

DEVELOPMENT ASSESSMENT UNIT
Minutes of the Development Assessment Unit
Shire of Augusta Margaret River
On 6 February 2018

ATTENDANCE

Brad Roberts, Chris Wenman, Jason Heine, Angela Satre

PLANNING APPLICATIONS RECEIVED

Date Rec'd	Assess No.	Address	Proposal	DA No.
29/01/2018	A5628	170 (Lot 1) Freshwater Drive, Margaret River	Building Envelope Variation (for Dwelling Additions)	P218042
29/01/2018	A7472	6 (Lot 527) Pelican Rise, Augusta	Dwelling	P218043
30/01/2018	A11598 A4728	573 (Lot 1) Cowaramup Bay Road, Cowaramup	Dams (2 x Soaks)	P218044
30/01/2018	A11959	6 (Lot 210) Sawmill Loop, Karridale	Dwelling Addition (Shed)	P218045
31/01/2018	A9434	4 (Lot 313) Heppingstone View, Augusta	Dwelling	P218047
31/01/2018	A558	686/742 (Lot 2789) Davis Road, Witchcliffe	Agriculture Extensive (Farm Building)	P218048
31/01/2018	A12056	Lot 59 McDermott Parade, Witchcliffe	Dwelling Water Tank and Outbuilding (Shed)	P218049
31/01/2018	A7908	5 (Lot 506) Bankside Retreat, Riverslea	Dwelling Addition (Existing Outbuilding)	P218050
01/02/2018	A10053 A4883	37 (Lot 4404) Beck Road, Courtenay	Section 40	P218051
01/02/2018	A3060	20 (Lot 1) Georgette Way, Prevelly	Holiday House (Renewal)	P218052
01/02/2018	A7001	26 (Lot 55) Sheridan Road, Margaret River	Building Envelope Variation	P218054
30/01/2018	A11020	Reserve 41545, Margaret River	Filming Surfers at Surfers Point on Saturday, 3 February 2018 from 6.30am to 9.00am	P218055
02/02/2018	A8414	38 (Lot 579) Riverslea Drive, Margaret River	Bed and Breakfast	P218057

BUILDING LICENCE APPLICATIONS RECEIVED

Date Rec'd	Assess No.	Address	Proposal	BLDG No.
29/01/2018	A11959	6 Sawmill Loop, Karridale	Water Tank	218042
31/01/2018	A12450	Lot 298 Mahoney Street, Margaret River	Single Dwelling with attached Garage	218043
31/01/2018	A11210	Lot 42 Harrington Road, Margaret River	Storage Shed	218044
01/02/2018	A1049	Lot 78 Lake View Cres, Prevelly	Renovations and Additions - Entry	218045
01/02/2018	A9571	Lot 331 Honeysuckle Glen, Cowaramup	Single Dwelling with attached Garage	218046
30/01/2018	A953	Lot 3802 Bussell Highway, Margaret River	Solar Panels - Commercial	218047
02/02/2018	A7988	Lot 146 Grunters Way, Gnarabup	Single Dwelling	218048
02/02/2018	A9222	Lot 58 Timber Court, Cowaramup	Extension to Alfresco	218049
02/02/2018	A1848	Lot 14 Turner Street, Augusta	Renovations and Additions - Bathroom	218051
02/02/2018	A1279	Lot 8 Blackwood Ave, Augusta	Shed with Carport	218052
05/02/2018	A3787	Lot 41 Ryans Road, Margaret River	Unauthorised Works - Store, patio, lounge and bathroom/laundry	218053
30/01/2018	A12382	Lot 112 Brockman Highway, Karridale	Storage Shed	218054

SUBDIVISIONS DETERMINED

Date Rec'd	Officer	DA No.	Address	Description of Matter	Recommendation
08/01/2018	Matt Cuthbert	P218008	Strata Lots 1 & 2 of Lot 4 Station Road Margaret River	Built Strata	Approved

