



**MINUTES  
ORDINARY COUNCIL MEETING**

**28 FEBRUARY 2018**

These minutes were confirmed at the Ordinary Council Meeting held on 28 March 2018

Signed: ..... Date .....

(Chair person at the meeting at which minutes were confirmed)

Council Minutes are 'Unconfirmed' until they have been adopted at the following meeting of Council.

## 10.1 DEVELOPMENT AND REGULATORY SERVICES

### 10.1.001 PROPOSED DWELLING, ANCILLARY DWELLING AND SHED – LOT 200 (NO. 50) HAVELOCK STREET, NARROGIN

<b>File Reference:</b>	A236710, IPA1813238
<b>Disclosure of Interest:</b>	Nil
<b>Applicant:</b>	Barbara J Thomas
<b>Previous Item Nos:</b>	Nil
<b>Date:</b>	13 February 2018
<b>Author:</b>	Azhar Awang – Executive Manager Development and Regulatory Services
<b>Authorising Officer:</b>	Aaron Cook – Chief Executive Officer

#### Attachments

- Attachment 1 – Locality Plan
- Attachment 2 – Application for Planning Consent (Floor Plan)

#### Summary

Council is requested to consider an application for planning consent for the proposed development of a dwelling, ancillary dwelling (Granny Flat) and a shed at Lot 200 (No. 50) Havelock Street, Narrogin.

#### Background

Council has received an application for a proposed dwelling, ancillary dwelling at Lot 200 (No 50) Havelock Street, Narrogin.

There is currently an existing residence on the site and the proposal is to build two new dwellings on the site comprising of a main residence and an ancillary dwelling for a member of the family.

The main residence is a transportable modular home from Fleetwood with an approximate total area of 150m<sup>2</sup>. The dwelling is comprised of 2 bedrooms, a study, kitchen, living/dining, laundry and bathroom. This dwelling is to be located 30m from Havelock Street and 12m from the side boundary.

The ancillary dwelling, which is to house a member of the family, is kit home construction (Cottage 169 Model) with a total area of 126m<sup>2</sup> (18m x 7m). This is to be constructed from a steel frame with colour bond walls, zincalume roof and concrete floor comprising of 3 bedrooms, kitchen, meals, lounge/living, laundry and bathroom. The proposal is to locate the house 15m from the property boundaries.

In addition the proposal is to include a shed to be constructed of a steel frame, colour bond walls, zincalume roof and concrete floor. The proposed shed is 9m wide x 10m long and 4.2m high and is to be located 15m from the Harbour Street frontage and 1m from the side boundary.

In the application to Council, the applicant is requesting that the existing house be retained to allow access to power until the main dwelling (Dwelling A) is completed. Upon the completion of the main dwelling the existing house will be demolished and the ancillary dwelling (Dwelling B) to be constructed.

## **Comment**

### Zoning

Lot 200 (No 50) Havelock is zoned "Rural Residential". The policy statement for this zone is intended to provide opportunities for rural residential lifestyles whilst maintaining the rural character of the area. The subject property currently fronts on to "Other Commercial" zoning to the north of the property opposite the unmade Harbour Street.

Access to the property is via Havelock Street and the site has a total area of 1.2714 hectares.

A dwelling house is listed as a permitted use under the "Rural Residential" zoning, whilst an ancillary dwelling (granny flat) is listed as an "IP" use, which means that the use is not permitted unless it is incidental to a predominant use as determined by Council.

### Setbacks

The Former Town of Narrogin Town Planning Scheme No 2 (FT-TPS) prescribed the following setback requirements for residential buildings to be setback from the boundaries as outlined below:

Front – 10m

Rear – 7.5m

Side – 5m

In respect to the single dwelling and ancillary dwelling, the proposed setbacks comply with the required minimum setbacks.

The proposed shed in respect to the side setback is requested by the applicant to be located 1m from the side boundary. It is noted that the adjoining property is currently occupied by a Transport Depot. Given the length of the wall of the shed (16m), the minimum side setback can be reduced to 1.5m. On this basis the setback variation to the shed is supported, it is to be a minimum of 1.5m from the site boundary.

This side of the property is also relatively close to a waterway which is an easement to the benefit of the Department of Water. The easement is five metres wide and no building shall encroach this easement without the approval from the responsible agency.

