



**PROPOSED OVERSIZE OUTBUILDING
LOT 12 (2) EIGHTH ROAD, YORK**

**ITEM 9.1.7
APPENDICES**

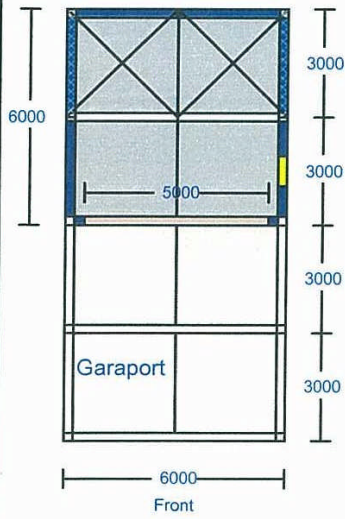
Submitter	Submission Received	Officer Comments
Landowner	<p>A shed on Lot 12 of that size only means a business its too large. Our access road is for private or emergency use only.</p> <p>This private road costs "owners only" a great deal of money to maintain. Lot 12 has a tenant which as far as I know is on a 1 year contract only. A car port was built hopefully with Shire approval. We have a large shed available to any resident already.</p>	<p>The outbuilding is not proposed to be utilised for commercial purposes. Any approval will be conditional upon the landowner not running commercial or industrial uses from the outbuilding.</p>
Landowner	<p>As an owner, I have no objection to the shed/carport as long as it is not used for business purposes as that would affect the power supply and also traffic problems on access roads.</p> <p>We have already had problems with the power supply through the transformer on Eighth Road in front of the estate complex especially air conditioners in summer and the traffic has increased on the railway side road and has doubled causing dust problems. We are currently discussing opening portion of the centre 3 metre wide as well as two sides lanes for use 4.5 to 5m wide for emergency vehicles, FESA etc. This would enable Lots 4 and 8 access and solve road problems.</p>	<p>The outbuilding is not proposed to be utilised for commercial purposes. Any approval will be conditional upon the landowner not running commercial or industrial uses from the outbuilding.</p>
Landowner	<p>I am unable to agree with this proposed development at this time while the property remains a strata title lot. Please refer to supporting documents.</p> <p>I do not agree with the proposed development because it will not be in keeping with the amenity of the Mount Bakewell Resort and the caravan park.</p>	<p>Unfortunately, the requirements imposed on the landowner under the Strata Titles Act 1985 is not a planning consideration.</p> <p>Lots 2 - 13 is not part of the Mount Bakewell Resort as it is defined under Town Planning Scheme No 2 as "Special Use 5". Lots 2 - 13 are utilised for residential purposes not resort purposes.</p>

<p>I understand the landowner does not live at Lot 12, why does he require an oversized outbuilding for a tenant?</p> <p>What will the proposed building be used for and what will be stored in it?</p> <p>As the cottage on Lot 12 is not registered on the strata plan, does the oversized outbuildings' gross floor space comply with the plot ratio restrictions of the Strata Titles Act 1985 Section 7A (3)?</p> <p>Will the unit entitlement preclude Lot 12 from building the proposed building?</p> <p>I do not agree because the oversized outbuilding exceeds the height limit of 2.1m for a shed, allowable under the Caravan Parks and Camping Grounds Regulations 1997. Schedule 7 11. Buildings on the facility (and) Schedule 7 12 Storage Sheds.</p> <p>The bulk of the building will be visible from the outside of Lot 12 with no possibility of screening to reduce the visual impact to the caravan park guests.</p> <p>The landowner is required to comply with the Strata Titles Act 1985 S7 and the Strata Titles Regulations 1996 in regards to the proposed development. It would appear the roof alterations carried out at Lot 12 in September 2010 are in breach of the Strata Titles Act 1985 as no approval was sought at a general meeting of the strata company to go ahead and build the 6m extension to the roof space. Does the extension have a current engineer's structural certificate and cyclone rating?</p> <p>Approval for the proposed development requires a "resolution without dissent of the strata company" STA 1985 s7(2)(d).</p> <p>I do not approve of the proposed development because any building that extends 2m above the upper surface of the floor becomes common property 4 Strata Plan 18228 (Annexure 1). It is not acceptable for other lot owners to have the added burden of</p>	<p>An outbuilding exceeding the maximum floor area described under the Residential Design Codes by 12m² is considered appropriate for a property with the area of 1,00m².</p> <p>Requirements under the specific strata plan applicable to Lots 1 - 13 are not valid planning considerations and should be addressed via the Strata Management Company.</p> <p>The Caravan Parks and Camping Grounds Regulations 1997 do not apply to Lots 2 - 13 as they are a residential component of "Special Use 5" and do not form part of the Caravan Park.</p> <p>There is a fence at the rear of Lot 12 which would aid in screening the outbuilding from view. Additional screening may be required under any approval issued.</p> <p>The legal access to Lots 2 - 13 was never created. Access was provided via two accessways to the north and south of the dwellings. The accessway to the north was cut off due to the erection of a fence between the boundaries of Lot 1 and Lots 2 - 13.</p> <p>Any non-compliance with the approved Strata Plan 18228 should be addressed through the Strata Management Company and would be civil matter between all strata unit holders.</p>
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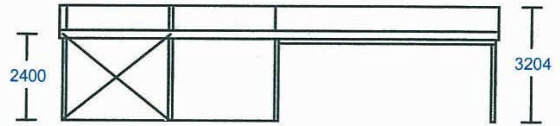
increased insurance premiums for this building.

