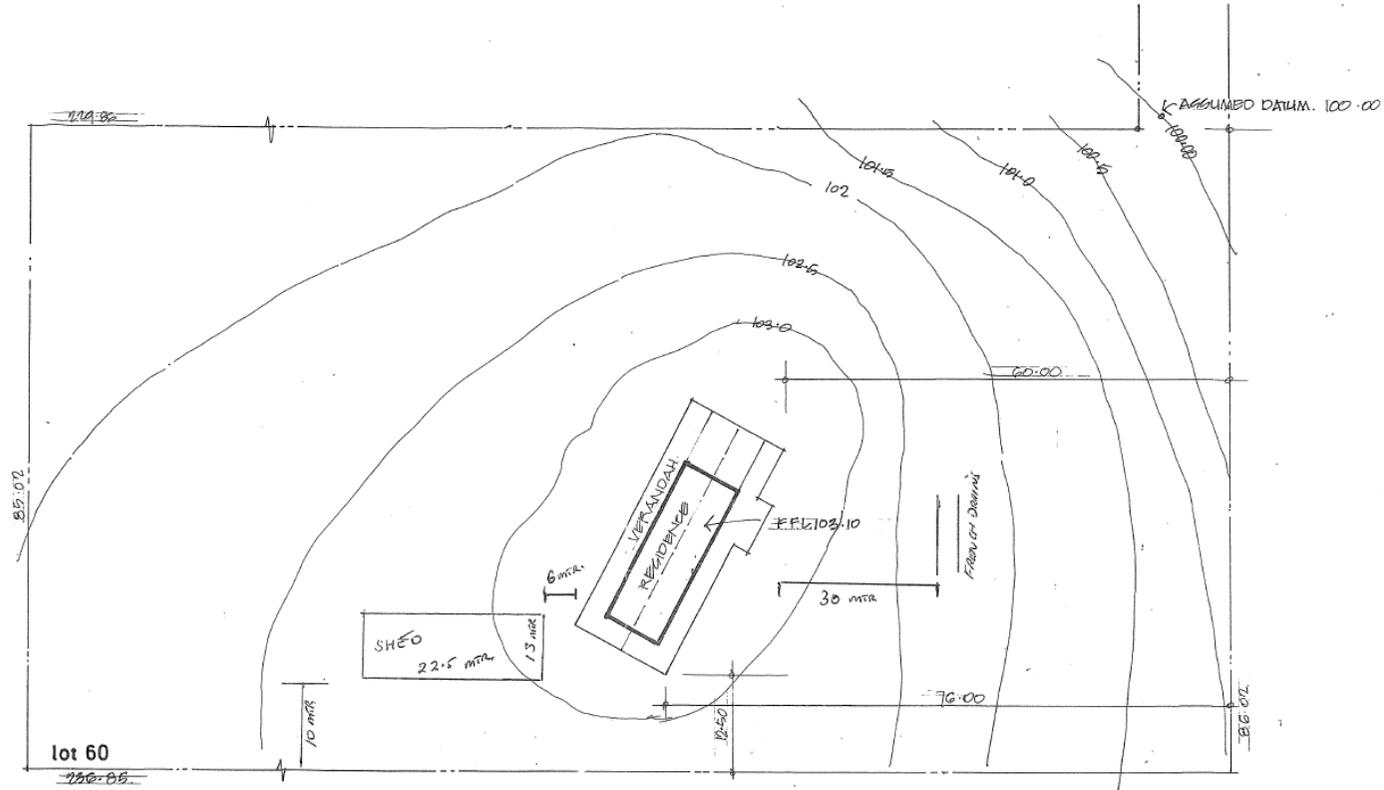
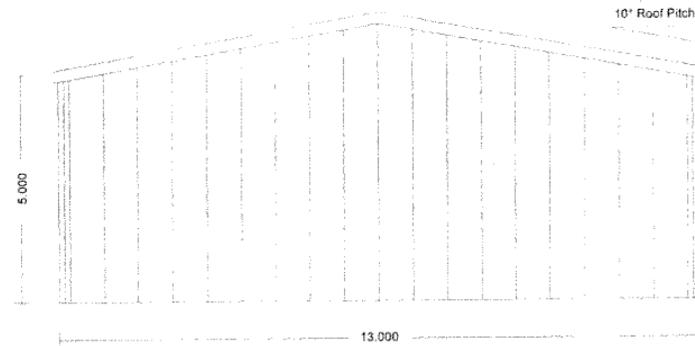


