

DEVELOPMENT ASSESSMENT REPORT
Shire of Augusta Margaret River
30 May to 5 June 2024

APPLICATIONS RECEIVED

Date Rec'd	Reference No.	Address	Proposal
PLANNING			
30/05/2024	P224376	34 (Lot 33) Sabina Drive, Molloy Island	Outbuilding (Shed)
31/05/2024	P224377	21 (Lot 31) Duggan Drive, Cowaramup	Dwelling Additions (Carport)
31/05/2024	P224378	49 (Lot 24) Horsford Road, Burnside	Building Envelope Variation
31/05/2024	P224379	4 (Lot 301) East Willmott Avenue, Margaret River	Section 40
04/06/2024	P224380	163 (Lot 62) Warner Glen Road, Warner Glen	Stall
05/06/2024	P224382	15 (Lot 17) Honeytree Grove, Cowaramup	Outbuilding (Shed)
BUILDING			
30/05/2024	224321	17 (Lot 22) Lomandra Way, Witchcliffe	Water Tank
31/05/2024	224322	40 (Lot 27) Karrack Crescent, Witchcliffe	Shed
31/05/2024	224323	119 (Lot 80) Brookfield Avenue, Margaret River	Single Dwelling, Garage and Retaining Wall
31/05/2024	224324	2 (Lot 540) Sparrow Road, Burnside	Unauthorised Works - Shed and 3x Rainwater Tanks
31/05/2024	224325	Lot 159 Coldstream Grove, Margaret River	Single Dwelling, Garage and Patio
31/05/2024	224326	10 (Lot 9) Mannitj Place, Witchcliffe	Single Dwelling, Verandah, Carport with Store and Rainwater Tank
31/05/2024	224327	20 (Lot 328) Hardy Street, Augusta	Shed
05/06/2024	224328	Lot 380 Hillview Drive, Augusta	Demoliton of Augusta Aeroclub Aircraft Hanger
05/06/2024	224329	15 (Lot 125) Walton Way, Gracetown	Alterations and Additions to Existing Dwelling and Ancillary Dwelling
05/06/2024	224330	21 (Lot 27) Le Souef Street, Margaret River	Swimming Pool and Barrier Fence
05/06/2024	224331	Lot 229 Hardwood Loop, Cowaramup	Single Dwelling, Garage and Patio
05/06/2024	224332	22 (Lot 248) McManus Circuit, Witchcliffe	Swimming Pool
05/06/2024	224333	6 (Lot 13) Deere Street, Augusta	Patio
Exploration Licenses for Comment			
Nil			

APPLICATIONS DETERMINED UNDER DELEGATION

Date Rec'd	Reference No.	Address	Proposal	Outcome
PLANNING				
20/02/2024	P224133	5 (Lot 86) Elizabeth Street, Margaret River	Workshop (Motor Vehicle Repairs)	Approved
20/02/2024	P224142	6 (Lot 323) Blackwood Avenue, Augusta	Amendment to Planning approval P220193	Approved
22/03/2024	P224224	114 (Lot 502) Bussell Highway, Margaret River	Extension of Term to P223261	Approved
05/04/2024	P224242	50 (Lot 206) Marmaduke Point Drive, Gnarabup	Alterations and additions to existing dwelling	Approved
23/05/2024	P224363	Reserve 48838, Sunset Drive, Cowaramup	Sea Container (Woven)	Approved
27/05/2024	P224367	26 (Lot 55) Sheridan Road, Margaret River	Outbuilding (Water Tank)	Approved
29/05/2024	P224375	Unit 2, 16 (Lot 1) William Place, Margaret River	Extensions to existing dwelling	Approved
SUBDIVISIONS				
Nil				
LOCAL LAW PERMITS				
Nil				

LEVEL 3 PLANNING APPLICATIONS FOR DETERMINATION

Date Rec'd	Reference No.	Address	Proposal	Recommendation
PLANNING				
8/03/2024	P224177	Unit 2/7 (Lot 1) Acacia Court, Cowaramup	Grouped Dwelling	Conditional Approval
19/02/2024	P224126	12 (Lot 408) Maclaren Crescent, Margaret River	Single Dwelling and Ancillary 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.



