

DEVELOPMENT ASSESSMENT UNIT
Minutes of the Development Assessment Unit
Shire of Augusta Margaret River
On 2 July 2019

ATTENDANCE

Chris Wenman, Chris McAtee, Devin Moltoni, Angela Satre, Jason Heine, Lucy Gouws

PLANNING APPLICATIONS RECEIVED

Date Rec'd	Assess No.	Address	Proposal	DA No.
24/06/2019	A6298	9 (Lot 108) Parry Court, Augusta	Holiday House	P219381
25/06/2019	A7926	16 (Lot 529) Riverslea Drive, Margaret River	Holiday House (Large) Renewal	P219382
25/06/2019	A3688	1018/1020 (Lot 2300) Bramley River Road, Osmington	Dwelling Addition (Garage)	P219383
25/06/2019	A4367	27-33 (Lot 295) Tunbridge Street, Margaret River	Community Purpose Alterations and Additions	P219384
26/06/2019	A6244	44 (Lot 3) Sheridan Road, Margaret River	Holiday House (Large)	P219385
26/06/2019	A11668	22 (Lot 1) Baker Close, Augusta	Campground Additions (Undercover Area, Laundry & Toilet)	P219386
27/06/2019	A12326	Lot 118 Mentelle Road, Burnside	Building Envelope Variation	P219387
27/06/2019	A2470	255 (Lot 11) Wilderness Road, Margaret River	Dwelling Additions (Outbuilding) & Building Envelope Variation	P219388
27/06/2019	A11759	9827 (Lot 113) Bussell Highway, Margaret River	Holiday House (Large) Renewal	P219389
27/06/2019	A1243	35 (Lot 4) Bussell Highway, Cowaramup	Scheme Amendment No. 64 to Local Planning Scheme No. 1 Rezoning from 'Residential' to 'Town Centre'	P219390
28/06/2019	A1648	7 (Lot 391) Wishart Road, Augusta	Holiday House	P219391

BUILDING LICENCE APPLICATIONS RECEIVED

Date Rec'd	Assess No.	Address	Proposal	BLDG No.
26/06/2019	A12168	67 Rowcliffe Road, Forest Grove	Patio	219206
28/06/2019	A6993	115 Bridgelands Road, Rosa Glen	Shed	219242
24/06/2019	A1097	75 Lot 3192 Clews Road, Cowaramup	Shed	219260
24/06/2019	A12548	4 Lot 61 Cercis Way, Margaret River	Single Dwelling	219261
24/06/2019	A5797	8120 Bussell Highway, Cowaramup	Change of use class 10a to class 8	219262
25/06/2019	A8103	25 Lot 72 Georgette Road, Gracetown	Retaining walls	219264
26/06/2019	A8201 A3365	10 Lot 402 Clydesdale Place, Margaret River	Unauthorised Works - Single Dwelling	219265
26/06/2019	A11492	102 Lot 111 Railway Terrace, Margaret River	Single Dwelling	219266
27/06/2019	A432	780 Fisher Road, Kudardup	Patio	219267
27/06/2019	A2680	17 Lot 40 Ewing Street, Augusta	Retaining wall	219268
27/06/2019	A3537	31 Sebbes Road, Forest Grove	Occupancy Permit - Cellar Door Sales	219269
28/06/2019	A2441	60 Lot 1 Bussell Highway, Cowaramup	Alterations and Additions to Existing Services Station	219270
28/06/2019	A7599	364 Lot 1 Warner Glen Road, Forest Grove	Additions to existing Dwelling	219271

SUBDIVISIONS DETERMINED

Nil

LEVEL 1 APPLICATIONS determined under delegation

Date Rec'd	Officer	Address	Proposal	Outcome	DA No.
23/02/2018	Leigh Medlen	44 (Lot 105) Hermitage Drive, Margaret River	Holiday House (Large)	Refused	P218099
17/05/2019	Devin Moltoni	133 (Lot 51) Ashton Street, Margaret River	Ancillary Dwelling	Approved	P219324

30/05/2019	Lucy Gouws	384 (Lot 1689) Miamup Road, Cowaramup	Amendment to Approval P217411 (Chalets x 5 & Recreation Private)	Approved	P219350
30/05/2019	Devin Moltoni	100 (Lot 8) Bussell Highway, Margaret River	Community Purpose Sign Additions (1 x Existing Freestanding Illuminated Sign and 2 x Above Roof Signs)	Approved	P219351
06/06/2019	Devin Moltoni	6 (Lot 106) Vita Court, Margaret River	Dwelling Additions (Outbuilding)	Approved	P219361