It is noted on the plan that to the west of the property it abuts an Arterial Road (important Regional Roads). As there is no direct access on to this Arterial Road, it is considered that the proposed development will not have an adverse impact. Furthermore the Clause 2.7.3 (a) and (b) of the FS-TPS states that

*Development on land adjoining an arterial road shall comply with the Development Table for the zone area in which it is situated except that:*

*(a) the requirement that the front boundary set back specified for the development proposed applies from the alignment of the arterial road whether that alignment corresponds with the boundary of the lot or not;*

*(b) vehicular access from the land to the arterial road is not permitted without the approval of the Council and the Council shall not grant approval if it is satisfied that reasonable alternative access to the land is available.*

### Residential Design Codes

Under the Residential Design Codes the maximum plot ratio for an ancillary dwelling is 70m<sup>2</sup>. The below assessment demonstrates the compliance of the proposal against the residential design codes. The deemed to comply provisions listed for ancillary accommodation state as follows:

<b>Residential Design Codes Deemed to Comply 5.5.1</b>	<b>Provided by Development</b>	<b>Officer Comment</b>
The lot is not less than 450m <sup>2</sup> in area	Complies - The property has a total area of 1.7214 hectares which is equivalent to 17,214m <sup>2</sup>	Complies.
There is a maximum plot ratio area of 70m <sup>2</sup>	Does not Comply – The proposed ancillary accommodation is 126m <sup>2</sup> .	The proposed ancillary dwelling exceeds the maximum plot ratio area by 56m <sup>2</sup> .  The subject property is a large rural/residential lot and it would be unlikely that this variation would cause negative impact to the amenity of surrounding rural areas.
Parking provided in accordance with clause 5.3.3 C3.2;	Does not Comply – No car parking spaces have been detailed on the submitted application.	In accordance with Clause 5.3.3 one (1) car bay would be required.  The property is large and parking would not be considered an issue and it is recommended that dedicated parking be included.  Car parking requirements can be addressed through conditions of approval.

<p>Complies with all other R-Code provisions, only as they apply to single houses, with the exception of clauses:</p> <p>(a) 5.1.1 Site Area; (b) 5.2.3 Street Surveillance (except where located on a lot with secondary street or right of way access); and (c) 5.3.1 Outdoor living areas.</p>	<p>Clause 5.1.6 – Building Height – An Elevation plan with building height is not provided on any plans.</p> <p>Clause 5.3.7 – Site Works – No Site Works plans have been provided with the application.</p>	<p>Clause 5.1.6 can be addressed through conditions of approval limiting the height of the proposal.</p> <p>It is unlikely the height of the ancillary dwelling would cause adverse effects to neighbouring properties such as overshadowing or overlooking.</p> <p>Clause 5.3.7 can be addressed through conditions of approval, limiting the excavation and fill of the site works.</p>
---	--	---

In reference to the outbuilding, there is no maximum area specified in the FT-TPS. However, it should be noted that the outbuilding is not to be used for habitation or commercial business because the lot is zoned for rural/residential purposes.

Based on the above assessment, it is considered the proposal will not adversely affect the amenity of the area and surrounding properties. The variation to the residential design codes would be regarded as marginal considering the size of the property and context of the site,.

It is recommended that Council support the proposal for the single dwelling, an ancillary dwelling and shed at Lot 200 (No. 50) Havelock Street, Narrogin subject to conditions of approval.

### **Consultation**

- Nil

### **Statutory Environment**

- Former Town of Narrogin Town Planning Scheme No. 2.

### **Policy Implications**

Nil

### **Financial Implications**

Application for Planning Consent Fee to the value of \$912 to be made payable to the Shire of Narrogin and borne by the applicant.

### **Strategic Implications**

Nil

### **Voting Requirements**

Simple Majority

<b>COUNCIL RESOLUTION 0218.002 AND OFFICER'S RECOMMENDATION</b>
---

**Moved: Cr Bartron**

**Seconded: Cr Fisher**

That Council:

Approve the application for planning consent for the single dwelling, ancillary dwelling and a shed at Lot 200 (No. 50) Havelock Street, Narrogin subject to the following conditions:

