

DEVELOPMENT ASSESSMENT REPORT
Shire of Augusta Margaret River
17 August to 23 August 2023

APPLICATIONS RECEIVED

| Date Rec'd | Reference No. | Address | Proposal |
|---|---------------|---|--|
| PLANNING | | | |
| 17/08/2023 | P223526 | Wallcliffe Road Reserve, Margaret River | EV Charging Station |
| 17/08/2023 | P223529 | 10439 (Lot 1499) Caves Road, Deepdene | Farm Shed |
| BUILDING | | | |
| 17/08/2023 | 223409 | 341 (Lot 3135) Boodjidup Road, Margaret River | Carport and Patio |
| 17/08/2023 | 223410 | 3 (Lot 602) Truffle Crct Cowaramup | Single Dwelling and Garage |
| 18/08/2023 | 223411 | 67 (Lot 57) Bussell Highway, Cowaramup | Commercial Building 3 Shops and Ablutions Block |
| 18/08/2023 | 223412 | 4 (Lot 20) Mopoke Place, Margaret River | Shed and Carport |
| 21/08/2023 | 223413 | 612 (Lot 8) Redgate Road, Redgate | Detached Garage |
| 21/08/2023 | 223414 | 4 (Lot 205) Flitch Road, Karridale | Single Dwelling |
| 22/08/2023 | 223415 | 15 (Lot 352) Wise Road, Margaret River | Shed |
| 22/08/2023 | 223416 | 7 (Lot 303) Logging Road, Karridale | Single Dwelling and Carport |
| 22/08/2023 | 223417 | 41 and 103 (Lot 4) Wickham Road, Witchcliffe | Demolition of Dwelling, 2 Sheds and Dairy Building |
| 22/08/2023 | 223418 | 8 (Lot 17) Stewart Smith Loop, Cowaramup | Single Dwelling, Garage, Patio and Retaining Wall |
| Exploration Licenses for Comment | | | |
| Nil | | | |

APPLICATIONS DETERMINED UNDER DELEGATION

| Date Rec'd | Reference No. | Address | Proposal | Outcome |
|--------------------------|---------------|--|-----------------------|---------------------------------|
| PLANNING | | | | |
| 26/06/2023 | P223399 | Unit 3/35 (Lot 3) Stewart Street, Margaret River | Holiday House Renewal | Approved |
| 05/07/2023 | P223420 | 38 (Lot 5) Elva Street Margaret, River | Ancillary Dwelling | Approved |
| SUBDIVISIONS | | | | |
| 07/07/2023 | P223426 | 423 (Lot 2703) Sebbes Road, Forest Grove | Survey Strata | Further information required |
| 11/07/2023 | P223437 | 9 (Lot 19) Friesian Street, Cowaramup | Survey Strata | Supported subject to conditions |
| LOCAL LAW PERMITS | | | | |

LEVEL 3 PLANNING APPLICATIONS FOR DETERMINATION

| Date Rec'd | Reference No. | Address | Proposal | Recommendation |
|-----------------|---------------|---|--------------------|---------------------------------|
| PLANNING | | | | |
| 08/06/2023 | P223346 | 330 (Lot 62) Kudardup Road, Kudardup | Outbuilding (Shed) | Supported subject to conditions |
| 09/06/2023 | P223349 | 24 (Lot 15) Samworth Street, Margaret River | Verandah Additions | Supported subject to conditions |

DEVELOPMENT ASSESSMENT REPORTING PROCEDURE

Assessment of Development Applications (DAs)

For the purposes of this procedure there are three types of development applications:

Level 1

DA not advertised

Level 2

DA is advertised; and

- No submissions; or
- Submission received but meets one of the following:
 - Not related to the reason the DA was advertised.
 - The development is modified to comply or to remove the element of concern to the submitter.
 - Submission is either of support, conditional support or is 'indifferent'; or is from a non-affected person.

Level 3

A submission in opposition is received from an 'affected' person or special interest group in relation to the reason the DA is advertised or the development application is recommended for refusal.

Note: This procedure applies to development applications only. It does not apply to structure plans, scheme amendments or other types of planning proposals.