# APPENDIX 1 – SITE PLAN

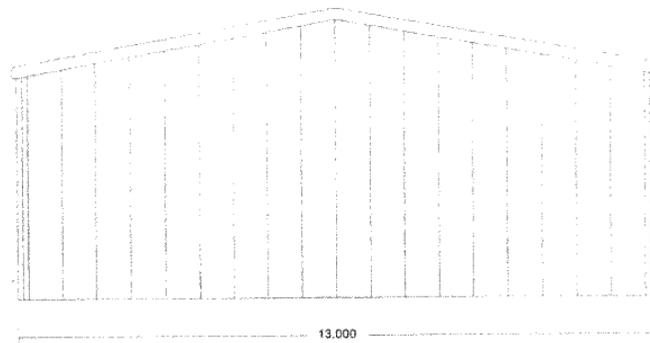


	<b>STEEL FRAMED RESIDENCE AT LOT 60 TENTH ROAD, YORK FOR B. HUMPHREY</b>	<b>SITE PLAN</b>	SCALE 1:500	DWG. NO <b>1</b>
			DATE MAY 2006	
			A.C. DODDS ARCHITECT REG. 1003. 24 HERBERT RD YORK Q302 TEL: 9641 1066 FAX: 9641 1067	

## APPENDIX 2 – TECHNICAL DRAWINGS

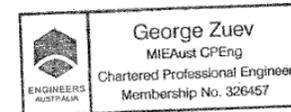


Front Elevation



Rear Elevation

  
29 APR 2014



Plans Drawn By



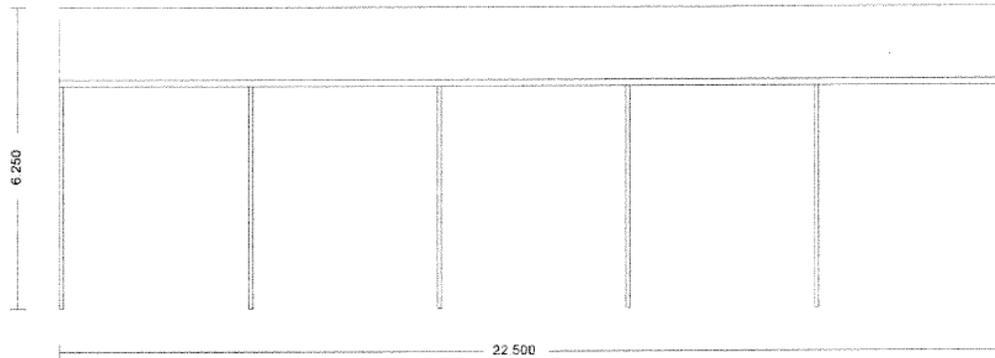
P 1300 553 778 F 1300 554 882 M 0431 597 160  
E trevor@nowbuildings.com.au www.nowbuildings.com.au