1. The approval shall expire if the development hereby permitted is not completed within two years of the date hereof, or within any extension of that time which, upon written application (made before or within 21 days after the expiry of the approval) to the Shire, is granted in writing.
2. The development approved shall be in accordance with the plans and specifications submitted with the application and these shall not be altered or modified without the prior written approval of Council.
3. All storm-water drainage and run-off associated with the development shall be contained on site or connected to the Shire's storm water drainage system to the satisfaction of the Chief Executive Officer.
4. Approval to ancillary accommodation is not to be used as justification for subdivision or strata titling of the land.
5. The ancillary accommodation is for members of the same family as the occupiers of the main dwelling and shall not be used for private rental purposes. Any use other than that permitted will require a separate application for planning consent.
6. Building materials are to be sympathetic to the existing dwelling and rural landscape.
7. If excavation of fill is required all finished levels shall respect the natural ground level of the lot boundary and shall not exceed 0.5 metres of filling.
8. Provision of one onsite parking bay for the ancillary accommodation.
9. The outbuilding is not to be used for habitation or commercial business and the setback shall be in accordance with the minimum boundary setbacks as specified in 'Rural Residential' zoned.
10. No development shall be constructed over any easements without the prior consent of the responsible agencies.
11. On completion of the main dwelling, and within six months of completion, the existing dwelling is to be removed from site.
12. The shed is to be located a minimum of 1.5m from the side boundary.

Cont./

Advice Notes:

1. If the applicant and/or owner are aggrieved by this decision as a result of the conditions of approval or by a determination of refusal, there may be a right of review under the provisions of Part 14 of the Planning and Development Act 2005. A review must be lodged with the State Administrative Tribunal and must be lodged within 28 days of the decision.
2. The applicant is to meet all health and building requirements to the satisfaction of the Chief Executive Officer, in relation to the waste disposal system.
3. The subject property falls within a designated bushfire prone area and may require a bushfire attack level assessment throughout the building permit process.

**CARRIED 8/0**



Attachment 1 – Locality Plan

# PLANNING CONSENT



89 Earl Street  
PO Box 1145  
Narrogin WA 6312

(08) 9890 0900

www.narrogin.wa.gov.au  
enquiries@narrogin.wa.gov.au

CASHIER HOURS:  
8:30am – 4:30pm  
MONDAY- FRIDAY

TOWN PLANNING SCHEME NO.2  
DISTRICT SCHEME

lower case 'L'  
E: barbthomasl@hotmail.com

Name of Applicant	BARBARA J THOMAS
Correspondence Address	PO BOX 342, NARROGIN
Applicant Phone Number	08 9888 4086 (no ans. M/C) (0408 366 524) reception only in town (Narrogin)

I hereby apply for planning consent to:

- Use the land described hereunder for the purpose of ERECTING A PRIMARY RESIDENCE, AN ANCILLARY DWELLING & SHED
- Erect, alter or carry out development on land described hereunder in accordance with the accompanying plans (3 copies attached)

Existing use of land	RESIDENTIAL
Approximate cost of proposed development	\$ 350,000
Estimated time of completion	9 months
No of persons to be housed / employed after completion	3

## TITLES OFFICE DESCRIPTION OF LAND

### LOCALITY PLAN

House No	50	Lot No	2000	Location No	
Plan or Diag		Street Name	HAVELOCK		
Certificate of Title	Volume: 2577	Folio:	169		