General Details

Reporting Officer	Caitlin Jameson
Disclosure of Interest	Nil
Assessment Level	Major Level 2

Application Details

Address	Unit 2/7 (Lot 1) Acacia Court Cowaramup			
Proposed Development	Grouped Dwelling			
Zoning	R15			
Lot Area	495sqm			
Use Class and Permissibility	D			
Heritage/Aboriginal Sites	Nil			
Other Considerations	Visual Management Area	<input type="checkbox"/>	Sewerage Sensitive Area	<input type="checkbox"/>
	Special Control Area	<input type="checkbox"/>	Watercourses/Rivers	<input type="checkbox"/>
	Bushfire Prone Area	<input checked="" type="checkbox"/>	Environmentally Sensitive Areas	<input type="checkbox"/>
Structure Plans/LDP's	Nil			
Easements/Encumbrances	Nil			
Why is Development Approval Required?	<p>The proposal incorporates the following variations to the Deemed-to-Comply standards.</p> <ul style="list-style-type: none"> •Rear elevation setback 1.7m–2.71m in lieu of 6.0m. •Garage boundary wall in lieu of minimum 1m side boundary setback. 			

Site Image



Assessment

Referrals	Yes	No
Adjoining Neighbours/Property Owners / 2km Radius (Non Rural use in Rural Zone)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Government Agencies DFES / DBCA / DWER / DPLH Aboriginal Heritage/ DPLH European Heritage / Main Roads / DPIRD / DoH / DoE	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Internal Shire Departments Infrastructure / Environmental Health / Environment/Sustainability / Waste / Building / Emergency Management / Parks and Gardens / Legal	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Where any objections received?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Where any issues raised through the referrals process?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Community Engagement		
Submitter	Submitter Comments	Officer Comments
Private Submitter 1	The owners of the neighbouring property were concerned about the impact of the boundary wall on their outdoor living area. The property owners believe the boundary wall will cause overshadowing that would impact the amenity of their outdoor living area; they also had concerns about the appearance of the wall and how this would impact the value of their property.	The neighbouring property owners were provided with an overshadowing diagram detailing the extent of overshadowing to their property and advised a condition would be applied to ensure the wall was constructed to a standard they deemed appropriate. The property owners indicated they wanted to maintain their objection to the boundary wall.

Policy Framework	Yes	No
Does the proposal involve variations to the Residential Design Codes?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Does the proposal involve any variations to Scheme Requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the proposal involve any variations to Policy Requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other matters that require discretion (Vegetation Removal)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Policy Requirements

Building Height		
Standard	Required	Provided
Wall	7m	3.12m
Overall	8m	5.6m
Car Parking		
Standard	Required	Provided
Residential Design Codes	2 Bays	2 bays

Residential Design Codes		
Standard	Required	Provided
Primary Street Setback	6m	8m
Side Setback (North)	1.5m	3m
Side Setback (South)	1.5m	0m boundary wall (garage) 1.5m (residence)
Rear Setback	6m	1.5m
Garage Setback	4.5m	>4.5m
Garage Width	<50% street frontage	<50% street frontage
Driveway Width	More than 3m less that 9m	5.5m
Open Space	Min 50%	>50%
Standard	Complies	Does Not Comply
Visual Privacy	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Street Surveillance	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Street Walls and Fences	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

The application proposes the construction of a grouped dwelling on an R15 lot with the following variations to the R-codes:

- Rear elevation setback 1.7m–2.71m in lieu of 6.0m.
- Garage boundary wall in lieu of minimum 1m side boundary setback.

The lot is 495sqm with an additional shared driveway area of 136sqm. The lot is an irregular shape, limiting options for the dwelling design. The proposed dwelling makes effective use of the northern sunlight with the living, alfresco and outdoor space orientated to the north.

Rear Elevation Variation

A rear elevation setback of 1.7m–2.71m in lieu of 6.0m is proposed. The variation to the rear setback will increase the availability of space and access to sunlight along the northern side of the lot. The proposed variation to the rear setback will be visible from the open space area at 14 & 16 Mahogany Way, however impact to the amenity will be minimal. The existing shed on 14 Mahogany Way will significantly reduce the visibility of building bulk. Approx. 40% of the length of the rear boundary at 16 Mahogany Way will be impacted by the reduced setback. The dwelling at 16 Mahogany Way is setback 9m from the rear boundary, with only the outdoor space impacted by the reduced setback. It has been considered that the non-imposing height of the dwelling (2.8m wall height) and flat topography will lessen the impact to the adjacent properties.

A similar rear elevation setback variation of 3.19m was supported at 9 Acacia Court.

