

DEVELOPMENT ASSESSMENT UNIT
Minutes of the Development Assessment Unit
Shire of Augusta Margaret River
On 12 March 2019

ATTENDANCE Leigh Medlen, Chris McAtee, Chris Wenman, Jason Heine, Angela Satre

PLANNING APPLICATIONS RECEIVED

Date Rec'd	Assess No.	Address	Proposal	DA No.
05/03/2019	A8086	8 Birch Loop, Margaret River	Bed & Breakfast	P219125
05/03/2019	A11618	10 (Lot 129) Tammar Place, Margaret River	Holiday House (Renewal)	P219126
05/03/2019	A1560	384 (Lots 251 and 1689) Miamup Road, Cowaramup	Extractive Industry, Use Not Listed (Airstrip), Dam and Agriculture Intensive (Avocado Orchard)	P219127
05/03/2019	A11211	36 (Lot 43) Mapstone Road, Margaret River	Section 40	P219128
06/03/2019	A2598	Unit 1 9 (Strata Lot 1 of Lot 118) Papadakis Avenue, Prevelly	Holiday House (Renewal)	P219129
06/03/2019	A6858	315-325 (Lot 16) Rocky Road, Forest Grove	Section 40	P219134
07/03/2019	A10408	33 (Lot 418) Jacaranda Crescent, Margaret River	Dwelling Addition (Outbuilding)	P219136
07/03/2019	A2044	13 (Lot 114) McLeod Place, Margaret River	Alterations and Additions to Existing Dwelling	P219137
07/03/2019	A3659	194 (Lot 501) Blackwood Avenue, Augusta	Grouped Dwelling Additions	P219139
07/03/2019	A5551	15 (Lot 50) Hillier Drive, Margaret River	Family Day Care	P219141
07/03/2019	A2400	297 (Lot 211) Wurring Road, Cowaramup	Dwelling	P219143
07/03/2019	A11069	14 (Lot 101) Humble Way, Margaret River	Dwelling	P219144

BUILDING LICENCE APPLICATIONS RECEIVED

Date Rec'd	Assess No.	Address	Proposal	BLDG No.
06/03/2019	A12256	3 (Lot 26) Cassia Way, Margaret River	Single Dwelling and Retaining	219108
06/03/2019	A12628	62 (Lot 284) Noreuil Circuit, Cowaramup	Single Dwelling and Retaining	219109
06/03/2019	A7586	12249 Bussell Highway, Karridale	Shed	219110
06/03/2019	A2662	17 (Lot 17) Waverley Road, Cowaramup	Patio	219111
07/03/2019	A8120	4 (Lot 182) Mahogany Way, Cowaramup	Patio	219112
07/03/2019	A2601	16 Percy Street, Gracetown	Patio	219113
08/03/2019	A12168	67 (Lot 102) Rowcliffe Road, Forest Grove	Single Dwelling	219114

SUBDIVISIONS DETERMINED

Date Rec'd	Officer	DA No.	Address	Description of Matter	Recommendation
08/01/2019	Clare Hamilton	P219013	Lots 2195, 2232 and 2233 Treeton Road, Cowaramup	Boundary Realignment	Support

LEVEL 1 APPLICATIONS determined under delegation

Date Rec'd	Officer	Address	Proposal	Outcome	DA No.
04/09/2018	Clare Hamilton	133 (Lot 71) Horseford Road, Margaret River	Holiday House	Approve	P218548
31/10/2018	Leigh Medlen	13 (Lot 42) The Boulevard, Riverslea	Dwelling Additions	Approve	P218690
30/11/2018	Clare Hamilton	48 (Lot 271) Illawarra Avenue, Margaret River	Development Outside the Building Envelope - Retrospective Dwelling Additions	Approve	P218766
20/12/2018	Leigh Medlen	2 (Lot 101) Trinder Drive, Margaret River	Guesthouse, Laundry/Storage Room and Bed and Breakfast Renewal	Approve	P218810
20/12/2018	Angela Satre	Lot 9013 John Archibald Drive, Margaret River	Use Not Listed (Earthworks/Forward Works)	Approve	P218811

14/02/2019	Clare Hamilton	81 (Lot 124) Duggan Drive, Cowaramup	Bed & Breakfast	Approve	P219098
05/03/2019	Clare Hamilton	8 (Lot 299) Birch Loop, Margaret River	Bed & Breakfast	Approve	P219125

