

Property Boundary – No. 101 (Lot 2011) Williams Road, Scotsdale (A366)



To whom it may concern,

This supporting letter outlines our rationale for applying for a third dwelling on our farm.

### **Background**

In 1982 Pauline and Michael McHenry (Mark's Mum & Dad) bought the 360 acre Denmark farm at 101 Williams Rd, Scotsdale (Hay Loc 2011). The farm was previously two rural titles that were merged in the 1960s. Michael and Pauline began formal farm succession planning for their two sons, Shaun and Mark back in 2005. It was at this time that we (Mark and Julia) expressed an interest in working and living on the farm. At the time we entered into a lease agreement for the purpose of building our registered farm (sheep) business and home. Our intention was that once we had completed our education and work commitments in Perth, we would move on-farm full-time to continue to grow the business and raise our family. We are now at that point.

In the last 15 years or so while operating the farm (sheep) business, we were studying and working as professionals, spending time in both Perth and Denmark. Most of the farm infrastructure was built/rebuilt by us personally. The days we were in Perth we were able to employ others to maintain the business, including Pauline and Shaun. We were able to purchase and grow the Perendale Stud from Pauline and Michael, which they started over 30 years ago. In addition to heavily investing in farm fences, trees, water pipes and troughs, in 2008 we applied for and built a dam for irrigation and a potential future house site (powered and watered). This site was next to one of the original 'Groupy' house site, which had been relocated to main house location. This historical farm site is where we seek to build a third dwelling. It is on the far side of the farm and central to the area of our farm lease, therefore enabling more efficient management of our farm business, especially during critical times, such as lambing.

Pauline retains ownership of the farm and remains active on the farm, and with our operations. Mum is a very experienced matriarch heading the family farm, and this is expected to remain for some time.

### **The third dwelling application**

In addition to main house, my brother Shaun and his family of five built a second house on his leased area in 2013. Therefore, to continue to run our business and remain on-farm, we are seeking permission for a third dwelling on the family farm (one rural title).

### **Our current family/housing situation**

We have a young family with three children aged 5 years and under, our eldest is attending Denmark Primary School. We previously commuted to the farm from Perth every 10 days or so to work extended weekends (4 days) for several years to run the sheep business while working part-time in Perth. For around 15 years we've all stayed in a single guest bedroom in Michael and Pauline's house. While this was adequate in the short-term, it is becoming unsuitable for both running the farm business and for settling our three children into school. The main house has four bedrooms comprised of two original small Groupy's and an extension built in the 1980s. Michael passed away in 2014, and there are now six people living in the main house. Needless to say, it is becoming a little crowded with our growing family and increasing farming activities. As our farm business is now well established, it is imperative to reside on-site for farm management and maintenance, especially during lambing and other critical times.

As a temporary measure to gain some living space, we are constructing a dance/music studio (detached habitable room, Class 1a). The dwelling is not able to be permanently habited, as per planning conditions. Instead it will be used as a home office/rehearsal space so that we can continue our off-farm and on-farm work.

### **To conclude**

This application seeks approval to build a third dwelling on the original Groupy house site on what is now Hay Loc 2011. The site remains excellent to oversee the paddocks and will enable us to better manage the eastern/northern side of the farm, as well as accommodate our growing family.

We feel that building a third house on the farm is essential for the sustainability of our established farm business. With the business expanding, it has become increasingly challenging to operate the business while we were located off-farm. We do not seek to subdivide, nor do we wish Mum to leave the farm. However, the main house is becoming increasingly small with the growth of our family and business. This is making it challenging to maintain the highly productive sheep operations that we have achieved in recent years, alongside our growing family.

We appreciate your time and consideration on this matter.  
Sincerely,

Dr Mark P McHenry & Dr Julia Anwar McHenry.



17 September 2019 - Attachment 8.1.2b



To whom it may concern,

As requested, we have provided additional information about our farming situation in relation to our application.

### **Uniqueness of the Farm**

We believe we have a special case for the third dwelling on the 360 acre farm based on the following:

- Our farm was previously two separate farms/titles, merged in the 60's, and is fairly large for the Mt. Lindesay area.
- We seek to build on the same site where the original farmhouse stood until the 1950s (it was relocated).
- We are a 'frontier property' surrounded on all sides by Mt Lindesay N.P., and have to rely on our own pest control.
- We have no shared fences with other farms (just the N.P.), requiring us to build/manage everything ourselves.
- There is not a one flat paddock. This requires intensive management for productivity and to prevent erosion.
- The western, southern, and eastern boundary is the Denmark R., and we have small creeks which add complexity.
- For effective farm management we have four self-built bridges/crossings on our side of the lease alone.
- We have extensive fencing protecting the large riparian/revegetated areas relative to the actual pastured areas.
- All existing farm infrastructure and houses are on the farm frontage – impractically distant from paddocks and infrastructure that requires intensive management (Sheep, troughs, pumps, boundary fences, etc...)
- The proposed third house is placed very well to manage the farm, and is close to farm infrastructure. We believe the original farmhouse site was chosen for many good reasons. For one example, it's better for seeing bushfires.

### **How Uniqueness Impacts Farm Management**

We have now successfully improved the farm and Perendale Stud, taking over from Pauline and Michael many years ago. We have invested heavily to attain high productivity, and for ease of management (as easy as it can be). We are finding a major limitation is the amount of time we spend travelling around the many tracks, bridges, and hills/valleys. This is despite redesigning the paddocks and internal roads and water infrastructure/gates to minimise the effort/time associated with checking stock/infrastructure.

The site where we seek to build the 3<sup>rd</sup> house has a great view to many paddocks and most dams. It's also much closer to where most of the damage occurs from kangaroos, and from where the foxes/dogs/vermin cross from the N.P. to our farm. This situation is particularly apparent at this time of the year when travelling to check the newborn lambs 2-3 times a day.

### **Long-term Farming Intentions**

We have owned the farm since 1982. Since 2005, we have had one 20-year lease drawn up by Michael and Pauline in a formal farm succession plan for their two sons (Shaun and Mark). We have an option to renew the lease for another 20 years (which is our intention) once the first 20-year lease expires in 2026. Pauline and Michael (Michael is now deceased) never wanted to subdivide, and Pauline retains sole ownership, still actively farms with us, and we are in full-support of Pauline's wishes.