There is no legal access to the property. The 3m common property access way between Lots 2 - 13 has been subsumed and closed. The battleaxe blocks created do not comply with the strata plan. How will vehicles access the property and will the fire tender continue to be unable to access the property in the event of a fire?

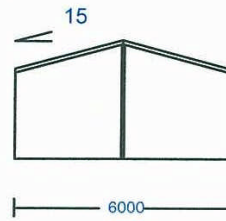
Plan View



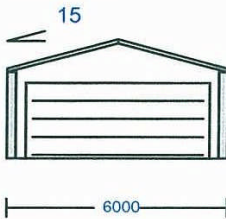
Left View



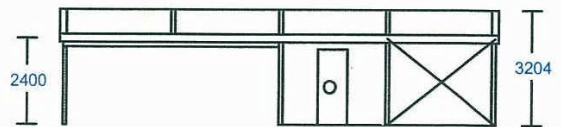
Rear View



Front View



Right View



TG & DT Edwards T/as THE Shed Company York

Unit 1/18 Forrest St
York WA
Phone: (08) 9641 2526
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Client - AIREY Alex
Site Address - 12 Eighth Road York
WA 6302
Quote Number - AIR-RS354

Date - 27/10/2010
By - Rob Reed
Wind Region - N/A
Wind Speed - 40 m/s

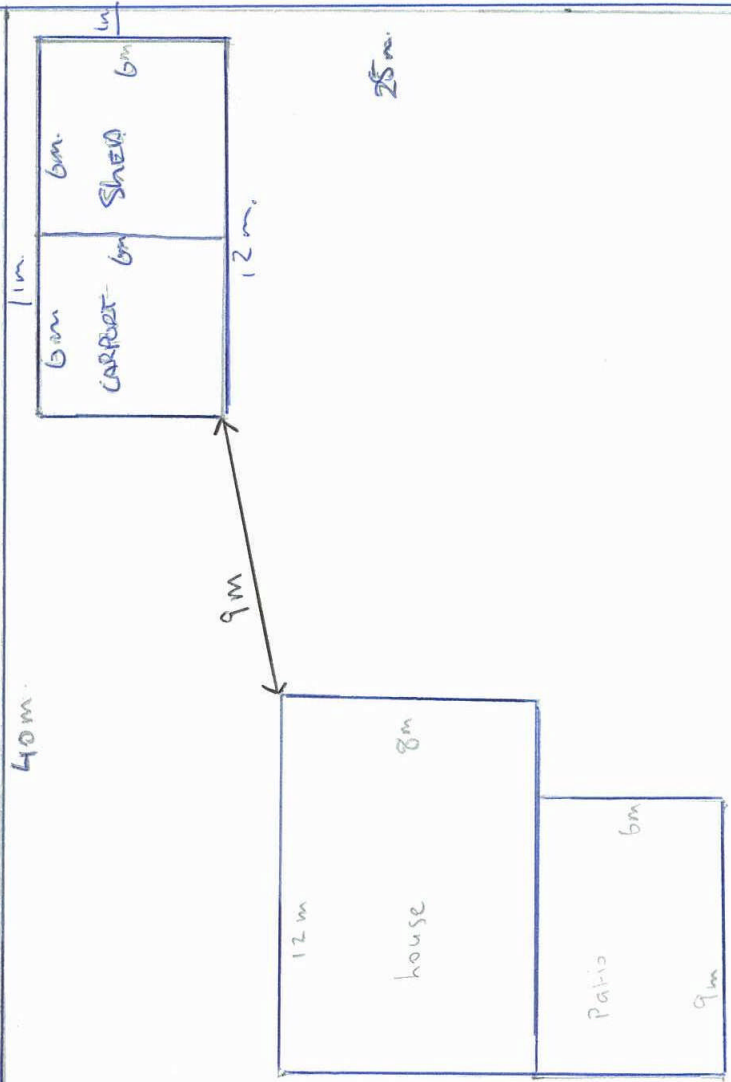
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Lot 12 Eighth RD.
York

Alex Geoffrey
Airey

0488 523 582.

