

DEVELOPMENT ASSESSMENT UNIT
Minutes of the Development Assessment Unit
Shire of Augusta Margaret River
On 5 February 2019

ATTENDANCE

Jason Heine, Chris McAtee, Angela Satre

PLANNING APPLICATIONS RECEIVED

Date Rec'd	Assess No.	Address	Proposal	DA No.
30/01/2019	A11382	64 (Lot 61) West Bay Creek Road, Augusta	Chalet Addition (Outbuilding / Laundry)	P219060
30/01/2019	A5165	71 (Lot 50) Bussell Highway, Margaret River	Amendment to Planning Approval (P214344) - Manager's Residence Addition	P219061
31/01/2019	A6971	6 (Lot 20) Sequoia Court, Margaret River	Holiday House (Large)	P219062
31/01/2019	A11666	Lot 9001 Bakers Close, Augusta	Use Not Listed (Meadery) - Rural Pursuit, Rural Produce Sales, Caretaker's Residence, Single Dwelling, Outbuilding and Signage	P219063
31/01/2019	A12071	18 (Lot 74) McDowell Road, Witchcliffe	Dwelling Addition (Garage/Shed)	P219064
01/02/2019	A2066	3 (Lot 121) Papadakis Ave, Prevelly	Holiday House (Renewal)	P219065
01/02/2019	A723	90 (Lot 5) Sabina Drive, Molloy Island	Dwelling Addition (Outbuilding)	P219066

BUILDING LICENCE APPLICATIONS RECEIVED

Date Rec'd	Assess No.	Address	Proposal	BLDG No.
29/01/2019	A11635	Unit B 100 (Lot 9) Strata Lot 1 Turner Street, Augusta	Single Dwelling	219051
29/01/2019	A8132	18 Bird Wood Lane, Cowaramup	Single Dwelling Additions	219052
29/01/2019	A12465	4 Lot 369 Mahoney Street, Margaret River	Shed	219053
30/01/2019	A12329	Lot 125 Mentelle Road, Margaret River	Single Dwelling	219054
31/01/2019	A10837	23 Lot 70 Nebbiolo Place, Margaret River	Shed	219055
30/01/2019	A12324	70 Lot 110 Kilcarnup Road, Margaret River	Shed	219056
31/01/2019	A1601	90 Bussell Highway, Cowaramup	Demolition Application Dwelling, Shed and Septics	219057
31/01/2019	A9872	32 Lot 374 Georgiana Cross, Cowaramup	Shed	219058
01/02/2019	A10651	251 Lot 215 Horseford Road, Margaret River	Single Dwelling	219059
01/02/2019	A8166	Unit 1, 3 Station Road, Margaret River	Internal Fitout	219060
01/02/2019	A2648	Unit 30, 410 Lot 104 Pinot Way, Margaret River	Carport and Alfresco	219061

SUBDIVISIONS DETERMINED

Nil

LEVEL 1 APPLICATIONS determined under delegation

Date Rec'd	Officer	Address	Proposal	Outcome	DA No.
22/06/2018	Clare Hamilton	84 (Lot 105) Woodland Drive, Burnside	Bed & Breakfast & Vegetation Modification Outside Building Envelope	Approved	P218372
03/10/2018	Leigh Medlen	9 (Lot 79) Greenwood Avenue, Margaret River	2 x Grouped Dwellings (Incorporating Single Bedroom Dwelling)	Approved	P218615
08/11/2018	Lucy Gouws	2 (Lot 18) Hogan Place, Witchcliffe	Dwelling Addition (Outbuilding)	Approved	P218711
09/11/2018	Leigh Medlen	179 (Lot 12) Cusack Road, Nillup	Plantation	Approved	P218713
22/11/2018	Robyn Fergusson	23 (Lot 42) Ryans Road, Margaret River	Bed and Breakfast (Renewal)	Approved	P218746
05/12/2018	Lucy Gouws	23 (Lot 140) Langley Crescent, Gracetown	Ancillary Accommodation	Approved	P218775
10/12/2018	Clare Hamilton	39 (Lot 52) Colyer Drive, Hamelin Bay	Dwelling Addition (Outbuilding)	Approved	P218783