LEVEL 1 APPLICATIONS determined under delegation

Date Rec'd	Officer	Address	Proposal	Outcome	DA No.
17/10/2017	Lara Hoole	3 (Lot 131) Dunkley Close Molloy Island	Dwelling	Approved	P217633
27/10/2017	Matt Slocomb	36 (Lot 320) Formosa Street Margaret River	Grouped Dwelling	Approved	P217663
03/11/2017	Matt Slocomb	45 (Lot 131) Grunters Way Gnarabup	Bed and Breakfast Renewal	Approved	P217689

04/12/2017	Lucy Gouws	23 (Lot 42) Ryans Road Margaret River	Bed & Breakfast	Approved	P217762
08/01/2018	Matt Cuthbert	Strata Lots 1 & 2 of Lot 4 Station Road Margaret River	Built Strata	Approved	P218008

LEVEL 2 APPLICATIONS for determination under delegation

Date Rec'd	Officer	Address	Proposal	Outcome of DAU Meeting	DA No.
27/11/2017	AS	35 (Lot 67) Georgette Road, Gracetown	Amendment to Planning Approval P216417 for a 'Dwelling, Ancillary Dwelling & Outbuilding' (Relocation of Pool, Outbuilding and Fence)	Conditional Approval	P217738

LOCAL LAW PERMITS

Date Rec'd	Officer	Address	Proposal	Outcome	DA No.
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Nil

OTHER APPLICATIONS determined under delegation

Date Rec'd	Officer	Address	Proposal	Outcome	DA No.
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Nil

ELECTED MEMBERS ATTENTION

Date Rec'd	Officer	Address	Proposal	Outcome of DAU Meeting	DA No.
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Nil

CLOSURE OF MEETING



DEVELOPMENT APPLICATION ASSESSMENT (DAU)
Report to Manager Planning and Development Services
Proposed Amendment to Planning Approval P216417 for a 'Dwelling, Ancillary Dwelling & Outbuilding' (Relocation of Pool, Outbuilding and Fence) at 35 (Lot 67) Georgette Road Gracetown

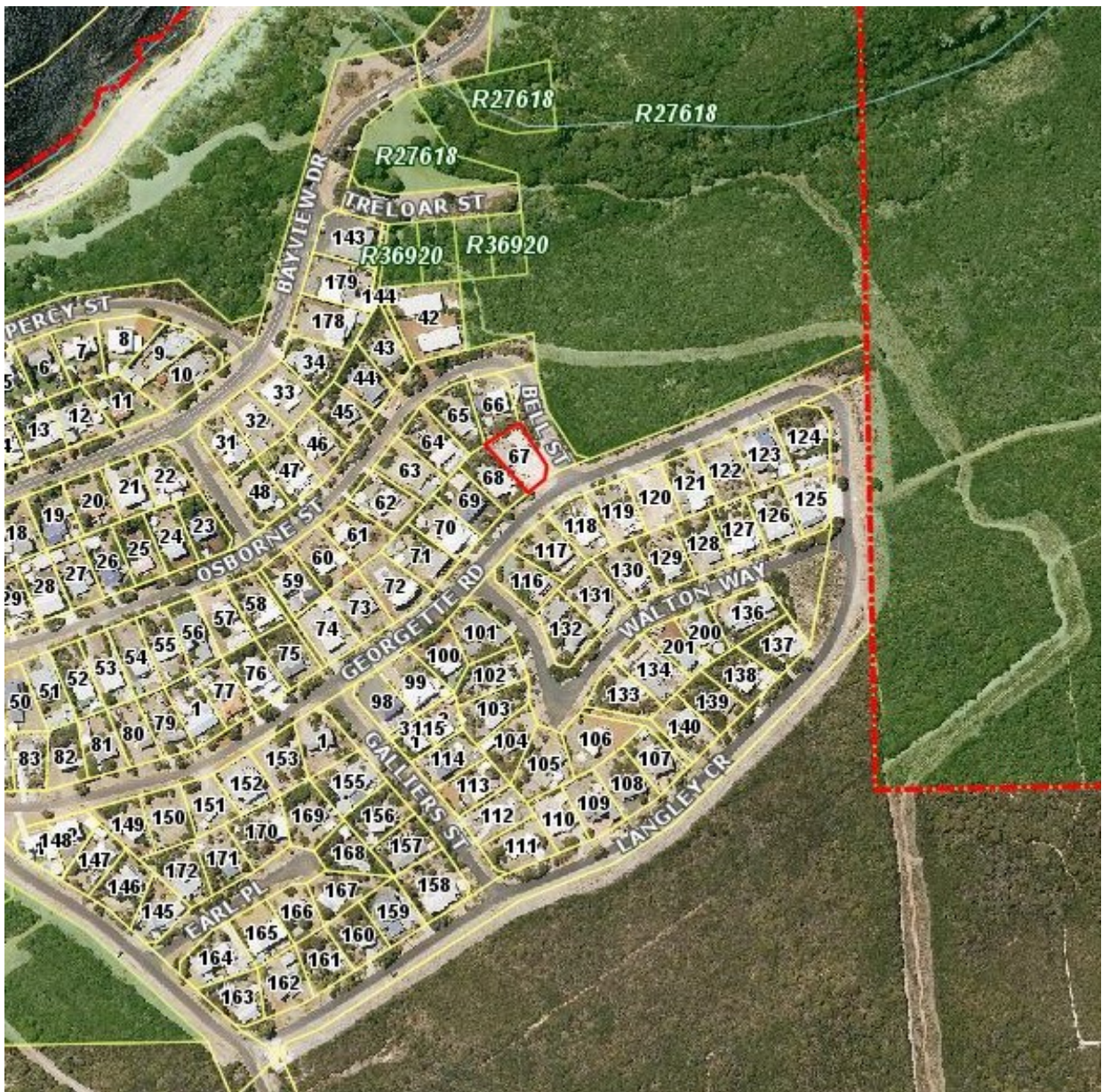
Major (Level 2)