LEVEL 2 APPLICATIONS for determination

Date Rec'd	Officer	Address	Proposal	Outcome of DAU Meeting	DA No.
18/12/18	Leigh Medlen	17 (Strata Lot 29 of Lot 320) Formosa Street, Margaret River	Grouped Dwelling	Conditional Approval	P218802

MANAGEMENT OF VEGETATION ON SHIRE RESERVES

Nil

LOCAL LAW PERMITS

Date Rec'd	Officer	Address	Proposal	Outcome	DA No.
26/02/2019	Emma Rogers	Bussell Highway, Margaret River - Main Street	Local Law Permit - Authorisation to Film within the Shire of Augusta Margaret River	Approve	P219120

OTHER APPLICATIONS determined under delegation

Nil

COMPLIANCE

Nil

ELECTED MEMBERS ATTENTION

Nil

CLOSURE OF MEETING





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

Proposed Grouped Dwelling at No. 17 (Lot 29) Formosa Street, Margaret River

Major (Level 2)

P218802; PTY/12129

REPORTING OFFICER : Leigh Medlen
DISCLOSURE OF INTEREST : Nil

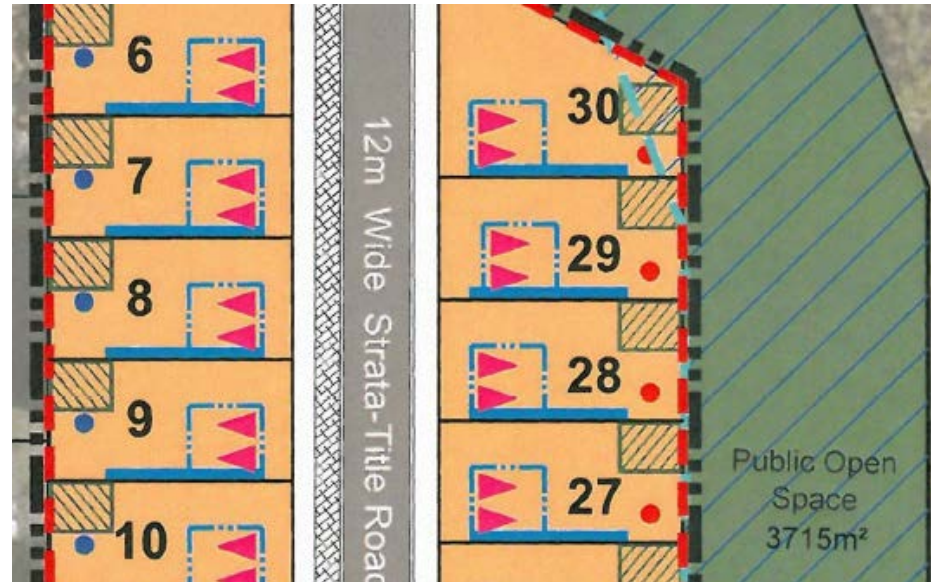
General Information	
Lot Area	200m ²
Zone	Residential R30/40
Proposed Development	Planning approval is sought for the construction of a two storey grouped dwelling at the site.
Permissible Use Class	Discretionary
Heritage/Aboriginal Sites	None Identified
Encumbrance	Drainage Easement located across the rear of the property remains unaffected by the proposed development.
Date Received	18/12/2018



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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes, state the Policy/Policies	Detailed Area Plan – Lot 320 Higgins Street, Margaret River

Officer Comment

An excerpt of the Detailed Area Plan (DAP) applicable to the subject site is provided below:



An assessment against the design requirements is provided as follows:

