

DEVELOPMENT ASSESSMENT UNIT

Minutes of the Development Assessment Unit Shire of Augusta Margaret River On 16 August 2016

ATTENDANCE

Kim Nolan, Jason Heine, Chris Wenman, Matt Cuthbert, Matt Slocomb, Ian Mcleod

Confirmation of Minutes from 9 August 2016

PLANNING APPLICATIONS RECEIVED

Date Rec'd	Assess No.	Address	Proposal	DA No.
08/08/2016	A3376	7 (Lot 521) Wilkes Road, Margaret River	Bed & Breakfast	P216413
08/08/2016	A9267	29 (Lot 103) Sanctuary Circle, Cowaramup	Dwelling	P216416
09/08/2016	A72	35 (lot 67) Georgette Road, Gracetown	Dwelling	P216417
09/08/2016	A12176	5 (Lot 6) Brookside Boulevard, Cowaramup	Display Home	P216418
09/08/2016	A5957	1078 (lot 1907) Rosa Brook Road, Rosa Brook	Change of Use (Reception Centre)	P216419
09/08/2016	A10865	169 (Lot 5) Holben Road, Cowaramup	Dwelling	P216420
10/08/2016	A5432	Lot 37 Riedle Drive, Gnarabup	Holiday House (Large)	P216422
11/08/2016	A5492	16 (Lot 3) Saint Alouarn Place, Margaret River	Chalet	P216426
11/08/2016	A232	21 (Lot 52) Terry Drive, Margaret River	Dwelling Additions (Ancillary Dwelling)	P216427
11/08/2016	A7430	15 A (Lot 54) Elva Street, Margaret River	Grouped Dwelling Additions	P216428

BUILDING LICENCE APPLICATIONS RECEIVED

Date Rec'd	Assess No.	Address	Proposal	BLDG No.
11/08/2016	A3986	13 (Lot 12) Yates Road, Margaret River	Shed	216357
11/08/2016	A12055	Lot 58 McDermott Parade, Witchcliffe	Dwelling	216358
11/08/2016	A11939	28 (Lot 267) Noreuil Circuit, Cowaramup	Dwelling and Ancillary Dwelling	216359
10/08/2016	A12076	Lot 196 McDermott Parade, Witchcliffe	Dwelling	216353
10/08/2016	A9173	6 (Lot 8) Honeytree Grove, Cowaramup	Patio	216354
10/08/2016	A8314	4 (Lot 562) Highland View, Margaret River	Shed	216355
10/08/2016	TBC	TBC – Lantana Lane, Margaret River	Dwelling	216356
09/08/2016	A11981	15 (Lot 16) Offshore Crest, Margaret River	Dwelling	216343
09/08/2016	A7795	15 (Lot 274) Ironbark Avenue, Margaret River	Patio	216352
08/08/2016	A6859	12 (Lot 11) Osnaburg Street, Augusta	Carport and Workshop Extension	216345
08/08/2016	A837	148 (Lot 103) Railway Terrace Margaret River	Carport	216346
08/08/2016	A11788 A2384	10 (Lot 46) Shervington Avenue, Witchcliffe	Dwelling	216347
08/08/2016	A6977	25 (Lot 26) Connelly Road, Margaret River	Shed	216348
08/08/2016	A8518	3 (Lot 194) Jacana Place, Cowaramup	Dwelling	216349
08/08/2016	A5653	10 (Lot 113) Waterside Rise, Augusta	Shed	216350
08/08/2016	A4534	2 (Reserve 40107) Cnr Wallcliffe Road and Bussell Highway, Margaret River	Telecommunications Tower	216351

SUBDIVISIONS DETERMINED

Date Rec'd	Officer	DA No.	Address	Description of Matter	Recommendation

LEVEL 1 APPLICATIONS for determined under delegation

Date Rec'd	Officer	Address	Proposal	Outcome	DA No.

LEVEL 2 APPLICATIONS for determination under delegation

Date Rec'd	Officer	Address	Proposal	Recommendation	DA No.
24/05/2016	MS	150 (Lot 1) Bridgelands Road, Rosa Glen	Reception Centre	Approve	P216283

LOCAL LAW PERMITS

Date Rec'd	Officer	Address	Proposal	Outcome	DA No.

OTHER APPLICATIONS determined under delegation

Date Rec'd	Officer	Address	Proposal	Outcome	DA No.

COMPLIANCE

Date Rec'd	Officer	Address	Proposal	Outcome	DA No.