### **As an industry partner in the Future Food Systems Cooperative Research Centre (FFSCRC).**

Our continued commitment to improving the farm has been recognised recently as we were selected as a research/industry partner in the Future Food Systems Cooperative Research Centre (CRC). It will receive \$35 million in Federal Government funding over the next 10 years. We are one of a few progressive WA-based small-to-medium enterprises selected for the adding value programme, which includes representatives of the truffle and mushroom industries, lamb and beef producers, horticulture, and technology companies. The FFSCRC aims to develop new technologies, products, and services to help solve major economic, environmental, and social challenges across the country's food supply chain, from farmers and food manufacturers.

We believe being a FFSCRC partner is strongly related to the house application, we will be undertaking several new plantings and experiments under the CRC which will further require efficient management, particularly near the water infrastructure.

### **The Present House-sharing Situation**

For around 15 years Julia and I had a single bedroom in Michael and Pauline's house. This was great until we had three kids, and moved in our extensive research/academic and musical and dance instrument collections. (This is the reason for the recent studio construction – for our 4 drum kits, a dozen or so guitars, amps/systems, and many dance costumes – it's an ~88m<sup>2</sup> open plan space with one room). It's formally a 'detached habitable room', Class 1a, and is not able to be permanently habited, as per planning conditions. That's another reason for the 3<sup>rd</sup> house (a 3 bed x 1 bath, so not large).

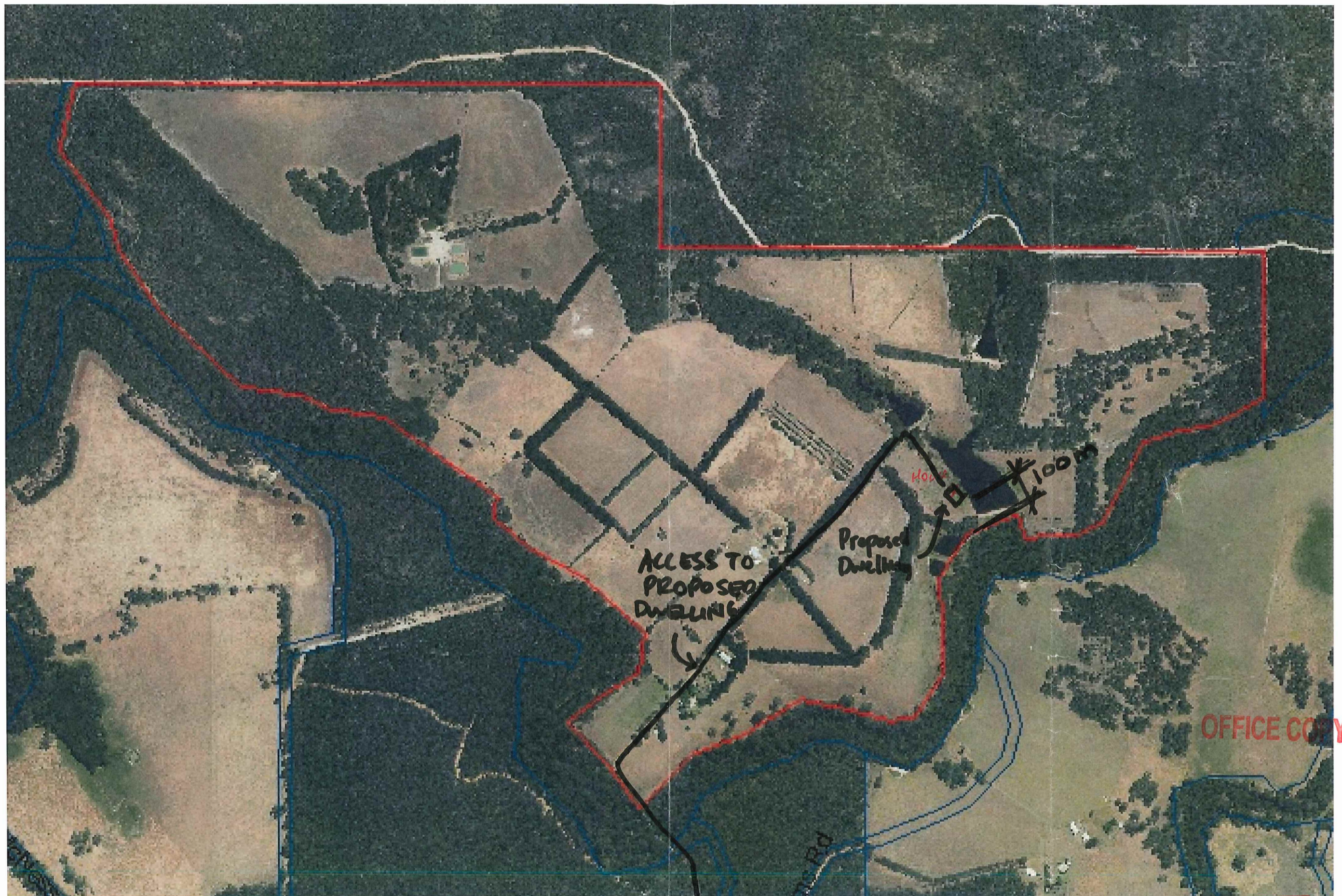
We again appreciate your time and consideration on this matter.

Sincerely,

Dr Mark P McHenry & Dr Julia Anwar McHenry.







