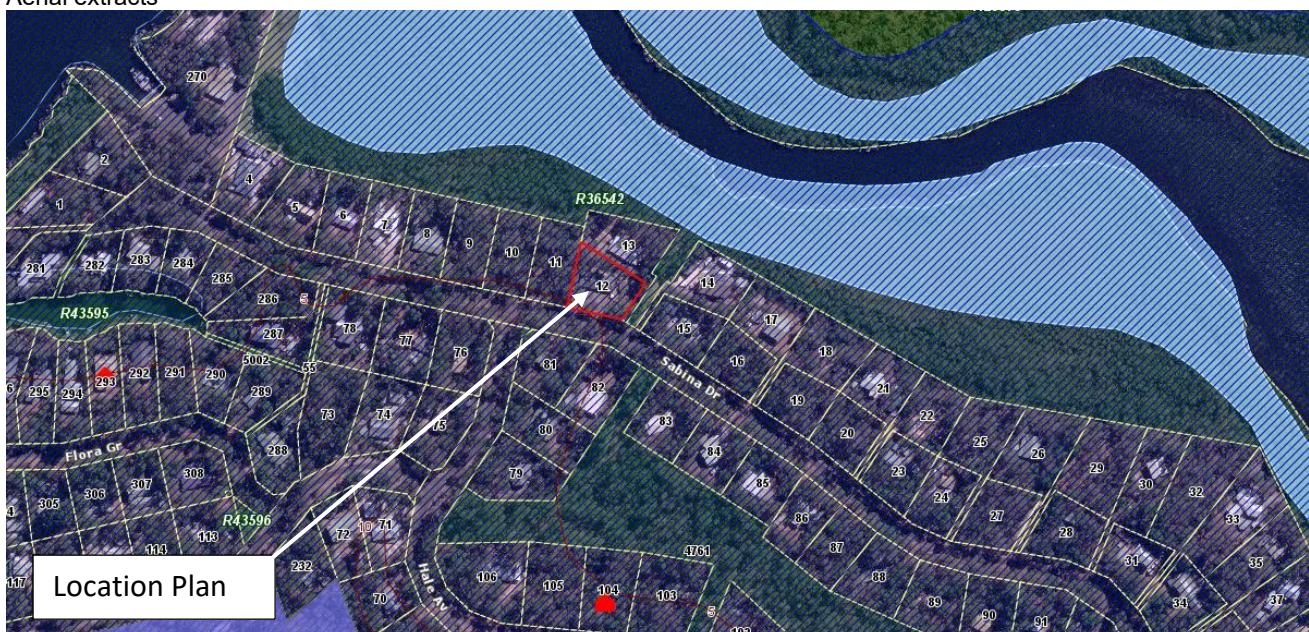
**Level 3 (Refusal)**

**P221413; PTY/1113**

**REPORTING OFFICER** : Lara Hoole  
**DISCLOSURE OF INTEREST** : Nil

General Information	
<b>Lot Area</b>	1685m <sup>2</sup>
<b>Zone</b>	<b>Residential R10/15 Special Control Area – 2 (Molloy Island)</b>
<b>Existing Development</b>	Property is developed with a 4 x bedroom, 2 x bathroom, 1 x carport single story dwelling and 90,000L water tank.
<b>Proposed Development</b>	<ul style="list-style-type: none"> <li>Proposed 10m x 7m (70m<sup>2</sup>) shed with 6m x 7m (42m<sup>2</sup>) carport attached.</li> <li>The shed is to store kayaks, boat, general household storage and hobby workshop.</li> <li>Wall height 3.4m and ridge height 4.033m.</li> <li>The height proposed is to allow enough door height to fit the boat into the shed.</li> <li>To be finished in Cottage Green to match the existing roof of the House.</li> </ul> <p>Local Planning Scheme No. 1 (LPS1) provides that the property is within Special Control Area – Molloy Island. All development on Molloy Island requires Planning approval. Further to this, the proposal involves the following variations to the LPS1, Local Planning Policy 1 – Outbuildings, Farm Buildings and Swimming Pools (LPP1) and the Residential Design Codes (RCodes):</p> <ul style="list-style-type: none"> <li>Shed is located forward of the dwelling, (a variation under LPP1 which provides that outbuildings should be located behind the front of an existing dwelling).</li> <li>Shed is located within the 15m front setback area, (a variation to the RCodes acceptable development standard that requires outbuildings to be located behind the primary street setback area).</li> <li>Shed setback 7.5m from the front boundary, (a variation to the 15m minimum front setback standard of LPS1).</li> <li>Shed setback 3.324m from the eastern side boundary (a variation to the 5m minimum side boundary setback standard of LPS1).</li> <li>3.3m wall height (a variation to the 3.1m maximum wall height standard of LPP1).</li> </ul>
<b>Permissible Use Class</b>	'P' (permitted) – All development on Molloy Island requires development approval.
<b>Heritage/Aboriginal Sites</b>	The site is adjacent to the Blackwood River, a spiritual heritage site. The property is setback 90m from the edge of the Blackwood River. The proposed development will not impact the river.
<b>Encumbrance</b>	Restrictive covenant burden (Molloy Island Home Owners Associated development standards).
<b>Date Received</b>	14/06/2021