Design Element	Comment
Open Space/Outdoor Living	
Min open space requirement is 45%.	Complies 46.46%
Mandatory covered outdoor area and 2/3rds of the required open space must be without a roof.	Complies. A covered outdoor undercover area. 14% of open space is covered.
Vehicle Access and Garage/Carpports	
2 onsite car parking spaces.	Complies. Double Garage proposed.
Unless otherwise approved by the Shire, all garage and carports shall be located in the position shown on the DAP.	Complies. Garage proposed in accordance with the location indicated on the DAP.
Maximum crossover width is 4.8m.	Complies 4.8m. The applicant has advised the cross over is intended to be 4.8m wide.
Balconies	
Encouraged on any upper floor facing the POS.	Complies. Balcony proposed fronting the POS.
Utilities, Facilities and Outbuildings	
All screened from public views from POS and street.	Complies. Bins are screened from both the POS and Formosa Street.
Sustainable Design	
Gas boosted or solar hot water system and or an array of solar photovoltaic panels are to be installed on the north facing rooves.	Complies. Solar photovoltaic panels proposed.
3000L rainwater tank to be provided and plumbed to dwelling.	Complies. 3,000L water tank proposed to be provided and screened by timber slats from the POS
Achieved current BCA +1/2 rating.	To be assessed at Building.
Include water efficient appliances.	To be assessed at Building.
Materials	
Brick and cement render, rammed earth, stone or limestone, natural timber, colorbond/mini orb, fibre cement, concrete and various wall cladding products permitted.	Complies. Timber cladding and rammed earth proposed for the dwelling.
Carpports/Garages same material as dwelling.	Complies. Garage proposed to be sympathetic to the design of the dwelling.
Roof may consist of steel or metal, tiles or slate and complimentary colour to dwelling.	Complies. Colourbond roofing proposed, complimentary to the design of the dwelling.
No unpainted or highly reflective materials permitted.	As above, condition to be included limiting reflectivity of finish.
Fencing	

Fencing forward of the building adjacent to the street shall be rendered masonry and visually permeable above 1.2m.	N/A
Uniform open style fencing on Lots 22-30, maintained and repaired and responsibility of lot owners.	Can be required as a condition of approval.
Earthwork and Retaining Walls	
Minimise earthworks.	Variation proposed. A retaining wall 900mm in height proposed for a 6.5m length along the northern boundary. See subsequent sections of this report detailing variations.
Lots shall be filled no more than 0.5m above the level of adjoining roadway.	Complies. The lot has not been filled between the dwelling and the road.
Any proposed building adjacent to a retaining wall, installed by the developer, must receive approval from a certified structural engineer to assure function and integrity of the wall and footings are maintained.	Assessed at the building permit stage of development.
Solar Orientation	
Outdoor living located in nominated location on DAP.	Complies. Outdoor living area located within the designated position on the DAP.
Minimum of one habitable room to be located on the northern side of dwelling.	Complies. Ground floor living room located on the northern aspect of the dwelling.

The following setbacks are applicable to this application:

Street / Boundary	Setback (Min)	Setback Provided	Officer Comment
Communal Street (Primary)			
Dwelling	1.5m	2.5m - Ground Floor 1.5m – Upper Floor	Complies
Street / Boundary			
Garage	2.5m	2.5m	Complies
Porch, veranda, balcony	0.5m	N/A	N/A
Rear	2.0m	2.25m	Complies

Side Lot Boundary	Setback (Min)	Setback Provided	Officer Comment
Side Boundary			
Ground Floor Northern Side Boundary	1.5m (see note 1)	1.30	Variation. See subsequent sections of this report detailing variations.
Upper Floor Northern Side Boundary	1.5m	2.0m	Complies
Ground Floor Southern Side Boundary	As per R-Codes or see Note 2.	Nil setback in-between front and rear setback requirements	Variation. The southern nil side setback is in between the front and rear setback distances which is compliant. The average wall height however for the eastern portion of the southern lot boundary wall proposes a minor variation to the average wall height guideline under the Rcodes. See subsequent sections of this report detailing variations.
Upper Floor Southern Side Boundary	1.0m	1.0m	Complies

