

DEVELOPMENT ASSESSMENT UNIT

Minutes of the Development Assessment Unit
Shire of Augusta Margaret River
On 25 October 2016

ATTENDANCE Kim Nolan, Chris Wenman, Matt Cuthbert, Matt Slocomb

CONFIRMATION OF MINUTES FROM 18 OCTOBER 2016

PLANNING APPLICATIONS RECEIVED

Date Rec'd	Assess No.	Address	Proposal	DA No.
17/10/2016	A884	66 (Lot 17) Sabina Drive, Molloy Island	Private Jetty	P216564
17/10/2016	A8164	Unit 5/ 8 (lot 5) Owen Tucker Lane, Margaret River	Fitness Centre	P216565
18/10/2016	A10401	29 (Lot 411) Jacaranda Crescent, Margaret River	Dwelling	P216566
18/10/2016	A12214	Lot 12 Brockman Road, Cowaramup	Water Tank Ancillary to Dwelling	P216567
18/10/2016	A12234	63 (Lot 4) Lantana Lane, Margaret River	Retaining and Fill	P216568
19/10/2016	A8164	Unit 5/8 (Strata Lot 5 of Lot 246) Owen Tucker Lane, Margaret River	Change of Use to Recreation Private (Dance Studio)	P216569
19/10/2016	A713	6601 (Lot 12) Caves Road, Margaret River	Unapproved Dwellings	P216571
19/10/2016	A12030	5 (Lot 232) Frohawk Loop, Margaret River	Dwelling Additions (Retaining and Fill)	P216572
20/10/2016	A3991	20 (Lot 17) Wilderness Road, Margaret River	Dwelling Additions	P216573
20/10/2016	A2069	28 (Lot 18) Jane Road, Augusta	Change of Use (Holiday House)	P216575
20/10/2016	A7718	4 (Lot 90) Grunters Way, Gnarabup	Bed and Breakfast (Renewal)	P216577
20/10/2016	A11603 A8193	50 (Lot 3947) Latch Road, Deepdene	Dwelling Additions (Ancillary Dwelling)	P216578
21/10/2016	A2599	8005 (Lot 319) Bussell Highway, Cowaramup	Dwelling	P216580

BUILDING LICENCE APPLICATIONS RECEIVED

Date Rec'd	Assess No.	Address	Proposal	BLDG No.
21/10/2016	A3188	Lot 56 Coronation Street, Margaret River	Storage Shed	216029
21/10/2016	A9189	1 (Lot 25) Tinglewood Court, Cowaramup	Carport	216458
20/10/2016	A5991	8 (Lot 516) Hurford Place, Augusta	Unauthorised Works	216456
20/10/2016	A5173	12 / 48 (Lot 2170) Gnarawary Road, Margaret River	Machinery Shed	216457
19/10/2016	A3906	49 (Lot 66) Town View Terrace, Margaret River	Occupancy Permit Clothing Retail	216453
19/10/2016	A10547	50 (Lot 721) Burke Circle, Cowaramup	Single Dwelling, Ancillary Dwelling & Water Tanks	216454
19/10/2016	A3676	76-78 (Lot 100) Town View Terrace, Margaret River	Occupancy Permit	216455
17/10/2016	A11715	63 (Lot 556) Brookfield Avenue, Margaret River	Single Dwelling	216430
17/10/2016	A4603	33 Mansfield Avenue, Margaret River	Dwelling Additions	216443
17/10/2016	A11886	14 (Lot 225) Alferink Crescent, Margaret River	Shed	216448
17/10/2016	A8931	Lot 187 Callistemon Drive, Margaret River	Single Dwelling	216450
17/10/2016	A5428	40 (Lot) 83 Riedle Drive, Gnarabup	Dwelling Additions	216451

SUBDIVISIONS DETERMINED

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

LEVEL 1 APPLICATIONS for determined under delegation

Date Rec'd	Officer	Address	Proposal	Outcome	DA No.
10/12/2015	Matt Slocomb	32 (Lot 7) Doyle Place, Margaret River	Dwelling Additions	Approve	P215634
05/10/2016	Lucy Gouws	169 (Lot 5) Holben Road, Cowaramup	Section 40	Approve	P216538

