

DEVELOPMENT ASSESSMENT UNIT
Minutes of the Development Assessment Unit
Shire of Augusta Margaret River
On 9 June 2020

ATTENDANCE

Lucy Gouws, Chris McAtee, Jason Heine, Chris Wenman

PLANNING APPLICATIONS RECEIVED

Date Rec'd	Assess No.	Address	Proposal	DA No.
05/06/2020	A6092	13242 (Lot 1494) Bussell Highway, Kudardup	Extractive Industry - Gravel/Sand	P220293
05/06/2020	A11175	13 (Lot 400) Pimelia Drive, Margaret River	Bed and Breakfast (Renewal)	P220294
08/06/2020	A2529	Lot 75 Terry Drive, Margaret River	Building Envelope Variation - Outbuilding	P220295
08/06/2020	A832	805 (Lot 3) Redgate Road, Witchcliffe	Dwelling Addition	P220296
09/06/2020	A12704	5 (Lot 44) McDowell Road, Witchcliffe	Addition - Water Tank	P220297
09/06/2020	A11347	93 (Lot 1014) Heron Drive, Margaret River	Holiday House (Large)	P220298
10/06/2020	A905	8 (Lot 327) Lovejoy Road, Cowaramup	Oak and Hazelnut Trees (Truffle Farm)	P220300
11/06/2020	A4750	Lot 688 Stevens Road, Witchcliffe	Public Events on Private Property	P220301
11/06/2020	A6910	1065 (Lot 11) Osmington Road, Bramley	Dwelling	P220302

BUILDING LICENCE APPLICATIONS RECEIVED

Date Rec'd	Assess No.	Address	Proposal	BLDG No.
08/06/2020	A3366	36 Lot 2 Armstrong Road, Cowaramup	Solar Panels	220221
08/06/2020	A10979	148 Lot 153 Ashton Street, Margaret River	Shed	220233
11/06/2020	A2584	7 Georgette Drive, Margaret River	Patio	220234
11/06/2020	A10000 A3666	Lot 10890 Bussell Highway, Margaret River	Alterations and Additions to Covered Walkway Area	220235
08/06/2020	A12422	63 Lot 13 Rowe Rd West, Witchcliffe	Single Dwelling	220236
05/06/2020	A12139	20 Lot 221 Culhane Road, Margaret River	Ancillary Dwelling and Carport	220237
09/06/2020	A8962	23 Westringia Loop, Margaret River	Patio	220238

SUBDIVISIONS DETERMINED

Nil

LEVEL 1 APPLICATIONS determined under delegation

Date Rec'd	Officer	Address	Proposal	Outcome	DA No.
03/01/2020	Clare Hamilton	23 (Lot 232) Lumber Crescent, Karridale	Dwelling	Cancelled	P220000
15/04/2020	Lara Hoole	71 (Lot 51) Brookside Boulevard, Cowaramup	Single Dwelling, and Ancillary Dwelling	Approved	P220213
29/04/2020	Lara Hoole	9 (Lot 196) Fairlawn Place, Molloy Island	Single Dwelling - Addition	Approved	P220233
30/04/2020	Clare Hamilton	552 (Lot 3) Cowaramup Bay Road, Cowaramup	Farm Building	Cancelled	P220235
01/05/2020	Lucy Gouws	400 (Lot 61) Roxburgh Road, Margaret River	Bed and Breakfast (Renewal)	Approved	P220239

LEVEL 2 APPLICATIONS for determination

Date Rec'd	Officer	Address	Proposal	Outcome of DAU Meeting	DA No.
23/04/2020	Lezia Sandon	276 (Lot 60) Railway Terrace, Margaret River	Single Dwelling and Ancillary Dwelling	Approve	P220228

MANAGEMENT OF VEGETATION ON SHIRE RESERVES

Nil

LOCAL LAW PERMITS

Date Rec'd	Officer	Address	Proposal	Outcome	DA No.
03/06/2020	Emma Rogers	Margaret River Main Street	Local Law Permit - Busking License for Spark Artists Group	Approved	P220290