ACCESS TO PROPOSED DWELLING

Proposed Dwelling

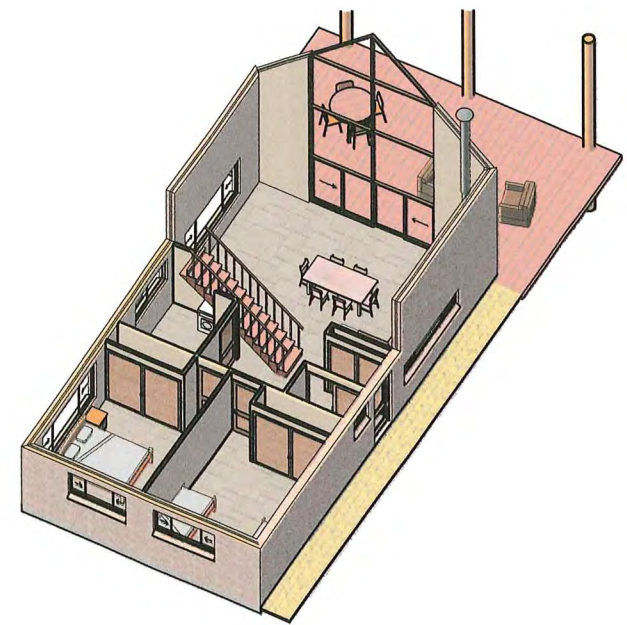
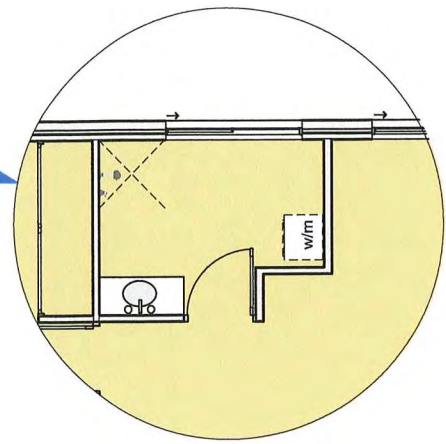
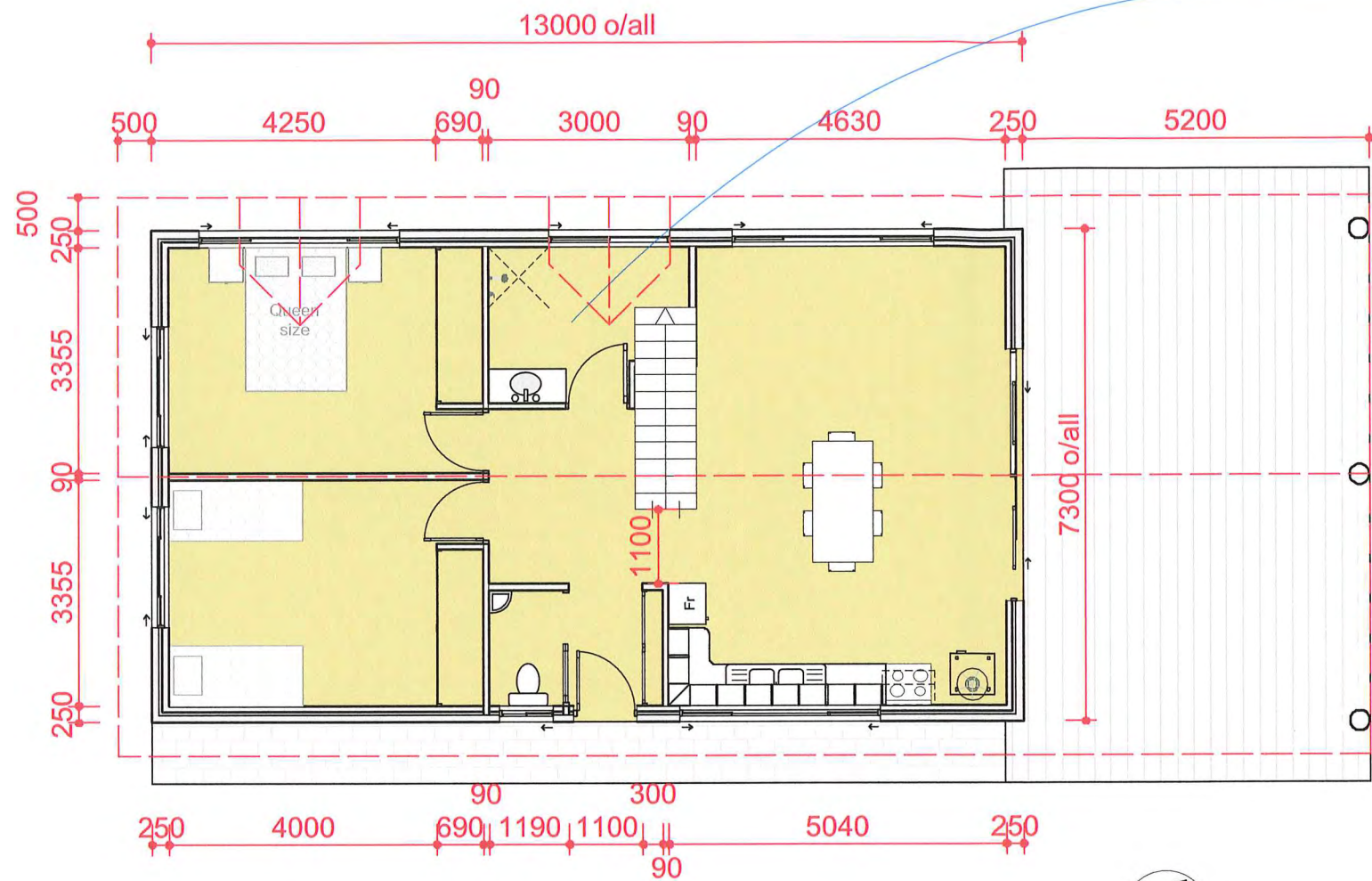
100m

