



Ordinary Council Meeting

Supplementary Agenda

Wednesday 18 October 2023

CITY OF BUSSELTON

Agenda for the Council Meeting to be held on Wednesday 18 October 2023

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11 PLANNING AND DEVELOPMENT SERVICES REPORTS

11.6 Application for Development Approval (DA23/0434) - Single House (Outbuilding) - Lot 6 (4) Wilson Avenue Quindalup

Strategic Theme:	Key Theme 4: Leadership 4.2 Deliver governance systems that facilitate open, ethical and transparent decision making.
Directorate:	Planning and Development Services
Reporting Officer:	Planning Officer – Jaymee Daff
Authorised By:	Director Planning and Development Services - Paul Needham
Nature of Decision:	Regulatory: To determine an application/matter that directly affects a person's right and interests e.g. development applications, applications for other permits/licences, and other decisions that may be reviewable by the State Administrative Tribunal.
Voting Requirements:	Simple Majority
Disclosures of Interest:	No officers preparing this item have an interest to declare.
Attachments:	<ol style="list-style-type: none"> Attachment 1 - Location Plan [11.6.1 - 1 page] Attachment 2 - Development Plans [11.6.2 - 3 pages] Attachment 3 - Planning Assessment Report [11.6.3 - 10 pages]

OFFICER RECOMMENDATION

- Consider that the application for a Single House (Outbuilding) is generally consistent with Local Planning Scheme No. 21 and the objectives of the zone in which it is located; and
- Grant development approval for the proposal subject to the following conditions:

GENERAL CONDITIONS:

- The development hereby approved shall be substantially commenced within two years of the date of this decision notice.
- The development hereby approved shall be undertaken in accordance with the signed and stamped Approved Development Plans(s), including any notes placed thereon in red by the City of Busselton.

ONGOING CONDITIONS:

- The works undertaken to satisfy Condition 2 shall be subsequently maintained for the life of the development, and the following Condition(s) complied with:
 - Stormwater to be retained for use and/or infiltration within the lot at a rate of 1m³ per 65m² of impervious area.

EXECUTIVE SUMMARY

The City has received a development application for Single House (Outbuilding) at Lot 6 (4) Wilson Avenue Quindalup which is located within the Quindalup Special Character Area (QSCA).

The application has been brought to Council due to recent changes in officer delegations.

Following assessment against the relevant elements of the planning framework, the development is considered suitable for approval subject to conditions.

STRATEGIC CONTEXT

As per Objective 4.2 of the Strategic Community Plan and in accordance with the recent change in CEO delegations, the application has been referred to Council to facilitate transparent decision making, specifically in the Special Character Areas (SCA's) of the City.

BACKGROUND

The subject site (the Site) is zoned 'Residential' under the *Scheme* with a density coding of R12.5 and located within the Quindalup Special Character Area (QSCA).

The Site has an area of 953m² and is located within a low-density residential area consisting of single houses and grouped dwellings. The Site is an irregular shaped lot, with front boundary to Wilson Avenue and bounded by residential properties to the north and east. Reserve 26524 designated for the purpose of Public Recreation abuts the Site to the south.

The subject site is developed with a single storey dwelling constructed circa 1976 and outbuilding. The existing gable outbuilding (to be demolished) is described as 6m long x 3.6m wide 2.4m high (wall), setback 1.2m from the northern (side) boundary, and 3.5m from the eastern (rear) boundary.

In June 2023, the applicant lodged a development application with the City to demolish the existing outbuilding (floor area 32.4m²) and construct a new outbuilding (floor area 15m²) at the rear of the Site.

The proposed development is described as a 5m long x 3m wide x 2.7m high (wall) gable outbuilding, setback 0.7m from the northern (side) boundary, and 2.1m from the eastern (rear) boundary. The proposed outbuilding is sited in a similar location as the existing outbuilding (to be demolished), albeit with minor variations to the current side and rear setbacks.

The outbuilding features a low-pitched gable roof design with Colorbond® wall and roof cladding (Trimdek® profile). The design and built form of the proposed outbuilding is more conservative than currently exists, is appropriate to its contextual setting, and retains the desired urban form and character of the area.

A location plan and development plans are provided at Attachment(s) 1 and 2 respectively.

OFFICER COMMENT

The below section identifies the elements of the planning framework where assessment is sought and discusses the appropriateness of the City applying discretion. It is noted that most new development in the SCA's and in many other parts of the City require the exercise of discretion.

Special Character Area Provisions (Quindalup):

Schedule 4 and Local Planning Policy 3.5 – Quindalup Special Character Area (LPP 3.5) establish the baseline development standards for the QSCA.

Having regard to the objectives of the Quindalup Special Character Area (LPP 3.5), it is the assessing officer's opinion that the proposal is fundamentally consistent with the relevant development standards, objectives and design elements of the QSCA, and the development is complementary of its contextual setting.