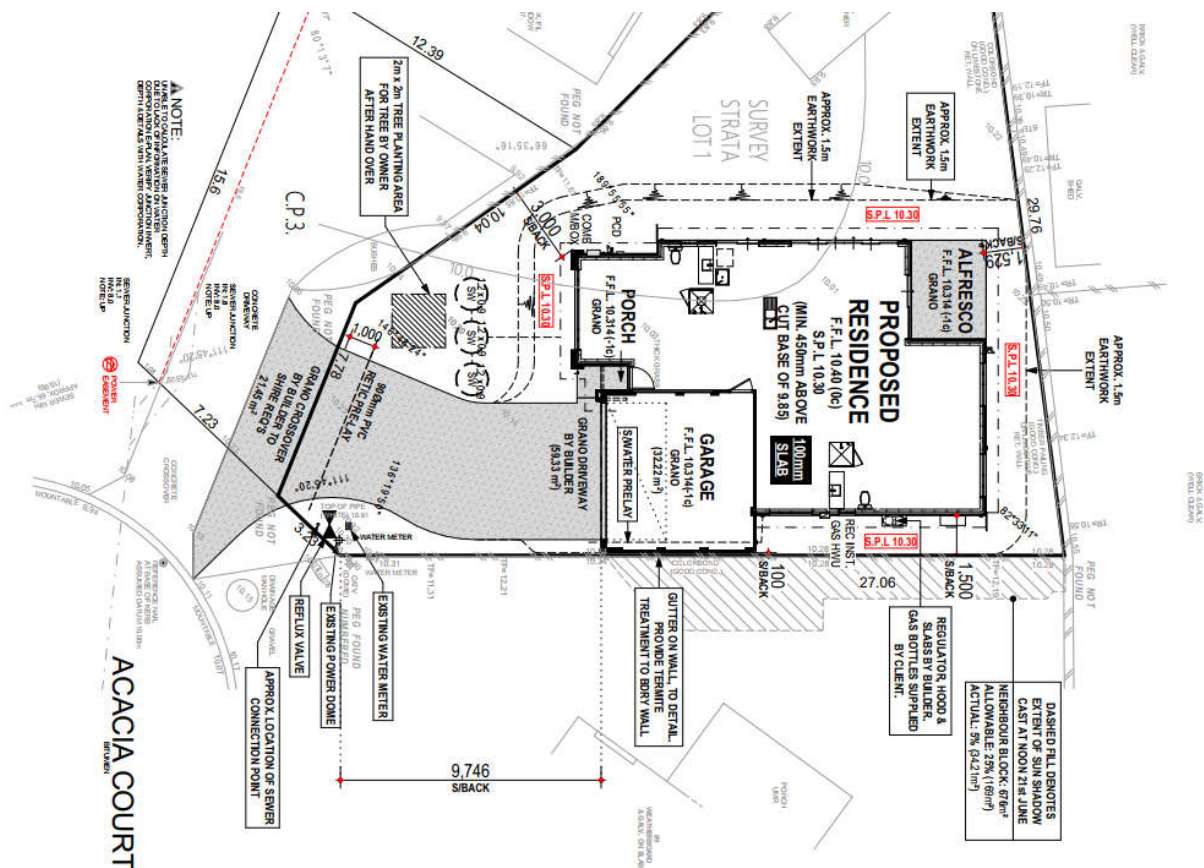
No objections were received by the property owners at 14 & 16 Mahogany Way.

Boundary Wall Variation

A garage boundary wall is proposed along the south-western boundary in lieu of the required 1m setback. The boundary wall is to be 2.6m in height and 5.8m in length. The setback of the proposed residence along the south-western boundary is compliant (1.5m). The boundary wall makes effective use of space to the north of the lot, enhancing the availability of sunlight and ventilation to the dwelling. The boundary wall will be visible from the alfresco area, living room and outdoor area at 9 Acacia Court.

The owners of the neighbouring property (9 Acacia Court) objected to the boundary wall, stating the wall would create overshadowing and impact the availability of sunlight to their living spaces. The property owners were provided with an overshadowing diagram depicting the extent of overshadowing and were advised a condition would be applied to ensure the wall was finished to a standard they deemed appropriate. The property owners wished to maintain their objection to the boundary wall.