Scale 1cm : 2m



entrance

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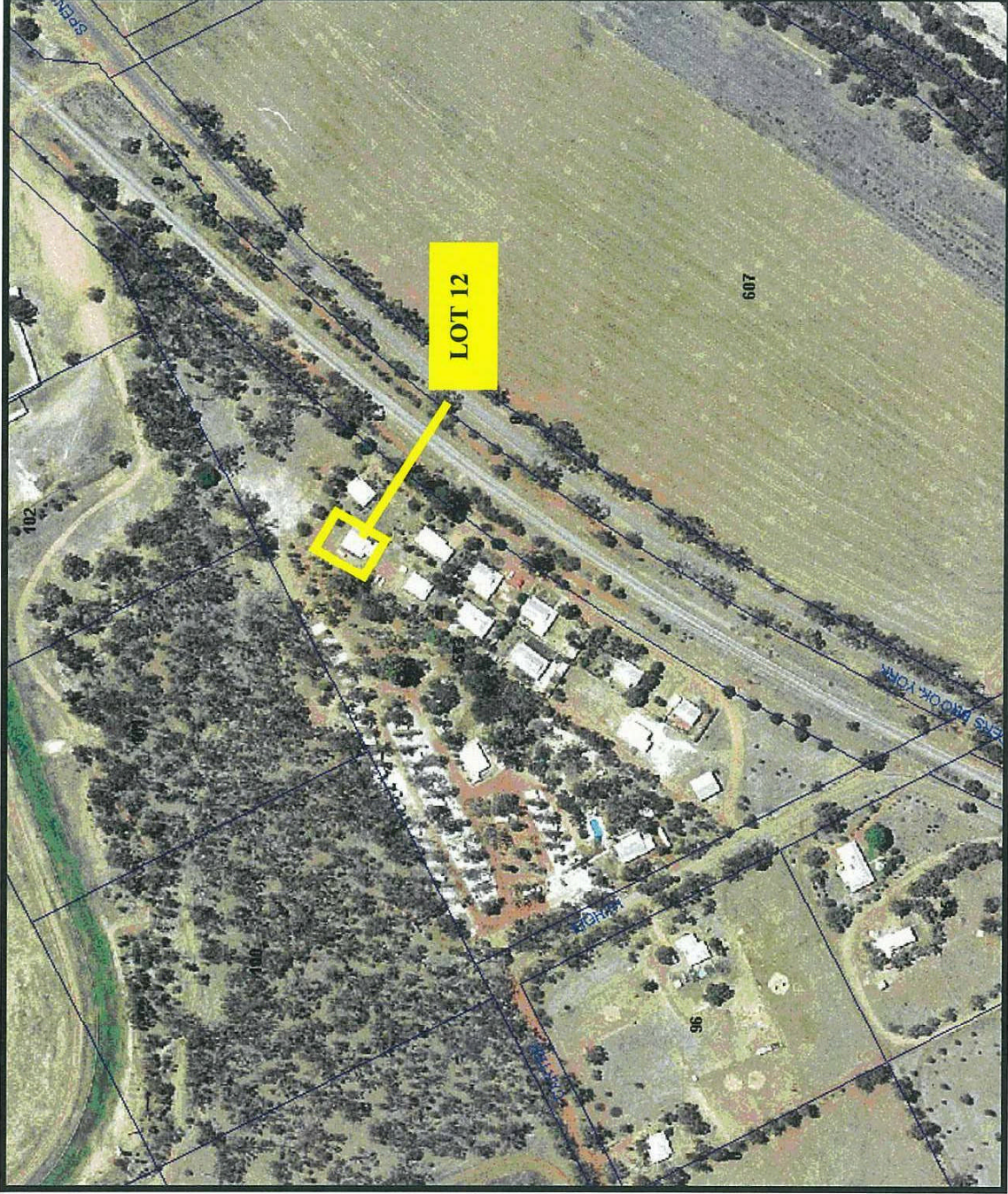


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