P217738; PTY/72

REPORTING OFFICER : Angela Satre
 DISCLOSURE OF INTEREST : Nil

General Information	
Lot Area	941m2
Zone	Residential R15
Proposed Development	<p>The application seeks to vary the planning approval granted on 7/12/16 (P216417) for a Dwelling, Ancillary Dwelling and Outbuilding (pool shed) on the site.</p> <p>The proposal is to relocate the previously approved pool, surrounding deck and pool shed 1.8m to the east and to within 200mm of the Bell Street boundary. The setback to the north/rear boundary would be increased from 1m to 1.3m. The pool fencing previously proposed fronting Bell Street would be replaced by:</p> <ul style="list-style-type: none"> a solid 3.0m high side boundary fence; and a 4.3m high wall of the pool building facing Bell Street (heights are measured from original natural ground level).
Permissible Use Class	'P' permitted with approval
Heritage/Aboriginal Sites	n/a
Encumbrance	n/a
Date Received	27/11/2017





Policy Requirements

Is the land or proposal referred to in any Council Policy? Yes No

If yes, state the Policy/Policies *Local Planning Policy 4 – Boundary Fencing (LPP4)*
Local Planning Policy 1 – Outbuildings, Farm Buildings & Swimming Pools (LPP1)

Officer Comment

Boundary Fencing
 LPP4 provides a 2.3m side boundary fence ‘acceptable development’ standard. The proposed side boundary fence would be:

- up to 2.0m high from the finished floor level of the adjoining pool deck;
- 1.8m high above the existing ground level of the Bell Street verge; and
- up to 3.0m high from the original natural ground level on site (as identified by a licensed land surveyor based on the levels prior to any development).

The fence height, as measured from natural ground level, involves a technical variation to the fence height standard under LPP8. Original natural ground levels were required to be provided on the proposal plans for the 2016 application for the dwelling to determine the dwelling wall height against the standards under *Local Planning Scheme No. 1*. These natural ground levels are notated on the proposal plans for the subject amendment request. The reference to original natural ground levels results in a technical variation to the fence height stand. Notwithstanding, the application was assessed and notified to neighbours based on the measure of height from original natural ground level. It is considered however that the existing Bell Street ground levels are a more realistic reflection of the true height and impact of the proposal and for this reason are provided herein.