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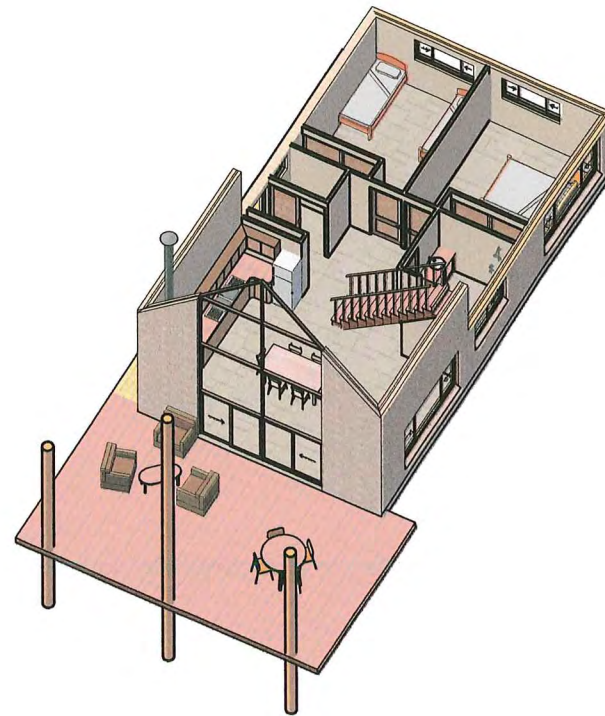
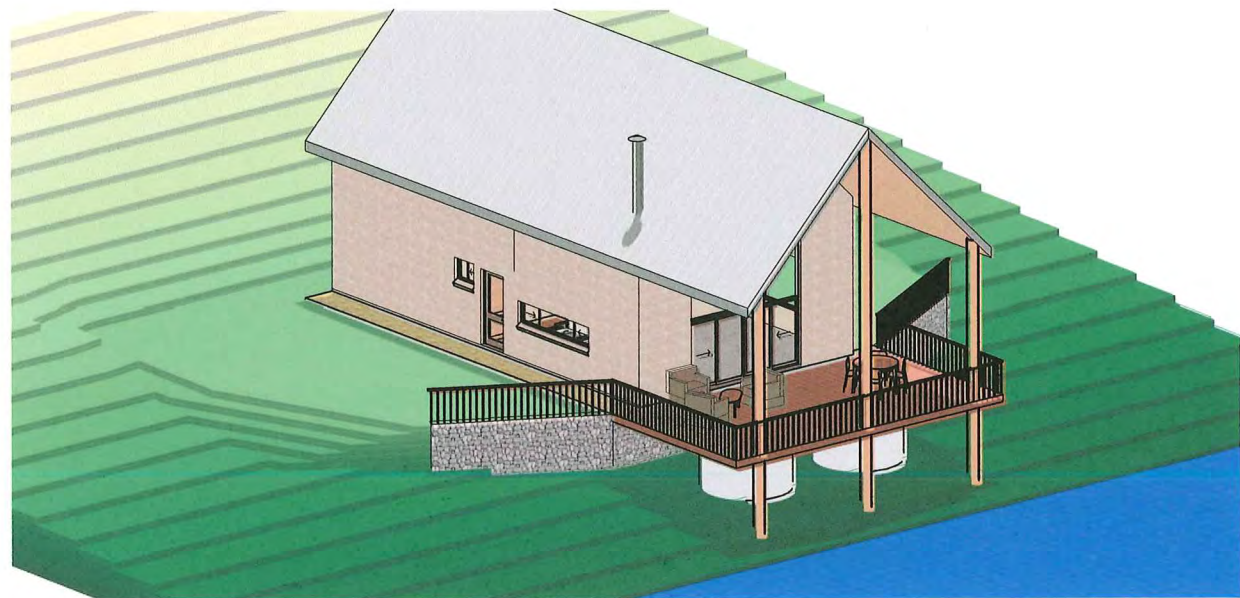
ACCESS VIA EXISTING DRIVEWAY

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Shire of Denmark



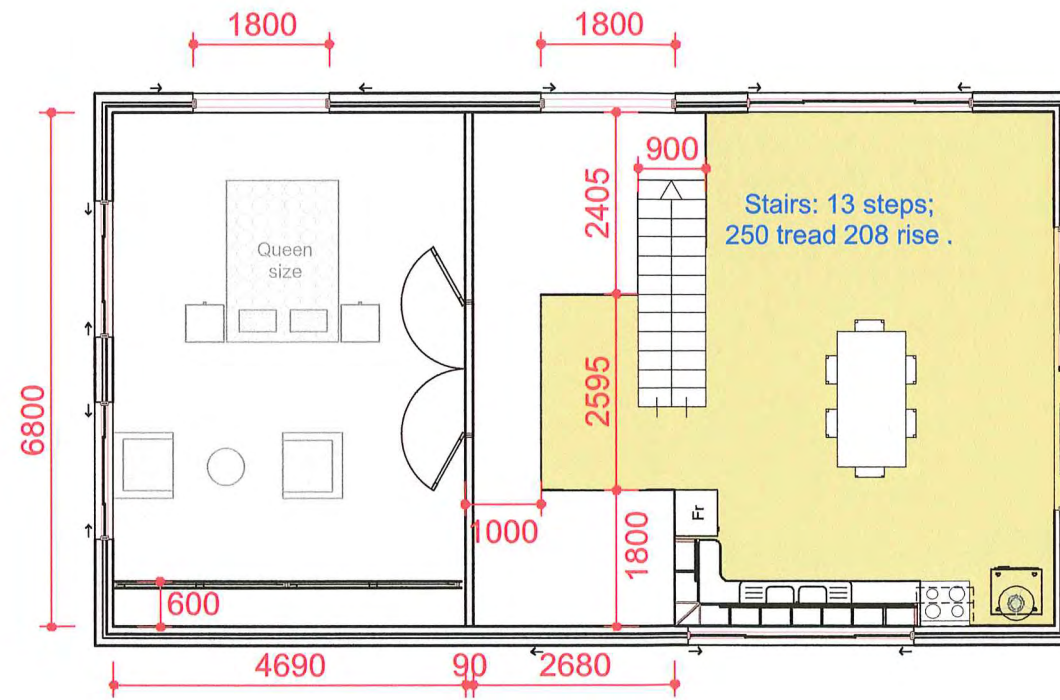
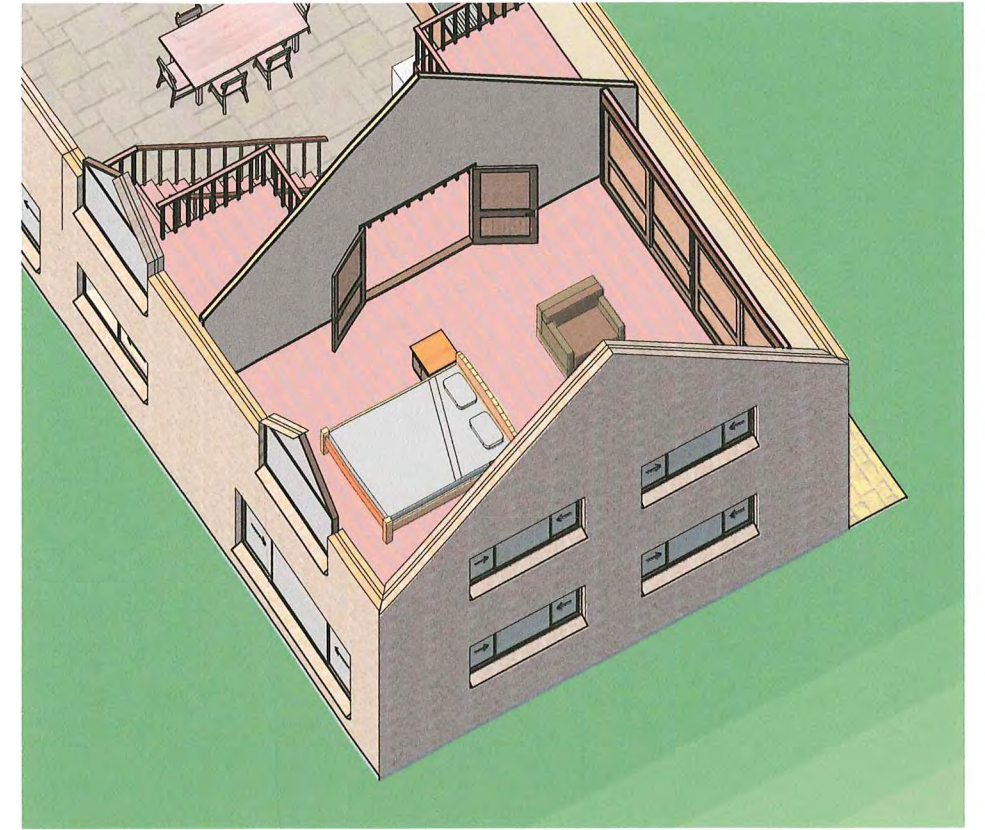
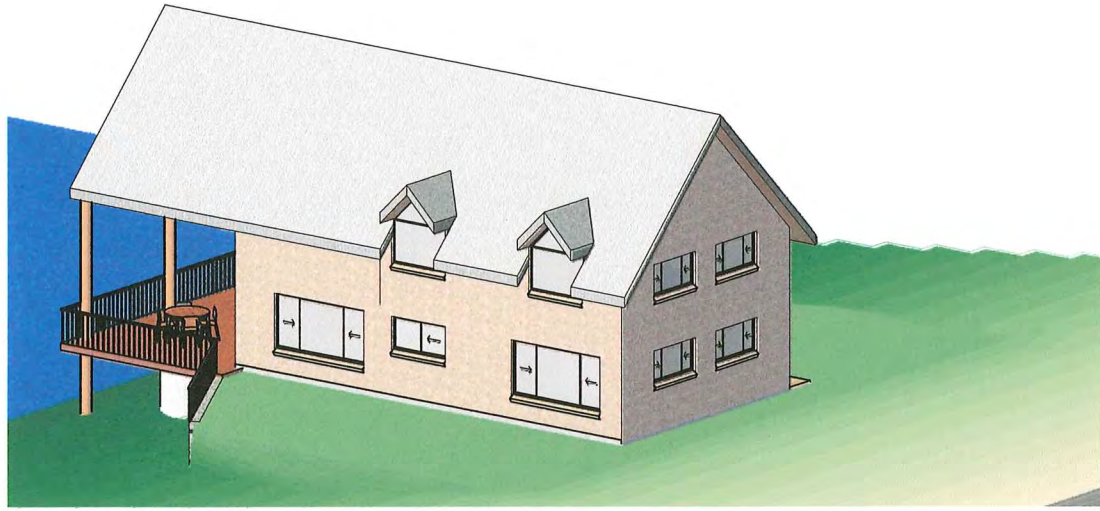