Proposed Project: 13m x 22.5m x 5m Open Bay Farm Shed

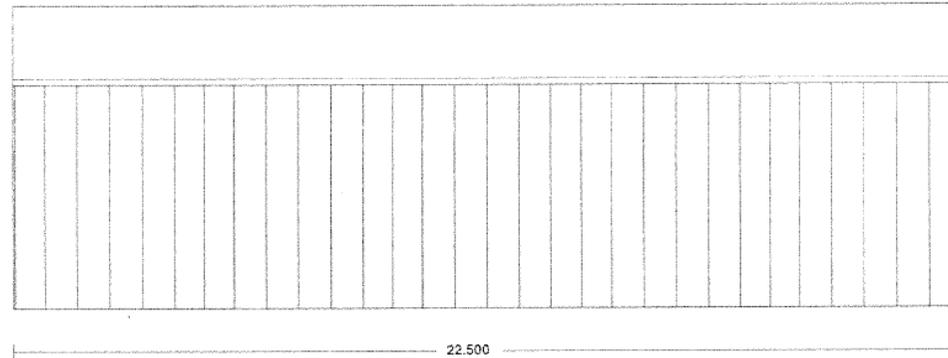
Client: , Brent Humphries  
Job Number: Humph07460  
Site: 11 Ensign Dale Court, York WA 6302

ARCHITECTURAL  
DRAWINGS

See website for more information on how to book a shed for a site visit to the site. The drawings are for reference only.



Left Elevation



Right Elevation

  
 29 APR 2014

George Zuev  
 MIEAust CPEng  
 Chartered Professional Engineer  
 Membership No. 326457



Plans Drawn By Proposed Project: 13m x 22.5m x 5m Open Bay Farm Shed


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 Site: 11 Ensign Dale Court, York WA 6302

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## APPENDIX 3 – ASSESSMENT

### Shire of York Local Planning Scheme No. 2.

#### 8.5. Matters to be considered by Local Government

- (a) *The aims and provisions of the Scheme and any other relevant town planning schemes operating within the Scheme area.*

The property is zoned Rural Residential and is located within the Equine precinct under the provisions of the TPS2.

The objectives of the zone are;

- a) *To provide for closer settlement for residential use in a rural environment, and such uses as hobby farms, horse breeding, rural residential retreats*

A shed is considered an ancillary development to a residential and/or farm use.

- b) *To make provision for retention of the rural landscape and amenity in a manner consistent with the orderly and proper planning of such areas.*

The construction of a shed is considered to be consistent with the rural landscape however the size of the shed may impact the amenity. The construction of the proposed shed would not reflect orderly and proper planning as it is not consistent with the provisions of the Outbuildings Policy and the variation is no considered acceptable (see section 'f').

The required setbacks are as follows;

Setback	Requirement	Actual	Variation	Comment
Front	20m	n/a	-	The proposal complies with the setbacks of the zone.
Side	10m	10m	0	
Rear	10m	n/a	-	

- (b) *The requirements of orderly and proper planning including any relevant proposed new town planning scheme or amendment, which has been granted consent for public submissions to be sought.*

There are no amendments or other schemes applicable to this property.

- (c) *Any approved statement of planning policy of the Commission.*

Not applicable.

- (d) *Any approved environmental protection policy under the Environmental Protection Act 1986.*

Not applicable.

- (e) *Any relevant policy or strategy of the Commission and any relevant policy adopted by the Government of the State.*

There are no such policies applicable.

- (f) *Any Planning Policy adopted by the local government under clause 8.8, any policy for a designated heritage precinct adopted under clause 5.1.3, and any other plan or guideline adopted by the local government under the Scheme.*

The local planning policy *Outbuildings in Residential Zones* applies. The relevant provisions of the policy have been assessed as follows;

#### 2.0. Policy Objectives

- a. *To provide flexibility for outbuilding size, construction and materials to meet the needs of local residents.*

This policy allows for some flexibility with outbuilding size however the variation proposed is not considered acceptable.

- b. *To ensure that outbuildings are constructed and located in such a way as to minimise their impact on the amenity of the locality.*

The proposed outbuilding is located in a way that the impact to the amenity will be reduced however it is still considered that the overall size of the shed will have an impact on the area.

### 7.3. Rural Residential Zone

#### 7.3.1. General:

- a. *are not attached to the dwelling;*  
Complies – the shed is 6 metres from the dwelling.
- b. *are non-habitable or used for commercial or industrial purposes;*  
Complies – this will be a condition of approval.
- c. *are not within the primary street setback area; and*  
Complies – the shed is not within the primary street setback.
- d. *are setback at least 15 metres from a side or rear boundary.*  
Does not comply – however Scheme permits setback of 10 metres, which does comply as the shed is located 10 metres from the side boundary.