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	Local Planning Policy 1 – Outbuildings, Farm Buildings and Swimming Pools (LPP1). State Planning Policy 7.3 Residential Design Codes (RCodes)	
An assessment of the proposal against the relevant policies is provided in the table below:		
Outbuilding Element/Standard	Proposed	Comment
Are not attached to a dwelling and non-habitable.	Detached Shed & Carport.	Complies
LPP1 provides R10 acceptable floor area up for a shed is 75m <sup>2</sup>	Shed: 10m x 7m (70m <sup>2</sup> )	Complies
LPP1 Pitched roof maximum wall height: 3.1m Skillion do not exceed a median wall height of 3.6m	Pitched: 3.4m	Variation
Do not exceed a ridge height of 4.2m	4.033m	Complies
LPS1: Shed not within the primary street setback area – 15m	7.5m	Variation
LPP1: Shed is behind the front elevation of the dwelling.	Shed in front of the dwelling.	Variation
Do not reduce the amount of open space (OS) require in Table 1 – 50%	74% OS	Complies
LPS1: Side: 5m	East: 22.45m West: 3.324	Complies Variation
RCodes Table 2a Rear: 1m	North: 17m	Complies
Officer Comments		
<b>Local Planning Policy 1 – Outbuildings, Farm Buildings and Swimming Pools (LPP1)</b>		
The proposed development is assessed against the Performance Criteria under LPP1 as follows:		
<i>PC1.1 Outbuildings that are/can be adequately screened from view from the street and neighbouring properties or are otherwise an appropriate form and scale and in an appropriate location consistent with the visual management guidelines of the Local Planning Strategy.</i>		
The proposed outbuilding will not be screened from the view of the street or neighbouring properties. The proposed outbuilding is located in front of the dwelling (refer to Figure 1 below).		



Figure 1: view from the street to the front of the property

The proposed shed/carport has a height of 4.033m, which is higher than the existing 3.82m high dwelling (refer to Figure 2). It is considered that the proposed shed forward of the dwelling is inappropriate when assessed against PC1.1 given the unacceptable scale of the shed, lack of screening and adverse impact to the streetscape in the proposed location forward of the dwelling.

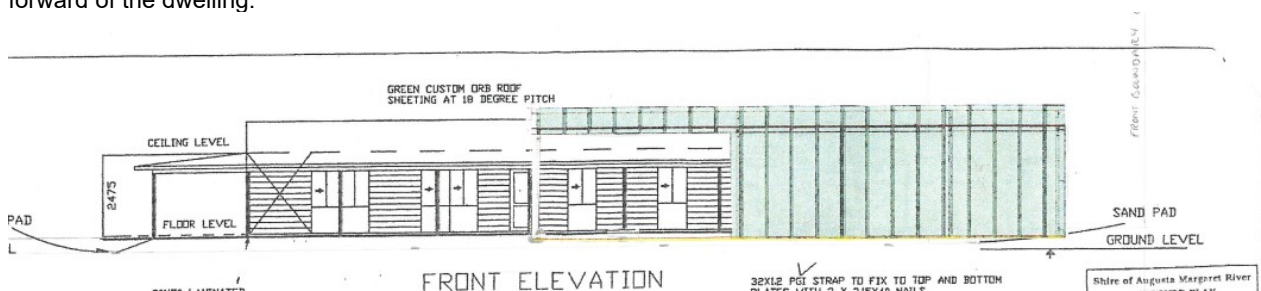


Figure 2: Streetscape elevation with proposed shed forward of dwelling

**PC1.2 Outbuildings constructed of colours and materials that complement the landscape, dwelling and /or the amenity of the surrounding area.**

The proposed shed located in front of the dwelling is large and cumbersome and does not match or complement the wall colours, materials and design or roof pitch of the dwelling.

**PC1.3 Outbuildings that will not have an adverse impact to or detract from the streetscape or amenity of neighbouring properties.**

The shed is proposed to be setback 7m from the front boundary, a variation to the 15m front setback standard of LPS1. The LPS1 provides that a 30% concession to the 15m front boundary setback may be considered. This proposed 7m front setback is inconsistent with residential development on Molloy Island. The shed is proposed to be in clear view of the street in front of the dwelling and will have an adverse impact to the streetscape.

**PC1.4 Outbuildings that, where practical, are grouped with the residence to limit potential adverse visual impacts and are proportionally scaled relative to the dwelling on the site.**

The shed is proposed to be grouped with the dwelling. The proposed shed is higher than the dwelling and is not proportionally scaled with the dwelling onsite.

The proposal is unacceptable when assessed against the Performance Criteria under LPP1.

#### **Residential Design Codes clause 5.4.3 - Outbuildings**

The proposal does not meet the design principles under the RCodes at clause 5.4.3 given the unreasonable adverse impact the development will have to the streetscape for the reasons discussed above.

#### **Structure Plans and Local Development Plans (LDP's)**

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

#### **Development History**

Planning Approval

P211383 Dwelling and Water Tank (min. 90,000litres and 15,000litres for firefighting) approved 08/12/2011.