LEVEL 2 APPLICATIONS for determination

Date Rec'd	Officer	Address	Proposal	Outcome of DAU Meeting	DA No.
7/05/2019	LG	20 (Lot 338) Honeysuckle Glen, Cowaramup	Dwelling included Associated Retaining Wall, Fill and Fence	Conditional Approval	P219299
23/4/19	DM	207 (Lot 135) Blackwood Avenue Augusta	Dwelling	Conditional Approval	P219269

MANAGEMENT OF VEGETATION ON SHIRE RESERVES

Nil

LOCAL LAW PERMITS

Nil

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 Dwelling, Associated Retaining, Fill and Fence at 20 (Lot 338) Honeysuckle Glen, Cowaramup

Major (Level 1)

P219299; PTY/9578

REPORTING OFFICER : Lucy Gouws
DISCLOSURE OF INTEREST : Nil

General Information	
Lot Area	814sqm
Zone	Residential R12.5
Proposed Development	Planning approval is sought for a dwelling that includes: <ul style="list-style-type: none">- Retaining along the side (southern) boundary.- Fencing.- Bushfire mitigation measures to reduce the BAL from BAL FZ to a BAL 29. The retaining wall and fence consists of: <ul style="list-style-type: none">- 30m length of retaining wall on the southern side boundary that ranges in height from 1m to 1.8m from natural ground level.- Fencing atop the retaining along the southern side boundary ranging in height from 1m – 1.6m.
Permissible Use Class	Dwelling and associated works are 'P' permitted with approval
Heritage/Aboriginal Sites	Nil
Encumbrance	Nil
Date Received	07/05/2019





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 <i>Local Planning Policy No.4 – Boundary Fencing (LPP4)</i>	
Officer Comment	<p>Element 1: The combined height of the retaining wall and the 1.6m fence results in an overall height of 3.4m from the natural ground level (NGL). The policy specifies a side boundary fence height of 2.3m, including retaining, and the proposal presents a variation of 1.1m.</p> <p>The variation proposed under LPP4 is to consider a higher fence along the side (southern) boundary due to the Site works. The fencing is considered to meet the performance criteria of LPP4 given the fence will:</p> <ul style="list-style-type: none"> - Provide for adequate privacy between neighbours; - The retaining wall and fence have been reduced in height forward of the dwelling to reduce the visual impact to the streetscape; and - The Site has an area of between 2 – 3m of road reserve which will allow for safe sight lines for vehicles exiting the Site.
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	
West Cowaramup Townsite Strategy – no implications arise from this strategy to the proposal	
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
Have agency or authority comments been received?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
Submission	
<p>Concern: Concerns are raised with replacing an existing 1.6m high fence, with a retaining wall and 1.6m fence that will create a 3.2m high barrier on the northern boundary.</p> <p>Response:</p> <ul style="list-style-type: none"> - The applicant has submitted an engineering report to demonstrate that the Site is constrained by clay soils and granite outcrops which rule out excavation below the natural ground level for site works. Accordingly, the proposal relies on filling along the southern side boundary to create a developable area on site for the proposed dwelling. - The applicant has also amended the proposal (see Figures 1 and 2 below) in response to the concern raised. The front section of retaining has been reduced in height from 1.5m to 1m for a 2.5m section. The fencing has been reduced from 1.6m to 1m. 	