### LOT DIMENSIONS

Site area		Square metres
Frontage		67.37 Metres
Depth		60.96 metres

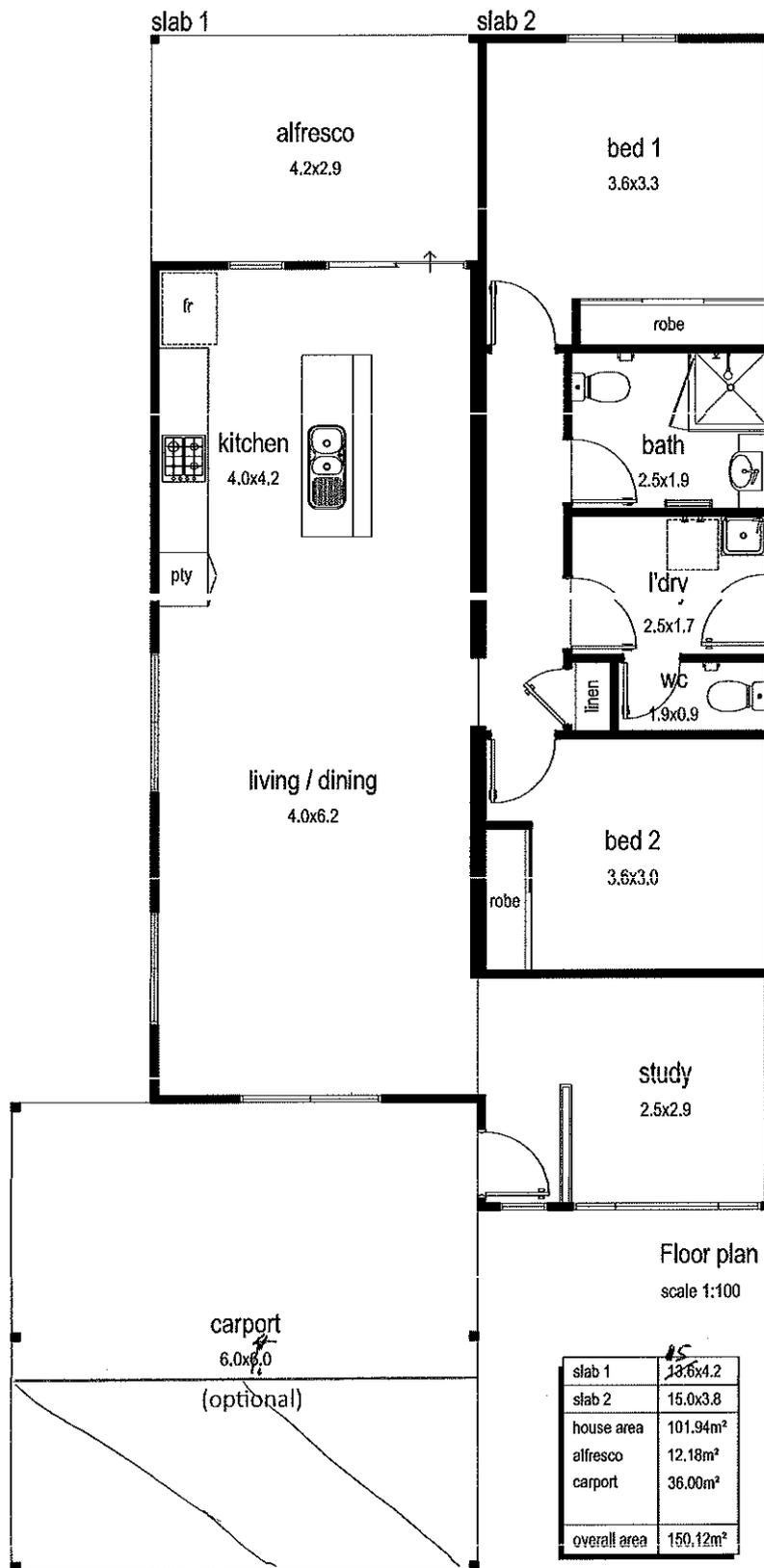
### AUTHORITY

Applicant's Signature ..... B. Thomas ..... Date 13/02/2018

NOTE: WHERE THE APPLICANT IS NOT THE OWNER, THE OWNER'S SIGNATURE IS REQUIRED.



# 'Southside' transportable/modular home - Fleetwood Homes



A on site plan

- Steel frame.
- Concrete slab & footings, Colorbond roof & walls. Hipped roof.
- Slab 1 15m, extra length onto alfresco.
- Alfresco & bed 1 oriented to face east to Havelock St.
- Positioned 30 metres from Havelock St & 17 metres from side (southern) boundary.