To be clad/finished in non-reflective materials in keeping with the surrounding natural environment.		
Building Licences/Permits BLD/211314 Dwelling issued 2011. BLD/221034 Patio (attached at the rear of the dwelling) issued 2021.		
<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: 2
<b>Details of Submission</b>		<b>Officer Comment</b>
Private Submission <ul style="list-style-type: none"> <li>Support.</li> </ul>		Noted.
<b>Agency Comments</b>		<b>Officer Comment</b>
Molloy Island Home Owners Association (MIHOA) <ul style="list-style-type: none"> <li>Objection.</li> <li>The front setback is nowhere near compliant with LPS1 even with a 30% variation.</li> <li>The height does not comply with LPS1.</li> <li>The design and siting are not compatible with the established pattern of development on Molloy Island. There are many examples of sheds being located in the front of the existing dwellings, however these sheds comply with setback requirements and are generally of a much more modest proportion.</li> <li>The impact of this proposal is negative with regard to the landscape and amenity of Molloy Island.</li> <li>The proponents have given thought to how visible the shed will be to their neighbours, the impact of the shed on the streetscape will be enormous. No amount of 'screen planting' will hide this shed or lessen its visibility, especially given that it can take 15-20 years to grow any kind of adequate screening on the island.</li> <li>We hope this application is rejected.</li> <li>To allow this development to proceed will set a negative precedent for future development on the island.</li> <li>Existing regulations must be adhered to.</li> <li>The landowners have been informed that the MIHOA will not support the proposal.</li> </ul>		<p>LPS1 clause 6.4.2.4 provides that in formulating a recommendation to the Shire the MIHOA is to have regard to the following provisions (but not limited to):</p> <ul style="list-style-type: none"> <li>Provisions of the LPS1 and any applicable policy.</li> <li>The design, siting and external appearance of the building or structure proposed.</li> <li>The compatibility of development with the established pattern of development of Molloy Island.</li> <li>The suitability of the materials to be used on the external surfaces of the building or structure to blend in with its setting.</li> </ul> <p>The MIHOA have provided an objection to the proposal based on the Outbuilding being located in front of the dwelling and well forward of the 15m front boundary setback. The development is not compatible with the established pattern of residential development. The proposed development will have adverse impacts on the amenity of the streetscape and the area.</p> <p>There are examples of other residential lots with outbuildings approved in front of the dwelling, but they are set well back from the front boundary and are not 15m long facing the front boundary.</p> <p>It is agreed that the development will set an undesirable precedent for future development in the area.</p> <p>The comments provided from MIHOA are consistent with the provisions of the LPS1.</p>
<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>Local Planning Scheme No. 1 (LPS1)</b>		
Are the Development Standards (Schedule 9) applicable?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
LPS1 - Special Control Area 2 – Molloy Island (SCA 2) Clause 6.4.2	<p>Objective is to protect the existing natural qualities and amenity of Molloy Island Special Control Area by strict control of all development. Applications are required to be referred to MIHOA.</p> <p>6.4.2.5 Building is prohibited within 15 metres of a public right-of-way and with 5 metres of a side boundary, however, the local government may vary these distances by up to 30%.</p> <p>The development is considered to not meet the objectives of the SCA 2.</p> <p>LPS1 also provides that assessing an application to have regard to any local planning policy.</p>	

Officer Comment	LPS1 The development proposes the following variations to the LPS1: <ul style="list-style-type: none"><li>Proposed 7m front setback, (a variation to the 15m minimum front boundary setback standard).</li><li>Proposed 3.324m eastern side boundary setback, (a variation to the 5m minimum side boundary setback standard).</li></ul> The LPS1 provides that variations to the 15m front and 5m side boundary setback may be considered for up to 30%. The development proposes setback variations in excess of the variations that may be considered. The proposed boundary setbacks are 47% and 33% variations respectively. The proposed setback variations are inconsistent with the residential character of development on Molloy Island. The proposed setback variations would establish an undesirable precedent.  The proposed development is inconsistent with LPS1 objectives of Special Control Area – Molloy Island and clause 6.4.2.5.		
	Car Parking		
	LPS1 / R Codes Requirement	Car Bays Required - 2	Car Bays Proposed – Existing 2 + 2bays
	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		
Building Height			
Scheme / Policy Requirement	Wall - 7m	Roof - 8m	
State the proposed building height	Wall – 3.4m	<input checked="" type="checkbox"/> Complies <input type="checkbox"/> Doesn't Comply	
	Roof – 4.033m		
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	The proposed development is inconsistent with matters to be considered under the Deemed Provisions at clauses 67 (2) specifically the following subclauses: <ul style="list-style-type: none"><li>a) the aims and provisions of LPS1.</li><li>g) Any local planning policy for the Scheme area.</li><li>m) The compatibility of the development with its setting, including – the desired future character of its setting.</li><li>n) The amenity of the locality including the character of the locality.</li><li>y) Any submissions received on the application.</li></ul> The proposal is inconsistent with Local Planning Scheme No. 1, and Local Planning Policy 1 – Outbuildings and Farm Buildings and Swimming Pools and is therefore recommended for refusal.		

