

DEVELOPMENT ASSESSMENT UNIT

Minutes of the Development Assessment Unit Shire of Augusta-Margaret River On 18 August 2015

ATTENDANCE

Lara Hoole, Kim Nolan, Jason Heine, Johan Pienaar

APOLOGIES

CONFIRMATION OF MINUTES

Minutes of meeting dated 4 August 2015 confirmed as correct.

PLANNING APPLICATIONS RECEIVED

Date Rec'd	Assess No.	Address	Proposal	DA No.
10/08/2015	A9107	Unit 60 1 (Lot 60) Resort Place, Gnarabup	Consulting Rooms	P215366
10/08/2015	A8285	26 (Lot 540) Riverslea Drive, Margaret River	Compliance - Garage and Studio not complying with Planning Approval P210244	P215367
11/08/2015	A10131	2 (Lot 393) Coral Vine Cross, Cowaramup	Outbuilding (Shed)	P215368
11/08/2015	A4018	20 (lot 22) Mallee Fowl Way, Margaret River	Holiday House	P215369
12/08/2015	A7422	741 (Lot 145) Cowaramup Bay Road, Gracetown	Chalets x 2	P215370
12/08/2015	A3233	40 (Lot 21) Station Road, Margaret River	Signage	P215371
13/08/2015	A9396	750 (Lot 102) Wallcliffe Road, Margaret River	Dwelling Additions (Tennis Court)	P215372
13/08/2015	A1782	4 (Lot 104) Vattos Way, Prevelly	Dwelling (Retrospective Approval for Retaining Wall)	P215373
13/08/2015	A11847	5 (Lot 13) Hogan Place, Witchcliffe	Dwelling (Water Tank Outside Building Envelope)	P215374
14/08/2015	A520	19 (Lot 97) Ryans Road, Margaret River	Dwelling, Outbuilding (Shed) and Ancillary Dwelling	P215375

BUILDING LICENCE APPLICATIONS RECEIVED

Date Rec'd	Assess No.	Address	Proposal	BLDG No.
11/08/2015	A10545	58 (Lot 719) Burke Circle, Cowaramup	Dwelling	215356
12/08/2015	A9868	24 (Lot 370) Georgiana Cross, Cowaramup	Dwelling	215357
12/08/2015	A8583	81 (Lot 12) Worgan Road, Cowaramup	Shed	215358
13/08/2015	A2810	13 (Lot 94) Sabina Drive, Molloy Island	Carport and Patio	215359
13/08/2015	A9768	10 (Lot 263) Wisteria Crescent, Margaret River	Dwelling	215360
13/08/2015	A3987	12 (Lot 13) Yates Road, Margaret River	Ancillary Dwelling	215361
13/08/2015	A3232	8 (Lot 588) Brennan Street, Augusta	Shed	215362
13/08/2015	A11837	5 (Lot 3) Dobbins Place, Witchcliffe	Dwelling	215363
13/08/2015	A1272	225 (Lot 901) Osmington Road, Bramley	Chalets x 2	215364
14/08/2015	A9359	9 (Lot 37) Firestone Way, Augusta	Dwelling	215365

SUBDIVISIONS DETERMINED

Date Rec'd	Officer	DA No.	Address	Description of Matter	Recommendation
13/07/2015	Matt Cuthbert	P215313	1 (Lot 244) Nickol Street, Margaret River	Survey Strata	Supported

LEVEL 1 APPLICATIONS DETERMINED BY DIRECTOR

Date Rec'd	Officer	Address	Proposal	Determination	DA No.
11/06/2015	Angela Satre	12 (Reserve 37281) Donovan Street, Augusta	Alterations & Additions to Civic Building (St John Ambulance Centre)	Approve	P215253
12/06/2015	Johan Pienaar	144 (Lot 33) Illawarra Avenue, Margaret River	Building Envelope Variation & Change of Use (Dwelling to Ancillary Accommodation)	Approve	P215257
26/06/2015	Johan Pienaar	Lot 661 Rowe Road West, Witchcliffe	Agriculture Intensive (Vineyard Extension)	Approve	P215286
16/07/2015	Lara Hoole	43 (Lot 2) Bessell Road, Rosa Glen	Farm Building (Machinery Shed)	Approve	P215321
22/07/2015	Jared Drummond	2-4 (Lot 7) Molloy Street, Augusta	Signage	Approve	P215335

LEVEL 2 APPLICATIONS FOR DETERMINATION BY DPDS

Date Rec'd	Officer	Address	Proposal	Outcome of DAU Meeting	DA No.
20/05/2015	Lara Hoole	27A (Lot 97) Georgette Way, Prevelly	Grouped Dwelling, Outbuilding (Shed), Retaining Wall and Boundary Fence	Approve	P215220

LOCAL LAW PERMITS

Date Rec'd	Officer	Address	Proposal	Determination	DA No.