LEVEL 2 APPLICATIONS for determination under delegation

Date Rec'd	Officer	Address	Proposal	Outcome of DAU Meeting	DA No.
26/7/2016	Matt Slocomb	400 (Lot 61) Roxburgh Road, Margaret River	Building Envelope Variation and Dwelling Additions (Outbuilding and Watertank)	Approve	P216387

LOCAL LAW PERMITS

Nil

OTHER APPLICATIONS determined under delegation

Nil

COMPLIANCE

Nil

ELECTED MEMBERS ATTENTION

Date Rec'd	Officer	Address	Proposal	Outcome of DAU Meeting	DA No.
26/7/2016	MS	400 (Lot 61) Roxburgh Road, Margaret River	Building Envelope Variation and Dwelling Additions (Outbuilding and Watertank)	Approve	P216387

CLOSURE OF MEETING



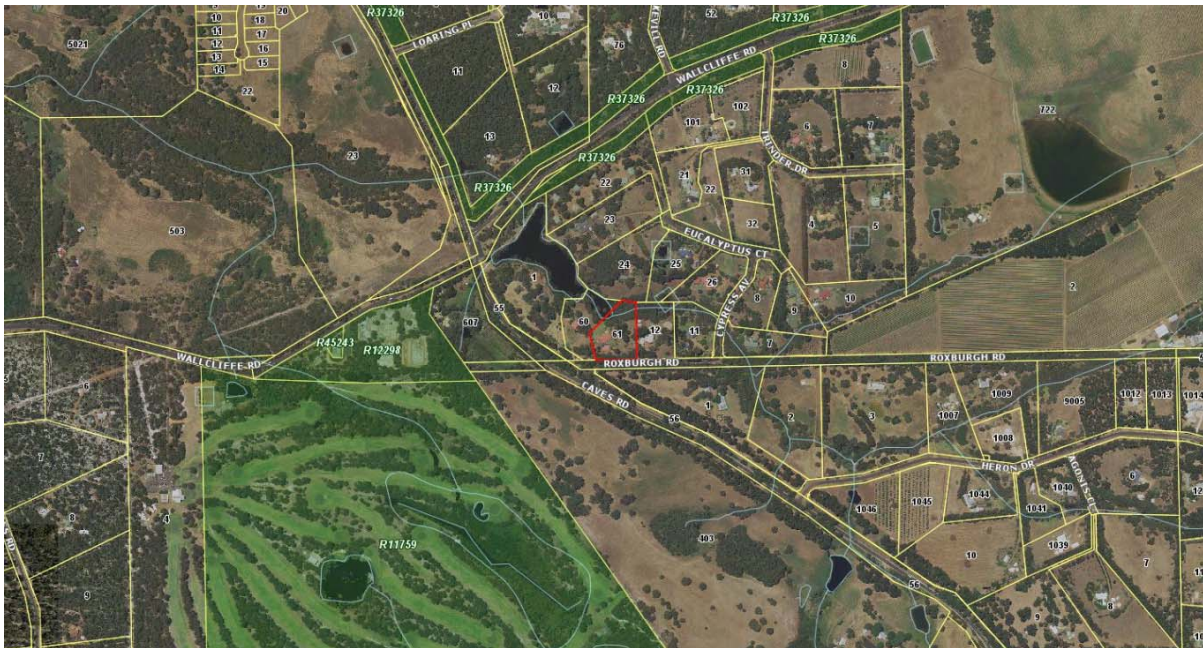

DEVELOPMENT APPLICATION ASSESSMENT (DAU)
Report to Manager Planning Services
Proposed Building Envelope Variation and Dwelling Additions (Outbuilding and Water Tank) - 400 (Lot 61) Roxburgh Road, Margaret River

Major (Level 2)

P216387; PTY/6594

REPORTING OFFICER : Matt Slocomb
 DISCLOSURE OF INTEREST : Nil

General Information	
Lot Area	10001m ²
Zone	Rural Residential
Proposed Development	Approval is sought for the construction of an Outbuilding and Water Tank as well as the extension to the existing building envelope on site. The building envelope is rectangular in shape and positioned closer to Roxborough Road to the west, with the setback increasing progressively towards the east. It is proposed to add an additional 12.5 x 5m area to the south eastern corner of the envelope in order to accommodate a proposed outbuilding. The existing envelope is approximately 3196m ² in area and is proposed to be increased to 3231.5m ² .
Permissible Use Class	An Outbuilding and Water Tank is an incidental component to the dwelling on site which is a 'P' use. A building envelope is not a use class but identifies an area within which development on the site is permitted.
Heritage/Aboriginal Sites	Nil
Encumbrance	Easement and Crown Grant (Not Impacted)
Date Received	26/07/2016