## OFFICER RECOMMENDATION

**That the Manager of Regulatory & Planning Services REFUSES TO 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 Dwelling Additions (Outbuilding – Detached Carport /Shed):**  
**76 (Lot 12) Sabina Drive Molloy Island for the following reasons:**

- The proposal is unacceptable having regard to the matters to which the local government is required to consider pursuant to *Local Planning Scheme No. 1* (the Scheme) clause 67 of the Deemed Provisions specifically as follows:
  - The application is inconsistent with the aims and provisions of the Scheme.
  - The application is inconsistent with Local Planning Policy for the Scheme area.
  - The proposal is incompatible with its setting, including the desired future character of the area.
  - The proposal would have an unreasonable adverse impact to the amenity of the locality.
  - The proposal is unacceptable with regard to the negative submission received.
- The application is inconsistent with the aims and provisions of the Scheme for the Special Control Area 2 – Molloy Island which seek to ensure the natural environment and amenity of Molloy Island are protected through strict development controls. The location of the outbuilding in the front setback area, forward of the dwelling and 7m from the front boundary is a significant variation to front setback standard for the area. The variation is unacceptable given that the maximum variation to the 15m front boundary standard is 10m and given there is opportunity to develop within this area.
- The development is not consistent with *Local Planning Policy 1 – Outbuildings, Farm Buildings and Swimming Pools*. The outbuilding is proposed to be located forward of the existing dwelling, within close proximity to the front street boundary (setback 7m), and the proposed structure would be excessive in scale relative to the existing dwelling on site. The proposal is inconsistent with the orderly and proper planning of the locality with regard to the excessive building bulk impacts and the adverse impact to the streetscape and amenity of the area.
- The proposed outbuilding in the front setback area is inconsistent with the scale and nature of residential development on Molloy Island. The proposed development is not compatible with the existing pattern of development and is considered likely to be adverse to the streetscape and visual amenity of the area. The proposal therefore does not meet the design principles at clause 5.4.3 of the Residential Design Codes.



**DEVELOPMENT APPLICATION ASSESSMENT**  
**Report to Manager Planning and Development Services**

**Proposed Holiday House (Large) at 22 (Lot 116) Kilcarnup Road Burnside**

**Level 3 (objections received)**

**P221786; PTY/9472**

**REPORTING OFFICER** : Sophie Moscardini  
**DISCLOSURE OF INTEREST** : Nil.

General Information	
Lot Area	1.5528ha
Zone	<b>Rural Residential (RR10)</b>
Existing Development	<input checked="" type="checkbox"/> Single House <input type="checkbox"/> Grouped Dwelling
Proposed use	A planning application has been received for a Holiday House use. The existing dwelling is to be used to accommodate up to eight (8) short stay guests at any one time. The management arrangements are to be located within a 35 minute drive of the subject site.
Permissible Use Class	'A' – discretionary use
Advertising Required	Yes – completed
Reason not exempted from planning approval?	Discretionary uses are not permitted unless the Shire exercises its discretion by granting development approval.
Heritage/Aboriginal Sites	N/A
Encumbrance	N/A
Date Received	21/10/2021
Date of Report	



Have there been any objections?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Have there been any substantial changes to the LPS1 or Policy?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
<b>Comments Received</b>	
Nature of Submission	Officer Comments
<b>Objection –</b> <ul style="list-style-type: none"> <li>Large property will likely attract large groups and become a party house.</li> <li>Concerns with noise.</li> <li>The house is currently used as a Holiday House for the owners and friends who live in Perth when there are often people at the house who are noisy.</li> </ul>	<p>The concerns of the submitter are noted.</p> <p>The home will be limited to 8 guests only and although this is still a large group there will be house rules associated with the holiday house in a bid to reduce the impact on neighbours. This includes no noise after 10pm and also requires a manager to be on call 24/7, this allows neighbours to contact management if the</p>