Floor Plan  
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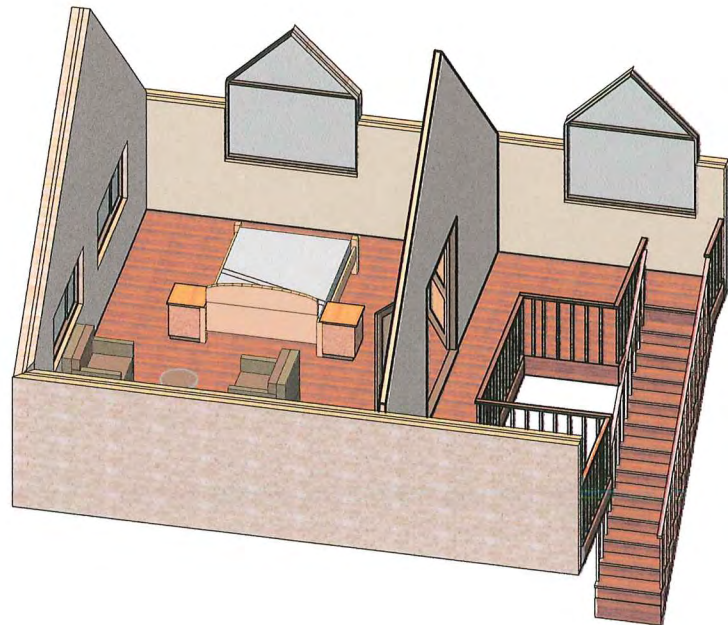


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Plan View  
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23 Mar 2019