DEVELOPMENT APPLICATION ASSESSMENT
Report to Manager Planning and Regulatory Services

Proposed Single Dwelling (Outbuilding - Shed)
330 (Lot 62) Kudardup Road, Kudardup

Level 3

P223346; PTY/13589

REPORTING OFFICER : **Suzi Magnall**
DISCLOSURE OF INTEREST : **Nil**

| General Information | |
|----------------------------------|---|
| Lot Area | 2094m ² |
| Zone | Residential 'R5' |
| Proposed Development | <p>The proposal includes a residential dwelling with ancillary dwelling, outbuilding and water tank on a Residential 'R5' lot.</p> <p>The fill / sand pad for the proposed residential dwelling extends into the 5m side setback by up to 1m, which is a variation to LPS1.</p> <p>The outbuilding proposes a wall / ridge height and floor area variation to LPP1 and the RCodes. The associated retaining (up to 1m high) for the outbuilding along the rear (western) boundary is a variation to the RCodes.</p> <p>The ancillary dwelling and water tank are compliant with all relevant policy requirements.</p> |
| Permissible Use Class | Single House – P |
| Heritage/Aboriginal Sites | None Identified |
| Encumbrance | <p>Notification x4 including –</p> <ul style="list-style-type: none"> - not connected to reticulated potable water supply - reticulated sewage service not available - vicinity to agricultural land - greywater re-use system required. - Bushfire Zone <p>Restrictive covenant –</p> <ul style="list-style-type: none"> - Habitable buildings outside BAL-40 and BAL FZ areas. |
| Date Received | 08/06/2023 |





| 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 Scheme No.1 – Clause 4.21.2 (d) | |
| Officer Comment | <p>R2.5 and R5 code: (d) side boundary setbacks shall be 5 metres unless the local government, following consultation with affected adjoining landowners, otherwise approves.</p> <p>Whilst the proposed dwelling is clear of the 5m setback, the extent of the sand pad and banking marginally encroaches into this area. There were no objections from neighbouring properties regarding this matter and the amount of development proposed is considered minor and deemed acceptable.</p> |
| 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 No.1 'Outbuildings, Swimming Pools and Farm Buildings | |
| Officer Comment | <p>The proposed Outbuilding presents variations to the Shire's LPP1, by way of wall height, ridge height and floor area. The proposed variations are considered below:</p> <p>AD1.2 - Outbuilding wall height does not exceed 3.1m. The original plans proposed a lower height from NGL on the southern wall, however the close proximity to the boundary was a cause for concern. In the interests of achieving a better outcome for the neighbouring property, revised plans were submitted, relocating the water tank into the south western corner and moving the outbuilding further northwards along the rear boundary. The site is sloping from north to south and in order to create a flat pad for the outbuilding to be constructed, without any cut and retaining to the northern end, a 1m high retaining wall and site fill is required to the south. This results in an overall wall height of 4.6m from NGL to the south and 3.6m (with no retaining) on the northern elevation, which is significantly above the 3.1m Acceptable Development in LPP1. The increased side setback of 13m offsets the additional retaining proposed, and the siting of the water tank helps to mitigate the overall visual impact of this elevation. A vegetation screen along the south and western boundary has been included as a condition of development to soften the overall bulk and scale. The proposed variation in response to the natural slope of the site is considered acceptable.</p> <p>AD1.3 – Outbuildings do not exceed a floor area of 80m² (R5) The floor area of the proposed outbuilding is 120m², presenting a variation of 40m² and requiring consideration against the Performance Criteria of LPP1 which allows outbuildings up to 120m² on R5 coded residential lots.</p> <p>The outbuilding is substantial in its size, scale and bulk and the perceived impact on neighbours in the original location was considerable. The revised siting of the outbuilding 13m north of the boundary will ensure there is no impact on the ability for the neighbouring lot to access northern sunlight and will help ameliorate the potential visual impact. The water tank in the south western corner acts as a partial 'screen' to the outbuilding and breaks up the overall bulk of the elevation when viewed from the south. The addition of a vegetation screen will further soften the impact of the development.</p> |