Figure 1: Original Proposal

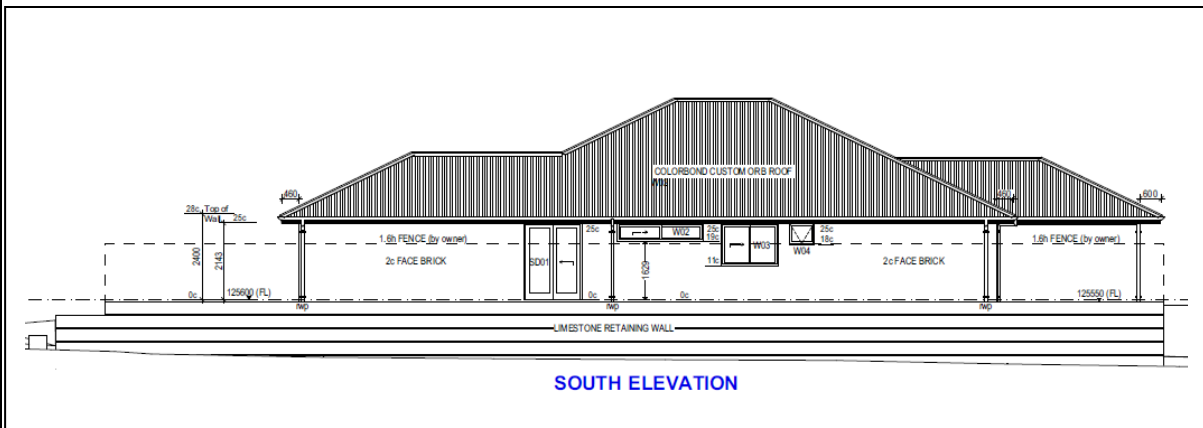
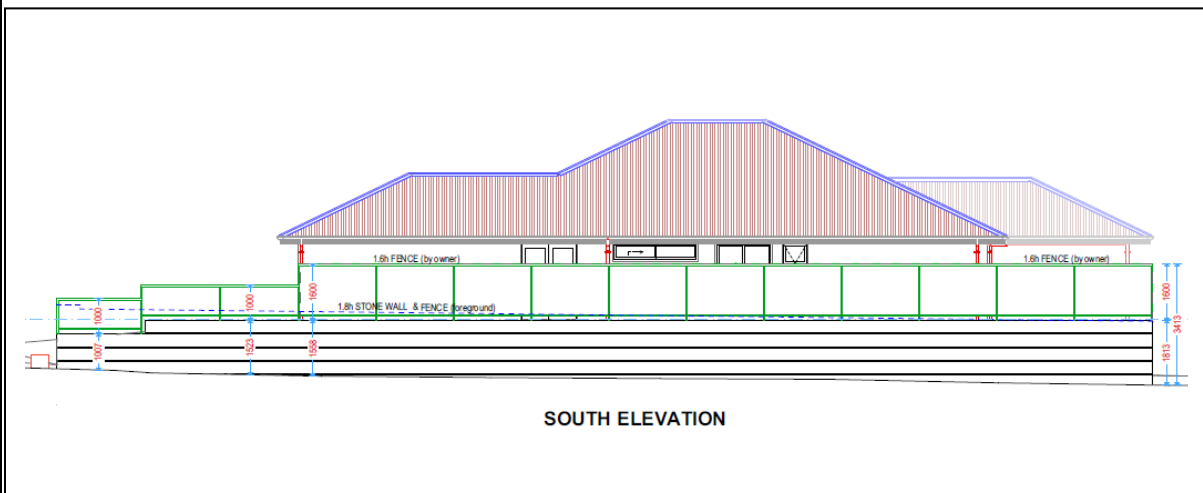


Figure 2: Amended Proposal



The proposal also presents a similar arrangement to the retaining and fence that has been built on the adjoining southern neighbour's side boundary (see Figure 3).

Figure 3: Photo of retaining and fence on the neighbour's side (southern) boundary

Concern:

- This barrier will impact the visual amenity and will result in a significant loss of light and over shadowing on the adjoining southern property.
- The neighbouring southern property is orientated to the north with windows all along the northern side of the building. The proposal will result in issues of damp and overshadowing of this area.

Response:

- The applicant has prepared an overshadowing diagram to show the extent of shade that will be created from the retaining wall and fence over the neighbouring Site (see Figure 4 below).