OTHER APPLICATIONS determined under delegation

Date Rec'd	Officer	Address	Proposal	Determination	DA No.

COMPLIANCE

Date Rec'd	Officer	Address	Proposal	Outcome of DAU Meeting	DA No.

ELECTED MEMBERS ATTENTION

Date Rec'd	Officer	Address	Proposal	Outcome of DAU Meeting	DA No.



CLOSURE OF MEETING

DEVELOPMENT APPLICATION ASSESSMENT (DAU)

Report to Manager Planning Services

Proposed Grouped Dwelling, Outbuilding (Shed) & Retaining Wall and Fence: 27A (Strata Lot 1 of Lot 97) Georgette Way, Prevelly

Major (Level 2)

P215220; PTY/11751

REPORTING OFFICER : LH
 DISCLOSURE OF INTEREST : Nil

General Information	
Lot Area	766sqm
Zone	Residential (R15)
Proposed Development	Proposed single storey, 3 x bedroom x 2 bathroom grouped dwelling to be located on the front strata lot. A shed (3m x 4m x 3.74m), a retaining wall (1.64m high) and a fence (2.84m high) is proposed to be located on the rear boundary adjoining the rear strata lot. There is a 4m wide common property access road along the southern side boundary of strata lot 1.
Permissible Use Class	'D' (discretionary).
Heritage/Aboriginal Sites	Nil.
Encumbrance	<ul style="list-style-type: none"> Interests notified on the survey-strata plan and any amendments to lots or common property. Drainage easement along the southern side boundary of Strata Lot 2.
Date Received	20/05/2015

Aerial extract



Subject site



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	<p>Local Planning Policy 1 – Farm Buildings and Outbuildings (LPP1)</p> <ul style="list-style-type: none"> Outbuildings consistent with the deemed to comply provisions of the

	<p>RCodes with the exception of wall height.</p> <ul style="list-style-type: none"> • 3.1m maximum wall height. • Outbuildings located behind the front of the existing dwelling. <p><u>Local Planning Policy 4 – Boundary Fencing (LPP4)</u></p> <ul style="list-style-type: none"> • Side and rear boundary fences, having a minimum height of 1600mm and maximum height of 2300mm. 	
Officer Comment	<p><u>LPP1</u> The shed is proposed to have a nil rear boundary setback, which is a variation to the 1metre minimum rear boundary setback of the RCodes. The shed has a wall height of 3.74m, which is a variation to the 3.1m maximum wall height standard of the policy. Both variations require planning approval.</p> <p>The site has a steep slope at the back. The proposed outbuilding is small in area but has an extended height due to the site constraints and the need for extensive fill and retaining above natural ground level on the eastern rear boundary. The shed is setback over 30metres from the dwelling on the adjoining rear strata Lot 2. The dwelling has a solid wall on the carport facing the location of the outbuilding and vegetation in between. The outbuilding will therefore not be visible from the dwelling on the adjoining strata lot. The outbuilding is recommended to be conditioned to be constructed in materials to match the proposed dwelling.</p> <p><u>LPP4</u> As mentioned above, due to the steep slope at the rear of the property, a retaining wall of 1.64m is proposed. The combined height of the retaining wall and 1.2m high is 2.84m, which is a variation to the 2.3m standard for a rear boundary fence. The fence on top of the retaining wall is proposed at 1.2m to minimise potential impacts on the adjoining property. The retaining and fence will be much lower than the rise in the ground level of the property and will not cause detrimental impacts on the adjoining landowner to the rear.</p>	
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 type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A		
Name	Nature of Submission	Officer Comment
Private Submission	<ul style="list-style-type: none"> • Front setback of garage is only 3.44m, a significant variation almost half the standard setback of the RCodes; • Where will guests who visit the property park? • Lot sizes of Prevelly area generally large and if subdivided into smaller lots, development should be planned to suit the lot size with consideration to the impact on surrounding houses and the impact on the streetscape. • Buildings and setbacks should be in accordance with the context of the surrounding environment and streetscape. • Considerable unused space at the back of this lot, where a garage could be located; • The streetscape contributes to local character; • There are no garages built this close to the kerb. This will set a precedent; • Limited view to the street for vehicles, pedestrians and concerns for safety; • A streetscape should not be dominated by garage doors; • Carports are acceptable, because they allow a clear view between a public street and a private dwelling. Garages area not acceptable unless they can be accommodated without obstruction to views between street and house at ground level. 	<p>Error on floor plan showed a proposed garage but as per site plan it is a proposed carport. The plans have been amended as such.</p> <p>The general front setback within the immediate area is 6m or greater, except for one lot with a carport on the front boundary. The applicant has amended the front setback from 3.44m to 4.5m from the front boundary to allow for visitor parking.</p> <p>The site has topography constraints due to the 4 to 5m sharp slope at the back third of the block. Regardless an additional parking bay and small storage shed is proposed at the rear of the site.</p> <p>The surrounding lots range in size from 766sqm to 2693sqm. At 766sqm it is the smallest lot, and the only 2 lots in the immediate area that have strata titles. The next smallest green title lot is 901sqm.</p> <p>The proposed dwelling has a floor area of 174sqm and is a single storey dwelling with 3 bedroom, 2 bathroom, and a study with one combined open kitchen, dining and lounge room. The R15 RCode general standards require 50% minimum open space. The development provides an excess of 76% open space.</p> <p>Existing native vegetation within the road reserve will screen the development from the road.</p>