State Planning Policy 7.3 – Residential Design Codes Volume 1 (R-Codes)

During assessment of the proposal, one variation to the deemed to comply standards of the R-Codes was identified, being a reduction in the side lot boundary setback. Where a development does not satisfy a deemed to comply standard, the R-Codes provides for a design principle assessment as an alternative approval pathway.

It should be noted that the deemed to comply measures are not requirements but conservative design standards which provide the most straightforward method of satisfying the objectives and principles of the R-Codes. The R-Codes adopts a performance approach to residential design and failure to satisfy a deemed to comply standard does not indicate a development is inappropriate. Rather, it indicates that assessment against the design principles are required. Where a decision maker is of the opinion that a proposal reasonably meets the design principles, approval should be granted. Only where it can be reasonably demonstrated that a proposal does not satisfy the design principles, should refusal be issued.

Attachment C provides an assessment against the relevant design principles of the R-Codes where a variation has been proposed. It is the officer's recommendation that the subject proposal satisfies the design principles and is suitable for approval.

Statutory Environment

The key statutory documents relevant to this proposal include the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) and the relevant objectives and provisions of the *Scheme*. Each is discussed below under the relevant subheadings:

Planning and Development (Local Planning Schemes) Regulations 2015:

Schedule 2 of the Regulations, (the Deemed Provisions) are to be read in conjunction with the *Scheme* with clause 67 setting out the matters to be considered by a local government in the determination of any development application. Attachment 3 provides a detailed assessment against the relevant elements of clause 67.

Local Planning Scheme No. 21

The proposal is consistent with the objectives of the 'Residential' zone as defined by the *Scheme*, specifically "to facilitate and encourage high quality design, built form and streetscapes." Further, the application complies with Schedule 4 of the *Scheme* which sets out the area specific development controls for the QSCA.

The R-Codes are the over-arching planning document guiding built form outcomes in the 'Residential' zone and are to be read as part of the *Scheme*. The compliance of the proposal with the requirements of the R-Codes has been discussed in Attachment 3.

Relevant Plans and Policies

The officer recommendation aligns to the following adopted plans or policy:

State Planning Policy 3.7 – Planning in Bushfire Prone Areas (SPP 3.7)

SPP 3.7 directs how land use and development should address bushfire risk management and applies to all land which has been designated as 'bushfire prone' by the Fire and Emergency Services Commissioner as per the 'Map of Bushfire Prone Areas.' While the site is in a bushfire prone area, the proposed development is a non-habitable building on a lot of less than 1100m² and is thus exempt from further bushfire planning requirements.

Local Planning Policy 3.5 – Quindalup Special Character Area (LPP 3.5)

LPP 3.5 in conjunction with Schedule 4, establishes the baseline development controls for the QSCA with the principal objective of preserving the unique and specific character of the Quindalup strip. Compliance with the policy has been discussed previously in the report.

Financial Implications

Not Applicable.

External Stakeholder Consultation

The application was not referred to adjoining landowners.

Risk Assessment

An assessment of the potential implications of implementing the officer recommendation has been undertaken using the City's risk management framework, with risks assessed taking into account any controls already in place.

No risks of a medium or greater level have been identified.

Options

As an alternative to the proposed recommendation the Council could:

1. Resolve to refuse the application and provide reasons for such a decision; or
2. Resolve to seek further information before making a decision.

CONCLUSION

The development is considered to satisfy the relevant elements of the planning framework and is of a scale consistent with the residential character of the area. Accordingly, the application is recommended for approval subject to conditions.

TIMELINE FOR IMPLEMENTATION OF OFFICER RECOMMENDATION

The officer recommendation will be implemented in full, or in stages as per the following table:

Milestone	Completion Date
Issue the development approval to the applicant.	Within two weeks of council decision.



Disclaimer: Every effort has been made to make the information displayed here as accurate as possible. This process is ongoing and the information is therefore ever changing and cannot be disseminated as accurate. Care must be taken not to use this information as correct or legally binding. To verify information contact the City of Busselton office.