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|---|---|
| | <p>The outbuilding is located behind the proposed dwelling and will be constructed from complimentary materials and colours. It is considered proportionally scaled with the other development that is proposed on the site and the perceived impact on the streetscape is minimal. The proposed variation is considered acceptable.</p> <p>AD1.4 Located behind the front of an existing dwelling The proposal includes a dwelling located towards the front of the site with the outbuilding being located behind the dwelling. The proposal is compliant.</p> <p>AD1.5 On properties coded R5, setbacks for outbuildings are to be in accordance with Table 2a and 2b The proposed outbuilding contains no major openings on the rear and southern elevations and is assessed against Table 2a. A 13m setback is proposed to the southern boundary which is compliant with the requirement of Table 2a. Due to the fall of the site from north to south, the required setback increases relative to the proposed wall height from NGL, from 1.6m to 1.8m. The development proposes a 1.6m setback along the western boundary, which is compliant at the northern end of the development where no retaining is proposed, but results in a minor variation at the southern end where the 1m retaining is at its highest. The proposed variation is in response to the natural slope of the site and in order to achieve a better outcome for the neighbouring property to the south, so is considered acceptable.</p> |
| Structure Plans and Local Development Plans (LDP's) | |
| Is the land in any Structure Plan Area or subject to a LDP? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| If yes, state the Policy/Policies | Kudardup Village Structure Plan |
| Officer Comment | No specifications relevant to the development |
| Planning History | |
| N/A | |
| 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 |
| Details of Submission | Officer Comment |
| <p>The following concerns regarding the proposed outbuilding were raised by the neighbouring property to the south:</p> <ul style="list-style-type: none"> - Too big – the size of a commercial unit on residential land - Too high – total gable height of 4.62 on our northern boundary - Too close to the boundary for its proposed height <p>- Will prevent direct sunlight over a substantial area of our cultivated gardens and will cast shade in the winter months when the sun angle is much lower</p> <ul style="list-style-type: none"> - The angled east / west boundary line between Lot 62/63 effectively puts the proposed building 7.5m westwards perpendicular to the street boundary and will significantly impact our enjoyment of our north facing home and outdoor living space. <ul style="list-style-type: none"> - Elevated above natural ground level by 420mm plus an increased wall height. Being at the highest contour of our land, then placed on a raised limestone block wall will not be acceptable to us. - Proposes a raised limestone wall to the South where rural fencing is installed - Not shown as having a driveway access and no screening has been indicated - Concerns regarding building colour and excessive noise and lighting in the foreground of the building <p>- If a building of appropriate dimensions was to be installed in a cut and retained position along the Northern boundary of Lot 62, and the rain water tanks installed in the corner of Lot 62/63 boundary, the above objections would be considered to have been mostly addressed.</p> | <ul style="list-style-type: none"> - Policy LPP1 allows outbuildings of up to 120m² on R5 Residential lots when assessed against performance criteria. See above for justification. - The height of the building in close proximity to the boundary was an initial cause for concern. Revised plans have been submitted and the building has been pushed further north away from this boundary which ameliorates the impact on these neighbours. Refer to assessment above. - The revised location is considered adequate to ensure the neighbouring property has no loss of northern sunlight. - The outbuilding is now a substantial distance from the shared boundary that the impact on the neighbours will be minimal. Water tanks adjacent to the boundary are commonplace on R5 residential blocks and this will further mitigate the scale and bulk of the outbuilding when viewed from the south. Proposed vegetation screening will also help soften the appearance of the development. - The retaining is in response to the natural slope of the site from north to south, and the requirement to create a flat slab for the building without any cutting in. Moving the outbuilding away from the boundary has increased the height of the proposed retaining, but the impact of this is offset by the 13m side setback achieved. Refer to assessment above. - Boundary fencing not affected by development. - Revised plans show driveway access and parking. |