<ul style="list-style-type: none"> <li>There is a major shortage of long-term housing in Margaret River, this home would be a great help to the locals in the region if it was to become a long term rental.</li> </ul>	<p>holiday house is being utilised against the house rules.</p> <p>The property is capable of short-term rental. There is no cap on the number of short-term rentals and therefore the proposal cannot be refused on the grounds that there are limited long term rentals.</p>
<p><b>Objection –</b></p> <ul style="list-style-type: none"> <li>The premises is obviously large and would attract large groups, so noise would be a concern as the house does have a large entertaining area as well as a swimming pool.</li> <li>This is a very quiet area and noise does travel very easily depending on the wind.</li> <li>Large grass area so would be concerned about how the cap on group size would be monitored – additional tents, caravans etc.</li> <li>Controls around outdoor fires again with a large block of land.</li> </ul>	<p>The concerns of the submitter are noted.</p> <p>See response above regarding guest numbers. Guest numbers will form a condition of the approval and therefore any increased number of guests would be in breach of the associated planning approval. This can lead to an infringement.</p> <p>Use of the grassed area for additional accommodation will not be permitted, this to can result in an infringement.</p> <p>No fires will be permitted by guests, this will be relayed within the House Rules for the Holiday House.</p>
<p>Department of Fire and Emergency Services.</p> <p>Issue: Vegetation exclusions and Landscape Management Plan.</p> <p>Evidence to support the exclusion of the entirety of Plot 7 as managed to low threat in accordance with AS3959 is required. Almost the entire 1.6ha lot is excluded apart from a small pocket of Forest on the western boundary. The BMP proposes an APZ to achieve BAL-19. Areas outside of the APZ should also have an enforceable mechanism to ensure it remains low threat in perpetuity. A Landscape Management Plan should be prepared to remove ambiguity for the landowner and to provide a compliance mechanism for the Shire.</p> <p>Issue: Existing infrastructure</p> <p>It is unclear if the existing building adjacent to Plot 6 is habitable or not. If the building is considered habitable an APZ should be implemented around it to achieve BAL-29 or below.</p> <p>Element: Siting and Design – A Landscape Management Plan is required to ensure the calculated BAL rating is maintained in perpetuity.</p> <p>All habitable buildings within the site should have an appropriately sized APZ to achieve BAL-29 or below.</p> <p>Bushfire Emergency Evacuation Plan (BEEP) - the development has potential secondary access via Sparrow Road on the northern boundary, the BEEP should acknowledge this given Kilcarnup Road is a dead-end road.</p>	<p>The comments of DFES are noted. The exclusion of Plot 7 is considered acceptable with the provided photo evidence. This is classified as low threat vegetation as it includes grassland and a vineyard. A landscape management plan is not considered necessary as the Bushfire Management Plan is required to be implemented onsite which will require the APZ to be maintained accordingly.</p> <p>The development next to Plot 6 is classified as an outbuilding and is therefore not habitable.</p> <p>Secondary access to Sparrow Road will provide access to Caves Road which then provides access to two different locations. Therefore, listing this does not make a difference to the evacuation route for guests.</p> <p>The proposal is consistent with v4 of the Guidelines which includes the following:</p> <p>A5.4(a) Every habitable building is required to be surrounded by an Asset Protection Zone (APZ). The existing dwelling is surrounded by an APZ consistent with the Guidelines.</p> <p>A5.5(a) Public road access is to be provided in two different directions. This is achieved as access from Kilcarnup Road is taken from Caves Road which provides access in two different directions in the case of an emergency.</p> <p>A5.5(b) All public roads are required to be through roads. Kilcarnup Road is not a through road however the subject site is located approximately 160m from the Caves Road intersection and therefore the requirements of No-through roads can be achieved.</p> <p>A5.5(c) N/A</p> <p>A5.5(d) A public road is to meet the requirements in Table 6, Column 1. Kilcarnup Road meets these requirements.</p> <p>A5.5(e) N/A. The private driveway is &lt;50m.</p>

		<p>A5.5(f) Signage to be provided within the site, advising of where each access route travels to and the distance and general information signs on what to do in the event of a bushfire. This is achieved by a condition to always have the BEEP accessible to guests at all times.</p> <p>A5.6(a) N/A – the development is not connected to reticulated water supply.</p> <p>A5.5(b) Provision of water tanks in accordance with the requirements of Element 4, Schedule 2, 2.2 Technical requirements. The existing dwelling has a water tank for residential use however there is currently no isolated tank for firefighting purposes. This will be required as a condition of approval.</p>
<b>Policy Requirements</b>		
<b>Policy Element</b>	<b>Provision</b>	<b>Comment</b>
<b>Location</b>	Coastal settlement	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Urban area located within Policy Plan 1?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Within 50m of Village Centre zone?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Located outside of Policy Plan 1 but comprise of an area not less than 1ha?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Design / Layout</b>	One parking bay per bedroom, Or two bays for grouped dwellings	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Reticulated water supply, or minimum 120,000 (plus firefighting provision) rainwater tank?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Minimum 120,000L tank is provided for residential purposes. Isolated firefighting tank is not provided and therefore included as a condition of approval.
	Existing or proposed one site effluent disposal system sized accordingly to number of guests?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Decks and balconies located away from the bedrooms of neighbouring dwellings?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Decks and balconies located close to the living and dining areas of neighbouring dwellings, provided with suitable screening?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Each bedroom accommodates a maximum of two persons?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Fire</b>	If within bushfire prone area a BAL provided?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No BAL-19 determined for the subject site.
	For sites with a BAL above Low, a BMP prepared by accredited consultant and where required referred to DFES for comments?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	BAL rating at BAL-40 or FZ?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Management</b>	Management Plan submitted?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	BEEP provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Manager, or employee permanently resides 35m drive from Site?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Holiday House will be managed by Daniela Gordon located at No. 3857 Caves Road, Wilyabrup (17 minutes from the subject site).
	House Rules?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	Amplified music may not be played outside between the hours of 10pm to 10am	Require as a condition
	Display the manager's 24hr contact details	Require as a condition
<b>Recommended period of approval</b>	<input checked="" type="checkbox"/> 12 months <input type="checkbox"/> 3 years	

#### OFFICER RECOMMENDATION

That the Statutory Planning Coordinator GRANTS Planning Consent under Delegated Authority Instrument No. 34 pursuant to clause 68 (2) of the Deemed Provisions of Local Planning Scheme No. 1 for a Holiday House (Large) at 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 to P2 received by the Shire on 21 October 2021.
--------------------------	--