#### 7.3.2. Floor Area:

- a. *Outbuildings on a rural-residential lot that have a combined area not exceeding 200m<sup>2</sup> in area or 10 per cent in aggregate of the site area, whichever is lesser; or*
- b. *Outbuildings that is within 5% of the requirements of the above and the applicant has provided a copy of the proposed plans that have been endorsed in writing on the plans by the affected adjoining property owner(s) indicating that there is no objection to the proposed outbuilding.*

#### 7.3.3. Height

- a. *Outbuilding on a lot that has a maximum wall height less than 3.0m and ridge height of 4.2m; or*
- b. *An outbuilding that is within 5% of the requirements of the above and the applicant has provided a copy of the proposed plans that have been endorsed in writing on the plans by the affected adjoining property owner(s) indicating that there is no objection to the proposed outbuilding.*

Provisions of 7.3.2 and 7.3.3 have been assessed as follows;

Element	Requirement	Actual	Variation	Comment
7.3.2 Floor Area	200m <sup>2</sup>	22.5 x 13 = 292.5m <sup>2</sup>	+92.5m <sup>2</sup>	This is not considered an acceptable variation to the requirement of the policy. Generally, Council can exercise discretion in permitting variation to one of the requirements however generally not all unless the variations are both minimal. An acceptable variation may include varying the floor area, provided the heights are consistent with the policy and that there is no impact to the amenity of the area. On the other hand, an acceptable variation may be a minimal change to both. This variation is not considered minimal. This design is more consistent with a shed typically found in the General Agriculture zone.
• 5% Variation	210m <sup>2</sup>	= 292.5m <sup>2</sup>	+82.5m <sup>2</sup>	
7.3.3 Height				
Wall	3.0m	5.0m	+2m	
Ridge	4.2m	6.25m	+2.05m	
• 5% Variation				
Wall	3.15m	5.0m	+1.85m	
Ridge	4.41m	6.25m	+1.84m	

There is a discrepancy in the policy which allows for a larger wall height in the Residential Zone. Therefore, this has been considered acceptable to apply to the Rural Residential Zone.

<i>Element</i>	<i>Requirement</i>	<i>Actual</i>	<i>Variation</i>	<i>Comment</i>
<i>7.1.3 b) Height</i>				Even though the wall height variation has reduced, it is considered that the impact of the ridge height variation is still not appropriate for this zone.
<i>Wall</i>	3.5m	5.0m	+1.5m	
<i>Ridge</i>	4.2m	6.25m	+2.05m	
• <i>5% Variation</i>				
<i>Wall</i>	3.675m	5.0m	+1.325m	
<i>Ridge</i>	4.41m	6.25m	+1.84m	

#### 7.3.4. Materials

- a. *Materials of low-reflectivity should be used to ensure that the structure does not adversely impact on neighbours.*

Condition of approval - materials are to be complementary to the surrounding area.

- (g) *In the case of land reserved under the Scheme, the ultimate purpose intended for the reserve.*

The land is not reserved.

- (h) *The conservation of any place that has been entered in the Register within the meaning of the Heritage of Western Australia Act 1990, or which is included in the Heritage List under clause 5.1.2, and the effect of the proposal on the character or appearance of a heritage precinct.*

The property is not heritage listed nor is it located within a heritage precinct.

- (i) *The compatibility or a use or development with its setting.*

Sheds are a common development within the Rural Residential zone and are considered compatible in the setting. However the design of this particular shed is more consistent with the General Agriculture zone.

- (j) *Any social issues that have an effect on the amenity of the locality.*

Whilst the shed is not located in clear view from any streets or neighbouring properties, it is still considered a significant variation from the intention of the local planning policy Outbuildings in Residential Zones. Council needs to consider the perceived precedent that may be set with the approval of oversized sheds.

- (k) *The cultural significance of any place or area affected by the development.*

There is no specific cultural significance in this area.