A maximum of 1m of additional shading will be generated by the boundary wall as per the overshadowing diagram provided by Summit Homes. The boundary wall will not cause overshadowing to the habitable areas at 9 Acacia Court, with the alfresco area situated 4m from the boundary and living room situated 6m from the boundary (see below)



There is ample outdoor space at 9 Acacia Court that will not be affected by the boundary wall. The proposed wall is of a non-imposing height at 0.3m over the allowable fence height as per LPP4 (Boundary Fencing). There will be no impact to overlooking or loss of privacy at 9 Acacia Court due to the boundary wall.

It should be noted that a carport could be constructed up to the boundary, generating a similar overshadowing impact.

Determination

That the Coordinator Planning Services Grant Planning Consent under Delegated Authority Instrument No. 34 pursuant to Clause 68(2) of the Deemed Provisions of Local Planning Scheme No. 1 for the Grouped Dwelling at 2/7 Acacia Court, Cowaramup subject to compliance with the following conditions/for the following reasons:

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	Plan P1-P3 received by the Shire on the 8 March 2024
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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 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) 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.



General Details

Reporting Officer	Don Bothwell
Disclosure of Interest	Nil
Assessment Level	Level 3

Application Details

Address	12 (Lot 408) Maclaren Crescent, Margaret River			
Proposed Development	Single Dwelling and Ancillary Dwelling			
Zoning	Residential R20			
Lot Area	776m²			
Use Class and Permissibility	P- Permitted (Single House)			
Heritage/Aboriginal Sites	None identified			
Other Considerations	Visual Management Area	<input type="checkbox"/>	Sewerage Sensitive Area	<input type="checkbox"/>
	Special Control Area	<input type="checkbox"/>	Watercourses/Rivers	<input type="checkbox"/>
	Bushfire Prone Area	<input type="checkbox"/>	Environmentally Sensitive Areas	<input type="checkbox"/>
Structure Plans/LDP's	East Margaret River Structure Plan endorsed 19 May 2005 identifies the zoning as Residential R20. Outline Development Plan Lot 27 Bussell Highway Margaret River endorsed 1 November 2006 identified the zoning as Residential R20.			
Easements/Encumbrances	2x Restrictive Covenants 1x Notification			
Why is Development Approval Required?	<p>Planning approval is sought for a single house and 70m2 ancillary dwelling on a vacant lot.</p> <p>The following R-Code variations are proposed:</p> <ul style="list-style-type: none"> - Rear (south) lot boundary setback of 1.2m in-lieu of 1.5m for the dwelling and ancillary dwelling. - Side (west) lot boundary setback of 1.45m in-lieu of 1.5m for the ancillary dwelling. - Retaining and fill up to 1.16m in the front setback area (northeastern corner) in-lieu of 0.5m. - Front fence height of 2.3m from Natural Ground Level (NGL) (northeastern corner) in-lieu of 1.8m. - 12.2m driveway aggregate width in-lieu of 9m for one lot. - Dwelling B Driveway width 6.6m in-lieu of 6m. - Ancillary dwelling carport setback from the street boundary of 1.5m in-lieu of 3m. <p>It should be noted that the owner has advised that the proposed ancillary dwelling may be subject to a future subdivision application through the WAPC into its own lot through being considered as a single bedroom dwelling. However, this is not assessed as part of this application.</p>			

Site Image



Assessment

Referrals	Yes	No
Adjoining Neighbours/Property	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Government Agencies	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Internal Shire Departments	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Where any objections received? – 2 Objections (received from same property)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Where any issues raised through the referrals process?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Internal Department Comments		
Department	Department Comments	Officer Comments
Infrastructure	<p>The second crossover was referred to the infrastructure department for comment, with no issues. The following conditions have been recommended and added to the DA:</p> <ol style="list-style-type: none"> At all times, all stormwater and drainage run-off from the development shall be detained within the lot boundaries, managed in accordance with the Shire residential stormwater detention requirements and, where available, disposed offsite by an approved connection to the Shire's drainage system. At all times stormwater shall be managed to predevelopment flow regimes. Prior to occupation of the development, crossovers shall be designed, constructed, sealed, and drained in accordance with the Shire's standards and specifications. Pedestrian paths shall not be removed and shall remain continuous at vehicle crossovers. 	Noted. Recommended conditions applied.
Community Engagement		
Submitter	Submitter Comments	Officer Comments
Private Submitter 1	<p>Object to proposed reduced setback on southern boundary from 2.5m to 1.2m. This change will affect my amenity and privacy. This area of my lot is proposed as an outdoor living area as part of my solar passive design home. I purchased the lot on the understanding that the standard setback would be continued and always apply.</p>	Noted. See Discussion section below.
Private Submitter 2	<p>Object to the proposed rear (south) lot boundary setback of 1.2m (in-lieu of 2.5m). I bought the adjoining lot 409 with the understanding that the setback standards of 2.5m would be adhered with. The proposed reduced setback distance will impact my amenity and privacy. Can I please be notified of the decision on this matter, thanks.</p>	Noted. See Discussion section below.