18/09/2023

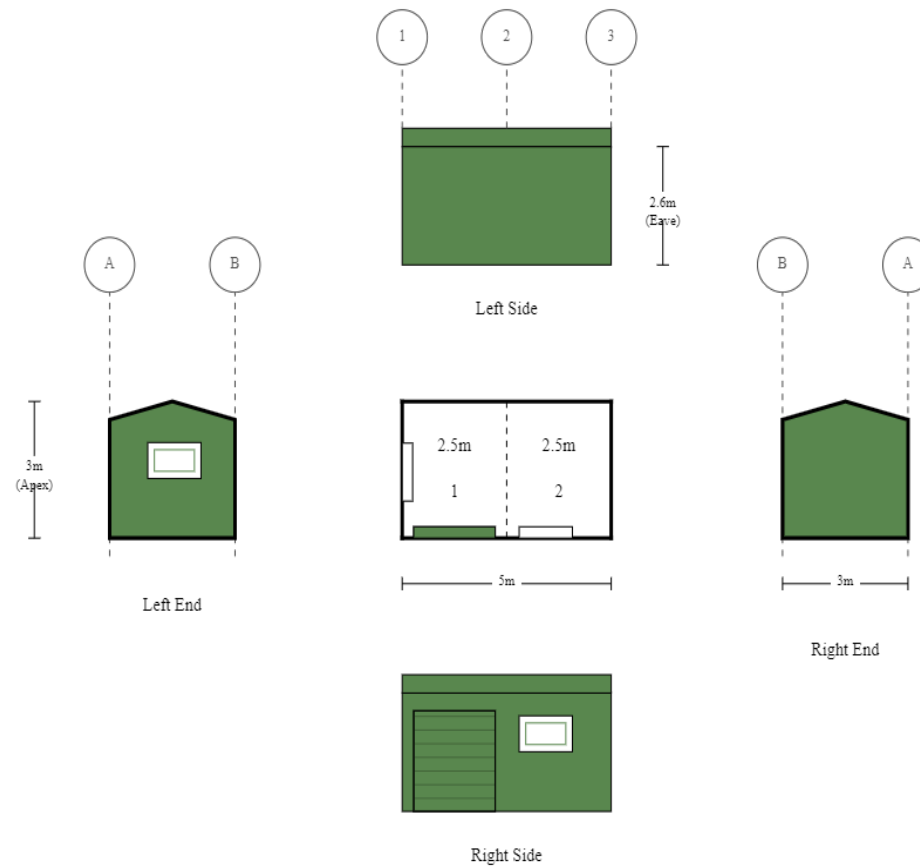
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DA23/0434: SINGLE HOUSE (OUTBUILDING) - SPECIAL CONTROL
AREA



DA23/0434: SINGLE HOUSE (OUTBUILDING) -

Purchaser Name: Michael Gliddon		<div>Layout</div> <div>Not to Scale</div> <div>© Copyright Steelx IP Pty Ltd</div>	<div>Seller: The Shed Company Bussetton</div> <div>South West Rural Building Solutions Pty Ltd atf JAG Family Trust</div> <div>Phone: 0416 815 474</div> <div>Fax:</div> <div>Email: bussetton@theshedcompany.com.au</div>	<div>Apex Engineering Group PTY LTD</div> <div>ACN 632 588 562</div> <div>ME Aust. (Registered NER Structural) 5276680</div> <div>QLD: RPEQ No. 24223; TAS: 185770492; VIC: PE0003848; N.T.: 303557ES;</div> <div>Practising Professional Structural & Civil Engineers</div> <div><div>Signature: </div><div>John Ronaldson</div><div>Date: 12/04/23</div></div>
Site Address: 4 Wilson Ave Quindalup WA6281 Australia				
Drawing # TBUS230008 - 3	Print Date: 12/04/23			