| | | | |
|--|--|--|--|
| | | <p>- The Applicant has justified their requirement for a shed of this size to suit existing vehicles and equipment. The shed will be ancillary to the residential use of the dwelling and will not cause undue noise and lighting over and above the residents enjoyment of their home. The site is not in a Visual Management Area so there are no restrictions regarding colour, however the Applicant has stated it will be complimentary to the site.</p> <p>- Due to the concerns raised, the Applicant has moved the outbuilding further northwards away from the boundary and placed the water tank in the south west corner of the block. However, they have stated the floor level can't be cut in due to ongoing maintenance concerns with rainwater entering the proposed shed, hence why they are proposing to keep the floor level in line with the natural ground level on the higher end of the natural topography. This compromise is considered to mitigate the concerns raised by the neighbours and will ameliorate any perceived impacts from the outbuilding.</p> | |
| 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 | 12m | 12m | Complies |
| Sides Setback | Dwelling: 5m Outbuilding: Table 2a | Dwelling: North – 5m South – 5m Fill: <4m Outbuilding: North – 9m South – 13m | Complies Variation Complies |
| Rear Setback | Dwelling: 6m Outbuilding: Table 2a (1.6m/1.8m) | Dwelling: 28m Outbuilding: 1.6m | Complies Variation. See Officer Comment for LPP1 above. |
| Outdoor Living Area | m ² | m ² | |
| Open Space Requirement | 70% | 75% | Complies |
| Upgrade Landscaping | <input checked="" type="checkbox"/> Required | <input type="checkbox"/> Not Required | - Vegetation Condition Required |
| Overlooking | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | |
| Street surveillance | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |
| Street Walls and Fences | <input 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 | |
| Officer's Comments against performance criteria | <p>The proposal is seeking variation to the 5m side setback required by LPS1 for Residential 'R5' lots for sandpad fill to both sides of the dwelling.</p> <p>The subject site has a natural fall from north to south so a degree of fill is proposed to create a level site. Whilst the dwelling itself will not impinge on the side setback, the extent of the sandpad and banking will marginally encroach into this area over the 0.5m acceptable development level. As the level of fill is relatively minor and banked downwards, it is not considered this aspect of the development will harm the overall intent of the policy, which is to maintain open space between dwellings.</p> | | |
| Development Standards (Schedule 9) | | | |
| Are the development Standards applicable? | | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Car Parking | | | |
| LPS1 / R Codes Requirement | Car Bays Required – 2 + 1 for ancillary | Car Bays Proposed - Complies | |
| Building Height - Dwelling | | | |
| Scheme / Policy Requirement | Wall - 7m | Roof - 8m | |
| State the proposed building height | Wall – 3.45m Roof – 5.8m | <input checked="" type="checkbox"/> Complies | <input type="checkbox"/> Doesn't Comply |
| Building Height – Outbuilding | | | |
| Scheme / Policy Requirement | Wall – 3.1m | Roof – 4.2m | |

| | | |
|--|--|--|
| State the proposed building height | Wall – 4.6m (from NGL) Roof – 5.2m | <input type="checkbox"/> Complies <input checked="" type="checkbox"/> Doesn't Comply |
| Officer Comment | <p>The proposal presents a variation to the wall height requirement in LPP1. This has been assessed in the Officer Comment to LPP1 above.</p> <p>The proposed outbuilding ridge height measures 5.2m from NGL at its highest point and is a variation to the RCodes. The proposed variation is in response to the sloping site characteristics and the Applicant's requirement not to reduce the floor level below NGL at the northern elevation. The impact of the ridge height has been minimised by moving the outbuilding away from the southern boundary by 13m, thus ensuring there is no loss of sunlight to the neighbouring lot. The siting of the water tank in the south-western corner of the block will help reduce the overall impact of the outbuilding and the proposed screening will also soften the appearance of the development. The proposed design of the outbuilding is compatible with the scale of development on site and the setback behind the main dwelling ensures minimal impact on the streetscape. The proposed ridge will not have an undue impact on the neighbouring property and the variation is considered acceptable.</p> | |
| Clause 67 | | |
| In the opinion of the officer, would approval of the planning consent be appropriate under Clause 67 of the Deemed Provisions of the Scheme? | | |
| Officer Comment | Yes | |
| In the opinion of the officer | | |
| i. Are utility services available and adequate for the development? | Yes | |
| ii. Has adequate provision been made for the landscaping and protection for any trees or other vegetation on the land? | Yes. A vegetation screening condition is proposed along the rear and southern boundary of the outbuilding. | |
| 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 | |
| Other Comments | | |
| Any further comments in relation to the application? | | |
| Officer Comment | Conditional Approval is recommended. | |

OFFICER RECOMMENDATION

That the Acting 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 (Outbuilding - Shed) at 330 (Lot 62) Kudardup Road, Kudardup subject to compliance with the following conditions:

CONDITIONS

- The development is to be carried out in compliance with the plans and documentation listed below and endorsed with Council's stamp, except where amended by other conditions of this consent.

| | |
|--------------------------|---|
| Plans and Specifications | P1 – P8 received by the Shire on 21/08/2023 |
|--------------------------|---|

- 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.
- 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.
- Prior to lodging of a building permit application, a Landscape Plan shall be prepared for the southern and western boundary of the property, as shown on approved plan 'P2', to the satisfaction of the Shire. The Landscape Plan shall be drawn to scale and show the following:

- a) The location, name and mature heights of existing vegetation being retained, proposed trees, shrubs and ground covers;
 - b) Any natural landscaped areas to be retained; and
 - c) Detail the timing of planting.
7. Landscaping shall be implemented, and maintained in accordance with the approved Landscape Plan
8. Prior to lodging of a building permit application, a schedule of colour and texture of the building materials shall be submitted and approved prior to the commencement of any work(s) and shall be implemented accordingly.

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.