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 Local Planning Policy 1 – Outbuildings and Farm Buildings					
Officer Comment	<p>The Policy provides that Outbuildings located in the Rural Residential zone which comply with the following standards are exempt from planning approval:</p> <ul style="list-style-type: none"> • The total Outbuilding area is limited to floor area no greater than 80m² on any one site; • Do not exceed a wall height of 3.5m and a ridge height of 4.5. • Are ancillary to the residential use of the land; • Located behind the prescribes street setback or where applicable within the prescribed building envelope. <p>The proposal involves a departure from the exemptions provided under the Shire's LPP1, with a total outbuilding area of 125.38m² provided on site, as well as a wall height of 4.1m. In this respect the proposal requires an assessment against the 'Performance Criteria' of the policy which is provided below:</p>				
	<table border="1"> <thead> <tr> <th>Clause PC1.1</th> <th>Comment</th> </tr> </thead> <tbody> <tr> <td>Outbuildings that are/can be adequately screened from view, or are otherwise an appropriate form and scale, and in an appropriate location, consistent with the visual management guidelines of the Local Planning Strategy.</td> <td>The site is located within visual management area B, which provides for development that may be visually apparent but should nevertheless be subordinate to established landscape patterns. Introduced visual elements may be apparent in the landscape but should not be visually dominant. The outbuilding is being placed in an existing clearing on the property and is currently screened in part by eastern states eucalypts which line Roxborough Place. The applicant has advised that the outbuilding will be clad in colourbond 'Jasper' (which is of low reflectivity), which in conjunction with additional screening vegetation being provided along the southern (streetscape) and eastern elevations is considered to be sufficient to ensure the development in not dominant in the landscape. It is noted that the applicant has not specified finish on the plans provided so this has been addressed via a condition of approval. In addition to the above the outbuilding has been stepped to follow the topography in order to reduce the impacts associated with bulk and scale. This results in a lower elevation overall</td> </tr> </tbody> </table>	Clause PC1.1	Comment	Outbuildings that are/can be adequately screened from view, or are otherwise an appropriate form and scale, and in an appropriate location, consistent with the visual management guidelines of the Local Planning Strategy.	The site is located within visual management area B, which provides for development that may be visually apparent but should nevertheless be subordinate to established landscape patterns. Introduced visual elements may be apparent in the landscape but should not be visually dominant. The outbuilding is being placed in an existing clearing on the property and is currently screened in part by eastern states eucalypts which line Roxborough Place. The applicant has advised that the outbuilding will be clad in colourbond 'Jasper' (which is of low reflectivity), which in conjunction with additional screening vegetation being provided along the southern (streetscape) and eastern elevations is considered to be sufficient to ensure the development in not dominant in the landscape. It is noted that the applicant has not specified finish on the plans provided so this has been addressed via a condition of approval. In addition to the above the outbuilding has been stepped to follow the topography in order to reduce the impacts associated with bulk and scale. This results in a lower elevation overall
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	when viewed from the eastern adjoining property.
Clause PC1.2	Comment
Outbuildings constructed of colours and materials which complement the landscape and/or the amenity of the surrounding area.	The outbuilding is to clad in colourbond colour 'jasper'. The materials used are commensurate with that normally used in the construction of outbuildings and is consistent with the guidelines for Visual Management Zone B.
Clause PC1.3	Comment
Outbuildings that will not have an adverse impact to or detract from the streetscape or amenity of neighbouring properties.	The proposal maintains setback which is generally consistent with existing development on site (See figure 2 below). The outbuilding is currently screened in part by eastern states eucalypts which line Roxborough Place which will be improved by further landscaping provided to the streetscape elevation.
Clause PC1.4	Comment
Outbuildings that, where practical, are grouped with the residence to limit potential adverse visual impacts.	The proposed outbuilding is predominantly contained within the existing building envelope with the exception of the 62.5m ² extension requested as a part of this application. The balance of the envelope comprises of an area of natural vegetation and an effluent disposal area as depicted in figure 2. In this respect, the Outbuilding is, as reasonably practical grouped with the main residence and ancillary dwelling on the site.



