

DEVELOPMENT ASSESSMENT UNIT
Minutes of the Development Assessment Unit
Shire of Augusta Margaret River
on Tuesday 25 May 2021

ATTENDANCE

Angela Satre, Jason Heine, Chris McAtee, Don Bothwell

PLANNING APPLICATIONS RECEIVED

Date Rec'd	Assess No.	Address	Proposal	DA No.
20/05/2021	A10821	20 (Lot 54) Nebbiolo Place, Margaret River	Dwelling Addition & Bed & Breakfast	P221373
21/05/2021	A37	19 (Lot 79) Elizabeth Street, Margaret River	Ancillary Dwelling	P221375
24/05/2021	A442	24 (Lot 7) Wallcliffe Road, Margaret River	Extension to Term & Amendment to P217755	P221376
24/05/2021	A13059	69 (Lot 132) Bussell Highway, Margaret River	Mural Addition to Existing Outbuilding Reserve 39081	P221378
24/05/2021	A13228	68 (Lot 61) Matthews Road, Augusta	Ancillary Dwelling and Dwelling (Shed Addition)	P221379
26/05/2021	A1954	335 (Lot 3146) Rowe Road, Witchcliffe	Holiday House (Renewal)	P221380
25/05/2021	A12749	Lot 9014 Leschenaultia Avenue, Margaret River	Modification to Existing Structure Plan (Modification No. 4 Rapids Landing Structure Plan)	P221383

BUILDING LICENCE APPLICATIONS RECEIVED

Date Rec'd	Assess No.	Address	Proposal	BLDG No.
20/05/2021	A12057	40 (Lot 60) Mc Dermott Parade, Witchcliffe	Shed	221350
20/05/2021	A12897	2 (Lot 1) Bettong Road, Witchcliffe	Single Dwelling	221351
20/05/2021	A11015	161 (Lot 87) Ashton Street, Margaret River	Single Dwelling	221352
20/05/2021	A12386	3 (Lot 222) Lumber Crescent, Karridale	Single Dwelling and Rainwater Tank	221353
20/05/2021	A13110	51 (Lot 10) Mardo Drive, Witchcliffe	Single Dwelling, Carport and Rainwater Tank	221354
20/05/2021	A4750	80 (Lot 688) Stevens Road, Witchcliffe	Shed	221355
20/05/2021	A538	330/366 (Lot 1) Kudardup Road, Kudardup	Demolition - Sheds	221356
21/05/2021	A8761	15 (Lot 1) Friesian Street, Cowaramup	Accessible Unisex Toilet	221357
21/05/2021	A8761	15 (Lot 1) Friesian Street, Cowaramup	Unauthorised Works - Storage Units x 4	221358
21/05/2021	A12955	1 (Lot 54) Rivulet Place, Cowaramup	Single Dwelling	221359
21/05/2021	A1434	41 (Lot 1) Stevens Road, Witchcliffe	Internal Office Fitout	221360
24/05/2021	A13082	6 (Lot 7) Mannitj Place, Witchcliffe	Single Dwelling and Rainwater Tank	221361
24/05/2021	A3899	31-79 (Lot 40) Wallcliffe Road, Margaret River	Solar Panel Installation - Administration Building	221362
24/05/2021	A12647	263 (Lot 42) Cullen Road, Gracetown	Two Storey Dwelling and Ancillary Accommodation	221363
24/05/2021	A7049	94 (Lot 103) Woodland Drive, Burnside	Alterations and Additions to Existing Residential Dwelling	221364
24/05/2021	A2648	410 Bussell Hwy (Lot 52) Hawkesford Place, Margaret River	Single Dwelling with Garage and Alfresco	221365
25/05/2021	A13159	58 (Lot 11) Kulbardi Way, Witchcliffe	Single Dwelling, Store, Carport and Rainwater Tank	221366
25/05/2021	A10177	88 (Lot 291) Watervale Road, Rosa Brook	Shed	221368
25/05/2021	A1558	8 (Lot 104) McLeod Place, Margaret River	Patio	221369

SUBDIVISIONS DETERMINED

Nil

LEVEL 1 APPLICATIONS determined under delegation

Date Rec'd	Officer	Address	Proposal	Outcome	DA No.
24/03/2021	Don Bothwell	3 (Lot 121) Hurford Place, Augusta	Dwelling Additions (Outbuilding, Retaining)	Approved	P221211

			Wall and Associated Fill)		
12/04/2021	Sophie Moscardini	10 (Lot 397) Coral Vine Cross, Cowaramup	Dwelling Addition (Outbuilding)	Approved	P221251
12/04/2021	Lucy Gouws	4 (Strata Lot 101 Lot 1) Brady Street, Augusta	Grouped Dwelling	Approved	P221255
13/04/2021	Angela Satre	147 (Lot 7) Exmoor Drive, Margaret River	Bed & Breakfast (Renewal)	Approved	P221261
14/04/2021	Sophie Moscardini	32 (Lot 92) Duggan Drive, Cowaramup	Home Business (Natural Therapies)	Approved	P221269
15/04/2021	Angela Satre	413 (Lot 2) Burnside Road, Burnside	Holiday House Renewal	Approved	P221276
05/05/2021	Lucy Gouws	11 (Lot 148) Grunters Way, Gnarabup	Dwelling (Additions)	Approved	P221336
11/05/2021	Angela Satre	11 (Lot 109) Parry Court, Augusta	Bed & Breakfast (Renewal)	Approved	P221349

LEVEL 2 APPLICATIONS for determination

Date Rec'd	Officer	Address	Proposal	Outcome of DAU Meeting	DA No.
09/03/2021	Don Bothwell	3 (Lot 42) Dawson Terrace, Augusta	Dwelling (Outbuilding Addition)	Conditional approval	P221162