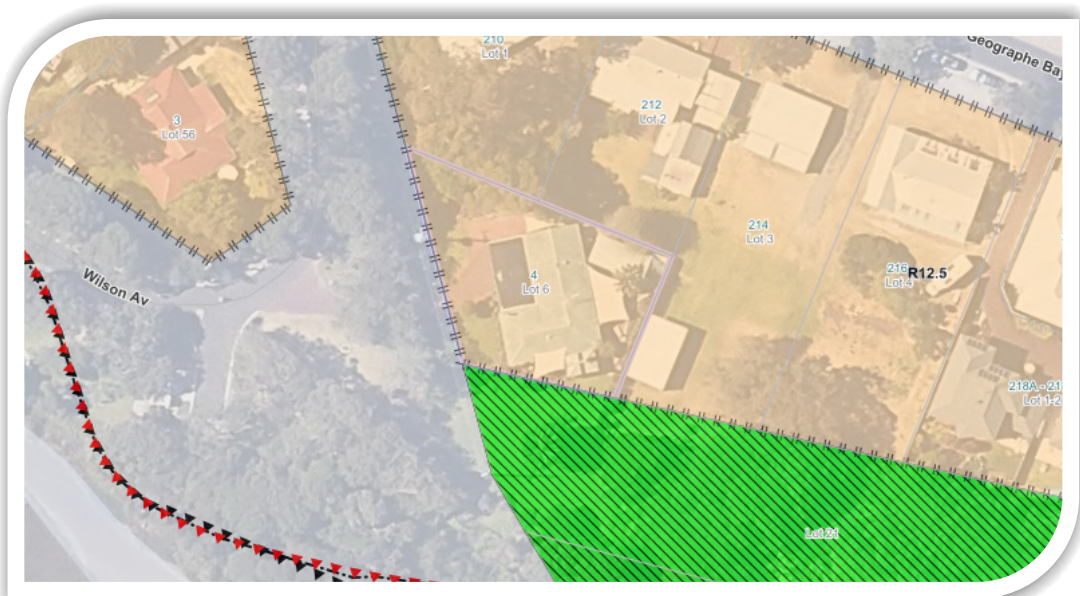


OUTBUILDING ASSESSMENT SHEET

APPLICATION DETAILS			
OFFICER NAME	Reallocated to Jaymee Daff (5 September 2023)	APPLICATION No.	DA23/0434
PROPOSAL	Single House (Outbuilding) - Special Control Area		
LOCATION	Lot 6 (No. 4) Wilson Avenue QUINDALUP WA 6281		
APPLICANT	M J Gliddon		
OWNER	M J Gliddon		
DESCRIPTION OF PROPOSAL	<p>Application has been lodged for a proposed outbuilding to replace on existing outbuilding. The subject site (the Site) is zoned 'Residential' under the <i>Scheme</i> with a density coding of R12.5 and located within the Quindalup Special Character Area (QSCA).</p> <p>The Site has an area of 953m² and is located within a low-density residential area consisting of single houses and grouped dwellings. The Site is an irregular shaped lot, with front boundary to Wilson Avenue and bounded by residential properties to the north and east. Reserve 26524 designated for the purpose of Public Recreation abuts the Site to the south.</p> <p>The subject site is developed with a single storey dwelling constructed circa 1976 and outbuilding. The existing gable outbuilding (to be demolished) is described as 6m long x 3.6m wide 2.4m high (wall), setback 1.2m from the northern (side) boundary, and 3.5m from the eastern (rear) boundary.</p> <p>In June 2023, the applicant lodged development application with the City to demolish the existing outbuilding (floor area 32.4m²) and construct a new outbuilding (floor area 15m²) at the rear of the Site.</p> <p>The proposed development is described as a 5m long x 3m wide x 2.7m high (wall) gable outbuilding, setback 0.7m from the northern (side) boundary, and 2.1m from the eastern (rear) boundary. The proposed outbuilding is sited in a similar location as the existing outbuilding (to be demolished), albeit with minor variations to the current side and rear setbacks.</p> <p>The outbuilding features a low-pitched gable roof design with Colorbond® wall and roof cladding (Trimdek® profile). The design and built form of the proposal is more conservative than currently exists, is appropriate to its contextual setting, and retains the desired urban form and character of the area.</p> <p>Discretions</p> <p>The development is seeking discretionary decisions to State Planning Policy 7.3 Residential Design Codes "deemed-to-comply" requirements. The proposed variations include:</p> <p>1. Clause 5.1.3 Lot Boundary Setback</p> <p>The outbuilding proposes a reduced side lot boundary setback 0.7m in lieu of 1.0m required under Table 2a.</p> <p>An assessment of the proposed development concluded that the proposal satisfies the relevant elements of the planning framework and is considered fundamentally consistent with the objectives and development standards of the QSCA.</p>		
SITE INSPECTION:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	DATE	
AERIAL / SITE PHOTOS			



AERIAL IMAGE – JANUARY 2023



SCHEME MAPS



STREET VIEW – VIEW FROM WILSON AVENUE

PROPERTY / DEVELOPMENT HISTORY / ADVICE GIVEN ☐ Yes ☐ N**Planning Approvals**

Nil.

Building Approvals

BAU23/0255 Shed (pending DA)

Lic. 4330 Dwelling Alterations/Additions

** Note: The approvals lists only references approvals available on the electronic record keeping system.

Previous Advice/Comments

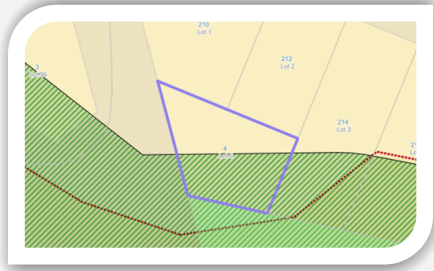
Nil registered at the time of assessment.

SCHEME ASSESSMENT

Zoning	Residential R12.5	Lot Area	953m ²
Existing land use	Single House	Proposed land use	No change.
Use Class Interpretation	<i>“Single house” A dwelling standing wholly on its own green title or survey strata lot, together with any easement over adjoining land for support of a wall or for access or services and excludes dwellings on titles with areas held in common property.</i>		
Land use permissibility	<input checked="" type="checkbox"/> P <input type="checkbox"/> D <input type="checkbox"/> A Note: D and A land uses require assessment against Objectives of the Zone below. Note: Exemptions to the Zoning Table under cl 3.5.3 of the Scheme for lots less than 4,000sq,		

OTHER MATTERS INCLUDING NOTIFICATIONS

Is there an additional use?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the lot included in a special control area?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Quindalup Special Character Area
Is the site located within a Structure Plan/DGP/LDP area?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Review Name:
Is the site a designated contaminated site?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is the site/a portion of the site a declared Environmentally Sensitive Area (ESA)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