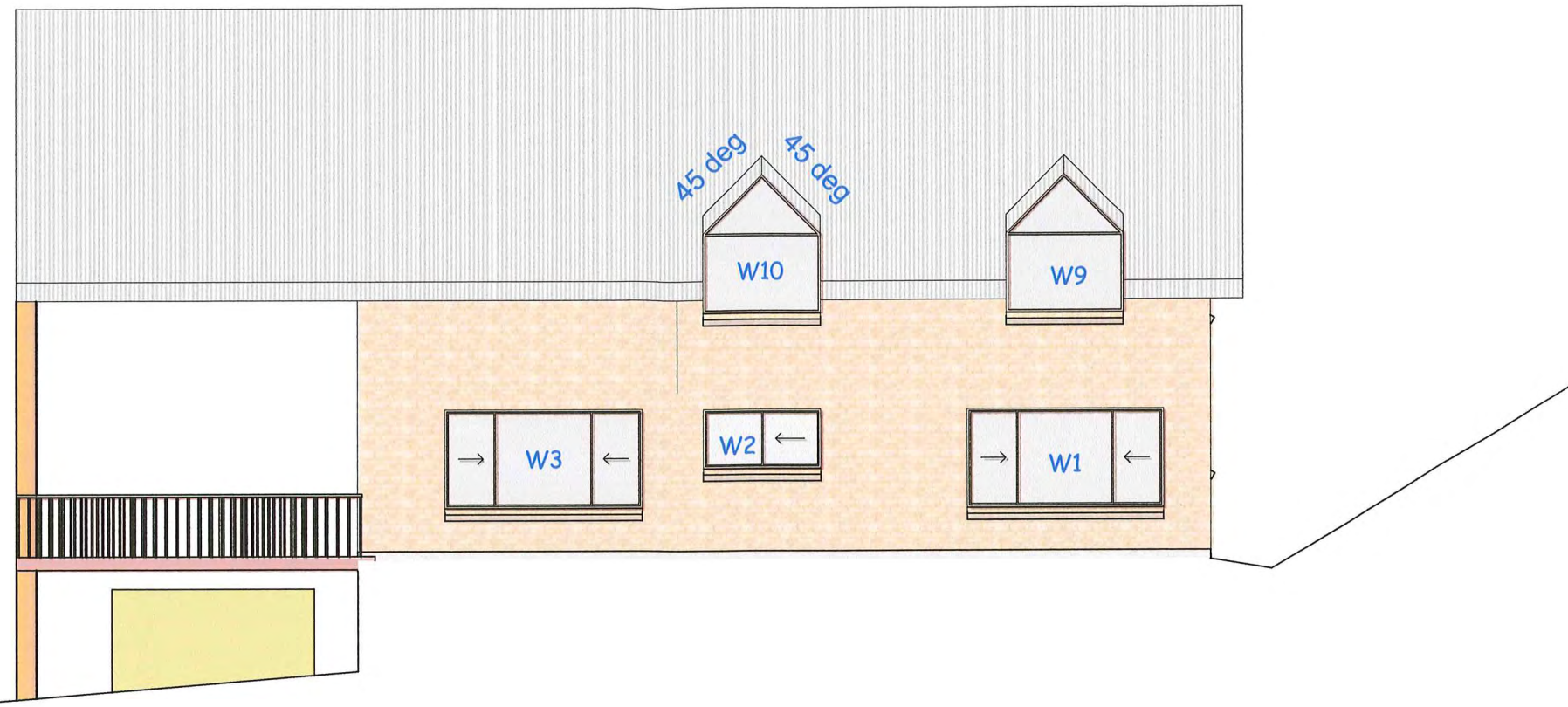
Sheet 4 of 12  
Loft

House for Mark and Julia



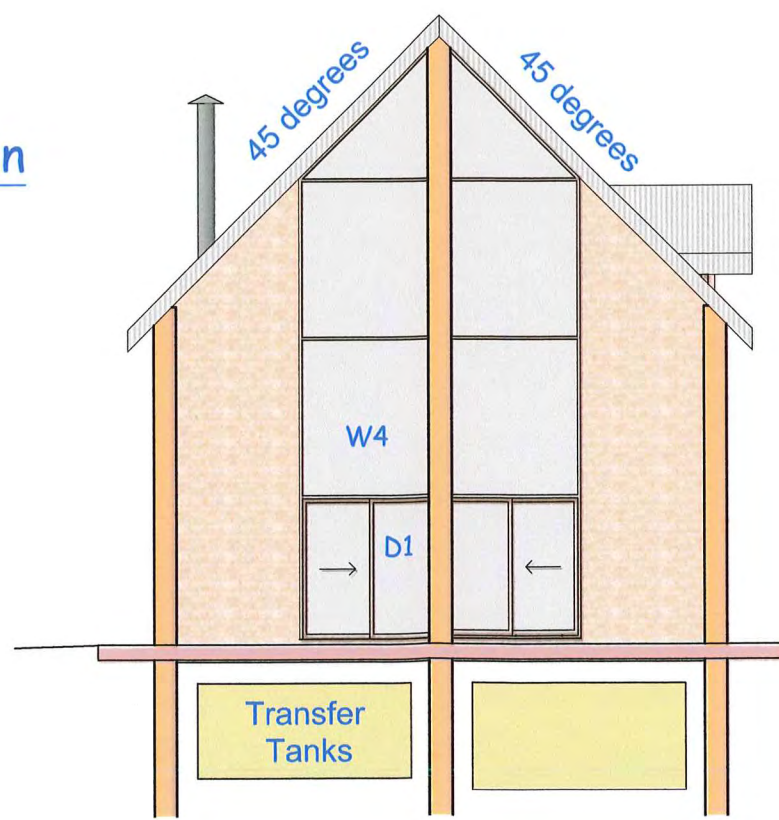
**North Elevation**

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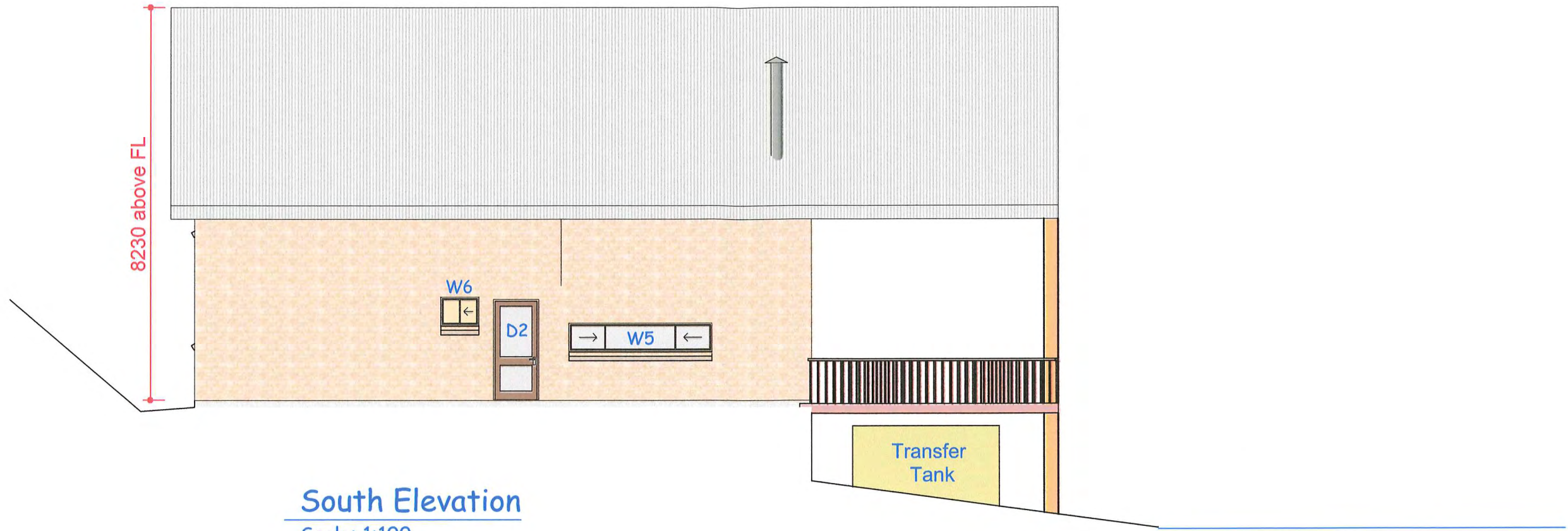
**East Elevation**