	<p>Notes:</p> <p>1. A wall may be built up to the northern lot boundary behind the street setback line for a total length of 7m as illustrated on the indicative building footprint plan for all lots. The height of the wall built up to the lot boundary to be determined as per the 'deemed to comply' requirements of the R-Codes.</p> <p>2. A wall may be built up to the southern lot boundary for a total length dictated by the front and rear setbacks as illustrated on the indicative building footprint plan for all lots. The height of the wall built up to the lot boundary to be determined as per the 'deemed to comply' requirements of the R-Codes.</p> <p>*Setback to the edge of the eaves.</p>			
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 submission was received from two landowners of a neighbouring property.		
Have agency or authority comments been received?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> N/A
Nature of Submission		Officer Comment		
<p>Private Objection</p> <p>Southern Lot Boundary Average Wall Height</p> <ul style="list-style-type: none"> The ground floor southern wall height combined with the overshadowing is going to reduce the solar passive amenity and green design of the adjoining property to the south as it will reduce the northern sun. <p>Northern Retaining Wall</p> <ul style="list-style-type: none"> The retaining wall is significantly higher than allowable. Since the proposal includes an outdoor shower on the northern side, this presents Lot 30 with privacy issues and possible water run off issues. The shower is going to be higher and closer to Lot 30. Concern raised regarding the possible water intrusion due to run off and privacy issues to the adjoining dwelling. 		<p>The design has been amended and the wall heights reduced by 100mm to address the concerns raised. The average wall height proposed is 3.1m in lieu of the 3m or less guideline under the R-Codes. This is considered to be a minor variation. The southern adjoining affected neighbour was notified of the variation and no concerns were raised.</p> <p>The applicant has since amended the plans reducing the overall retaining wall height by 200mm in order to address the concerns raised. The maximum retaining height is proposed at 900mm above natural ground level. The 400mm variation to the 500mm retaining wall height guideline occurs for a portion of the boundary approximately 6.5m in length. The retaining is not considered excessive and has responded to the natural features of the site.</p> <p>It is worth noting a retaining wall was also required on the northern adjoining property along the southern common boundary (for a minor length) to address the natural ground level of the adjoining site. It is considered the highest point of retaining proposed on the subject site would abut the adjoining retaining wall on the northern neighbouring property. Any impacts associated with the retaining wall are therefore considered unlikely to negatively detract from the adjoining property as it would abut retaining on the adjoining site.</p> <p>The adjoining landowner was consulted regarding the amendment to reduce the overall retaining height. The amended proposal was considered acceptable to the submitter.</p> <p>The retaining wall does not pose any implications to privacy of the adjoining neighbouring property. There are no major openings presented along the northern elevation that could result in any adverse impacts associated with overlooking or loss of privacy to the northern adjoining property. The plans have indicated the line of the proposed fence along the northern elevation to ensure visual privacy between the adjoining properties is maintained. The applicant has advised the outdoor shower run off would be drained within the properties boundaries and connected to the sites soak wells. Any run-off from the outdoor shower would therefore be contained on site within the property boundaries. The outdoor shower is proposed to be setback approximately 10m within the lot. The shower would be approximately aligned with the lot boundary wall of the adjoining northern property and the proposed 'Laundry' room on that lot. With this in mind, the outdoor shower does not align with a main habitable area of the adjoining site and therefore any impacts associated with privacy are considered acceptable.</p>		

<p>Overshadowing</p> <ul style="list-style-type: none"> - An increase in overshadowing to Lot 28 would negate the benefit of maximising solar orientation under the provisions of the DAP. The DAP require dwellings to maximise solar orientation by having an outdoor living area and habitable room on the northern side. Significantly increasing the overshadowing of Lot 29 over Lot 28 is going to negate any benefit proposed by this clause. <p>Northern Setback Variation</p> <ul style="list-style-type: none"> - Concerns raised regarding the northern side setback variation as blocks are small and dwellings are close together even when compliant. This variation, in addition to the retaining wall, will result in the house significantly dominating the adjoining Lot 30 and reduce the visual amenity and cohesion of the subdivision. - A smaller setback will reduce the visual privacy of Lot 30 as the dwelling will be higher and closer to the adjoining property. Houses closer together present a greater risk in a high fire danger area. 	<p>Due to the orientation of the lots, with an east/west lot configuration and a narrow low width within the subdivisional area, a larger than expected proportion of any one lot will be cast in shade. The DAP specifies a 'mandatory built to boundary wall' for the ground floor on the southern boundary of each lot. This maximises opportunities for solar access on each site but inevitably results in shade cast on the adjoining southern lot. This in turn results in variations to the overshadowing guideline to southern adjoining properties which has been a common variation within the subdivisional area.</p> <p>The southern adjoining neighbour who is directly affected by the overshadowing has not lodged an objection to the proposal. Variations are capable of being considered subject to advertising and an assessment against the design principles. The variation maintains sun access to the 'preferred unroofed outdoor living area' on the southern lot and is considered acceptable.</p> <p>The proposed northern setback variation is not out of character with the locality or detrimental to the amenity of the subdivisional area for the following reasons:</p> <ul style="list-style-type: none"> • Under the provisions of the DAP (see 'Note 1' above) a wall may be built up to the northern boundary for a length of 7m. The northern elevation could therefore have potentially included a nil setback for a portion of wall along the northern boundary. • For this reason a 200mm variation would not appear out of character within the area when some dwellings have a nil setback along this boundary. • The proposed variation is considered to have minimal impacts associated with overlooking or likely to result in any loss of privacy given there are no major openings along the northern elevation and visual privacy screening has been provided for the outdoor living area in accordance with the R-Codes. The potential impacts as a result of the variation would be negligible (considering a 200mm variation is proposed) when compared to a compliant development. • The variation is unlikely to result in adverse impacts associated with building bulk and scale, given there are multiple articulations presented along the northern wall, breaking up any impact associated with building bulk. The first floor is compliant with the required setback distance along this elevation. • The proposed setback variation would pose no impacts associated with sun access to the northern adjoining property. • Each dwelling is required to be built in accordance with the Australian Standards for building in bushfire prone areas and the relevant Bushfire Attack Level rating for the site. The setback variation is not considered to hinder the ability of the site to achieve compliance with AS3959 nor will the variation proposed result in the dwelling posing a greater fire risk.
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	
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	R Codes Req Provided Officer comment
Garage Width	60% 59% Complies. 5.2.2 C2 of the R-Codes allows the garage to occupy up to 60% of the setback line as viewed from the street where an upper floor or balcony