Policy Framework	Yes	No
Does the proposal involve variations to the Residential Design Codes?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Does the proposal involve any variations to Scheme Requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the proposal involve any variations to Policy Requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other matters that require discretion (Vegetation Removal)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Policy Requirements

Car Parking		
Standard	Required	Provided
Residential Design Codes	2 Bays for Dwelling 1 Bay for Ancillary Total 3 Bays	4 Bays - Complies

Residential Design Codes		
Standard	Required	Provided
5.1.2 Primary Street Setback	6m	5.31m (average) – complies
5.1.3 Secondary Street Setback	1.5m	1.5m complies
5.1.3 Rear Setback (South, Dwelling A)	1.5m (as per amended plans received by the Shire on 27 May 2024) Length: 7.92m Height: 3.4m Major Openings	1.2m – Variation
5.1.3 Rear Setback (South, Ancillary Dwelling B)	1.5m (as per amended plans received by the Shire on 27 May 2024) Length 10.5m Height: 5.1m as per figure 3g Major Openings	1.2m – Variation
5.1.3 Rear Setback (South/Boundary Wall, Dwelling A)	Up to 3.5m 9m or 2/3rds balance of boundary (10m)	7.885m long, 3.5m high - Complies
5.1.3 Side Setback (West) Ancillary Dwelling B	1.5m Length 8.91m Height: 3.07m Major Openings	1.45m – Variation
5.3.7 Site Works C7.1 Retaining/Fill within primary street Setback area	>0.5m in front setback area	Retaining/fill up to 1.16m in front setback (north eastern corner) – Variation Fill less than 0.5m in southwest corner – Complies
5.2.1 C1.4 Garage Setback secondary street Dwelling A	1.5m	1.5m - Complies
5.2.1 C1.2 Carport primary setback Ancillary Dwelling B	3m (50% reduction of primary)	1.5m - Variation
5.2.2 Garage Width	<50%	31.7% - Complies
5.3.1 Outdoor Living Area	30m ²	>30m ² - Complies
5.1.4 Open Space	50% complies	60% - Complies
5.4.2 Solar access for adjoining sites	Shadow cast at midday, 21 June no more than 25% of the adjoining site	122m ² or 16% - Complies
5.5.1 Ancillary Dwelling Area	70m ²	70m ²
Standard	Complies	Does Not Comply
5.4.1 Visual Privacy	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5.2.3 Street Surveillance	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5.2.4 Street Walls and Fences	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

Planning Approval is sought for a Single House and Ancillary Dwelling within Rapids Landing Estate. The application is requesting the following variations to the Residential Design Codes:

1. Rear (south) lot boundary setback of 1.2m in-lieu of 1.5m for the dwelling and ancillary dwelling.
2. Side (west) lot boundary setback of 1.45 in-lieu of 1.5m for the ancillary dwelling.
3. Retaining and fill up to 1.16m in the front setback area (northeastern corner).
4. Front fence height of 2.3m from natural ground level (northeastern corner) in-lieu of 1.8m
5. 12.2m driveway aggregate width in-lieu of 6m.
6. Ancillary dwelling carport setback from the street boundary of 1.5m in-lieu of 3m.

Driveways

The variation to the deemed-to-comply provision relating to relating to the aggregate driveway width is considered to satisfy the relevant design principles for the following reasons:

- The respective driveways have been positioned away from the tangent point of the truncation of the lot which is located on the corner of Maclaren Crescent as it wraps around which is an optimal outcome in terms of vehicle and pedestrian safety.
- The site is currently under a subdivision assessment by the Western Australian Planning Commission. Whilst the accumulated driveway widths do not currently meet the deemed-to-comply provisions, once the parent lot has been subdivided, the two new proposed lots which have just one crossover/driveway per lot.
- The existing street trees located on the existing lot have are being retained and preserved as part of the proposal.