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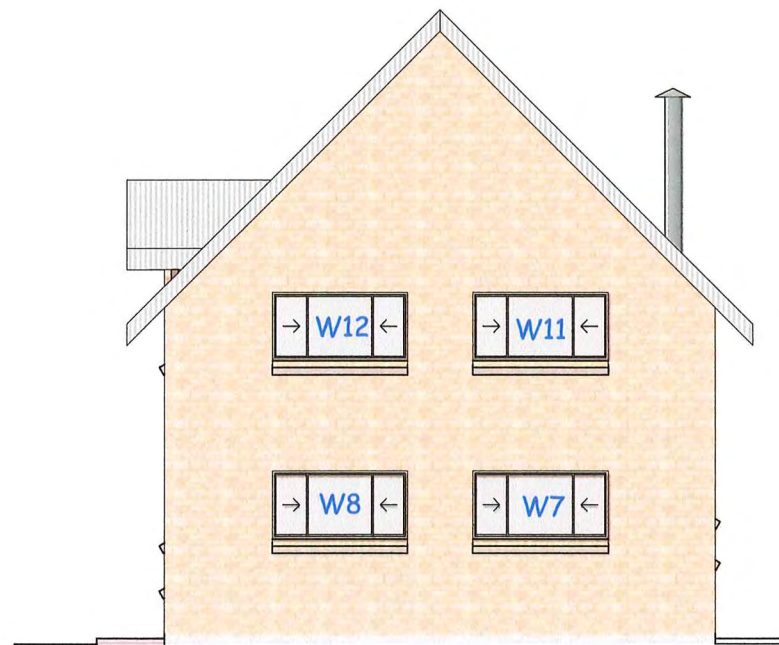


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**South Elevation**  
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**West Elevation**  
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## SHIRE OF DENMARK

### TOWN PLANNING SCHEME POLICY NO. 7

## SECOND DWELLINGS/ADDITIONAL HOUSES AND CHALET DEVELOPMENTS ON RURAL ZONED LOTS

The following levels of approval will apply to all proposals for Second Dwelling/Additional Houses and Chalet Developments within the Shire of Denmark.

|  | <b>APPROVAL<br/>CONDITIONS</b> |
|--|--------------------------------|
|--|--------------------------------|

#### Permitted Uses

- \*\* One Residential Dwelling
- \*\* Two Residential Dwellings (over 10ha)

#### Council's Discretion

- \*\* One Residential Dwelling and Chalet
- \*\* Two Residential Dwellings (less than 10ha)
- \*\* One Residential Dwelling and Two Chalets (A)
- \*\* Additional Houses (Total of three) (B)

#### Specific Approval

- \*\* One Residential Dwelling and Three or Four Chalets (C)
- \*\* Two Residential Dwellings and Four Chalets (C)

### AMENDMENTS TO TOWN PLANNING SCHEME

#### Appendix 2 - Schedule of Additional Use Sites Amendments

- \*\* One or Two Residential Dwellings and between five and eight Chalets (D)

#### Rezoning to Tourist Zone

- \*\* Chalet Developments that exceed eight Chalets (E)

### COUNCIL DISCRETIONARY APPROVAL CONDITIONS

- (A) (1) Chalets will require a source of potable water to a capacity of 92,000 litres for each chalet. (As per Department of Agriculture Guidelines.)
- (2) A once-off contribution for the upgrading or maintenance of the public road providing access to the chalets, based on an amount per chalet will be required.
- (3) All chalet development will be sited in a manner that will not impinge on the amenity or character of the area. Council may require additional vegetation screening to be planted and established prior to approval of the proposal.
- (4) In giving consideration, Council considers that each chalet will be a maximum of 2 bedrooms.
- (5) External building materials must be compatible with the site's surroundings.
- (6) The method of effluent disposal will be designed so that it has no detrimental impact upon the immediate environment of the site or neighbouring properties, i.e. pollution of water courses, springs, soaks, creeks and/or dams etc.



## **TPS Policy No. 7 .....(Cont)**

- (7) Council requires that all developers of chalets will provide and maintain a register of all persons that utilise the holiday accommodation during the year to Council's satisfaction. A receipt book must also be kept. The development must be registered as a "Holiday Accommodation Premises" and the fee payable will be utilised to undertake the yearly inspection of facilities.
- (B) (1) Any additional houses will need upon application to Council to substantiate that the dwelling is needed for management purposes of an existing rural enterprise.
- (2) In consideration of a proposed venture, Council will require that substantial progress has been taken to bring the venture into operation.
- (3) Requirements of a water source, road contribution(s), siting, effluent disposal and building materials will be as determined by Council.

### **SPECIFIC APPROVAL CONDITIONS**

- (C) (1) In rural areas, Council will only approve chalets that have frontage to a sealed road of a minimum width of 3.7 metres. If the road is not sealed, upgrading will be required as a condition of approval.  

In the event that the chalets are approved for land fronting a gravel road, Council will impose a condition that the developer seal this road to Council's satisfaction to a minimum width of 4.0 metres between the existing bitumen road and the access point of the development site.
- (2) All proposals will be advertised once in a paper circulating in the area seeking public comment for a period of not less than 21 days.
- (3) Chalets will require a source of potable water with a storage capacity of 92,000 litres for each chalet. (As per Department of Agriculture Guidelines)
- (4) All chalet development will be sited in a manner that will not impinge on the amenity or character of the area. Council may require additional vegetation screening to be planted and established prior to approval of the proposal.
- (5) External building materials must be compatible with the site's surrounding.
- (6) The method of effluent disposal will be designed so that it has no detrimental impact upon the immediate environment of the site or neighbouring properties, i.e. pollution of water courses, springs, soaks, creeks and/or dams etc.
- (7) Council shall determine on application the need for fire protection measures such as firebreaks, escape routes, clearing of vegetation and standpipe and hose facilities if necessary and in consultation with the Bush Fires Brigade.
- (8) Council shall determine on application that if warranted, a deceleration lane shall be constructed by the developer on the public road to Council standards to enhance traffic safety.
- (9) On the basis that Council can approve two (2) dwellings on a Rural lot, up to four (4) chalets may be approved by Council on an "SA" basis provided that:-



**TPS Policy No. 7 .....(Cont)**

- (a) one (1) house is occupied by persons involved in the farming of the property;  
and
  - (b) the other house is occupied by a Manager/Caretaker.
- (10) Council requires that all developers of chalets will provide and maintain a register of all persons that utilise the holiday accommodation during the year to Council's satisfaction. A receipt book must also be kept. The development must be registered as a "Holiday Accommodation Premises" and the fee payable will be utilised to undertake the yearly inspection of facilities.