Has the application been referred to internal departments?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> N/A
Assessment of Application				
Development History		P1601 Adventure Tours approved 26/11/1992. P27116 Grouped Dwelling approved 18/09/2008. P211010 – Survey Strata completed recommending refusal to WAPC 23/02/2011. WAPC approved the subdivision.		
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 Req	Provided	Officer Comment	
DWELLING				
Front Setback	6m or averaging in accordance with Figure 2	4.5m	Variation – Does not meet the averaging in accordance with Figure 2.	
Northern Side Setback	3.1m	2.64m	Variation	
Southern Side Setback	2.7m	Nil	Variation	
Rear Setback	6m	13m	Complies	
Garage/Carport Setback	4.5m	4.5m	Complies doesn't meet averaging.	
Driveway Width	3m to 6m	6m	Complies	
Garage Width	N/A			
Excavation or Filling (behind street setback line and within 1m of a lot boundary)	No greater than 500mm above NGL on the boundary or 1m setback.	1.64m on the boundary.	Variation	
Outdoor Living Area	N/A			
Open Space Requirement	50%	76%	Complies	
Upgrade Landscaping	<input type="checkbox"/> Required	<input checked="" type="checkbox"/> Not Required		
Overlooking	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		
Street surveillance	<input checked="" 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		
Energy efficiency/solar access	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		
OUTBUILDING				
Design Element	Policy/R Codes Req	Provided	Officer Comment	
	Not attached to the dwelling	Not attached.	Complies	
Use	Non-habitable	Non-habitable.	Complies	
Maximum Floor Area	60sqm	12sqm	Complies	
Maximum Ridge Height	4.2m	3.2m	Complies	
Not within Primary Setback Area	6m	35m	Complies	
Northern Side Setback	1m	2.4m	Complies	
Southern Side Setback	1m	15.5m	Complies	
Rear Setback	1.5m	Nil	Variation	
Other Variations	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No		
Officer's Comments against performance criteria	<p>The development proposes several variations to the 'deemed to comply' standards of the RCodes.</p> <p>Variations to the 'deemed to comply' standards can be approved if after advertising the variations are considered to meet the design elements of the RCodes.</p> <p>The setback of a carport was revised from 3.44m to 4.5m to the front boundary. Clear sight lines are achieved along the street. The carport will not obstruct views from the dwelling to the street. The 4.5m setback will allow space for visitors to park their vehicles off the street. The proposed carport will not detract from the streetscape.</p> <p>The proposed dwelling is single storey and setback on an angle to the northern side boundary with the closest point at 2.64m and is located on the southern side common strata property boundary adjoining the battleaxe driveway. The setback variations are not raising concerns in regards to building bulk. The development will not restrict access to direct sun and ventilation to buildings and open spaces.</p>			