OTHER APPLICATIONS determined under delegation
Nil

ELECTED MEMBERS ATTENTION
Nil

CLOSURE OF MEETING



**DEVELOPMENT APPLICATION ASSESSMENT (DAU)
Report to Manager Planning and Development Services**

**Proposed Single Dwelling & Ancillary Dwelling
276 (Lot 60) Railway Terrace Margaret River**

Major (Level 2)

P220228; PTY/3713


REPORTING OFFICER : Lezia Sandon
DISCLOSURE OF INTEREST : Nil

General Information	
Lot Area	1011m ²
Zone	Composite Industry (R10)
Proposed Development	<p>The Shire has received an application for a Single Dwelling and an Ancillary dwelling.</p> <p>Residential development within the Composite Industry zone is assessed against R10 provisions of the R-Codes.</p> <p>A Single Dwelling is permitted in the Composite Industry zone. The proposed design complies with <i>Deemed to Comply</i> provisions of the R-Codes except for a variation to the front setback of 4.5m in lieu of 7.5m.</p> <p>An Ancillary Dwelling requires discretion from the Shire to approve in the Composite Industry zone. The proposed design complies with <i>Deemed to Comply</i> provisions of the R-Codes except for a variation for the secondary street (laneway) setback of 1.8m in lieu of 3m.</p>
Permissible Use Class	<p>'P' – Single Dwelling is permitted. 'A' –Ancillary Dwelling is not permitted without the Shire exercising discretion in accordance with Clause 64.</p>
Heritage/Aboriginal Sites	The neighbouring lot (south) has been identified in the Heritage Inventory and Heritage List. The development will have no impact to the adjoining heritage building.
Encumbrance	Nil
Date Received	23/04/2020





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	
P214267- Land clearing and Outbuilding (2014) P215327 – Dwelling 2015 (not constructed)	
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: 2
Details of Submission	Officer Comment
<p>During the consultation period the Shire received 2 submissions. The following concerns were made:</p> <ul style="list-style-type: none"> • Reduced rear setback. • Drainage concerns regarding the raised Ancillary Dwelling Finished Floor Level without retaining. • Stormwater concerns and potential flooding. • Ancillary Dwelling is located in a zone where Industrial type business and operations are likely to impact residence including noise. 	<p>The reduced rear setback demonstrates compliance with the relevant Design Principles of the R-codes, refer to the officers R-Code variation, as discussion below.</p> <p>The Ancillary Dwelling finish floor level (FFL) complies with the R-Codes Deemed to Comply provisions.</p> <p>The applicant has advised the Shire that retaining walls may be required. Retaining 0.5m above natural ground level (NGL) will generate a planning application for development approval and the applicant is aware of this.</p> <p>The Shires Infrastructure Officer has recommended an onsite drainage condition to the satisfaction on the Shire to address any potential drainage issues.</p> <p>In accordance with the Clause 4.28 of the Scheme, development approved in the Composite Industry zone require noise levels to be within the limits. These are set by the <i>Environmental Protection (Noise) Regulations 1997</i> for residential areas.</p> <p>The landowner is aware the locality is likely to have industrial development however the development is expected to be consistent with residential noise limits as per Clause 4.28.</p>
Internal Department Comments	Officer Comments
<p>Environmental Health Officer- Onsite effluent disposal is required. Recommended advice note regarding the requirement of onsite treatment.</p>	<p>Both condition and advice notes suggested are recommended as a condition of the approval.</p>