	 <p>The subject site is identified an Environmentally Sensitive Area (ESA) and Threatened and Priority Fauna. The outbuilding is located outside the ESA.</p>
Is the site subject to Easements	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the site within the BOB/Vasse Dunsborough Alignment	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is a S.70A notification required?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there any contributions payable?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

LOCAL PLANNING SCHEME	
Local Planning Scheme applicable?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Relevant Clauses	Complies (YES/NO) & Comments
3.2 ZONE OBJECTIVES	
<p>The objectives of each zone are as follows –</p> <p>Residential</p> <ol style="list-style-type: none"> To provide for a range of housing and a choice of residential densities to meet the needs of the community. To facilitate and encourage high quality design, built form and streetscapes throughout residential areas. To provide for a range of non-residential uses, which are compatible with and complementary to residential development. 	<p>SATISFIED.</p> <ol style="list-style-type: none"> N/A – existing single house on the lot. The development proposes a new outbuilding to replace an existing outbuilding. The proposed outbuilding is of smaller size and scale than the existing, sited in a similar location, albeit with minor variations to the current side and rear setbacks. The design, siting and scale of the proposed outbuilding is considered an appropriate design response to the site constraints, natural topography and features of the site. The design and built form of the proposal is more conservative than currently exists, is appropriate to its contextual setting, and retains the desired urban form and character of the area. The outbuilding is a non-habitable building, incidental to the main residential function of the dwelling. <p>The development is consistent with the objectives of the Residential zone.</p>
4.8 HEIGHT OF BUILDINGS	
<p>4.8 HEIGHT OF BUILDINGS</p> <p>4.8.1 A person must not erect any building that –</p> <ol style="list-style-type: none"> contains more than two storeys or exceeds a height of 9 metres where land is within 150 metres of the mean high water mark; or contains more than three storeys or exceeds a height of 12 metres where land is more than 150 metres from the mean high water mark, except where otherwise provided for in the Scheme. 	<p>N/A – PROVISIONS OF SCHEDULE 4 TAKE PRECEDENCE</p> <p><i>Refer Scheme cl 5.7 Special Character Area</i></p> <p>5.7.3 <i>Where such objectives, provisions and/or controls are specified in Schedule 4 in relation to a designated Special Character area, those objectives, provisions and/or controls act in conjunction with the other provisions of this Scheme relevant to that area with the exception that the provisions of Schedule 4 will take precedence over any other provisions of this Scheme.</i></p>

5.7 SPECIAL CHARACTER AREA	
5.7.1 Development within the Special Character Area requires the prior development approval of the local government.	NOTED. Development approval sought via this application.
5.7.2 The local government may devise development objectives, provisions and/or controls to reinforce, retain or change the characteristics, form and nature of a designated Special Character area, with such objectives, provisions and/or controls being specified in Schedule 4.	NOTED. Schedule 4 and LPP 3.5 Quindalup Special Character Area provisions considered below in this assessment.
5.7.3 Where such objectives, provisions and/or controls are specified in Schedule 4 in relation to a designated Special Character area, those objectives, provisions and/or controls act in conjunction with the other provisions of this Scheme relevant to that area with the exception that the provisions of Schedule 4 will take precedence over any other provisions of this Scheme.	NOTED.

SCHEDULE 4 – SPECIAL CHARACTER AREAS
Quindalup Special Character Area (Sector 2)

The following provisions shall apply to subdivision and development within the Quindalup Special Character Area as defined on the Scheme map –	NOTED. Proposed outbuilding located at the rear of the lot. The proposed development has been assessed against the relevant standards of the R12.5 code.
(a) All residential development, including the development of two grouped dwellings at a density of R20 within Sectors 1 and 2, and that part of Section 3 containing Ollis Street and the northern side of Wilson Street, as described in the Quindalup Special Character Area Policy, shall comply with the standards of the R12.5 Code of the R-Codes, with the exception that front setbacks in the area shall be a minimum of 10 metres;	
(b) The local government will only permit the construction of grouped housing development of three or more dwellings at a density not exceeding R12.5 with a minimum lot size of 2,400m ²	N/A
(c) No residential development shall exceed a maximum height limit of two storeys or a maximum of 9 metres, with the exception that no building is to exceed crown/canopy height of peppermint trees in the immediate vicinity of the proposed dwelling. The height of buildings to be measured vertically from any given point of the building to the natural surface level of the site;	SATISFIED. Single storey. No issues with building height.
(d) In the determination of any application for development approval within the Quindalup Special Character Area Policy, the local government shall have regard for the provisions of that policy.	NOTED. The assessment of the development considers the provisions of the Local Planning Policy 3.5 Quindalup Special Character Area.

LOCAL PLANNING POLICY

Relevant Policies	Complies (YES/NO) & Comments
3.1 – REFLECTIVE BUILDING MATERIALS	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
	SATISFIED. Photo image indicates cream walls with dark gutters and flashings etc... The development does not include Zinalume.