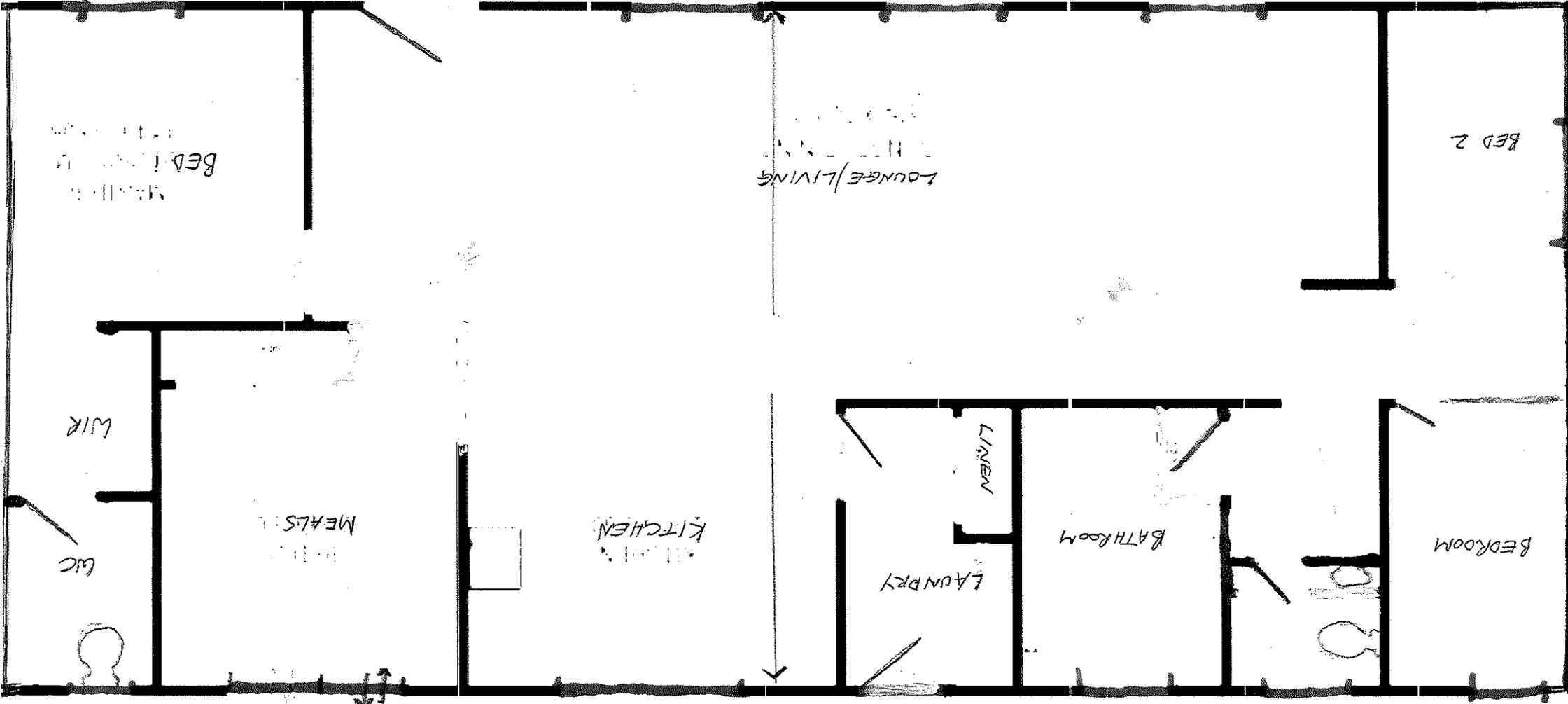
COTTAGE 169, KIT HOME - WIDE SPAN SHEDS COMPANY

126 m<sup>2</sup> (18m x 7m)

STEEL FRAME, COLORBOND WALLS, ZINCALUME ROOF, CONCRETE SLAB, GABLE ROOF.

Auxiliary dwelling

B



APLOGIES - UNABLE TO PRINT OUT A FLOOR PLAN PROPERLY. WE CAN SUPPLY SAME, ALSO WIDE SPAN SHEDS PICTURE IMAGE SOON, IF REQUIRED.

Attachment to application for Planning Permit for Lot 2000 (50 Havelock St)

'C' Shed – 9m wide x 16m long x 4.2m high

Concrete slab, steel frame, Colorbond walls, zincalume roof.

Manufactured by Wide Span Sheds.

Request for consideration of variation of setback :

Because of the width of the shed and to enable turning into it, we would like to request minimal setback either from the western boundary as it will not be built on, or the north-south boundary with Glenbrae Transport at No. 6 Harbour Street as that is a commercial/industrial property and being close to this fence line should not have any impact on their business, but in fact keep the sun off their trailers.

We request the existing small house stay in place for access to power until dwelling A is in place. It will then be removed.

The Planning Department advised late last year they would give consideration to approving two small dwellings (ancillary one larger than 70m<sup>2</sup>) if occupied by family members. My son and I will occupy a dwelling each.