**APPENDIX 2 - SCHEDULE OF ADDITIONAL USE SITES AMENDMENTS TO TPS3**

- (D) (1) Council requires that an amendment to the Town Planning Scheme is prepared by a qualified planning consultant or a suitably qualified and experienced person(s) familiar with the preparation of the statutory documents.
- (2) In preparing the document, the consultant shall pay due regard to the issues of:
- water supply
  - road network(s)
  - access/egress point(s)
  - fire control measures
  - effluent disposal
  - amenity (of surrounding area)
  - siting (management)
  - visual impact (screening)
  - building materials
  - impact on infrastructure
  - suitability of site for proposal
- and any other issue as determined by Council.
- (3) Council requires that all developers of chalets will provide and maintain a register of all persons that utilise the holiday accommodation during the year to Council's satisfaction. A receipt book must also be kept. The development must be registered as a "Holiday Accommodation Premises" and the fee payable will be utilised to undertake the yearly inspection of facilities.

**TOURIST REZONING**

- (E) (1) Council requires that an amendment to the Town Planning Scheme is prepared by a qualified planning consultant or a suitably qualified and experienced person(s) familiar with the preparation of the statutory documents.
- (2) In preparing the document, the consultant shall pay due regard to the issues of:
- water supply
  - road network(s)
  - access/egress point(s)
  - fire control measures
  - effluent disposal
  - amenity (of surrounding area)
  - siting (management)
  - visual impact (screening)



**TPS Policy No. 7 .....(Cont)**

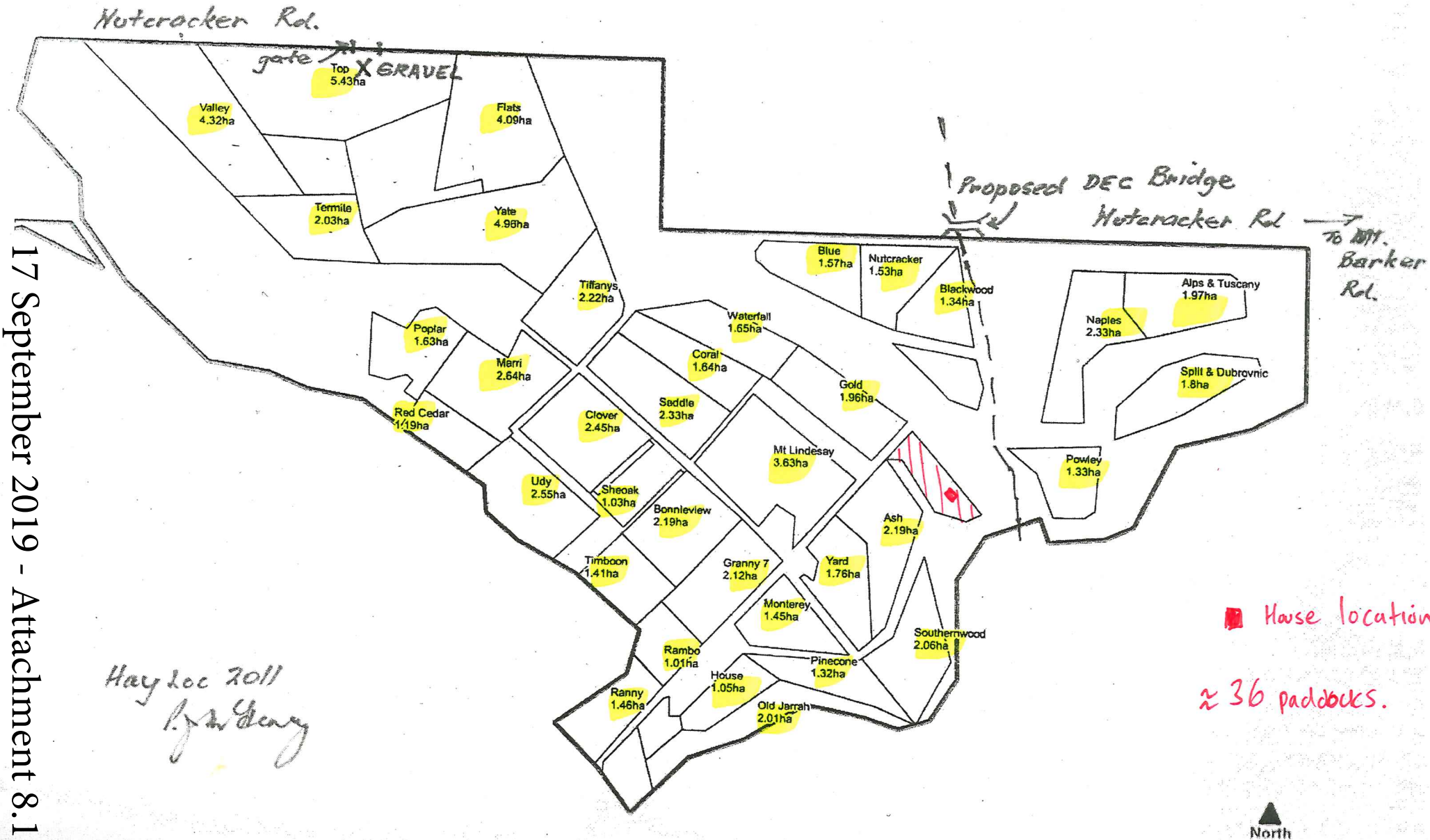
- building materials
- impact on infrastructure
- suitability of site for proposal

and any other issue as determined by Council.

*Adopted on 23<sup>rd</sup> June, 1998 in accordance with clause 8.2 of Town Planning Scheme No. 3*



ne) Paddock Map



17 September 2019 - Attachment 8.1.2d





# SITE VISIT RECORD FORM

**Subject Site:** No. 101 (Lot 2011) Williams Road, Scotsdale

**Date:** 5 September 2019

**By Whom:** Manager Sustainable Development Craig Pursey/Town Planner  
Laura Delbene

**File Ref:** A366 (2019/99)

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Proposed location of third house - concrete at base of poplar is the original Group house site.





Large gully dam



House site to left, gully dam to right, Mount Lindsey in background