	<p>The proposed fence height, measured from natural ground, meets the performance criteria under LPP8 given the fence:</p> <ul style="list-style-type: none"> • provides adequate and reasonable privacy to the proposed pool and outdoor deck; • would be setback from the road and from the Bell Street and Georgette Road intersection and would result in sufficient sight lines for vehicles exiting the site from the Bell Street crossover; and • would have an effective height of only 1.8m from Bell Street. <p>The fence height variation (based on original natural ground level) is a technical variation. The actual fence height of 1.8m would have no greater adverse impact to the amenity of the area than a fence permitted up to 2.3m under the acceptable development standards in LPP8. The proposed fence height variation (when measured from original natural ground level) meets the performance criteria under LPP8 and is recommended to be supported.</p> <p><u>Outbuilding / Pool Shed</u></p> <p>The proposal also involves relocation of the pool shed to within 200mm of the Bell Street boundary. The eastern elevation of the shed would be:</p> <ul style="list-style-type: none"> • up to 4.3m high measured from the original natural ground level; and • up to 2.4m high when measured from the existing ground levels of the Bell Street verge. <p>The proposed pool shed involves a variation to the 3.1m wall height guideline under the Shire's LPP1. It is noted that this height variation was assessed under the original approval granted for the dwelling in 2016 and was found to be acceptable for the following reasons:</p> <ul style="list-style-type: none"> • The pool shed structure is low in form and scale. • The structure is setback from the northern boundary and would be marginally (1m) higher than the existing screening atop the northern retaining wall. The visual impact of the structure when viewed from the northern neighbouring dwelling is not significant. • The outbuilding would be considerably setback to the western neighbouring property. • The outbuilding would not be adverse to or detract from the streetscape or amenity of neighbouring properties. <p>The proposal involves a relocation of this building 1.8m towards the east which has been assessed against the relevant design principles of the Rcodes (refer to comments below) for a proposed variation to the secondary street setback and has been found to be acceptable.</p>
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Structure Plans and Local Development Plans (DAP)

Is the land in any Structure Plan Area or subject to a DAP? Yes No

Advertising/Agency Referrals

Has the application been referred to adjoining landowners/agency? Yes No N/A

Has a submission been received by Council? Yes No N/A
No. received: 1

Have agency or authority comments been received? Yes No N/A

Name	Nature of Submission	Officer Comment
One submission of 'objection' was received from an adjoining affected neighbour	<ol style="list-style-type: none"> 1. The extent and height of the wall along Bell Street is 'out of character with the amenity of Gracetown'. 2. The development will be highly visible and 'massive in scale and bulk and will be highly visible from my property'. 3. The proposed boundary wall will 'loom as a solid mass above the level of Bell Street...add bulk to the development and further adversely affect the amenity of the neighbourhood'. 'Solid nature of the boundary wall is unacceptable'. 	<ol style="list-style-type: none"> 1. A proposed boundary fence along Bell Street meets the performance criteria under LPP8. It would not be reasonable to consider that the fence is out of character with the amenity of the area given the actual fence height of 1.8m above the Bell Street verge level. 2. The application relates only to the proposed pool, fence and pool shed. The development, the subject of this application, is single storey and not of a significant scale or bulk. The development was granted approval in 2016 (P216417) albeit setback 2m to Bell Street.

	<p>4. 'There is plenty of room on the property for the pool to be located further west, or reduced in scale...'. 5. Concern over engineering of the northern retaining wall.</p>	<p>3. The section of proposed fence and boundary wall to pool shed is 13m long and occupies 38% of the Bell Street frontage for this site. The solid material proposed in the wall is consistent with the material identified as 'acceptable' in the Shire's LPP8. The scale and solid design of the wall is consistent with boundary walls of this type and is considered acceptable. The east elevation of the pool shed will comprise variable building materials (jarrah beams and timber cladding) and would be articulated to provide relief to perceived bulk and accordingly would address the streetscape. Furthermore, the proponent has offered to install landscaping in the Bell Street verge to soften the visual impact of the wall and this is recommended to reflected as a condition of any approval granted. The visual impact of the wall to the streetscape is considered acceptable.</p> <p>4. The proponent advises that the application has been lodged to ensure there is adequate ATU irrigation area on site and to make better use of the open space on site particularly adjoining Bell Street.</p> <p>5. Engineering is addressed as a building requirement. The engineering requirements of the development are no different to that which applied to the original approval granted for the Dwelling in 2016.</p>	
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
Secondary Street Setback	1.5m	200mm	Variation clause 5.1.3 Lot Boundary Setback
Rear Setback	1.5m	1.3m	Variation clause 5.1.3
Overlooking	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Views are screened by the proposed pool shed.		
Street Walls and Fences	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Overshadowing	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Energy efficiency/solar access	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Officer's Comments against performance criteria	<u>Clause 5.1.3 Lot Boundary Setback</u> – The proposal involves a variation to the lot boundary setback for the proposed pool shed. The structures would be setback 200mm to Bell Street and 1.3m to the rear boundary. The variations to the setback guidelines were assessed		