2. The Holiday House use permitted for a period of **twelve (12) months** from **<date of this approval>** to **<end of date of approval>**. (Refer to advice note 'a')
3. The approved Bushfire Emergency Evacuation Plan and Bushfire Management Plan shall be displayed in a conspicuous location within the dwelling at all times.
4. A Manager or a contactable employee of the Manager that permanently resides no greater than a 35 minute drive from the site shall be nominated for the Holiday House and this person shall attend to any callout within 35 minutes of a reported incident. The Manager or contactable employee is to be retained at all times during the use of the site as a Holiday House. (Refer advice note 'b')
5. At all times the Holiday House use is in operation, the 24-hour contact details of the **Manager** of the Holiday House shall be displayed on a sign that is clearly visible from the nearest street frontage. The sign is limited to a maximum size of 0.2 metres square and not exceeding 1.5 metres in height from the ground level. The sign shall be erected within the property frontage and must be visible from the front street. (Refer to advice note 'c')
6. A minimum 10,000 litre water supply for fire fighting purposes shall be provided in a separate tank on the subject site. The water tank is required to be installed prior to the use of the Holiday House. To enable standardisation of fire brigade access, each private domestic vessel (water tank) shall be fitted with a single 80mm female camlock fitting, maintained in a correct operating condition and adequately sign posted at all times at the property owner's expense.
7. All vehicles & boats connected with the premises shall be parked within the boundaries of the property.
8. The short stay use of the dwelling shall not be occupied by more than **eight (8) people** at any one time.
9. Amplified music shall not be played outside of the holiday house between the hours of 10pm and 10am.
10. 'House Rules' shall be developed to the satisfaction of the Shire prior to the commencement of use. Thereafter the 'House Rules' shall be provided to all guests and shall be displayed within a prominent position within the Holiday House. (Refer to advice note 'f')
11. Any marketing material for this Holiday House shall include display of the planning approval reference number for this approval. (Refer to advice note 'g')

## ADVICE NOTES

- a) Following satisfactory performance of the approved use, and in the absence of any substantiated complaints over the twelve (12) month approval period, the Shire may grant further planning approval for the continuation of the use for a further three (3) years. A new planning application seeking such approval should be submitted 90 days before the expiry of this approval, along with the appropriate planning fee.
- b) If at any time there is not an appointed manager or a contactable employee of the manager for the site, the use must cease until such time as a manager is appointed.
- c) Evidence of installation of the sign will be required to be provided, to the satisfaction of the Shire, at the time an application to renew the Holiday House use is lodged.
- d) This approval does not affect the entitlement to use the dwelling for permanent residential purposes.
- e) You are advised of the need to comply with the requirements of the following other legislation:
  - (i) *Health (Miscellaneous Provisions) Act 1911* and Department requirements in respect to the development and use of the premises.
  - (ii) The *WA Building Regulations 2012* (r.59) requires that the owner of a dwelling (as defined in the Building Code of Australia) must not make the dwelling available for hire unless hard wired, battery backup smoke alarms are installed, complying with the Building Code of Australia and AS3786.
- f) The 'House Rules' document shall be consistent with key elements of the NSW Code for Holiday Houses (please refer to the attached document).
- g) Evidence of the display of the planning approval reference number within the marketing of the Holiday House is required to be provided, to the satisfaction of the Shire, at the time an application to renew the Holiday House use is lodged. Applicants are advised to include a screenshot of the website, to show that the planning approval reference number is being displayed.
- h) Please note that the Shire does not notify landowners in writing of the expiry of a Holiday House planning approval. It is the owners responsibility to monitor and ensure that the planning approval remains valid while the use is being undertaken.





**DEVELOPMENT APPLICATION ASSESSMENT**  
**Report to Manager Planning and Development Services**  
**Proposed Dwelling: 47 (Lot 134) Turner Street, Augusta**

(Level 3 – objections received)

P221728; PTY/735

REPORTING OFFICER : Lara Hoole  
 DISCLOSURE OF INTEREST : Nil

General Information	
Lot Area	854m <sup>2</sup>
Zone	Residential (R15)
Existing Development	The site is developed with a two storey asbestos dwelling.
Proposed Development	<p>The existing dwelling is proposed to be demolished. The demolition is exempt from requiring planning approval, but will require a building permit.</p> <p>Proposed two storey dwelling with car and boat ports fronting Turner Street. The walls are to be finished in charcoal brick and equitone grey cladding. The roof is to be finished in dark grey painted sheet metal. The proposal includes a water tank 2.3m wide, 2.18m high, located behind the front of the dwelling and setback 1.13m from the closest side (southern) boundary.</p> <p>Planning approval is sought for the following variations to the 'deemed to comply' standards of the Residential Design Codes (RCodes):</p> <ul style="list-style-type: none"> <li>• Car/boat port setback 1.3m from the front boundary, (varying the 3m front setback standard).</li> <li>• Dwelling (first floor balcony, living, dining &amp; balcony) proposed nil setback from northern side boundary, (a variation to the 7m side boundary setback standard).</li> <li>• Dwelling (first floor carport) setback 1m from southern side boundary, (a variation to the 1.6m minimum side boundary setback standard).</li> <li>• Dwelling (first floor living, study, kitchen &amp; balcony) setback 1.83m from southern side boundary, (a variation to the 3.1m minimum side boundary setback standard).</li> <li>• Eaves setback 1.8m from northern side boundary, (a variation to the 6.25m minimum eaves setback standard).</li> <li>• Eaves setback 1.3m from southern side boundary, (a variation to the 2.3m minimum eaves setback standard).</li> <li>• Retaining wall ranging in height from 0.5m to 0.7m located within 1m of a side boundary and setback nil from the northern side boundary (a variation to the 1m minimum side boundary setback standard).</li> </ul>
Permissible Use Class	Single House is a 'P' (permitted) use.
Heritage/Aboriginal Sites	Not listed.
Encumbrance	Nil.
Date Received	5/10/2021

