

**DEVELOPMENT ASSESSMENT REPORT**  
**Shire of Augusta Margaret River**  
**25 November to 1 December 2021**

**APPLICATIONS RECEIVED**

<b>Date Rec'd</b>	<b>Reference No.</b>	<b>Address</b>	<b>Proposal</b>
<b>PLANNING</b>			
25/11/2021	P221891	53 (Lot 722) Trinder Drive, Margaret River	Winery (Section 40)
26/11/2021	P221894	64 (Lot 582) Tunbridge Street, Margaret River	Bed & Breakfast (Cancellation)
26/11/2021	P221895	6 (Lot 370) Rosewood Ramble, Margaret River	Bed & Breakfast (Renewal)
26/11/2021	P221896	4 (Lot 687) The Avenue, Margaret River	Dwelling (Patio)
26/11/2021	P221897	18 (Lot 80) The Boulevard, Margaret River	Bed & Breakfast (Renewal)
29/11/2021	P221898	114 (Lot 502) Bussell Highway, Margaret River	Tavern (Events)
29/11/2021	P221899	6 (Lot 39) Freycinet Way, Gnarabup	Dwelling (Outbuilding Addition)
30/11/2021	P221900	75 (Lot 9) Bussell Hwy, Cowaramup	Section 40 (Liquor Store)
30/11/2021	P221901	91 (Lot 100) Clews Road, Cowaramup	Dwelling
30/11/2021	P221902	168 (Lot 2953) Clews Rd, and Strata Lot 1 (261A) Fifty One Rd, Cowaramup	Winery, Restaurant, Cellar Door and Ancillary Events (Amendment to P221048 - Deletion of Condition 6)
30/11/2021	P221903	3 (Lot 6) Redgate Rd, Witchcliffe	Liquor Store
30/11/2021	P221904	3 (Lot 6) Redgate Rd, Witchcliffe	Section 40 (Liquor Store)
30/11/2021	P221905	Local Development Plan Lot 21 Caves Road, Hamelin Bay	Local Development Plan
01/12/2021	P221909	Unit 2 / 67 (Lot 57) Bussell Highway, Cowaramup	Shop
01/12/2021	P221911	Unit 7 / 62 (Lot 7) Orchid Ramble, Margaret River	Home Office Wine Sales (Section 40)
01/12/2021	P221919	57 (Lot 2) Coppin Grove, Margaret River	Dwelling (Tank Addition Outside Building Envelope)
<b>BUILDING</b>			
29/11/2021	221768	43 (Lot 664) Ironbark Avenue, Margaret River	Single Dwelling and Detached Garage
29/11/2021	221769	23 (Lot 13) Allnut Terrace, Augusta	Shed x 2
01/12/2021	221771	Lot 1004 Hawkesford Place, Margaret River	Retaining Wall for Clubhouse
29/11/2021	221772	166 (Lot 34) Bushby Road, Karridale	Chalet Completion
01/12/2021	221773	33 (Lot 551) Crozier Road, Rosabrook	Single Dwelling, Garage, Patio x 2
29/11/2021	221774	Lot 102 and 104 12394 Bussell Hwy, Karridale	Demolition - Single Dwelling
29/11/2021	221775	166 (Lot 34) Bushby Road, Karridale	Unauthorised Works - Dwelling, 2 x Patios, Carport, Workshop, Sea Containers and Dome Over, Toilet Block and Chalet - 'Eco Tent'.
01/12/2021	221776	21 (Lot 103) Ewing Street, Augusta	Carport
01/12/2021	221777	11214 (Lot 101) Bussell Hwy, Forest Grove	Two Storey Dwelling with attached Shed and Garage
29/11/2021	221778	10437 Bussell Hwy, Witchcliffe	Retaining Walls (Stage 4 and 5 of Witchcliffe Eco Village)
29/11/2021	221779	15 (Lot 8) Bettong Place, Witchcliffe	Single Dwelling, Garage, Retaining Walls, Alfresco and Verandah
01/12/2021	221780	13 (Lot 10) Rowe Road West, Witchcliffe	Shed
01/12/2021	221784	5 (Lot 20) Tallwood Loop, Witchcliffe	Single Dwelling, Retaining Wall, Carport and Verandah