Infrastructure Officer – Standard Stormwater condition recommended.			
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 R10
Design Element	Policy / R Codes	Provided	Officer comment
Front Setback	7.5m	4.5m	Variation
Sides Setback	South East 1.5m	1.73m	Apply figure 4B the 1.23m setback for the Dressing Room, complies.
	North West Garage 1m	2.3m	Complies.
	North West Living 1.5m	6.8m	Complies.
Secondary Setback	3m	1.8m	Ancillary Dwelling rear setback is a variation
Garage/Carport Setback	4.5m	6m	Complies
Driveway Width	3-6	5.2m	Complies
Garage Width	<50%	26%	Complies
Open Space Requirement	60%	62.54%	Complies
Ancillary Floor area	70m2 (max)	70.m2	Complies
Upgrade Landscaping	<input type="checkbox"/> Required	<input checked="" type="checkbox"/> Not Required	
Overlooking	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Street surveillance	<input 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	Part 5.1.2 Street Setback Design Principles		
	<i>Building set back from street boundaries an appropriate distance to ensure they:</i> <ul style="list-style-type: none"> • <i>Contribute to, and are consistent with an established streetscape;</i> • <i>Provide adequate privacy and open space for dwellings</i> • <i>Accommodate site planning requirements such as parking, landscaping and utilities and allow safety clearance for easements for essential</i> 		
	Primary Street: The primary street setback allows for average between 3.75m and 15m for an R10 development. The proposal is setback behind the maximum reduced setback allowed with a 4.5m for the dwelling and 6m for the garage. The proposed setback average is generally consistent with the established streetscape.		
			
	<i>Established Streetscape of Railway Terrace; demonstrating various setbacks between 4.5m and 20m.</i>		
The subject lot achieved the required amount of open space and outdoor living required for a R10 lot.			
The 6m setback for the driveway is generous and will allow for adequate additional parking as including the double enclosed garage.			
Secondary Street: The rear setback with access to the lane way is considered as a secondary street. The proposed setback of 1.8m in lieu of 3m is consistent with the immediate adjoining lots with a nil and 2m setback. The rear laneway width with a 1.8m setback will allow for manoeuvring of a vehicle within the laneway.			
The proposed design demonstrates compliance with the relevant Design Principles and recommended to be supported.			

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 - <3>	Car Bays Proposed -<3>
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	
Building Height		
Scheme / Policy Requirement	Wall - 7m	Roof - 8m
State the proposed building height	Wall – 3.1m Roof – 4.8m	<input checked="" type="checkbox"/> Complies <input type="checkbox"/> Doesn't Comply
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, the site requires onsite effluent disposal. The proposed system is likely to be supported as an application for installation.	
i. Has adequate provision been made for the landscaping and protection for any trees or other vegetation on the land?	The proposed development requires the relocation of an existing grass tree and trimming of existing trees onsite. Removal of the Jarrah tree marked on the site plan may be required to be removed subject to an arborist report. No additional landscaping is required under the R-Codes.	
ii. Has adequate provision been made for access for the development or facilities by disabled persons?	N/A.	
iii. Is development likely to cause detriment to the existing and likely future amenity of the neighbourhood?	No.	
iv. Is the development likely to comply with AS3959 at the building permit stage?	Yes. The applicant has submitted a Bushfire Attack Level (BAL) for both the Single Dwelling (BAL 29) and Ancillary Dwelling (BAL12.5).	
Other Comments		
Any further comments in relation to the application?		
Officer Comment	The Single Dwelling and Ancillary Dwelling is recommended to be supported with conditions.	

OFFICER RECOMMENDATION

That the Statutory Planning Coordinator GRANTS Planning Consent under Delegated Authority Instrument No. 16 pursuant to Clause 68(2) of the Deemed Provisions of Local Planning Scheme No. 1 for Single Dwelling and Ancillary Dwelling at 276 (Lot 60) Railway Terrace 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	P1 to P3 received by the Shire on the 23 April 2020 and P4 to P5 received by the Shire 29 April 2020.
--------------------------	---

- 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.
- All stormwater and drainage run-off from the development shall be detained within the lot boundaries managed to pre-development 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 Standards & Specifications.

ADVICE NOTES

- You are advised of the need to comply with the requirements of the following other legislation:
 - This is not a Building Permit. A Building Permit must be issued by the relevant Permit Authority before any work commences on site as per the *Building Act 2011*;
 - Health (Miscellaneous Provisions) Act 1911* and Department requirements in respect to the development and use of the premises; and
 - The *Bush Fires Act 1954* as amended, Section 33(3), Annual Bush Fires Notice applies to this property.
- Engineering plans are required to be submitted to the Shire's Asset Services department (PH 9780 5274),
- An apparatus for the onsite treatment and disposal of wastewater shall be installed in accordance with *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974* to the satisfaction of the Local Government and the Department of Health.