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 (Outbuilding Addition)
3 (Lot 42) Dawson Terrace, Augusta

Major (Level 2)

P221162; PTY/1766

REPORTING OFFICER : Don Bothwell
DISCLOSURE OF INTEREST : Nil

General Information	
Lot Area	1292m ²
Zone	Residential R15
Proposed Development	The Shire has received an application for an Outbuilding (Shed). The proposal includes the following variation to the deemed-to-comply provisions of the Residential Design Codes (R-Codes): <ul style="list-style-type: none"> A setback of 0.4m – 0.8m in-lieu of 1.0m for the outbuilding from the right (south) side boundary.
Permissible Use Class	'P' – Permitted
Heritage/Aboriginal Sites	Nil
Encumbrance	Nil
Date Received	09/03/2021



Policy Requirements

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

Local Planning Policy 1 – Outbuildings, Farm Buildings and Swimming Pools (LPP1) and Draft LPP1 sets out requirements for buildings of this nature within a residential zone. It is noted that the proposed outbuilding meets the relevant provisions of the policy with the exception of AD1.4 which provides that outbuildings are located behind the front of the existing dwelling.

Although the proposed outbuilding is located forward of the dwelling (under construction) on the site, the visual impact of this variation is considered acceptable for the following reasons:

- the outbuilding is proposed to be constructed of materials to match the main dwelling;
- the front façade of the outbuilding contains small windows at the top of the roller door which provide articulation and break up any impact of building bulk as viewed from the street;
- the outbuilding location has a complaint setback from the front lot boundary;
- the outbuilding will be suitably screened from view by existing mature vegetation within the road reserve and in the front setback area; and
- there is an existing pattern of development in the street with non-habitable structures forward of the main dwelling.

The proposed location of the outbuilding meets the relevant performance criteria under LPP1 and is considered acceptable.

Structure Plans and Local Development Plans (LDP's)

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

Planning History

The plans originally submitted proposed a 'Boat House' of much larger size at 115m² and an overall height of 4.8m. In addition, the Boat House was situated in an alternative location which would have an undue impact on the streetscape. It was articulated to the applicant that the plans, as originally proposed, were not supportable and the plans were subsequently amended.

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: **2 submissions (1 objection and 1 indifferent)**

Details of Submission

Officer Comment

Submission 1

I object to the proposal showing 400 and 807mm width away from my back fence where the ruling is 1m. Relocation of the shed on the block would be possible.

The proposed southern side setback of 0.4 – 0.807m in-lieu of 1.0m is not considered to have an undue impact on the amenity of the adjoining property to the south. The proposed building will be partially screened by existing vegetation on the boundary of the subject site and the adjoining site. The outbuilding has been significantly reduced in size and height and the minor variation to the lot boundary setback requirement is not considered to have any undue impact in terms of building bulk, access to direct sunlight, ventilation or overlooking. There is also an existing pattern of development in the immediate area with outbuildings located along the common southern boundary. While the concerns are noted the variation is considered to be a minor departure from the guidelines and is considered acceptable.

Submission 2

Indifferent – no comments provided

Noted.

Assessment of Application

Is the land referred in the Heritage Inventory? Yes No

Are there any Contributions applicable? Yes No

Are there any compliance issues in relation to existing development? Yes No

R Codes

Are R Codes applicable? Yes No

Design Element	Policy / R Codes	Provided	Officer comment
Front Setback	6m	6m	Complies.
Side Setback	1.0m	0.4 – 0.807m	Variation – see design principles assessment below.
Open Space Requirement	50%	>50%	Complies
Upgrade Landscaping	<input type="checkbox"/> Required	<input checked="" type="checkbox"/> Not Required	

Overlooking	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Overshadowing	<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>The variation to the deemed-to-comply provisions of Clause 5.1.3 – <i>Lot boundary setback</i> of the R-Codes satisfies the relevant design principles for the following reasons:</p> <ul style="list-style-type: none"> • The outbuilding has been significantly reduced in size and height, mitigating the impact of building bulk on adjoining properties and the streetscape; • The proposed outbuilding will allow for adequate direct sun and ventilation to the building and open spaces on the site and adjoining properties; and • There will be no overlooking or resultant loss of privacy on adjoining properties. 	
Development Standards (Schedule 9)		
Are the development Standards applicable?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Officer Comment	Yes.	
Building Height		
Scheme / Policy Requirement	Wall – 3.1m	Roof – 4.2m
State the proposed building height	Wall – 2.770m Roof – 4.053m	<input checked="" type="checkbox"/> Complies <input type="checkbox"/> Doesn't Comply
Clause 67		
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.	
In the opinion of the officer		
i. Are utility services available and adequate for the development?	Yes.	
i. Has adequate provision been made for the landscaping and protection for any trees or other vegetation on the land?	There is an existing area of vegetation between the front lot boundary and the location of the proposed outbuilding which is to be maintained and will act as a screen to the building as viewed from the street. Relevant condition is recommended.	
ii. Has adequate provision been made for access for the development or facilities by disabled persons?	N/A	
iii. Is development likely to cause detriment to the existing and likely future amenity of the neighbourhood?	No.	
iv. 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	Conditional approval 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 a Dwelling (Outbuilding Addition) at 3 (Lot 42) Dawson Terrace, Augusta 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.

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 Outbuilding shall be used solely for the purposes incidental and ancillary to the authorised use of the land.
5. The Outbuilding shall not be used for human habitation.
6. Existing trees on adjoining properties, including the Dawson Terrace street verge, shall not be impacted by the excavation or construction phases of the development.

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.