	Advice Note
3.5 – QUINDALUP SPECIAL CHARACTER AREA	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Sector 2 Geographe Bay Road from Elmore Road east to road reserve between lots 38 and 39. This Sector is a somewhat transitional area and is highly varied as it exhibits housing from a number of eras, and hence has largely differing styles, setbacks, etc.	
4.1 Vegetation 4.1.2 Development Controls (i) In order to preserve as much of the characteristic remnant vegetation, particularly the prominent upper storey growth, the type and height of all vegetation exceeding 2 metres in height must be shown on any proposed site plans as part of the application process for new developments. Plans must demonstrate a consideration of the indicated vegetation. (ii) A Tree Preservation Order to be enacted, and enforced within reason, over the entire Area as part of the Town Planning Scheme. (iii) Provision of any infrastructure or the implementation of public works projects should not involve damage to or removal of remnant vegetation. (iv) The clearing of vegetation to improve visibility for road safety will be done sensitively and in consideration of the City's desire to maintain as much vegetation through the Area as possible. No other roadside clearing other than that allowed by for safety reasons will be allowed unless significant reason can be demonstrated. (v) Provisions relating to vegetation in Reserves and Coastal Management areas will be actively enforced in the Area. (vi) Revegetation of denuded or damaged areas with indigenous plant species is required as part of any new development application which relates to such areas. Proposed revegetation plans will need to be provided within the development application.	N/A TO THIS APPLICATION. No removal of vegetation associated with the development. (i) N/A (ii) N/A (iii) N/A (iv) N/A (v) N/A (vi) N/A
4.2 Streetscape 4.2.2 Development Controls (i) Setbacks to roads, be they front or rear, to be a minimum of 10 metres or sufficient to contain/protect remnant vegetation, whichever is the greater. (ii) Raised kerbing and formal crossovers other than in "character colour and texture", such as gravel or earth tones to be actively discouraged. The City shall use flush kerbing if required for road safety or maintenance reasons. (iii) No fencing or other construction to be permitted in front setback, unless specifically approved by the City. (In the case of fencing, low, "open style" wooden fences will be preferred) (iv) Letterboxes to be no higher than 1.3 metres and should be thin based and as unobtrusive as possible, with colours and materials to blend with surrounds. (v) Any road widening to be absolutely minimal, and use of raised kerbs and traffic calming devices of an "engineering" nature (e.g. chicanes, etc) to be used only as a means of last resort. (vi) Use of cut and fill earth mounding will be discouraged.	N/A TO THIS APPLICATION. The proposed development is located at the rear of the lot, and not visible to the streetscape. (i) N/A (ii) N/A (iii) N/A (iv) N/A (v) N/A (vi) N/A (vii) N/A

(vii) The City will inform nearby residents of any proposed significant relaxation of development controls.	
<p>4.3 Building Form, Style and Density</p> <p>4.3.2 Development Controls</p> <p>(i)(a) A Residential Development Density of R12.5 to apply to all forms of development within Sectors 1 and 2 and that part of Sector 3 containing Ollis Street and the northern side of Wilson Street, with the exception that front setbacks in the areas are increased from 7.5m to 10m.</p> <p>(b) Residential Development densities on the southern side of Wilson Avenue and the remainder of Sector 3 as described by Map 2, to be R15 and R30.</p> <p>(c) A Residential Development Density of R20 will apply to any proposed Duplex developments (i.e. minimum lot size of 900m²).</p> <p>(d) A Residential Development Density of R12.5 will apply to all Group Housing developments involving three or more dwellings (i.e. minimum lot size of 2100m²).</p> <p>(e) The above controls are built into the City of Busselton District Town Planning Scheme.</p> <p>(ii) No further subdivision between Caves Road and Toby Inlet beyond R2.5 (i.e. 4000m² lots).</p> <p>(iii) Dwelling site coverage on lots to be restricted to 40%.</p> <p>(iv) A maximum height limit of two storeys/9m to be applied - with the exception that no building is to exceed crown/canopy height of peppermint trees in the immediate vicinity of the proposed dwelling. The height of buildings to be measured vertically from any given point of the building to natural surface level.</p> <p>(v) Colours and building materials to be in character with existing dwellings.</p> <p>(vi) Roof pitches to conform to predominant flattish pitches representative of existing dwellings of the Strip.</p> <p>(vii) Verandahs and balconies to be encouraged in balustrade style to fit existing character and reduce the bulk of taller, new buildings.</p> <p>(viii) No structure (garage/shed) shall be constructed in front of an existing dwelling or the 10m setback line.</p> <p>(ix) TV aerials or similar external attachments to the roofs or walls of a building should be located such that they are not visible from the street or Geographe Bay Foreshore. If this is not possible, they should be located such that they are screened by existing dense vegetation or by other means to reduce visual obstruction.</p>	<p>SATISFIED.</p> <p>(i) (a) Refer assessment against R-Code provisions below. (b) N/A (c) N/A (d) N/A (e) Noted.</p> <p>(ii) N/A</p> <p>(iii) Site coverage less than 40%.</p> <p>(iv) Outbuilding height comfortably less than 9m.</p> <p>(v) Cream colorbond colour in keeping with the existing outbuilding to be removed. Further, aerial image indicates the colour is consistent with surrounding development.</p> <p>(vi) Low pitched gable roof to outbuilding, acceptable.</p> <p>(vii) N/A</p> <p>(viii) Outbuilding located at the rear of the lot.</p> <p>(ix) N/A</p>
<p>4.4 Access and Movement</p> <p>4.4.2 Development Controls:</p> <p>(i) No future eastern connection to Caves Road to be permitted.</p> <p>(ii) Verge parking to be prohibited on the north side of Geographe Bay Road, unless in designated purpose built areas, e.g. boat ramp.</p> <p>(iii) Speed limit to be reduced to 40 kph with signs also indicating no through road on entry to the Strip.</p> <p>(iv) Restrict indiscriminate 4WD access to the dunes and beach via foreshore management plans.</p> <p>(v) Any future pedestrian/cycle paths to be designed such that they do not compromise character by involving road</p>	<p>N/A TO THIS APPLICATION.</p> <p>(i) N/A</p> <p>(ii) N/A</p> <p>(iii) N/A</p> <p>(iv) N/A</p> <p>(v) N/A</p> <p>(vi) N/A</p>