**APPLICATIONS DETERMINED UNDER DELEGATION**

Date Rec'd	Reference No.	Address	Proposal	Outcome
<b>PLANNING</b>				
02/10/2020	P220607	780 (Lot 1102) Fisher Road Kudardup	Caravan Park (Carpark and Shed Additions)	Cancelled
12/02/2021	P221119	13580 (Lot 3) Bussell Highway Augusta	Holiday House	Cancelled
10/08/2021	P221555	735 (Lot 101) Osmington Road Bramley	Agriculture Intensive (Blueberry Orchard Addition)	Approved
18/08/2021	P221575	Lot 30 Redgate Road Witchcliffe	Shop and Industry - Light (Commercial Kitchen)	Approved
17/09/2021	P221655	6 (Lot 603) Niblett Retreat Margaret River	Ancillary Dwelling/Garage	Approved
21/09/2021	P221661	33 (Lot 24) Georgette Way Prevelly	Holiday House	Approved
30/09/2021	P221702	15 (Lot 29) Seahawk Rest Gracetown	Dwelling (Development Outside Building Envelope - Dividing Fence Addition)	Approved
01/10/2021	P221719	Lot 74 Colyer Drive Hamelin Bay	Building Envelope Variation Water Tank Outside of Building Envelope and Wall Height Variation	Approved
05/10/2021	P221726	Unit 2 / 35 (Strata 2 Lot 169) Marmaduke Point Drive Gnarabup	Holiday House (Renewal)	Approved
08/10/2021	P221751	Unit 2 / 63 (Lot 172) Townview Terrace, Margaret River	Holiday House	Approved
11/10/2021	P221754	13 / 5962 (Lot 13) Caves Road Margaret River	Building Envelope Variation & Outbuilding Partly Outside Envelope	Approved
11/10/2021	P221756	10A (Stata Lot 2) Freycinet Way Gnarabup	Holiday House Renewal	Approved
13/10/2021	P221761	432 (Lot 106) Bussell Highway Margaret River	Temporary Development Agreement Renewal (Temporary Workers Accommodation)	Issued
18/10/2021	P221775	16 (Lot 305) Yellow Gum Walk Margaret River	Dwelling Alterations & Additions	Approved
26/10/2021	P221799	Unit 40 / 20 (Strata Lot 40 of 229) Riedle Drive Gnarabup	Holiday House	Approved
01/11/2021	P221817	12 (Lot 201) Abberton Lane Cowaramup	Bed and Breakfast	Approved
05/11/2021	P221828	3 (Lot 87) Elizabeth Street Margaret River	Dwelling (Garage Addition)	Approved
10/11/2021	P221845	12 (Lot 114) Sanctuary Circle Cowaramup	Dwelling (Addition)	Cancelled
18/11/2021	P221862	10 (Lot 332) Churchill Avenue Margaret River	Holiday House (Renewal)	Approved
18/11/2021	P221863	199 & 231 (Lot 3) Mc Donald Road, Karridale	Dwelling	Approved
19/11/2021	P221867	5 (Lot 153) Elder Way Margaret River	Dwelling - Outbuilding Addition	Cancelled
<b>SUBDIVISIONS</b>				
Nil				
<b>LOCAL LAW PERMITS</b>				
01/12/2021	P221915	Surfers Point Portion of Reserve 41545	Extension to Permit - Hooked up Fish and Chips operating	Approved

### LEVEL 3 PLANNING APPLICATIONS FOR DETERMINATION

Date Rec'd	Reference No.	Address	Proposal	Recommendation
<b>PLANNING</b>				
05/10/2021	P221725	14 (Lot 24) McDermott Parade, Redgate	Dwelling (Outbuilding Addition)	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 Development Services**