Aerial Extracts







Figure 1: Proposed Streetscape Elevation

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		Local Planning Policy 1 – Outbuildings, Farm Buildings and Swimming Pools (LPP1).	
Officer Comment	<p>LPP1</p> <p>The LPP1 provides acceptable standards for outbuildings including water tanks. The location and size of the tank meets the acceptable development standards under LPP1.</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
Development History			
Planning Approvals - nil			
Building Licences/Permits - BLD/76011 Additional Asbestos Sewing Room issued in 1976.			
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: 1 objection & 1 submission of support	
Details of Submission		Officer Comment	
Private Submission (Objection)			
<p>i) I do support improvements to Augusta.</p> <p>ii) The amount of large variations to the RCodes, indicated that the owner did not thoroughly consider their plans prior to purchase of the property.</p> <p>iii) Significant variations to RCodes setbacks having direct impact on neighbouring properties regarding cone of vision, sound and noise.</p>		<p>i) The comments and concerns of the submitter are noted.</p> <p>ii) The original proposal included over 20 variations to the 'deemed to comply' standards of the RCodes. The plans have since been amended, to mitigate potential impacts to the streetscape and amenity of surrounding landowners.</p> <p>iii) While the issues raised about impacts to privacy and noise disturbance are noted, the submitters property is not directly abutting the development site.</p>	

<p>iv) Established native trees near southern boundary will be compromised by Shire asset protection zone if southern setback not compliant with RCode.</p> <p>v) The proposal will affect all of Turner Street.</p> <p>vi) Responsive cohesion concerns:  Variation to the front (west) boundary not consistent with streetscape and setting precedent for further gentrification of remote coastal town.  Balance of structure vs natural landscape not considered or cohesive with streetscape.</p>	<p>Notwithstanding, amendments to the proposal include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>• The initial car/boat port roof was setback 1.3m from the front boundary and occupied 85% of the frontage. The proposed car/boat port has been amended to an angled roof with one point only proposed to be setback 1.3m from the front boundary. The amended proposal now has an average 3m front setback therefore reducing building bulk impacts to the streetscape.</li> <li>• The street verge along the front of the property is densely vegetated with mature native vegetation. It is recommended condition of approval that the majority of vegetation is retained (see Figures 1 &amp; 2).</li> <li>• Landscaping has been proposed in a section (4m) along the northern side boundary to address potential overlooking to the north. The angle of the proposed outdoor living area will not overlook the neighbours outdoor living area and will overlook a shed and a blank wall of the neighbouring dwelling. The affected northern dwelling does not have any major openings facing the development site. The landowners of the adjoining site to the north did not provide any objection to the proposal.</li> <li>• Landscaping is proposed for a 7m section along the southern side boundary to mitigate potential overlooking from the proposed first floor rear balcony. The existing vegetation on the adjoining lot to the south also provides privacy screening (refer to Figure 4). A 17m separation distance exists between the proposed dwelling and the neighbouring dwelling. The adjoining landowners to the south did not object to the proposed development.</li> <li>• The subject site is located on the eastern side of Turner Street and slopes from south-west to the north-east with a fall of approximately 7m. The proposed two storey dwelling is typical in character of the dwellings on the eastern side of the Turner Street as the dwelling is single storey at the front of the property and then becomes a two-storey dwelling at the rear of the property following the natural contours of the site. The eastern side of Turner Street properties typically appear to be one storey at the street and have a much thinner road reserve/verge of 7m of which is densely vegetated with remnant native vegetation (refer to Figure 5).</li> <li>• The front setback for dwellings in the area ranges from 2m to 14.5m. The revised plans propose a point of the carport only to be setback 1.3m from the front boundary with the car/boat port being redesigned to be angled away from the front boundary and providing an average 3m front setback. The proposed carport is angled to run along the front of the house, parallel to the street, nestled behind the existing vegetation in the road reserve screening the carport from the street. The carport, boat port is open, as opposed to solid walls and is single storey at the front of the house addressing the street.</li> </ul> <p>It is considered that the revised plans demonstrate a development that is finished in natural earthy tones and materials consistent with the natural surrounding environment and will complement the street and be consistent with the character of the area.</p>
--	---





Figure 2: Subject site streetscape elevation.



Figure 3: Adjoining northern dwelling



Figure 4: View to the south





Figure 5: Turner Street looking north.

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	Dwelling: 5.199m	Complies with averaging
Sides Setback (Ground Floor)	North: 1m South: 1m	North: 5.626m South: 2.622m	Complies Complies
Sides Setback (First Floor)	North – (First Floor Bedroom & Ensuite): 2m	North: 4.65m	Complies
	North – (First Floor Living & Dining): 4.4m	North: 5m	Complies
	North - (First Floor Balcony Living, Dining & Balcony): 7m	North: Nil	Variation
	South – (First Floor Storage): 1m	South: 6.6m	Complies
	South – (First Floor Carport): 1.6m	South: 1m	Variation
	South – (First Floor Living, Study & Kitchen): 2.2m	South: 7.463m	Complies
	South – (First Floor Living, Study, Kitchen & Balcony): 3.1m	South: 1.83m	Variation
Rear Setback	6m	15.2m	Complies
Garage/Carport Setback	Carport: 3m	1m	Variation
Eaves Setbacks	North: 6.25m South: 2.35m	North: 1.83m South: 2.35m	Variation Variation
Side boundary			
Driveway Width	3m to 6m	6m	Complies
Site Works Front Boundary Setback	Retaining walls, fill and excavation not within the street setback (6m), not more than 0.5m, except for vehicle access.	West: 7.43m	Complies
Site Works Side Boundary Setbacks	Height of site works and/or retaining walls	Required minimum setback	North: 0.5m to 0.7m high setback : nil  Variation
	0.5m or less	0m	
	1m	1m	
Open Space Requirement	50%	69%	Complies
Upgrade Landscaping	<input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required		
Overlooking	<input checked="" type="checkbox"/> Yes <input 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		