			extends for the full width of the garage and the entrance of the dwelling can be visible.
Outdoor Living Area	20m ²	32.5m ²	Complies
Open Space Requirement	45%	46.46%	Complies
Store	4m ² ; min dimension 1m for internal storage	6.5m ²	Complies
Upgrade Landscaping	<input type="checkbox"/> Required <input checked="" type="checkbox"/> Not Required		
Overlooking	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Minor openings with 1.6m high sill heights and timber screening have been included on habitable rooms and outdoor living areas.		
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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No 49% of the adjoining southern side will be overshadowed on the winter solstice in lieu of the 35% guideline under the R-Codes.		
Energy efficiency/solar access	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Other Variations	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		

Variations to Rcodes Deemed to Comply Standards & DAP Provisions

Ground Floor Northern Side Setback

The proposal involves a variation to the setback requirements of the DAP. Specifically a 1.3m setback is proposed in lieu of the 1.5m required by the DAP to maintain solar access to the development site.

The DAP however also provides for a nil setback along the northern boundary (see 'Note 1' above) of the development site. The proposed variation of 200mm is therefore considered to be minor given the a portion of the northern wall could have been located up to the lot boundary. The variation is also unlikely to pose any impacts associated with overlooking and building bulk given the nature of the blocks and minimum extent of the variation sought. The variation will also not result in impacts to sun access on the northern adjoining property.

On this basis, the variation is considered acceptable.

Ground Floor Southern Side Lot Boundary Wall Average Height

A minor variation (100mm) is proposed, under clause 5.1.3 of the Rcodes, to the average wall height of the southern lot boundary wall. The variation has been advertised and no objections were received from the adjoining affected neighbour. The applicant has reduced the height of the wall in response to a submission made during the advertising period from a nearby landowner. The variation meets the relevant design principles of the Rcodes given the proposal responds to the natural topography of the site and the site constraints, reduces perceived building bulk to adjoining properties, provides adequate sun and ventilation and addresses overlooking. Accordingly the proposed wall height variation is considered acceptable.

Overshadowing

The proposal will overshadow the southern adjoining property by approximately 49%, in lieu of the 35% guideline under the deemed to comply standards of the R-Codes.

Variations to the deemed to comply standards for overshadowing for two storey developments in the DAP area have been considered for the following reasons:

- Overshadowing is calculated based on the percentage of the adjoining lot(s) cast in shade at midday on the winter solstice. Given the east/west lot configuration and narrow lot width in the DAP area, a larger than expected proportion of any one lot will be cast in shade at this time.
- The DAP specifies a 'mandatory built to boundary wall' for the ground floor on the southern boundary of each lot. This maximises opportunities for solar access on the subject site but inevitably results in shade cast to the adjoining southern lot.

Variations to the overshadowing guidelines under the R-Codes are considered for the DAP area subject to advertising and assessment against the relevant design principles.

The proposed overshadowing variation was advertised with no objection was received from the southern adjoining property owner. The extent of the overshadowing impacts, particularly to internal living areas and the nominated outdoor living area on the southern neighbouring site, are considered below:

- There are no major openings to habitable rooms along the northern elevation of the southern adjoining property to be impacted by the proposal.
- Figure 1 below shows the DAP nominated outdoor living areas for the subject site and the adjoining southern property.
- The nominated outdoor living area, on the adjoining southern site, would be cast in partial shade on the winter solstice due to a proposed water tank on the boundary (in lieu of a boundary fence) and partial overshadowing from a portion of the proposed dwelling.
- Overshadowing from the proposal would impact 14m² of the DAP nominated outdoor living area on the southern adjoining property. While this overshadowing would occupy a significant portion of the DAP nominated outdoor living area, there will continue to be a substantial area of unroofed open space at the rear of the dwelling unaffected by the proposal. The rear of the property contains up to a total of 60m² unroofed open space including 46m² outdoor space not impacted by the proposal and not cast in shade.
- The overshadowing is not considered to significantly inhibit the use and enjoyment of the outdoor living area or any major openings on the southern adjoining property.