ELECTED MEMBERS ATTENTION

Date Rec'd	Officer	Address	Proposal	Outcome of DAU Meeting	DA No.
24/05/2016	MS	150 (Lot 1) Bridgelands Road, Rosa Glen	Reception Centre	Approve	P216283

CLOSURE OF MEETING



DEVELOPMENT APPLICATION ASSESSMENT (DAU)
Report to Manager Planning Services

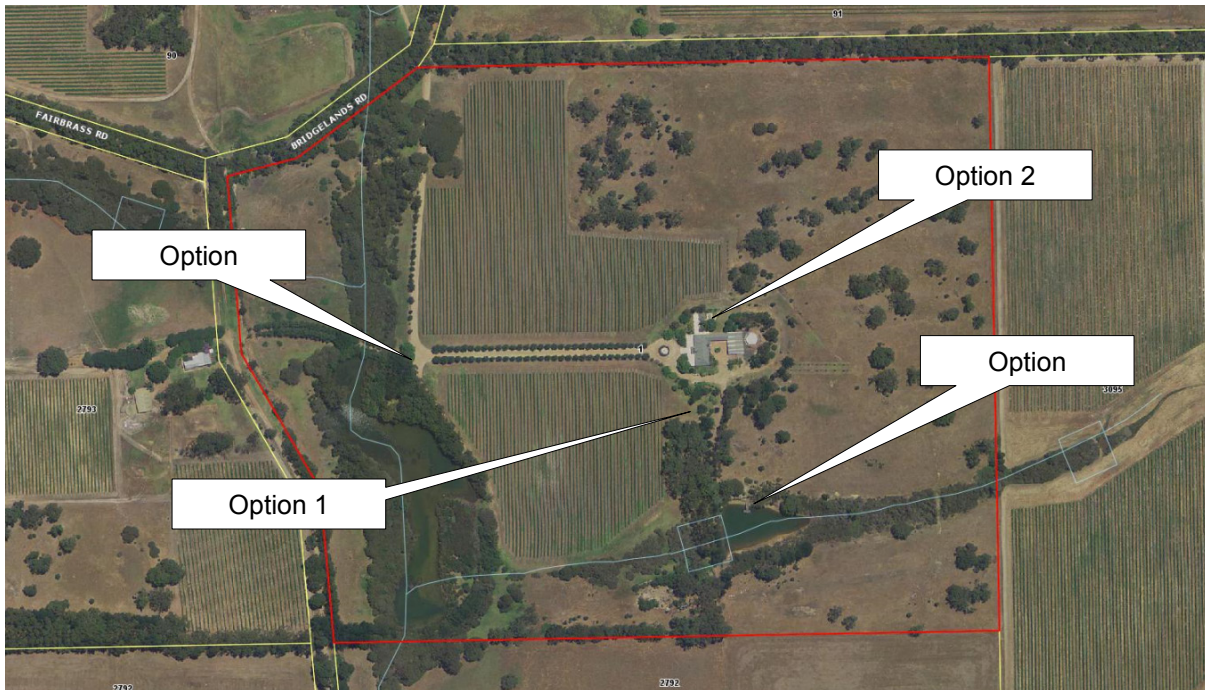
Proposed Reception Centre – 150 (Lot 1) Bridgelands Road, Rosa Glen

Major (Level 2)

P216283; PTY/1532

REPORTING OFFICER : **Matt Slocomb**
 DISCLOSURE OF INTEREST : **Nil**

General Information	
Lot Area	30.96ha
Zone	Priority Agriculture
Proposed Development	<p>The proposal is for use of the premises as a 'Reception Centre' with capacity of up to 100 people for a maximum of 15 events per year. The proposal involves the use of four designated 'Options' on the site where wedding ceremonies can occur. The proposal is limited to wedding ceremonies and does not involve wedding receptions at the premises. There are two separate ceremony timeslots proposed:</p> <p>Morning Ceremony at 10:00am – 2:00pm; Evening Ceremony at 5:00pm – 8:30pm.</p> <p>Provision has been made for 25 parking bays and no permanent structures are proposed.</p>
DAU Presentation	An objection has been received to the proposal which is not able to be completely addressed via conditions of planning approval.
Permissible Use Class	'A'
Heritage/Aboriginal Sites	Nil
Encumbrance	Nil
Date Received	24 May 2016



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 (DAP)			
Is the land in any Structure Plan Area or subject to a DAP?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
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
Have agency or authority comments been received?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> N/A
Has the application been referred to internal departments?		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> N/A
Name	Nature of Submission	Officer Comment	
Submitter 1	Concern Regarding: <ul style="list-style-type: none"> Implications on rural productivity 	The applicant has agreed to the	