<p>widening, formalising of setback areas, encroach upon the pedestrian scale of the environment, or cause loss of native vegetation.</p> <p>(vi) Rights of way along Toby Inlet and other reserves to be marked sympathetically so as to allow enhanced public use. However, the current appearance of these areas not to be altered greatly, with the exception of the removal of unauthorised fencing or refuse.</p>																	
<p>4.5 Public Land, Reserves and Recreation Areas</p> <p>4.5.2 Development Controls:</p> <p>(i) That all recreational lands within the Quindalup Strip described in these provisions as Sector 5, be rationalised into two Reserves (to be vested in the City) for Recreation and Foreshore Management. The process may need to be carried out in two steps depending on any delays relating to Reserve 46.</p> <p>(ii) Provisions relating to maintenance of and access to Reserves and Coastal Management areas will be actively enforced in the Area.</p> <p>(iii) The ecology of Toby Inlet to be protected by prohibiting motorised boats and professional fishing until such time as it can be demonstrated that the inlet is environmentally capable of accommodating such uses.</p> <p>(iv) The City will request the Waters and Rivers Commission to prepare and publish a report on salination intrusion into the bore water reserves contained within the Quindalup Strip.</p>	<p>N/A TO THIS APPLICATION.</p> <p>(i) N/A</p> <p>(ii) N/A</p> <p>(iii) N/A</p> <p>(iv) N/A</p>																
<p>4.6 Other Elements</p> <p>4.6.2 Development Controls:</p> <p>(i) The appearance and current nature of the Youth Hostel to be protected in perpetuity.</p> <p>(ii) Commercial development within the Area will not be permitted unless it is demonstrably restricted to a scale appropriate to the locality and designed to primarily service the needs of the residents of Quindalup itself.</p>	<p>N/A TO THIS APPLICATION.</p> <p>(i) N/A</p> <p>(ii) N/A</p>																
<p>6.1 – STORMWATER MANAGEMENT</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>																
<p>Stormwater runoff is retained for use and/or infiltration within the lot at a rate of 1m³ of storage per 65m² of Impervious Surfaces to accommodate 1 Year ARI.</p>	<p>NOTED.</p> <p>Stormwater management not provided.</p> <p>Condition on Approval – 1m³ per 65m²</p>																
<p>4.10 – OUTBUILDINGS AND OTHER NON-HABITABLE BUILDINGS</p>																	
<p>WALL HEIGHT, RIDGE HEIGHT AND MAXIMUM TOTAL AREA</p>																	
<p>RESIDENTIAL ZONE</p>																	
<p>R10 – R25 AND/OR LOTS 300M² OR GREATER BUT LESS THAN 2,000M²</p>																	
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<p><i>Note : Where a lot falls within two categories of the density/lot size within the same zone the lesser/lower wall height, ridge height and total maximum area requirement shall apply.</i></p>																	