Figure 1: Location of envelope extension in the context of existing development.

It should be noted that the water tank proposed is compliant with the requirements of the above policy (being located behind the dwelling). Based on the above the proposal is considered to be consistent with the provisions of Local Planning Policy 1.

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 checked="" type="checkbox"/> No	<input type="checkbox"/> N/A
Has the application been referred to internal departments?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> N/A
Name	Nature of Submission	Officer Comment	

Submission 1	<p>Concern raised in respect to sea containers being used for storage on site (although acknowledging that these are to be removed);</p> <p>Concern in respect cumulative impacts as to the size of the Outbuilding, the wall height of the structure and proposed location (located towards the front of the building envelope and close to the road reserve). Stated that given the visibility of proposed Outbuilding location the building needs to be sized, scaled and designed to comply with the amenity of the area;</p> <p>Concern regarding loss of vegetation in association with the proposal;</p> <p>Suggestion that the Outbuilding be reduced in size to comply with shire policy (80m² and 3m wall height).</p>	<p>A condition has been enclosed requiring the removal of the containers within 90 days of the date of the determination which has been agreed to by the owner. Should this not be adhered to compliance action will be initiated.</p> <p>Following consultation, the applicant has reduced the size of the Outbuilding from 180m² to 125.38m² and proposed landscape screening to the southern and eastern elevations of the outbuilding. The setback of the development is generally consistent with existing development located on site (refer to Figure 1) and the location is contained within one of the few undeveloped areas of the existing envelope. The key consideration is the visual and amenity impact associated with the proposal, the m² area is a subsidiary factor.</p> <p>No vegetation removal is proposed to facilitate the construction of the proposed Outbuilding.</p> <p>The outbuilding has been reduced in size to 125.38m² following consultation. The assessment of the size of the Outbuilding has been discussed in the policy requirements section of the report. It is to be noted that the 80m² is a threshold above which planning approval is required, it does not infer that any structure over 80m² is unacceptable.</p>
Submission 2	Concern regarding overall size and impact on the locality, position on the property and streetscape.	Refer to the discussion above in respect to the scale/location and visual impact associated with the proposal.

Assessment of Application

Is the land referred in the Heritage Inventory?	<input type="checkbox"/> Yes	√ No
Are there any Contributions applicable?	<input type="checkbox"/> Yes	√ No
Are there any compliance issues in relation to existing development?	√ Yes	<input type="checkbox"/> No
Sea containers have been placed on site without prior Shire approval. The application will provide storage for the contents of the sea containers and they will be required to be removed within 90 days of the approval date.		

R Codes

Are R Codes applicable?	<input type="checkbox"/> Yes	√ No
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Development Standards