**Proposed Dwelling (Outbuilding Addition)**  
**14 (Lot 24) McDermott Parade Redgate**

**Level 3 (Objection received) P221725; PTY/13262**

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

<b>General Information</b>	
<b>Lot Area</b>	2087m <sup>2</sup>
<b>Zone</b>	<b>Future Development (A19) (R5)</b>
<b>Proposed Development</b>	<p>Development approval is sought for an outbuilding as follows:</p> <ul style="list-style-type: none"> <li>- Floor area of 120m<sup>2</sup>;</li> <li>- Skillion design;</li> <li>- Minimum wall height of 3.2m;</li> <li>- Maximum wall height of 4.0m;</li> <li>- Median height of 3.6m;</li> <li>- Located at the rear of the site, behind a future dwelling, and setback 3.6m to the side boundary and 4.5m to the rear boundary.</li> </ul> <p>Development approval is required as the proposed outbuilding floor area exceeds the acceptable development standard of 80m<sup>2</sup> in the Shire's <i>Local Planning Policy 1 – Outbuildings, Farm Buildings and Swimming Pools</i> (LPP1).</p> <p>The proposed Ancillary Dwelling does not generate a requirement for planning approval.</p>
<b>Permissible Use Class</b>	'P' Ancillary Dwelling; 'P' Single Dwelling
<b>Heritage/Aboriginal Sites</b>	No Aboriginal Heritage Sites identified.
<b>Encumbrance</b>	Easement burden created under Section 167 P. & D. Act of for drainage purposes to Shire of Augusta Margaret River.
<b>Date Received</b>	05/10/2021





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 <i>Local Planning Policy 1 – Outbuildings, Farm Buildings and Swimming Pools (LPP1).</i>	
<b>Officer Comment</b>	<p>LPP1 sets out acceptable development standards that when followed can exempt development from the requirement for planning approval. The acceptable development standard for outbuildings in the Future Development Zone is:</p> <p><i>AD1.2 Outbuildings that do not exceed a wall height of 3.1m, measured in accordance with figure 1 or in the case of a skillion roof design, do not exceed a median height of 3.6m.</i></p> <p><i>AD1.3 Outbuildings that do not exceed a floor area of 80m<sup>2</sup> for R5 sites.</i></p> <p><i>AD1.4 Outbuildings located behind the front of an existing dwelling and where applicable within the prescribed building envelope or clustered with the dwelling.</i></p> <p><i>AD1.5 On properties coded R5, the 5m side setback does not apply to Outbuildings (including water tanks) and swimming pools where located wholly behind the rear elevation of the associated dwelling and where compliant with tables 2a and 2b and clause 5.4.1 of the R-Codes.</i></p> <p>The proposal was modified following advertising to reduce the height (by 300mm) and to meet the medium height standard under LPP1. The side setback was also increased from 1.8m to 3.6m in response to neighbour concerns. The proposed floor area however exceeds the acceptable development standard under LPP1 and this variation is assessed against the relevant performance criteria as follows:</p> <p><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 would be located at the rear of the subject site, behind the future main dwelling.</p> <p><i>PC1.2 Outbuildings constructed of colours and materials that complement the landscape, dwelling and/or the amenity of the surrounding area.</i> The outbuilding will be constructed of colorbond in the colour wallaby consistent with outbuilding development in the area.</p> <p><i>PC1.3 Outbuildings that will not have an adverse impact to or detract from the streetscape or amenity of the neighbouring properties.</i> The lot is a reasonably large size of at least 2000m<sup>2</sup> and large outbuildings are characteristic of the area. The setbacks from boundaries for the outbuilding have been modified in response to</p>

	<p>concerns raised. The development is not considered to be adverse to the amenity of the area due to the variation sought to the floor area.</p> <p><i>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 site.</i> The size of the outbuilding is for the storage of a caravan and a workshop. A condition is included to any approval to ensure the development of the shed is only permitted when the main Dwelling, as opposed to the smaller Ancillary Dwelling, exists or is under construction.</p> <p><i>PC1.5 Outbuildings that exceed 120sqm for sites zoned Residential R5 and lower are unlikely to be supported.</i> The proposed outbuilding is located within close proximity to the future dwelling and does not exceed 120m<sup>2</sup>.</p> <p>The amended proposal for the outbuilding is acceptable when assessed against the relevant performance criteria under LPP1.</p>
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**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  Lot 1032 Redgate Road, Witchcliffe Structure Plan (endorsed 10/06/2014)

**Officer Comment** The subject site is identified as R5 within the applicable Structure Plan.

**Planning History**

Nil.