- (l) *The likely effect of the proposal on the natural environment and any means that are proposed to protect or to mitigate impacts on the natural environment.*

There are no likely impacts to the natural environment.

- (m) *Whether the land to which the application relates is unsuitable for the proposal by reason of it being, or being likely to be, subject to flooding, tidal inundation, subsidence, landslip, bushfire or any other risk.*

The western neighbouring property is densely vegetated and there is minimal risk of fire.

- (n) *The preservation of the amenity of the locality.*  
Whilst the shed is not located in clear view from any streets or neighbouring properties, it is considered that the shed is very large and may impact on the amenity of the locality.
- (o) *The relationship of the proposal to development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal.*  
The shed may impact the surrounding area as it is significantly larger in height and floor area.
- (p) *Whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring and parking of vehicles.*  
Access and egress are adequate.
- (q) *The amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety.*  
It is not likely that the proposal will impact existing traffic flows.
- (r) *Whether public transport services are necessary and, if so, whether they are available and adequate for the proposal.*  
Not applicable.
- (s) *Whether public utility services are available and adequate for the proposal.*  
Not applicable.
- (t) *Whether adequate provision has been made for access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities).*  
Not applicable.
- (u) *Whether adequate provision has been made for access by disabled persons.*  
Not applicable.
- (v) *Whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved.*  
No vegetation will be removed to develop the shed.
- (w) *Whether the proposal is likely to cause soil erosion and degradation.*  
The proposal is not likely to cause soil erosion or degradation.
- (x) *The potential loss of any community service or benefit resulting from the planning consent.*  
Nil.
- (y) *Any relevant submissions received on the application.*  
Two submissions were received from one neighbouring property. These can be viewed in the schedule of submissions.
- (z) *The potential impacts of noise, dust, light, risk, and other pollutants on surrounding land uses.*  
The impacts have been assessed above.

(aa) *The comments or submissions received from any authority consulted under clause 7.4.*  
Nil.

(bb) *Any other planning consideration the local government considers relevant.*  
Council needs to consider the perceived precedent that may be set with the approval of oversized sheds. Each application for variation is based on its merits. Therefore, in this case, it may be considered acceptable to vary more than one element of the shed based on the relatively secluded location of the property however not to the extent that is proposed.

**APPENDIX 4 – SCHEDULE OF SUBMISSIONS**

No.	Date Received	Name	Description of Affected Property	Summary of Submission	Officer's Comment
<b>Public Submissions</b>					
1.	7-Sep-14	Thomas Sharkey for Peter Sharkey	Neighbour	<p><i>“Having viewed the site plan you provided in your email and the Shire Policy regarding Outbuildings, I offer the following objection on the following grounds:</i></p> <ol style="list-style-type: none"> <li><i>1. The proposed outbuilding exceeds the Policy criteria in regards to overall wall height (5.0m as opposed to 3.0m) and top of roof height (6.25m as opposed to 4.0m)</i></li> <li><i>2. The proposed outbuilding exceed the Policy criteria in regard to floor area (292.50m<sup>2</sup> as opposed to 200m<sup>2</sup> or 10% of site area whichever the lesser)</i></li> </ol> <p><i>The size of the outbuilding is appropriate for a rural zone and more akin to farm operations rather than a shed for general purpose storage uses in a rural residential zone, such as ride on mowers and small scale machinery.</i></p> <p><i>I question why the landowner would require such a large shed in a residential rural zone (292.50m<sup>2</sup> as opposed to the 200m<sup>2</sup> max. limit permitted as per the Policy).</i></p> <p><i>I note the outbuilding is called an “Open Bay Farm Shed” therefore I ask what would the outbuilding be utilised for and what would it be storing?</i></p> <p><i>Lastly, I question whether a rural residential zone is an appropriate zone for such a large storage structure. The amenity of the area will be adversely affected by what I see as a rather large and out of proportion structure and for the operations which it is designed to be utilised for.”</i></p>	