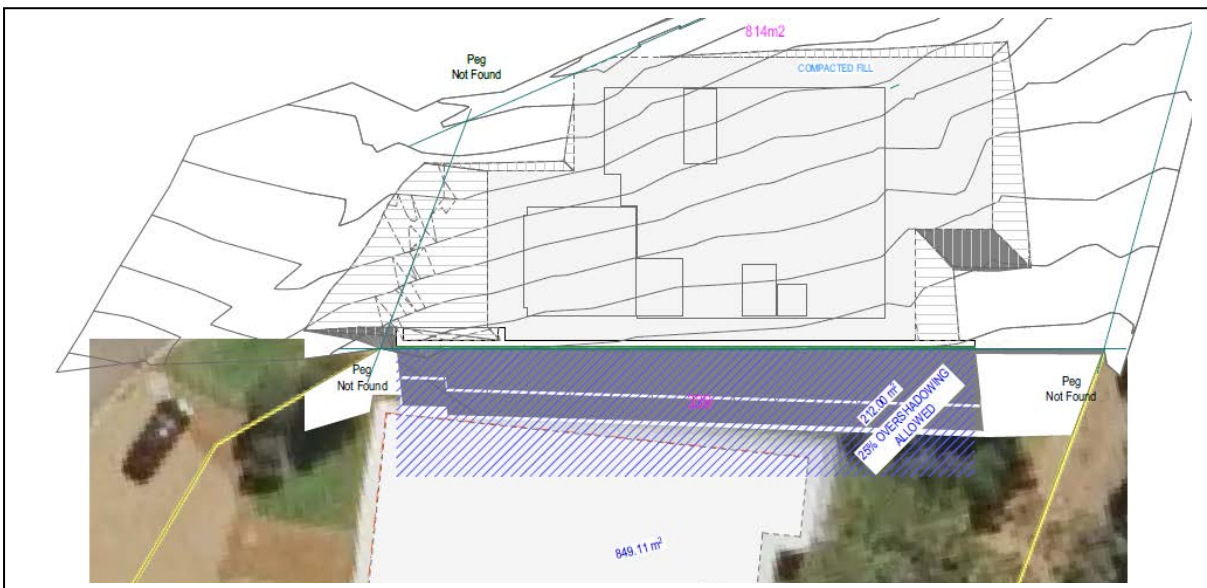


Figure 4: Overshadow Diagram

Figure 4 above shows the extent of the overshadowing (shown in dark grey block out) caused by the proposed dwelling based on a worst case scenario at midday on the winter solstice on 21 June. Figure 4 also shows the extent of overshadowing that would meet the deemed to comply standards of the R-Codes (area hatched in blue) of up to 25 per cent of the Site area of the adjoining property. As demonstrated in Figure 4, the proposed development would cause far less overshadowing than is permitted under the R-Codes deemed to comply standards. Furthermore, the extent of overshadowing from the proposal is less than the overshadowing that would have been created if the proposal was for a two (2) storey dwelling. The proposed dwelling would also not cast shade over the openings along the northern elevation of the adjoining dwelling.

While the concerns raised during the advertising period are noted, justification for the site works has been provided and the proposal has been amended in response to the concern. The extent of fencing forward of the proposed dwelling has been reduced in height to 1m and retaining forward of the proposed dwelling has been stepped down to respond to the ground level, to reduce building bulk and overshadowing forward of the proposed building and reduce streetscape impacts. The proponent has also demonstrated, with submission of an overshadowing diagram, that the proposal will meet the deemed to comply standards of the R-Codes and will not cast shade over the northern openings on the affected neighbouring dwelling. Furthermore, it is also noted that the proposed retaining along the side boundary is necessary in this case for site works given soil conditions and is not out of character with the nature of works on adjoining sites in the street. For these reasons the amended proposal is considered to have responded to the concerns raised during the notification period.

Has the application been referred to internal departments?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> N/A
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Assessment of Application

Is the land referred in the Heritage Inventory?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
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Are there any Contributions applicable?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
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Are there any compliance issues in relation to existing development?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
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R Codes

Are R Codes applicable?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
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Design Element	Policy / R Codes Req	Provided	Officer comment
Front Setback	7.5m	3.75m	Complies with averaging
Sides Setback	North 1m	1.145m	Complies
	South 1.5m	1.5m	Complies
Rear Setback	6m	12m	Complies
Garage/Carport Setback	4.5m	4.5m	Complies
Driveway Width	6m	<6m	Complies
Garage Width	50%	<50%	Complies
Open Space Requirement	55%	>55%	Complies
Upgrade Landscaping	<input type="checkbox"/> Required	<input checked="" type="checkbox"/> Not Required	
Overlooking	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	