<b>Officer's Comments against performance criteria</b>	Variations to the RCodes may be approved if the development is considered to meet the 'design principles'.	
	The proposed carport is setback on an angle to the street boundary, where only one point of the carport is setback as close as 1m from the front boundary. The rest of the overhang of the car/boat port averages a 3m front setback, mitigating potential building bulk on the streetscape. The proposed car/boat port are setback to maintain clear sightlines along the street, and do not obstruct views of the dwelling from the street and vice versa. The road reserve is vegetated of which the portion in front of the carport is to remain and is recommended a condition of approval that this is to be retained which will in addition soften built form from the streetscape. The car/boat port is architecturally designed to complement the dwelling and will contribute positively to streetscape and to the appearance of the dwelling.	
	Potential overlooking to the north and south have already been addressed previously in this assessment. Some landscaping is proposed opposite neighbours vegetated areas along open sections in the boundary fencing areas to ensure privacy screening is retained.	
	The proposed outdoor dining, living, dining and balcony is proposed to have a nil boundary setback for 1m only in a section near the front of the property adjacent to neighbours, fence, vegetation and shed. The rest of the northern side wall angles back to 11.9m setback. It is considered that the angle of the dwelling reduces any building bulk impacts on neighbouring properties. Access to adequate sunlight and ventilation will be available to the proposed dwelling and neighbouring properties.	
	The boat port wall is 7m long with a wall height ranging from 3.85m to 5.4m setback 1m from the southern side boundary, a variation to the 1.6m minimum boundary setback standard. The proposed boat port will be opposite the neighbour's front yard that is densely vegetated. The proposed variation is considered minor, no loss of privacy or overshadowing concerns.	
	Both eaves incursions to the north and south side boundaries are due to the dwelling proposed to be located on an angle in the same location as the existing dwelling. The proposed angled across the lot means that setback variations are only in small sections or ends of building opposite neighbours, sheds and/or vegetated gardens. The proposed eaves variations will not have adverse impacts on adjoining landowners.	
The proposed retaining wall along the northern side boundary variation is considered minor, with only 0.2m over height for a section of 1m along the northern side boundary and a 1m of the boundary. This will not negatively impact the adjoining landowners garden to the north. The proposed retaining wall responds to the natural ground level of the site.		
The proposed development will not cause detrimental impacts on the streetscape or the amenity of the surrounding landowners. It is considered that the proposed development meets the 'design principles' of the RCodes.		
<b>Car Parking</b>		
LPS1 / R Codes Requirement	Car Bays Required - 2	Car Bays Proposed – 3 car bays plus boat bay
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	
<b>Building Height</b>		
Scheme / Policy Requirement	Wall - 7m	Roof - 8m
State the proposed building height	Wall – 3.85m to 7m Roof – 7.481m	<input checked="" type="checkbox"/> Complies <input type="checkbox"/> Doesn't Comply
<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>	Yes.	
<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?	Yes. A condition is recommended to retain a portion of the road reserve vegetation.	
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>Officer Comment</b>	Recommend conditional approval.	

#### OFFICER RECOMMENDATION

That the Statutory Planning Coordinator GRANTS 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 Single Dwelling 47 (Lot 134) Turner Street Augusta 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, P2, P4 – P8 received by the Shire on 19 January 2022. P3 received by the Shire on 21 January 2022.
--------------------------	--

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. Landscaping as privacy screening, as shown on approved plan 'P1' (as marked in red), shall be retained as visual privacy screening for the outdoor dining area(s). The landscaping must not be impacted by construction works and shall at all times be maintained and replanted as required and to the satisfaction of the Shire. Details of the landscaping shall be provided on the building permit plans.
5. Landscaping including landscaping on the Turner Street road verge, shall be implemented in accordance with the approved Landscape Plan, prior to occupation/use of the development and shall be maintained at all times.
6. The wall on the boundary shall be finished to the satisfaction of the adjoining landowner, or in the case of a dispute to the satisfaction of the Shire, prior to occupation.

## ADVICE NOTES

- a) You are advised of the need to comply with the requirements of the following other legislation:
  - (i) A Demolition Permit must be issued by the relevant Permit Authority before any work commences on site as per the *Building Act 2011*.
  - (ii) This is not a Building Permit. A Building Permit must be issued by the relevant Permit Authority before any work commences on site for the approved dwelling 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.
- b) Works are prohibited within the road reserve including any pruning or clearing of vegetation without prior written approval of the Shire. The Proponent shall submit and implement a Traffic Management Plan prepared by an accredited Traffic Manager in accordance with the Main Roads WA Traffic Management Code of Practice, and Australian Standards AS 1742.3 – 2009 for any works on or within the road reserve (including road).