

DEVELOPMENT ASSESSMENT UNIT
Minutes of the Development Assessment Unit
Shire of Augusta Margaret River
On 23 January 2018

ATTENDANCE

Chris Wenman, Anne Marie Laddie, Lucy Gouws, Angela Satre

PLANNING APPLICATIONS RECEIVED

Date Rec'd	Assess No.	Address	Proposal	DA No.
16/01/2018	A12173	6 (Lot 3) Brookside Boulevard, Cowaramup	Home Occupation (Hairdresser)	P218027
18/01/2018	A3899	31 (Lot 400) Wallcliffe Road, Margaret River	Partial Change of Use of Existing Zone Room to Commercial Kitchen	P218028
16/01/2018	A12473	Lot 9013 John Archibald Drive, Margaret River	Subdivision	P218029
19/01/2018	A4836	1705 Jindong Treeton Road, Margaret River	Section 40	P218030
19/01/2018	A4611	42 (Lot 29) Karri Loop, Margaret River	Holiday House (Large)	P218031

BUILDING LICENCE APPLICATIONS RECEIVED

Date Rec'd	Assess No.	Address	Proposal	BLDG No.
16/01/2018	A6880 A8017	Lot 327 Spinebill Ramble, Margaret River	Carport Additions	218021
16/01/2018	A11297	5962 Caves Road, Margaret River	Single Dwelling	218022
18/01/2018	A11978	Lot 13 Offshore Crest, Margaret River	Sea Container - storage	218025
18/01/2018	A2502	Lot 151 Georgette Road, Gracetown	Single Dwelling	218026
18/01/2018	A9564	Lot 324 Honeysuckle Glen, Cowaramup	Shed with Lean-to	218027

SUBDIVISIONS DETERMINED

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

LEVEL 1 APPLICATIONS determined under delegation

Date Rec'd	Officer	Address	Proposal	Outcome	DA No.
19/12/2017	Matt Slocomb	Lot 112 Brockman Highway, Karridale	Dwelling Additions (Outbuilding)	Approved	P217798
21/12/2017	Matt Slocomb	152 (Lot 101) Railway Terrace, Margaret River	Dwelling Additions	Cancelled	P217808
02/01/2018	Matt Slocomb	Lot 202 Bussell Highway, Margaret River	Earthworks	Cancelled	P218000
09/01/2018	Matt Slocomb	12 (lot 58) Timber Court, Cowaramup	Dwelling Additions	Cancelled	P218012

LEVEL 2 APPLICATIONS for determination under delegation

Date Rec'd	Officer	Address	Proposal	Outcome of DAU Meeting	DA No.
23/11/17	LG	1 (lot 159) Bottlebrush Drive, Margaret River	Home Business (supply of charitable items)	Conditional Approval	P217728

LOCAL LAW PERMITS

Nil

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 Home Business (supply charitable items) at 1 (Lot 159) Bottlebrush Drive Margaret River

Major (Level 2)

P217728; PTY/8266

REPORTING OFFICER : Lucy Gouws
DISCLOSURE OF INTEREST : Nil

General Information	
Lot Area	803m ²
Zone	Residential R20
Proposed Development	A planning application has been received for use of part (30m ²) of the dwelling as a Home Business. The business is supplying local families with charitable items such as clothes and unprocessed food. The business will run on an appointment basis only, which will be staggered though the day, and does not involve the sale or hiring of any goods.
Permissible Use Class	'A' – Home Business
Heritage/Aboriginal Sites	Nil
Encumbrance	None
Date Received	23/11/2017





Policy Requirements		
Is the land or proposal referred to in any Council Policy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Structure Plans and Local Development Plans (DAP)		
Is the land in any Structure Plan Area or subject to a DAP? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Advertising/Agency Referrals		
Has the application been referred to adjoining landowners/agency?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> N/A
Has a submission been received by Council?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> N/A
No. received: 1		
Have agency or authority comments been received?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
Name	Nature of Submission	Officer Comment
Neighbouring landowner	Object Concerns are raised with the location of the business in a residential area and the existing traffic congestion along Brookfield Avenue at the peak school hours and the problems this creates.	The proposal is for a Home Business, occupying no more than 30m ² of the floor area of the dwelling. The scale of the proposal is very low, and not considered to create a significantly higher amount of traffic to the dwelling to raise concern. The hours of operation are from 11 – 5pm which will be outside of the times where there is the peak traffic congestion at school drop-off.
Has the application been referred to internal departments?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> N/A
Environmental Health Department	<ul style="list-style-type: none"> - The proponent needs to ensure that the food items are fit for human consumption, protected from contamination and are safe to consume. The food needs to be correctly labelled and the consumer advised of any Use By or Best Before dates. - No objections to this proposal on the grounds of environmental health. 	
Assessment of Application		
Is the land referred in the Heritage Inventory?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there any Contributions applicable?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there any compliance issues in relation to existing development?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
R Codes		
Are R Codes applicable?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Development Standards (Schedule 9)		
Are the development Standards applicable?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Car Parking		

Schedule 8 of the LPS1 does not include a car parking calculation for a Home Business. The proposal is to operate on an appointment based only, and these will be staggered to ensure no two families are at the Site at the same time. The applications will require two (2) bays for the dwelling, and one (1) bay for the clients. There is parking on the Site for up to four (4) cars.

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	The proposal is required to meet the objectives of the Residential zone in regards to amenity. It is considered that these objectives are met. The dwelling will still operate as the landowner's main residence and the service of the home business, which involves the supply of charitable items, will be on an appointment basis to meet the definition under Schedule 1 of the LPS1.
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B. In the opinion of the officer:

i. Are utility services available and adequate for the development?	Yes the Site is connected to town water and waste water treatment.
ii. Has adequate provision been made for the landscaping and protection for any trees or other vegetation on the land?	None affected.
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?	Through the use of planning conditions it will ensure that the uses are managed at a low key scale to ensure the use does not impact the amenity of the neighbours.
v. Is the development likely to comply with AS3959 at the building permit stage?	N/A

Other Comments

Any further comments in relation to the application?

Officer Comment	The discretionary components of the proposal are considered to meet the relevant provision of LPS1, accordingly the proposal is recommended for conditional approval.
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OFFICER RECOMMENDATION

That the Acting 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 a Home Business (supply charitable items) at 1 (Lot 159) Bottlebrush Drive, 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 – P2 received at the Shire on the 23 November 2017
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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. (P)
- The approved Home Business (supply charitable items) shall not involve the retail sale, hire or display of goods. (P)
- The Home Business (supply charitable items) is approved to operate in the 12m² lounge and 18m² of the garage as shown on the approved plan P2.
- The Home Business (supply charitable items) is to run between Monday – Saturday only between the hours of 11am – 5pm. (P)
- All vehicles parking at the Site for the Home Business shall only be parked within the boundaries of the property, and shall at no time be parked on the road verge. (P)
- A sign for the Home Business is limited to a maximum of 0.2 square metres and not exceeding 1.5 metres in height from ground level may be erected at the property frontage, located within the property.(P)

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.
- b) The proponent needs to ensure that the food items are fit for human consumption, protected from contamination and are safe to consume. The food needs to be correctly labelled and the consumer advised of any Use By or Best Before dates.
- c) The second crossover as highlighted on the approved plan 'P1' is not approved as a second crossover and shall not be used for parking or access as part of this approval.