	Fencing to a height 1.6m provided and no major openings on the side (southern) elevation.	
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 Under 25% - Complies	<input type="checkbox"/> No
Energy efficiency/solar access	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Other Variations	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Officer's Comments against performance criteria	<p>Retaining & Fill Variation:</p> <ul style="list-style-type: none"> Retaining wall proposed along the side (southern) boundary 30m in length ranging in height from 1m to 1.8m above NGL. Fill associated with the retaining and dwelling in excess of 0.5m within 1m of the boundary. <p>The following justification has been provided for the fill and retaining wall:</p> <ul style="list-style-type: none"> The finished floor level (FFL) has been set to accommodate the steeply sloping block. The soil report identified that clay is present at 500mm from the NGL. A minimum of 800mm of sand pad is required for this Site. <p>The retaining and fill are considered appropriate for the following reasons:</p> <ul style="list-style-type: none"> The site slopes from north to south with a difference in fall of 1.74m in NGL across a length of 16m. Some form of retaining is required in order to make effective use of the property due to the sloping nature of the site. The soil report has identified that the Site is clay soil and determines that 800mm of sand pad is required. The side (northern) corner of the dwelling is at the NGL and the fill is required across the Site in order to develop the property. Where possible the proposal has been amended to address the neighbours' concerns, without compromising the development of the Site. 	
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	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	
Disabled Bays	Disabled Bays – n/a	<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 - 4m Roof – 6.5m	<input checked="" type="checkbox"/> Complies <input type="checkbox"/> Doesn't Comply
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?	The Site has a BAL FZ. In order to reduce the BAL to a BAL 29, trees within a 18m radius of the vegetation that exist to the rear (eastern) side of the house are required to be removed. Trees within the side (northern) corner of the Site are to be kept.	
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?	The amendments that have been undertaken reduce the visual appearance of the retaining wall forward of the dwelling. The development is similar to other developments in this area, so it is not considered to adversely impact the amenity of the locality.	
v. Is the development likely to comply with AS3959 at the building permit stage?	A bushfire management plan was prepared and submitted with the proposal. The BMP guides and demonstrates that a BAL 29 is able to be achieved on the Site. An asset protection zone of 18m is to be achieved and this area will be managed as guided	

	by the BMP. Once the APZ is achieved, a BAL 29 applies to the development of the Site. A BAL 29 is an acceptable rating.
Other Comments	
Any further comments in relation to the application?	
Officer Comment	The proposal generated one objection during the notification period. The proposal was amended in response to the concern raised. Additional information was submitted to demonstrate the need for the retaining and an overshadowing diagram was provided to demonstrate compliance with the deemed to comply standards of the R-Codes. Conditional planning approval is recommended.

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 Dwelling, Associated Retaining, Fill and Fence at 20 (Lot 338) Honeysuckle Glen, Cowaramup 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 on the 17 May 2019 and P6 received on 1 July 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. Fencing on the side (southern) boundary shall be installed in the locations and in accordance with heights specified on approved Plan (P1) prior to the occupation of the dwelling.

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 (DAU)
Report to Manager Planning and Development Services**

Proposed Dwelling at 207 (Lot 135) Blackwood Avenue Augusta

Major/Level 2

P219269; PTY/5805

REPORTING OFFICER : Devin Moltoni
DISCLOSURE OF INTEREST : Nil

General Information	
Lot Area	700m ²
Zone	Residential R17.5
Proposed Development	Proposed dwelling on a currently undeveloped lot. <ul style="list-style-type: none"> Proposed dwelling. Proposed variation to the side setback of 1 metre (m) in lieu of 1.18m to the Southern boundary. Proposed wall height of 3.95m. Proposed roof height of 4.15m.
Permissible Use Class	'P' permitted with approval
Heritage/Aboriginal Sites	No
Encumbrance	1. Easement burden, indicated on site plan. 2. Restrictive covenant burden. Encumbrances not impacted by proposed development.
Date Received	23/04/2019