RESIDENTIAL DESIGN CODES – CLAUSE 5.4.3 OUTBUILDINGS

B: Large and multiple outbuildings					
i. collectively do not exceed 60m ² in area or 10 per cent in aggregate of the site area, whichever is the lesser;	<input type="checkbox"/> N/A - refer to LPP 4.10 assessment above.				
ii. are set back in accordance with Tables 2a;	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No - refer setback assessment below.				
iii. does not exceed a wall height of 2.4m;	<input type="checkbox"/> N/A - refer to LPP 4.10 assessment above.				
iv. does not exceed a ridge height of 4.2m;	<input type="checkbox"/> N/A - refer to LPP 4.10 assessment above.				
v. not located within the primary or secondary street setback area; and	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Proposed outbuilding is located to the rear of the property.				
vi. does not reduce the open space and outdoor living area requirements in Table 1.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Table 1 required = 55% Provided = 78.9% Floor Area Dwelling 215.0m ² (approx. pdf) Outbuilding 15.0m ² TOTAL 230.0m ² Site coverage 24.1% Open space 78.9%				
SETBACK ASSESSMENT					
5.1.3 C3.1(i) LOT BOUNDARY SETBACK					
Boundary E.g. LHS/West	Length	Height	Required Setback	Proposed Setback	Complies (YES/NO)
Rear Boundary	3m	< 3.5m	1m	2.1m	YES
Northern Boundary	5m	< 3.5m	1m	0.7m	NO
<p>Justification Comments – Assessing Officer</p> <p>The outbuilding proposes a northern side setback of 0.7m in lieu of the 1.0m setback required under Table 2a, and therefore does not satisfy the R-Codes Clause 5.1.3 DTC requirements.</p> <p>It is noted that the development proposes a new outbuilding (5m x 3m) to replace an existing outbuilding (9m x 3.6m). The proposed outbuilding is of smaller size and scale than the existing, with similar side and rear setbacks. The design and built form of the proposal is more conservative than currently exists, is appropriate to its contextual setting, and retains the desired urban form and character of the area.</p> <p>The assessing officer considers that the proposed development and associated reduced lot boundary setback demonstrates compliance with relevant Design Principles (P3.1).</p> <p>Reduce impacts of building bulk on adjoining properties</p> <p>The proposal incorporates appropriate design elements to reduce impact of building bulk on adjoining properties including:</p> <ul style="list-style-type: none"> • Single storey outbuilding; • In context of the proposed development, the 300mm setback variation is considered minor discretion; • The proposed built form and building mass is smaller than currently exists; • The outbuilding satisfies relevant policy provisions in terms of height and area; • Low-pitched gable roof; • Light weight external cladding; • Open space adjacent the proposed building ameliorates building bulk; • The proposal is not considered an overdevelopment of the site; • The siting of the proposed outbuilding is similar to the existing, albeit with minor variations to the current side and rear setbacks – whilst there are minor changes to the setback, the overall building bulk impact is considered the comparable – in actuality, the proposed building is more conservative than currently exists, therefore the building impact on the adjoining property will be reduced. <p>Provide adequate direct sun and ventilation to the building and open spaces on the site and adjoining properties</p>					

The proposed outbuilding is to replace an existing outbuilding in the same north-eastern corner of the lot. The siting, orientation and separation of the proposed outbuilding to the existing dwelling will not restrict direct sun and ventilation to the building and open spaces to the building on the site.

Adjoining Property No. 212 Geographe Bay Road

The setback variation is on the southern aspect of the neighbouring lot. Due to the siting and orientation of the proposed outbuilding, the setback variation will not result in overshadowing nor impact direct sun and ventilation to the adjoining property.

Minimise the extent of overlooking and resultant loss of privacy on adjoining properties

Outbuilding is a 'non-habitable' building with no associated overlooking or resultant loss of privacy on adjoining properties.

BUSHFIRE*

Note : Only required if outbuilding is within 6m of a habitable dwelling that has been built in accordance with AS 3959

Is the site bushfire prone?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
What is the BAL rating?	EXEMPT FROM SPP 3.7. Under clause 78B, Part 10A of the LPS Regulations 2015, the proposed non-habitable outbuilding on a lot less than 1,100m ² is considered exempt from the requirement of SPP 3.7.

OTHER CONSIDERATIONS

Is a S.70A notification required?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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REFERRALS

INTERNAL	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A
Other	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A

ADVERTISING AND NEIGHBOUR CONSULTATION

Advertising Required?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Reasons for advertising?	N/A
Justification if not required:	The development satisfies relevant <i>Scheme</i> and Policy provisions and demonstrates compliance with relevant R-Code Design Principles. The outbuilding is to replace an existing outbuilding in the same location, and the associated reduced lot boundary setback will not negatively impact building bulk or amenity of adjoining properties. Assessing officer considered the proposed outbuilding exempt from the requirement to advertise.

CLAUSE 67 OF PLANNING AND DEVELOPMENT (LOCAL PLANNING SCHEMES) REGULATIONS 2015

It is considered that the matters listed within Clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015 have been adequately address through the assessment of this application against the applicable Scheme and LPP requirements in the report above.

FURTHER COMMENTS

The application has been brought to Council due to recent changes in officer delegations.

Following assessment against the relevant elements of the planning framework, the development is considered suitable for approval subject to conditions.

Note – Laydown Area:

The applicant nominated a "lay-down for delivery area" within the Wilson Avenue road reserve. It is noted that at all times, construction workers' vehicles, and the areas to be used for the storage of building materials, plan etc... associated with the implementation of the development must be contained within the lot boundaries.

Lay-down plan not to be included in approved development plans and include Advice Note on decision notice.