DEVELOPMENT APPLICATION ASSESSMENT
Report to Manager Planning and Regulatory Services

Proposed Verandah Additions
 24 (Lot 15) Samworth Street, Margaret River

Level 3 – 1 x objection


P223349; PTY/4596

REPORTING OFFICER : Tessa Ashworth
 DISCLOSURE OF INTEREST : Nil

| General Information | |
|---------------------------|--|
| Lot Area | 2138m ² |
| Zone | R5 |
| Proposed Development | Veranda addition to existing dwelling. Variation due to development 3.3m in lieu of 5m side setback. |
| Permissible Use Class | 'P' Single Dwelling |
| Heritage/Aboriginal Sites | None |
| Encumbrance | None |
| Date Received | 09/06/2023 |



| Policy Requirements | | |
|---|------------------------------|--|
| Is the land or proposal referred to in any Council Policy? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 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 |
| Planning History | | |
| | | |

| | | | |
|---|---|--|--|
| 1993 – Dwelling (P2126) 2001– Outbuilding (P21071) 2020 – Outbuilding additions and alterations (P220093) | | | |
| 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 |
| Details of Submission | | Officer Comment | |
| 1 x objection <ul style="list-style-type: none"> The impacted side of the neighbour's property houses their master bedroom and lounge room. The development will cause activity and foot traffic closer to their bedroom. Noise emanating from the veranda and resulting lack of sleep and nuisance. Ringtail Possum drey in tree that may be removed. Addition may allow future development to extend wall of house out to edge of veranda. | | <ul style="list-style-type: none"> The proponent has built an internal fence that screens their main outdoor area from the western neighbours. The extension of the veranda to the west shows no indication of being used as an outdoor living area. There is no entry on the western side of the dwelling.  <p><i>West side of house near objecting neighbour.</i></p> <ul style="list-style-type: none"> The neighbour's bedroom window is approximately 9m from the boundary. No native vegetation to be removed for the addition. Peppermint tree to the northwest to be retained. Only planted garden beds will be affected. Another development application would be required if room addition was to occur and be subject to neighbour submission. | |
| 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 | 12m | 12m | Complies Veranda projects into front setback but not included (5.1.2 - C2.4). |
| Sides Setback | 5m (LPS1) | 3.3m | Variation |
| Rear Setback | 6m | 37m | Complies |
| Overlooking | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | |
| Street surveillance | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |
| Street Walls and Fences | <input 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 | |
| Development Standards (Schedule 9) | | | |
| Are the development Standards applicable? | | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Building Height | | | |
| Scheme / Policy Requirement | Wall - 7m | Roof - 8m | |
| State the proposed building height | Wall – 2.4m | <input checked="" type="checkbox"/> Complies | <input type="checkbox"/> Doesn't Comply |
| | Roof – 4.5m | | |
| 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? | | | |

| | | |
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| Officer Comment | <p>Yes.</p> <p>Veranda addition will replace ad hoc bull nose verandas at the front of the house. The 1.7m veranda will encompass west, north and east sides of the house. Keeping the 1.7m eave all the way around will provide design consistency and fits in with the pattern of development in the street. This is consistent with Clause 4.1.12 (c) in LPS1.</p> <p>The proponent was uninclined to shorten the eave and in reality will have very little difference to the outcome. It is unreasonable to propose a veranda into the side setback given the lack of any eaves currently existing on the western side of the dwelling.</p> <p>Approval recommended.</p> | |
| In the opinion of the officer | | |
| vi. Are utility services available and adequate for the development? | Yes. | |
| vii. Has adequate provision been made for the landscaping and protection for any trees or other vegetation on the land? | Yes. No native vegetation impacted. | |
| viii. Has adequate provision been made for access for the development or facilities by disabled persons? | n/a | |
| ix. Is development likely to cause detriment to the existing and likely future amenity of the neighbourhood? | No | |
| x. Is the development likely to comply with AS3959 at the building permit stage? | Yes | |
| Other Comments | | |
| Any further comments in relation to the application? | | |
| Officer Comment | No | |

OFFICER RECOMMENDATION

That the Acting 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 Verandah Additions 24 (Lot 15) Samworth Street, Margaret River subject to compliance with the following conditions:

CONDITIONS

- The development is to be carried out in compliance with the plans and documentation listed below and endorsed with Council's stamp, except where amended by other conditions of this consent.

| | |
|--------------------------|--|
| Plans and Specifications | Plans 1 & 2 received by the Shire 9 June 2023 Plan 3 received by the Shire 31 July 2023 |
|--------------------------|--|

- 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.

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.