07/01/2019	Lucy Gouws	9 (Lot 196) Fairlawn Place, Molloy Island	Dwelling Additions	Approved	P219007
14/01/2019	Leigh Medlen	13572 (Lot 4) Bussell Highway, Augusta	Dwelling Addition (Outbuilding)	Approved	P219022

LEVEL 2 APPLICATIONS for determination

Date Rec'd	Officer	Address	Proposal	Outcome of DAU Meeting	DA No.
17/12/2019	Lucy Gouws	92 (Lot 4) Sabina Drive, Molloy Island	Dwelling Additions (Carport)	Conditional Approval	P218798

LOCAL LAW PERMITS

Date Rec'd	Officer	Address	Proposal	Outcome	DA No.
05/02/2019	Emma Rogers	Rotary Park, Bussell Hwy Shire Administration Centre, Wallcliffe Road	Amendment to permit - Johnny's Surf Shack	Approved	P219072
05/02/2019	Emma Rogers	Rivermouth, Reserve 41545 Shire Administration and Civic Centre, Wallcliffe Road	Amendment to mobile food business permit - Kirk's Kitchen	Approved	P219073

OTHER APPLICATIONS determined under delegation

Nil

COMPLIANCE

Nil

ELECTED MEMBERS ATTENTION

Nil

CLOSURE OF MEETING



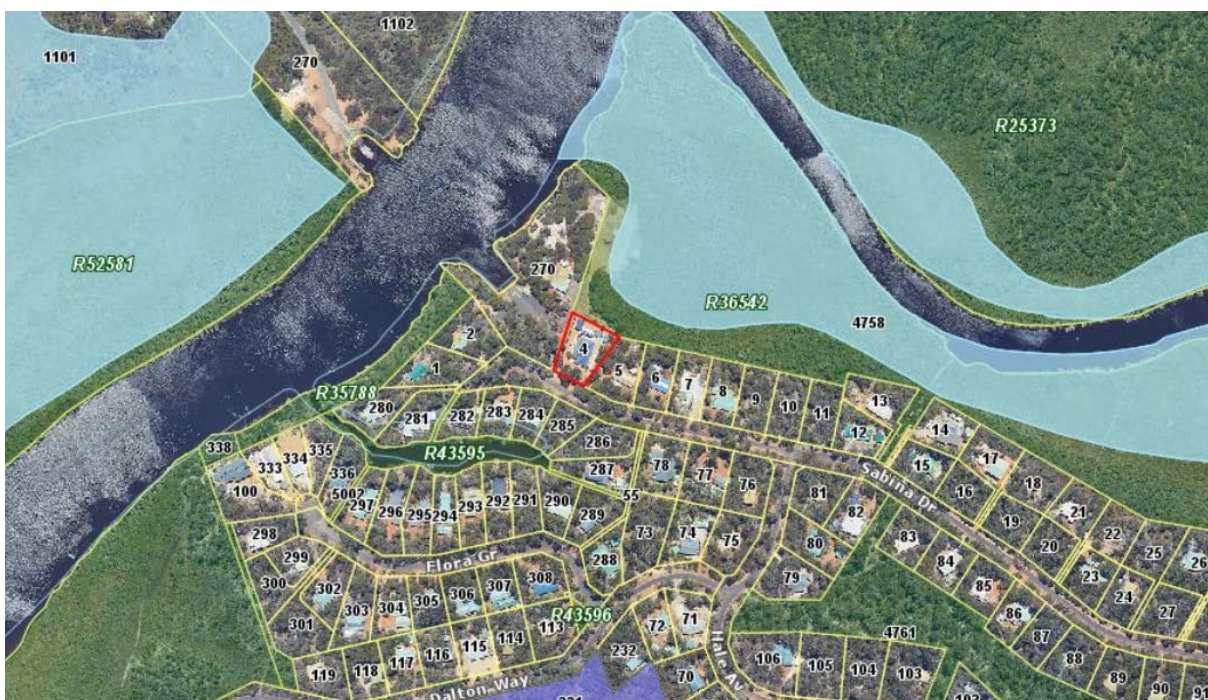
DEVELOPMENT APPLICATION ASSESSMENT (DAU)
Report to Manager Planning and Development Services
Proposed Dwelling Additions (Carport) at 92 (Lot 4) Sabina Drive, Molloy Island

Minor (Level 2)