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?	
<p>The originally proposal plans, that were notified to neighbours, contained two variations:</p> <ul style="list-style-type: none"> A side setback variation to the Southern lot boundary of 1m proposed in lieu of the required 1.8m. An overlooking variation to the Southern property. The proposed deck was elevated more than 0.5m above the natural ground level, unscreened and overlooked the neighbouring property within the 7.5m cone of vision. In this regard the proposal did not meet the deemed to comply standards or design principles under clause 5.4.1 of the Rcodes. <p>The plans have been amended as an outcome of the advertising as follows:</p> <ul style="list-style-type: none"> The deck and major opening on the southern elevation are proposed to be screened to meet the deemed to comply standards of Rcodes at clause 5.4.1. 	
<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 checked="" type="checkbox"/> N/A No. received: 1 from an affected landowner _____	
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>Objection, based on the following reasons:</p> <ul style="list-style-type: none"> Objection to proposed overlooking variation from the deck. Concerned that this variation would compromise privacy of the backyard and would like the proposal to comply with the visual privacy requirements of R-Codes. Concerns that the setback variation of less than the required 1.8m will compromise privacy. This is particularly in regard to the deck giving a view into and being visible from the neighbouring kitchen window. 	<ul style="list-style-type: none"> Amended plans have been submitted. On these plans the deck is adequately screened to meet the deemed to comply standards of R-Codes at clause 5.4.1. There is now no proposed visual privacy variation. The relevant R-Code requirement has now been addressed. The plans have been amended in such a way that the neighbouring window will not be exposed to viewing from the deck. The deck is now proposed to be adequately screened to prevent viewing between the neighbouring backyard within the applicable 7.5m cone of vision and also to prevent viewing between the neighbouring kitchen window. In conjunction with the screening of the deck, the major opening on the Southern elevation from the proposed second bedroom

<ul style="list-style-type: none"> Poor conditions for growth of vegetation screening. Concerned that there a poor conditions for the affected landowner to provide their own vegetation screening should the advertised plans be approved. Concerned that the building materials proposed will affect visual amenity. 	<p>is also shown to be screened. Notwithstanding, this opening overlooks the front setback area of the neighbouring dwelling and is therefore not a variation to the deemed to comply standards of the R-Codes at clause 5.4.1.</p> <ul style="list-style-type: none"> The impact of the proposed setback variation to the affected neighbour will be mitigated by the neighbouring garage parapet wall. The proposed dwelling is located entirely in line with the existing parapet wall and the front setback area of the neighbouring property. The parapet wall is solid and is expected to mitigate the potential impacts of privacy that might be incurred by the proposed setback variation. Since the proponent has proposed adequate screening, there is no requirement to provide landscape screening. There is also no longer an expected need for the affected neighbour to plant their own vegetation screening. The proposed development is not within a visual management zone and there are no applicable restrictions regarding the colours and materials. 		
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
Front Setback	6 metre (m)	15m	Complies
North Side Setback	1.1	12.03m	Complies
South Side Setback	1.8	1m	Does not comply
Rear Setback	1.1	9.2m	Complies
Driveway Width	3m	2.8m	Does not comply
Outdoor Living Area	36m ²	>36m ²	Complies
Open Space Requirement	50%	90.6%	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	
Energy efficiency/solar access	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Other Variations	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Officer's Comments against Design Principles	<p>After amending the original plans, there is no longer a proposed overlooking variation against clause 5.4.1 of the R-Codes. The deck is now screened adequately to meet the deemed to comply standards of R-Codes at clause 5.4.1.</p> <p>A side setback variation to the Southern boundary is proposed. A 1m metre setback in lieu of 1.8m is sought. This variation meets the relevant design principles as follows:</p> <ul style="list-style-type: none"> A significant proportion of the proposed dwelling will be screened by a parapet wall on the common affected boundary; The 1.8m setback arises due to the major opening from proposed bedroom two. This major opening is now proposed to be screened. The impact of this window as a major opening will be greatly reduced in practicality due to the proposed screening; The effect of the building bulk is expected to be very low given the development is single storey and occupies a minor proportion of the overall length of the boundary; and There is no adverse impacts to solar access, ventilation and accessibility to the neighbouring site. <p>The driveway width variation of 2.8m in lieu of 3m is very minor and meets the design principles of the R-Codes at clause 5.3.4 considering;</p>		

	<ul style="list-style-type: none"> The variation will not have a detrimental impact to the streetscape; The variation will still allow for safe vehicle access; and The variation will not be detrimental to pedestrian safety. <p>Discretion in favour of the proposed variations is recommended.</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 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 – 3.95m <input checked="" type="checkbox"/> Complies <input type="checkbox"/> Doesn't Comply Roof – 4.15m
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?	N/A
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 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 proposed Dwelling at 207 (Lot 135) Blackwood Avenue Augusta 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 received at the Shire on 23 April 2011, P2-P3 and P7 received at the Shire on 18 June 2019 and P4-P6 received at the Shire on 4 July 2019.
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- 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.
- Privacy screening shall meet the acceptable development standards of the *Residential Design Codes* at Clause 5.4.1. Details shall be submitted with the building permit. Screening shall be installed prior to the occupation of the dwelling and maintained thereafter.

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.