Are the development Standards applicable?	√ Yes	<input type="checkbox"/> No
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Officer Comment	<p>The Scheme requirements applicable to Rural Residential development are set out below:</p> <table border="1" data-bbox="432 1525 1361 1671"> <thead> <tr> <th>Requirement</th> <th colspan="2">Provided</th> </tr> </thead> <tbody> <tr> <td>Plot Ratio</td> <td>0.1</td> <td>0.075</td> </tr> <tr> <td>Front Setback</td> <td>30m</td> <td>12m (at closest point)</td> </tr> <tr> <td>Side Setback</td> <td>10m</td> <td>5.5m</td> </tr> <tr> <td>Rear Setback</td> <td>10m</td> <td>56.5m</td> </tr> </tbody> </table> <p>Whilst the proposal will incorporate variations to the requirements of the Scheme, it is to be noted that these are pre-existing due to the current location of the envelope. The modification of the envelope will not introduce any additional variations nor will it extend or increase existing variations to the above requirements.</p> <p>In respect to the building envelope modification, the Scheme allows for discretion under the provisions of clause 4.22.2, for the approval of a variation or relocation of a building envelope. Clause 5.10.2 of the Scheme sets out the criteria under which an application for a variation or relocation should be assessed. The application has been assessed against the criteria of clause 5.10.2, which is summarised below:</p> <table border="1" data-bbox="432 2002 1361 2107"> <thead> <tr> <th>Requirement</th> <th>Comment</th> </tr> </thead> <tbody> <tr> <td>The objectives of the zone are note compromised, particularly the objective to preserve the environmental and</td> <td>The proposed envelope modification does not result in any additional vegetation being removed, rather</td> </tr> </tbody> </table>	Requirement	Provided		Plot Ratio	0.1	0.075	Front Setback	30m	12m (at closest point)	Side Setback	10m	5.5m	Rear Setback	10m	56.5m	Requirement	Comment	The objectives of the zone are note compromised, particularly the objective to preserve the environmental and	The proposed envelope modification does not result in any additional vegetation being removed, rather
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	landscape values.	provides development capacity within an already cleared part of the site, ensuring preservation of the existing vegetation within the existing envelope.
	Will not affect the visual amenity of the location to any greater degree than would have been the case with the exiting building envelope.	The envelope modification will result in development that is no closer to the road reserve than existing development located on site. With the addition of screening vegetation proposed by the applicant it is considered that the visual impact will be reduced over time.
	Will not make it more difficult to protect the property from bushfire risks.	The increased envelope area allows for a greater separation between the dwelling and a proposed outbuilding (thereby not being subject to AS3959) whilst not necessitating additional clearing to comply with AS3959.
	Is of a suitable size to accommodate future development	The envelope is large enough to encompass future development, however it is considered that given the site is close to development capacity additional development on site would be limited.
Building Height		
Scheme / Policy Requirement	Wall – 3.5m	Roof – 4.5m
State the proposed building height	Wall – 4.15m Roof – 4.15m	<input type="checkbox"/> Complies <input checked="" type="checkbox"/> Doesn't Comply
Officer Comment	Refer to the discussion above in respect to the height of the proposed outbuilding.	
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. Development has been positioned within an area of the site which is already cleared.	
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?	N/A	
Other Comments		
Any further comments in relation to the application?		
Officer Comment	<p>As outlined above, following the closure of the consultation process the applicant has undertaken the following modifications to the proposal:</p> <ul style="list-style-type: none"> • Reduced the size of the Outbuilding from 180m² to 125.38m²; • Reduced the extent of modification to the building envelope from 75m² to 62.5m²; • Proposed landscape screening to the eastern and southern elevations of the Outbuilding; and • Confirmed that the outbuilding will be constructed in a non-reflective material. <p>As previously stated, the 80m² is a threshold which determines where planning approval is required, it does not infer that any structure over 80m² is unacceptable and Outbuildings greater than 80m² have been approved on a number of occasions in the Rural Residential zone. The key concern is the extent of amenity and visual impact of the proposal.</p> <p>It is considered that the cumulative effects of the proposed building envelope modification and Outbuilding have been reduced to a reasonable extent through the above changes. The Outbuilding will not reduce the overall setback to Roxborough Road, and the</p>	

combination of the landscape screening, non-reflective materials and reduction in floor area will ensure that the Outbuilding is not visually dominant within the landscape. For the above reasons, the proposal is recommended to be supported subject to conditions.

OFFICER RECOMMENDATION

That the Acting Manager Planning and Development Services GRANT Planning Consent under Delegated Authority Instrument No. 15 pursuant to Clause 68(2) of the Deemed Provisions of Local Planning Scheme No. 1 for Building Envelope Variation and Dwelling Additions (Outbuilding) at 400 (Lot 61) Roxburgh Road, 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 – P3 received at the Shire's Offices on the 12 October 2016
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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 in accordance with the Shire of Augusta Margaret River Standards & Specifications. (I)
4. A Landscape Plan shall be prepared to the satisfaction of the Shire by a suitably qualified and/or experienced landscape consultant and be submitted to the Shire prior to the commencement of development. The Landscape Plan shall be drawn to scale and show the following:
 - a) The location, name and mature heights of existing and proposed trees and shrubs and ground covers as recommended in the Cape to Cape Landcare Companion;
 - b) Any lawns and paved areas to be established;
 - c) Any natural landscaped areas to be retained; and
 - d) Those areas that are to be reticulated or irrigated are demonstrated to be designed using water sensitive principles.
5. Sea containers located on site shall be removed within 90 days of the date of this approval.
6. The walls and roof of the building shall be clad in a non-reflective material and painted in a colour of natural or earth toning consistent with the existing landscape and existing development. To this end, reflective materials (including but not limited to 'silver' sheeting) or reflective colours as cladding/external painting (including but not limited to white, cream, off white or pale grey) are prohibited.(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 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.