- The variation proposed is consistent with similar variations within the subdivision area, did not raise objections from the affected land owner and is considered acceptable.

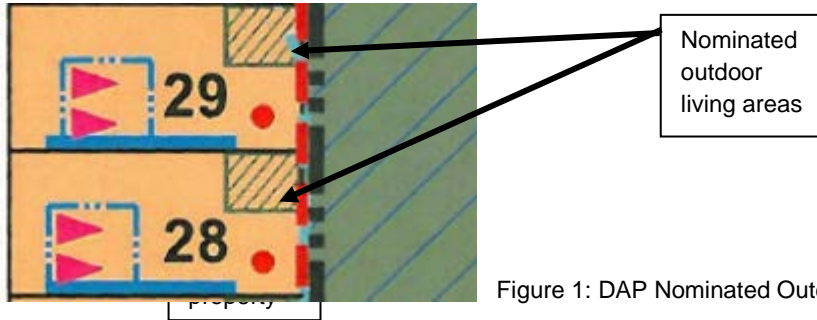


Figure 1: DAP Nominated Outdoor Living Areas

Retaining

The proposal includes a retaining wall along the northern boundary up to 900mm, which is a variation to the 500mm retaining wall height guideline under the Rcodes deemed to comply standards. The retaining meets the design principles of the Rcodes for the following reasons:

- Retaining in excess of 500mm has been consistently considered within the subdivisional area given the natural topography of the area. The retaining would therefore not be out of character or detrimental to the amenity of locality.
- The retaining responds to the natural ground level of the site and increases as the ground level drops to the east.
- The retaining would have minimal impact when viewed from the street given the dwelling would have a floor level at or slightly below the ground level of the road. As such the retaining proposed minimises earthworks on site and is consistent with the provisions of the DAP for the area which limits fill above the adjoining road level.

For these reasons, the proposed variation to the retaining wall height is considered acceptable.

Development Standards (Schedule 9)

Are the development Standards applicable? Yes 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 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 – 6.8m	<input checked="" type="checkbox"/> Complies <input type="checkbox"/> Doesn't Comply
	Roof – 7.8m	

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.
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?	The site is less than 1,100m ² and therefore a BAL assessment is not required at the planning stage of development. Compliance with AS3959 will be required to be demonstrated at the building permit stage of development.

Other Comments

Any further comments in relation to the application?

Officer Comment Every effort has been made by the landowner to address the concerns raised from the advertising period. It is considered that the design meets the discretionary components and would contribute positively to the Formosa Street streetscape. Conditional approval is recommended.

OFFICER RECOMMENDATION

That the Acting Manager Planning and Sustainable Development 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 a Grouped Dwelling at No. 17 (Strata Lot 29 of Lot 320) Formosa Street, Margaret River subject to compliance with the following conditions:

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 at the Shire's Offices on 5 March 2019.
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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. 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.
4. The wall on the southern boundary shall be finished to the satisfaction of the adjoining landowner, or in the case of a dispute to the satisfaction of the Shire.
5. Prior to the issuing of a Building Permit, details shall be submitted demonstrating installation of the sustainable design components of the *Lot 320 Higgins Street Detailed Area Plan* as follows:
 - i. Gas boosted or solar hot water system and/ or an array of solar photovoltaic panels are to be installed on the north facing rooves.
 - ii. 3,000 rainwater tank to be provided and plumbed to dwelling.
 - iii. Achieve the current BCA +1/2 rating under the Home Energy Rating System.
 - iv. Include water efficient appliances.
6. The sustainable design components shall be implemented prior to occupation of the premises and maintained at all times thereafter.
7. A schedule of colour and texture of the building materials shall be submitted and approved prior to the commencement of any works and shall be implemented accordingly. Highly reflective materials (including but not limited to silver sheeting) are prohibited.
8. Bin storage area, clothes drying areas and water tanks shall be concealed from view from public open space areas and the public or private street.

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.