**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:

**Details of Submission** **Officer Comment**

<p><b>Objection –</b></p> <ul style="list-style-type: none"> <li>Object to the proposed shed area at 120sqm with the 10m span of the shed along the neighbouring boundary.</li> <li>Object to the overall height of the shed for 10m along the side boundary.</li> <li>Object to the side boundary setback which is a variation to the 5m side setback. Overall, the development is an imposing build in close proximity to a boundary.</li> <li>The proposal is not consistent with the form and scale of the zone in which they are located.</li> </ul>	<p>The application was modified in response to the concerns raised as follows:</p> <ul style="list-style-type: none"> <li>The side boundary setback increased from 1.8m to 3.6m; and</li> <li>The skillion roof lowered by 300mm, to create an average of 3.6m.</li> </ul> <p>The proposed area of the shed has not been amended and will be used for the storage of a caravan and the inclusion of a workshop.</p> <p>Given the increased boundary setbacks and the compliant height the proposed development is considered acceptable.</p> <p>Outbuildings are not subject to the 5m side setback applicable to development coded R5 under <i>Local Planning Scheme No. 1</i>. The proposed setback is consistent with the standards under the Residential Design Codes..</p> <p>The size of the shed is compatible with the existing pattern of development in the area.</p>
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**Assessment of Application**

Is the land referred in the Heritage Inventory?  Yes  No

Are there any Contributions applicable?  Yes  No

Are there any compliance issues in relation to existing development?  Yes  No

**R Codes**

Are R Codes applicable?  Yes  No

Design Element	Policy / R Codes	Provided	Officer comment
Front Setback	12m	40m	Complies - Located behind the main dwelling as per LPP 1.
Sides Setback	2.0m	3.6m	Complies.
Rear Setback	1m	4.5m	Complies.
Open Space Requirement	70%	>75%	Complies.
Upgrade Landscaping	<input type="checkbox"/> Required	<input checked="" type="checkbox"/> Not Required	
Overlooking	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Street surveillance	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Street Walls and Fences	<input type="checkbox"/> Yes	<input checked="" 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>Development Standards (Schedule 9)</b>		
Are the development Standards applicable?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Building Height</b>		
Scheme / Policy Requirement		Roof – 3.6m (average)
State the proposed building height		Roof – 3.6m (average) <input checked="" type="checkbox"/> Complies <input type="checkbox"/> Doesn't Comply
<b>Officer Comment</b>	A skillion roof design is proposed which is compliant with the average height requirement of LPP1.	
<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?	The entire site is cleared of native vegetation, therefore no vegetation will be impacted.
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>	The original application was referred to neighbours for comments and one objection was received. The application was amended in response to the concerns raised. The variation to the floor area meets the performance criteria under LPP1. The proposal is consistent with the pattern of development in the area and is not considered likely to be adverse to the amenity of the locality or neighboring properties. Conditional approval recommended.	

#### 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 Dwelling (Outbuilding Addition) at 14 (Lot 24) McDermott Parade Redgate subject to compliance with the following conditions/for the following reasons:**

#### 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 – P3 received at the Shire on 19 November 2021.
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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 outbuilding(s) shall be used solely for purposes incidental and ancillary to the authorised use of the land.
- The outbuilding shall not be used for human habitation.
- The construction of the outbuilding is only permitted when the approved main Dwelling, rather than an Ancillary Dwelling, is under construction on the same lot. A building permit for the outbuilding must be issued with, or after, a building permit has been issued for the main Dwelling on the site as noted on attached approved plan P1 "Future Residence".
- 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.

#### 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.