	<p>The site and the adjoining properties will have access to adequate direct sun and ventilation to the buildings and open spaces.</p> <p>The shed is proposed to be constructed on the rear boundary (common boundary with strata lot no.2). The site has a steep slope at the rear and will be setback over 30metres from the dwelling on strata lot 2 to the east. The proposed setback variation will allow for the effective use of the site and will not detrimentally affect adjoining properties. The proposed variations are considered to meet the design principles of the RCodes.</p> <p>Towards the rear of the dwelling the site starts to fall sharply. The north-eastern edge of the deck becomes raised greater than 0.5m above natural ground level and is setback 5.1m from the northern side boundary. This is a variation to the 7.5m minimum setback of a raised outdoor living area and likely to overlook the adjoining landowner's dwelling. It is recommended that a small section of screening be erected on the boundary or alternatively landscaping can be planted to prevent overlooking the adjoining landowners dwelling and outdoor living area. This is recommended as a condition of approval.</p>	
Development Standards (Schedule 13)		
Are the development Standards applicable?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Car Parking		
LPS1 / R Codes Requirement	Car Bays Required - 2	Car Bays Proposed - 2
Dimensions	2.5 x 5.5m	<input checked="" type="checkbox"/> Complies <input type="checkbox"/> Doesn't Comply
Turning Bay/Circles and vehicle maneuvering	<input checked="" type="checkbox"/> Complies <input type="checkbox"/> Doesn't Comply	
Disabled Bays	Disabled Bays – N/A	<input type="checkbox"/> Complies <input type="checkbox"/> Doesn't Comply
Building Height		
Scheme / Policy Requirement	Wall - 7 m	Roof - 8m
State the proposed building height	Wall – 4.42m	<input checked="" type="checkbox"/> Complies <input type="checkbox"/> Doesn't Comply
	Roof – 6.3m	
Clause 10.2		
A. In the opinion of the officer, would approval of the planning consent be appropriate under Clause 10.2 of the Scheme?		
Officer Comment	Yes.	
B. 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.	
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.	
Officer Comment	In summary, the steep fall at the rear of the site provides development constraints to design a functional development on the site. The proposed development is considered to be of an appropriate size and design for the site without causing detrimental impacts to the surrounding landowners or streetscape. Proposed development is generally consistent with Local Planning Scheme No. 1, Local Planning Policy 1, Local Planning Policy 4 and the Residential Design Codes.	

OFFICER RECOMMENDATION

That the Statutory Planning Coordinator GRANTS Planning Consent under Delegated Authority Instrument No. 20 pursuant to Clause 10.3 of Local Planning Scheme No. 1 for a Grouped Dwelling, Outbuilding (Shed), Retaining Wall & Boundary Fencing at 27A (Strata Lot 1 of Lot 97) Georgette Way, Prevelly 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 to P5 plans received by the Shire on 28 July 2015
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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. All stormwater and drainage run-off from the development shall be contained within the lot boundaries or disposed offsite by an approved connection to the Shire's drainage system. (I)
4. The outbuilding (shed) shall be in the same materials, colour and design to match the proposed dwelling. (P)
5. Privacy screening, setback 1m from the northern side boundary, to a height of 1.6m above finished floor level of the north-eastern section of the deck (as marked in red on approved plan P1) shall be installed to the satisfaction of the Shire. The privacy screen shall be designed in accordance with the provisions of the Residential Design Codes. (P) (See Advice Note 'b')

ADVICE NOTES

- a) You are advised of the need to comply with the requirements of the following other legislation:
 - (i) This is not a Demolition Permit for the existing dwelling onsite. A Demolition Permit must be issued by the by the relevant Permit Authority before any demolition work commences on site as per the *Building Act 2011*;
 - (ii) This is not a Building Permit. A Building Permit for the new development must be issued by the relevant Permit Authority before any work commences on site as per the *Building Act 2011*;
 - (iii) *Health Act 1911* and Department requirements in respect to the development and use of the premises; and
 - (iv) The *Bush Fires Act 1954* as amended, Section 33(3), Annual Bush Fires Notice applies to this property.
- b) In relation to condition 5, the privacy screen may not be required, as determined by the Shire, if sufficient screening is provided by existing vegetation.