Site Works

The variation to the deemed-to-comply provision for site works/retaining in the front setback is considered to satisfy the relevant design principles for the following reasons:

- The development considers and responds to the natural levels of the site at the lot boundary and the site and as viewed from the street.
- The proposed retaining in the front setback has resulted in land which can be effectively used for the benefit of the residents and do not detrimentally affect adjoining properties in regard to stormwater that runs down during winter with the installation of subsoil drainage and the elevation of the building up of the ground level.
- The proposed development has two outdoor zones – one to the north of the living area and one to the east. The retained fill allows for better liveability through circulation.

Advertising to Surrounding Properties

Advertising was completed during the assessment with letters outlining variations to the relevant planning framework sent to three (3) neighbours surrounding the property. Two (2) submissions were received noting that both submissions were received from the same property. The objections received related to the proposed setback for the dwelling and ancillary dwelling to the rear southern lot boundary.

Discuss outcomes of consultation.

In response to the issues raised in the submissions the applicant submitted amended plans with the southern roofs hipped as depicted in Figure 1 below:

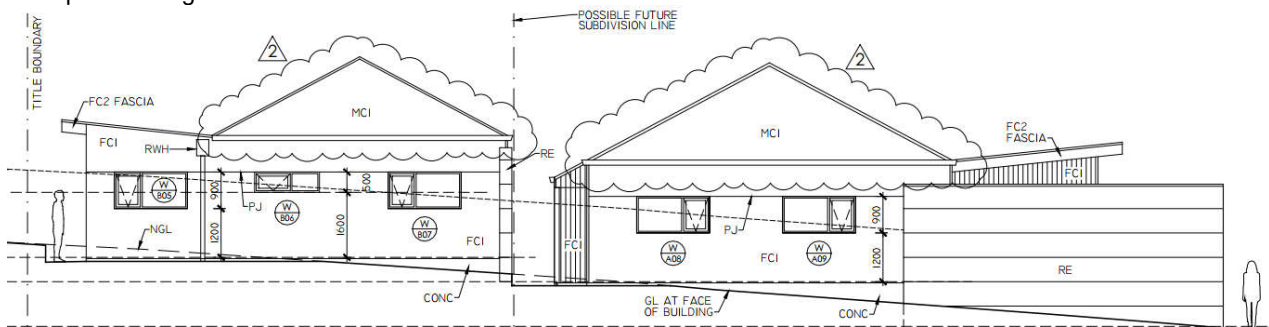


Figure 1: Amended south elevation with hipped roofs

This essentially reduced the required setback under the R-Codes from 2.5m (as originally proposed) to 1.5m. Therefore, a variation to the deemed to comply requirements of Clause 5.1.3 with a rear (south) lot boundary setback of 1.2m in lieu of 1.5m. The following design principles are therefore applicable to the proposal:

P3.1 Buildings setback from lot boundaries or adjacent buildings on the same lot so as to:

- Reduce impacts of building bulk on **adjoining properties**;
- Provide adequate direct **sunlight** and **ventilation** to the building and **open spaces** on the **site** and adjoining properties; and
- Minimise the extent of overlooking and resultant loss of privacy on adjoining properties.

The proposal is considered to be consistent with the applicable Design Principles for the following reasons:

- Amended plans submitted in response to comments received from southern adjoining landowners, ameliorating the bulk and scale of the gable walls to the single dwelling and ancillary dwelling on the south elevation with the hipped roofs providing increased articulation of the south façade and reducing any perception of building bulk as viewed from the south.
- The proposed dwellings are both single storey with minimal retaining/fill used responding to the natural levels of the site reducing any undue impact in terms of building bulk and scale.
- The proposal is compliant with the deemed-to-comply visual privacy provisions of the R-Codes.
- The proposal is compliant with the deemed-to-comply solar access for adjoining sites provisions of the R-Codes.

Determination

That the Coordinator Planning Services Grant Planning Consent under Delegated Authority Instrument No. 34 pursuant to Clause 68(2) of the Deemed Provisions of Local Planning Scheme No. 1 for the proposed Single Dwelling and Ancillary Dwelling at 12 (Lot 408) Maclaren Crescent, Margaret River subject to compliance with the following 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 – P5 received by the Shire on 19 February 2024, P6 – P8 received on 27 May 2024, P9 – P10 received on 18 April 2024
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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 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.
5. This approval does not permit short stay use of the Ancillary Dwelling at any time. Pursuant to the Shire's *Local Planning Policy 7 – Short Stay Accommodation*, when the primary dwelling is in use as a Holiday House, the Ancillary Dwelling shall only be used for permanent accommodation by the owner of the site.

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.