P218798; PTY/684

REPORTING OFFICER : Lucy Gouws
DISCLOSURE OF INTEREST : Nil

General Information	
Lot Area	2064m ²
Zone	Residential R10/15 SCA2
Proposed Development	Planning approval is sought for a carport addition (36sqm) located 3.5 metres from the east side boundary and 12.5 metres from the front (south – west) boundary.
Permissible Use Class	'P' (Permitted)
Heritage/Aboriginal Sites	Nil
Encumbrance	Restrictive Covenant Burden (Molloy Island Home Owners Associations development guidelines, restrictions)
Date Received	17/12/2018



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 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 Shire officers emailed the neighbour and spoke to the neighbours on the 7/02/19. The neighbour raised no concerns with the side setback variation, as they have themselves submitted an application to vary their side setback for a garage to be located adjacent to the proposed carport.
Has a submission been received by Council?		<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" 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
Name	Nature of Submission	Officer Comment
Molloy Island Home Owners Association (MIHOA)	<p>Objection</p> <ul style="list-style-type: none"> - Concerns with the relaxation to the side and front setbacks. - Request proposal is located to comply with setbacks so that the proposal is not visible from the front of the property. - Already substantial clearing along the side boundary, and ample space to accommodate carport within the setbacks. - Association oppose to relaxation of front setbacks in order to preserve amenity of the island from the roadside view. 	<ul style="list-style-type: none"> - Local Planning Scheme No. 1 (LPS1) allows for a variation to the setbacks by 30%, the application complies with this variation. - The location of the Site is on the corner of both Sabina Drive and the entrance to Molly Island. The Site is a visible from both streets however the carport will be screened from the Molloy Island entrance by the existing dwelling. Vegetation screens the Site along the road reserve to Sabina Drive, which will assist in screening the carport to the south. Notwithstanding, the carport is an open side single storey structure that would be located marginally (approximately 3.5m) forward of the existing dwelling. The carport is not considered to have an adverse streetscape impact in terms of its location, bulk and scale. - Existing development on the Site prevents the location of the carport on the western side of the Site. Access to the Site is from Sabina Drive and the carport is proposed to be located in relation to this and adjacent to the eastern boundary. The dwelling is located 8.5m from the side (eastern) boundary, which prevents the carport from being setback 5m from the boundary. Accordingly, the eastern setback of the carport involves a minor variation to the 5m setback guideline. - Proposal complies with the 30% variation permitted to the 15m front setback guideline under LPS1. The proposal is well setback and screened from neighbouring properties which also front Sabina Drive with stands of mature screening vegetation.

	- No objections to the design and external appearance.	- Noted.
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	Policy / R Codes Req	Provided
Front Setback	LPS1 15m	12.5m
Sides Setback	LPS1 5m	3.5m
Rear Setback	N/A	
Other Variations	<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		
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 – N/A Roof – 3.5m	<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. While the comments of the MIHOA are noted, the concerns raised relate to proposed setback variations which are permitted by the local government to be varied by up to 30%. In this case, the variations are unlikely to have an adverse impact to the amenity of the locality and are recommended to be supported. It is noted that LPS1 clause 6.4.2.4 states that the ' <i>...local government shall have due regard to, but not be bound by, any recommendations of the Owner's Association</i> '.	
B. In the opinion of the officer:		
i. Are utility services available and adequate for the development?	Onsite services provided, and not required to be upgraded.	
ii. Has adequate provision been made for the landscaping and protection for any trees or other vegetation on the land?	The applicant has advised by email that no vegetation is required to be removed for the construction of the carport.	
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?	None.	
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	Molloy Island is located in Special Control Area 2 (SCA2) under LPS1. Pursuant to the provisions of LPS1, prior planning approval is required for all development in SCA2. The proposal involves variations to the front and side setback guideline within the 30% standard provided for under LPS1. The	

	variations have been assessed and are considered acceptable. 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 Additions (Carport) at 92 (Lot 4) Sabina Drive, Molloy Island 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 – P2 received at the Shire on the 17 December 2018
--------------------------	-------------------------------------------------------

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 walls and roof of the carport 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 or reflective colours as cladding/external painting (including but not limited to 'silver' sheeting, white, cream, off white or pale grey) are prohibited.

ADVICE NOTE

- 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.