	<p>against the design principles and found to be acceptable with regard to:</p> <ul style="list-style-type: none"> • Addressing building bulk on adjoining properties noting that the site fronts a vegetated reserve to the east and the development would be setback 15m from the closest adjoining dwelling to the south. • The development ensures protection of privacy to occupiers of the dwelling and installation of the pool shed addresses overlooking to neighbours from the proposed deck. • The proposal ensures adequate ventilation and sunlight, makes effective use of space and would not be adverse to the amenity of the neighbouring dwelling given its considerable setback from the dwelling to the north and low height relative to the existing Bell Street ground levels. <p>The proposal meets the relevant design principles and the setback variation is recommended to be supported.</p>	
Development Standards (Schedule 9)		
Are the development Standards applicable?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Building Height		
Scheme / Policy Requirement		Wall - 7m Roof - 8m
State the proposed building height	Wall – 4.3m (measured from natural ground level) Roof – 4.4m	<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 – approval of the amendment request is recommended to be supported pursuant to Deemed Provisions clause 77.	
B. In the opinion of the officer:		
i. Are utility services available and adequate for the development?	Yes however additional land area on site is sought for effluent disposal.	
ii. Has adequate provision been made for the landscaping and protection for any trees or other vegetation on the land?	Yes landscape screening on Bell Street is proposed and recommended as a condition.	
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>Approval of the amendment request is recommended to be supported. Conditions of the approval (P216417) are recommended to remain unchanged with the exception of the following:</p> <ul style="list-style-type: none"> • One condition to be modified to refer to the amended plans showing the proposed changes to the pool shed, pool and fence; and • Two conditions are recommended to be added requiring landscaping on the Bell Street verge. <p>Changes to the approval are recommended as follows:</p> <p>a) Replace condition 1 as follows:</p> <p>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.</p> <p>Plans and Specifications P1 – P15 received at the Shire offices on 2 December 2016 and P16 – P19 received at the Shire offices on 17 November 2017.</p> <p>b) Add new conditions 14 and 15 as follows:</p>	

	<p>14. A Landscape Plan shall be prepared to the satisfaction of the Shire and shall be submitted to the Shire prior to commencement of construction of the outbuilding and / or fence fronting Bell Street. The Landscape Plan shall be drawn to scale and shall show the following:</p> <ol style="list-style-type: none"> a) The location, name and mature heights of existing and proposed trees and shrubs and ground covers on the Bell Street road verge to soften the visual impact of the development; 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. <p>15. Landscaping shall be implemented prior to occupation/use of the development and shall be maintained at all times thereafter.</p>
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OFFICER RECOMMENDATION