	<p>specifically associated with the use of Bridgelands Road (South). Concerns that increased vehicle movements will increase dust on vines located immediately adjacent to the road reserve, which will have implications on produce quality;</p> <ul style="list-style-type: none"> • Inconsistency of the use with the prevailing rural amenity of the area; • Concern regarding impacts associated with noise given the proximity of the use to nearby dwellings. <p>The submission states that should the Shire support the proposal, the following conditions should be applied:</p> <ul style="list-style-type: none"> • Prohibition of the use of Bridgelands Road (south) and associated entry, with traffic directed to the northern entrance via Bridgelands Road (north); • Limitation of 12 events per year with no more than 2 events per month; • Events being limited to between 10am to 6pm, Monday to Saturday (no events on Sunday) or limited to one event per weekend; • Events not held in area denoted as 'Option 3'. 	<p>prohibition of Bridgelands Road (South) except for in emergency situations where two separate access points are required in accordance with the Guidelines for Planning in Bushfire Prone Areas.</p> <p>Refer to discussion in Planning Comment section of report.</p> <p>As discussed above, a condition has been included prohibiting the use of Bridgelands Road (South).</p> <p>Refer to discussion in Planning Comment section of report.</p> <p>This area is setback in excess of Scheme requirements and screened by existing vegetation. Given that this is one of four venue options the level of impact associated with this area is not anticipated to be significant.</p>
<p>Department of Fire and Emergency Services (DFES)</p>	<p>The proposal and associated Bushfire Management Statement (BMS) have been assessed and is considered consistent with the objectives and principles of the State's '<i>Guidelines for Planning in Bushfire Prone Areas, WAPC 2015</i>'.</p> <p>As such, the submitted BMS dated 29 July 2016 (Version 1.2) with associated Bushfire Emergency Procedure, is acceptable and DFES raises no objection to the proposal subject to the following.</p> <p>The proponent implementing, to the satisfaction of the local government, the BMS, dated 29 July 2016 (Version 1.2) with associated Bushfire Emergency Procedure, which is applicable to the subject land.</p> <p>The DFES acceptance is for the lots and other endorsements as detailed in the BMS only, and therefore any subsequent variation to the BMS may render the acceptance invalid.</p>	<p>Noted.</p>
<p>Infrastructure</p>	<p>Primary access is to be promoted from the driveway system northwards to Bridgelands Road and Rosa Glen Road. No guest access from Davis Road end is permissible due to the poor condition of the road.</p> <p>Bridgeland Road (North) requires upgrading to a suitable standard; this will</p>	<p>Noted.</p>

	involve culvert and road widening in sections and pruning works.	
Health	The proposal of providing one unisex equal access toilet supplemented with portable toilets for the initial six ceremonies has been agreed to by the Shire's Environmental Health Services Department.	Included as a condition of planning approval.
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 type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Development Standards (Schedule 13)		
Are the development Standards applicable?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Officer Comment	The proposed ceremony areas are setback in excess of the 30m front and 10m side setback requirements of Local Planning Scheme No.1.	
Car Parking		
LPS1 / R Codes Requirement	Car Bays Required - 25	Car Bays Proposed - 25
Dimensions	2.5 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	
Equal Access Bays	Equal Access Bays -	<input type="checkbox"/> Complies <input type="checkbox"/> Doesn't Comply
Officer Comment	A 'Reception Centre' requires 1 car bay per 4 people that the use is intended to accommodate. Equal access bays will need to be provided in accordance with the Building Code of Australia.	
Clause 67		
A. 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.	
B. In the opinion of the officer:		
i. Are utility services available and adequate for the development?	Yes. Following the initial six events permanent ablution facilities will need to be provided.	
ii. Has adequate provision been made for the landscaping and protection for any trees or other vegetation on the land?	Yes.	
iii. Has adequate provision been made for access for the development or facilities by disabled persons?	Yes.	
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?	N/A – A Bushfire Management Statement has been prepared and jointly endorsed by DFES and the Shire.	
Other Comments		
Any further comments in relation to the application?		
Officer Comment	Amenity Concerns	
	Concerns have been raised in respect to the consistency of the use with the objectives of the zone and in regard to the amenity of the locality. The proposed use will operate in a broadly incidental capacity to the existing agricultural operations and will not result in any permanent modifications to the built form of the site.	
	Although the number of events proposed is not significant, it is realistic to expect that these will generally be limited to the Spring/Autumn months of the year. It may be the case that concentrated periods of activity could occur at these times; however the overall limit the use (restricted to 15 ceremonies), the low key nature (ie no wedding receptions) and being shared between four separate areas will reduce the overall impact on adjoining properties. Given the overall limitation on ceremonies, times of concentrated activity would be balanced by longer periods of inactivity on the site.	

	<p>The ceremony areas are setback in accordance with the Shires Local Planning Schemes and will be required to comply with the Environmental Protection (Noise) Regulations 1997. The applicant has stipulated that amplified music will not be provided at the venue and this will be reinforced via a condition of planning approval.</p> <p>Prohibition of Bridgelands Road South</p> <p>Throughout the assessment concerns were raised in respect to the use of Bridgelands Road South, both in regard to the quality of the road, the proximity to adjoining properties and agricultural operations. The applicant has agreed to a condition prohibiting of the use of Bridgelands Road (South) with the exception of emergency situations.</p> <p>Upgrade of Bridgelands Road North</p> <p>Bridgelands Road (North) will be required to be upgraded to a 6m wide gravel standard, which will involve widening works in sections and associated drainage works, as well as some vegetation pruning. This requirement is consistent with the Guidelines for Planning in Bushfire Prone Areas and the Bushfire Management Statement provided by the applicant and endorsed by DFES.</p>
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OFFICER RECOMMENDATION

That the Acting Statutory Planning Coordinator GRANT Planning Consent under Delegated Authority Instrument No. 15 pursuant to Clause 68(2) of the Deemed Provisions of Local Planning Scheme No. 1 for a Reception Centre at 150 (Lot 1) Bridgelands Road, Rosa Glen subject to compliance with the following conditions/for the following reasons:

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 – P3 submitted at the Shire's Offices on the 23 May 2016
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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. (P)
3. The use of Bridgelands Road (South) in association with the use hereby approved is prohibited except in emergency situations in accordance with an approved Evacuation Plan.
4. Approval is limited to a maximum number of 15 ceremonies per year.
5. 'Wedding Receptions' are prohibited and do not form part of this proposal. (P)
6. Approval is limited to 100 patrons on site at any given time. (P)
7. Operating hours are restricted to between:
 - a. Morning Ceremony - 10:00am – 2:00pm;
 - b. Afternoon/Evening Ceremony - 5:00pm – 8:30pm.
8. Amplified music shall not be played in conjunction with the use hereby approved.
9. Prior to commencement, implementation works set out in an approved Bushfire Management Statement and associated Bushfire Emergency Procedure shall be undertaken to the satisfaction of the Shire.
10. Following the initial six (6) ceremonies undertaken at the premises, permanent ablution facilities shall be provided prior to any further ceremonies occurring to the satisfaction of the Shire.
11. Suitable arrangements being made with the local government for the upgrading of Bridgelands Road (North) to the satisfaction of Local Government.
12. Prior to the commencement of the development, engineering drawings and specifications for the upgrading of Bridgelands Road (North), are to be submitted, approved and road construction works undertaken in accordance with the approved plan, engineering drawings and specifications. All associated works required in the upgrade, including but not limited to construction, clearing and drainage works will be at the applicant's cost, to the satisfaction of Local Government.
13. Prior to the commencement of the development a detailed engineering plan is to be submitted for approval, prior to commencement of works, showing construction details, vehicle parking areas, access

ways and crossover(s) shall be designed, constructed, drained and thereafter maintained in accordance with Australian Standard AS 2890.1-1993 and the Shire's standards and specifications.

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 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) Construction within the road reserve shall not commence until the Shire has approved detailed engineering plans and specifications of the works, including earthworks, drainage, clearing, landscaping/rehabilitation and soil stabilisation measures, both during and after construction.
- c) 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 a licenced Traffic Manager in accordance with MRWA Traffic Management Code of Practice and Australian Standards AS1742.3-2002 for any works on or within the road reserve (including road).
- d) In regard to condition 10, Birdgelands Road (North) is to be upgraded in accordance with the current requirements of the Guidelines for Planning in Bushfire Prone Areas and the approved Bushfire Management Statement which is to a 6m wide gravel standard including associated culvert extensions and pruning works.
- e) Disabled bay shall be designed in accordance with 2890.6 2009 Part 6-Off Street Parking for People with Disabilities.
- f) The proposed activity must comply with the *Food Act 2008* and the Australia New Zealand Food Standards Code. (EH)
- g) Details of existing approved onsite waste water treatment and disposal system shall be submitted to the Shire to determine if the system requires upgrading. Details of existing effluent disposal system shall include location, size, type of system and setbacks from boundaries and existing and proposed buildings. (EH)
- h) Noise emissions resulting from use of premises for the approved purpose shall not exceed the assigned levels in the *Environmental Protection (Noise) Regulations 1997*, and shall not unreasonably interfere with the health, welfare, convenience, comfort or amenity of an occupier of any other premises.