That the Acting Manager of Planning and Development Services GRANTS Planning Consent under Delegated Authority Instrument No. 16 pursuant to Clause 68(2) of the Deemed Provisions of Local Planning Scheme No. 1 an Amendment to Planning Approval P216417 for a ‘Dwelling, Ancillary Dwelling & Outbuilding’ (Relocation of Pool, Outbuilding and Fence) at 35 (Lot 67) Georgette Road Gracetown 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 – P15 received at the Shire offices on 2 December 2016 and P16 – P19 received at the Shire offices on 17 November 2017.
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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. In areas where reticulated water is not provided a minimum 120,000 litre rain water tank/s or alternative potable water supply for domestic use, and 15,000 litres minimum for firefighting purposes, shall be provided and approved by the Shire prior to occupation of the dwelling and thereafter maintained to the satisfaction of the Shire. To enable standardisation of fire brigade access each private domestic vessel (water tank) shall be fitted with a 50mm male camlock coupling with full flow valves at the base of the tank. This coupling shall be maintained in a correct operating condition and adequately sign posted at all times at the property owner’s expense.
5. Vehicle crossovers shall be constructed to minimum standard 2 coat bitumen seal and designed, constructed and drained in accordance with the Shire’s crossover standards and specifications. (I)
6. Works are prohibited within the road reserve including any pruning or clearing of vegetation without prior written approval of the Shire. (I)
7. The proponent shall submit and implement a Traffic Management Plan prepared by an accredited Traffic Manager in accordance with the Main Roads WA *Traffic Management Code of Practice, and Australian Standards AS 1742.3 – 2009* for any works on or within the road reserve (including road). (I)
8. Where overhead lighting for swimming pool purposes is provided, the lighting shall be internally directed and shielded so that light over spill does not unreasonable affect the amenity of adjoining properties or road users. (EH)
9. A minimum of three car parking bays shall be provided on site prior to occupation of the development and at all times thereafter. Vehicle parking areas, access ways and crossover(s) shall be designed, constructed, and thereafter maintained to the satisfaction of the Shire. Details shall be submitted with the building permit application.

10. Existing development in the Bell and Georgette Street road reserves (portion of steps and retaining walls) shall be removed and the reserve made good to the satisfaction of the Shire. Works within the road reserve shall be completed prior to occupation of the development. Details shall be submitted with the building permit application.
11. The wall height of the dwelling, the subject of this development approval, shall not exceed:
 - a) 7.6m on west elevation;
 - b) 7.8m on the north elevation; and
 - c) 7.3m wall height on the east elevation.

Heights are measured from natural ground level and full details shall be provided in the building permit application.
12. A licenced surveyors report shall be submitted to the Shire within 30 days of completion of the dwelling to confirm compliance with the maximum wall height limits specified in condition 11 of this approval. (P)
13. The development, the subject of this approval, shall at all times comply with the definition of one 'single dwelling' to the satisfaction of the Shire.
14. A Landscape Plan shall be prepared to the satisfaction of the Shire and shall be submitted to the Shire prior to commencement of construction of the outbuilding and / or fence fronting Bell Street. The Landscape Plan shall be drawn to scale and shall show the following:
 - a) The location, name and mature heights of existing and proposed trees and shrubs and ground covers on the Bell Street road verge to soften the visual impact of the development;
 - 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.
15. Landscaping shall be implemented prior to occupation/use of the development and shall be maintained at all times thereafter.

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 pool shall be enclosed to the applicable building standard in accordance with Part 4 of the *Building Regulations 2012*. (EH)
- c) Noise emissions resulting from the swimming pool filter shall not exceed the assigned levels in the *Environmental Protection (Noise) Regulations 1997*, and shall not unreasonably interfere with the health, welfare, convenience, comfort or amenity of an occupier of any other premises.
- d) Wastewater from the swimming pool, including backwash water, shall not be disposed of into a storm water disposal system, on a street, or to any effluent disposal system servicing the development. Where wastewater from the swimming pool shall be disposed of to an onsite subsurface disposal system, this disposal system shall be designed so that it does not cause a hazard to the environment, or to the health of occupants of the premises and shall be located within the boundary of the property to which it serves and setback at least 1.8m from any building or boundary. A minimum separation distance of 30m from pool discharges to private water supply bores is recommended to minimise the risk of contamination. (EH)
- e) A building shall not be located over an apparatus for the treatment or disposal of sewerage. Leach drains or soakwells shall not be located within 1.8 metres from the foundations of any building or boundary. Septic tanks shall not be located within 1.2metres of the foundations of any building or the boundary. (EH)
- f) The proposal will require additional equipment for the onsite treatment and disposal of waste water and shall be installed in accordance with the *Health (Treatment of Sewage and Disposal of Effluent & Liquid Waste) Regulations 1974* and to the satisfaction of the Local Government/Department of Health prior to the use – an application is required. (EH)