

LPP 2.1 OUTBUILDING CONTROL

1.0 Policy Objectives

- 1.1 To specify local provisions which supplement the deemed-to-comply provisions of *State Planning Policy 3.1 – Residential Design Codes* for Outbuildings in the Shire of Collie.
- 1.2 To provide local housing objectives to guide judgements about the merits of proposals for residential developments with respect to local circumstances.
- 1.3 To ensure that all outbuildings, particularly those exposed to public view from a street, are sited and designed in a manner which will not detract from the amenity of the area.

2.0 Background

- 2.1 State Planning Policy 3.1 – Residential Design Codes (the R-Codes) includes provisions for decision-makers to prepare local planning policies to alter certain development standards of the R-Codes where a specific local need arises. The R-Codes also acknowledge that applications with proposals which do not satisfy the deemed-to-comply provisions of the R-Codes may need to rely more specifically on local housing requirements and design objectives.
- 2.2 This policy provides local housing objectives and varies relevant deemed-to-comply provisions of the R-Codes to assist in their implementation.

3.0 Application

- 3.1 This policy applies to all outbuildings (including carports) in the Shire of Collie where the proposal is incidental to a dwelling; or on vacant Rural Residential or Residential Development zoned land and shall be considered by application for planning approval under the Local Planning Scheme No.5 and approval under the R-Codes.
- 3.2 The Shire will also apply this policy when preparing and determining local structure plans and local development plans and will have regard to this policy when making recommendations to the Western Australian Planning Commission on subdivision of land for residential development, to ensure the lots created can be developed in accordance with this policy.

4.0 Legal Status

- 4.1 These policy provisions are adopted pursuant to Planning and Development (Local Planning Schemes) Regulations 2015, Schedule 2 (Deemed Provisions) clause 4;
- 4.2 If there is a conflict between this local planning policy and the Scheme, then the Scheme shall prevail.
- 4.3 This policy has due regard to, and should be read in conjunction with state planning policies. Of particular relevance to this policy are:
 - i) *State Planning Policy 3.1 – Residential Design Codes.*

- 4.4 Relationship to other local planning policies
This policy has due regard to, and should be read in conjunction with the Shire of Collie's other local planning policies (as amended). Of particular relevance to this policy are:
- i) LPP 1.1 Stormwater Discharge from Building Sites
 - ii) LPP 2.3 Temporary Accommodation
 - iii) LPP 3.1 Ancillary Dwellings
 - iv) LPP 4.1 Home-Based Businesses

5.0 Policy Statement

Local Housing Objectives

- 5.1 Local housing objectives describe Shire of Collie's intent for residential development in the Shire of Collie and are set out in the Local Planning Strategy.
- 5.2 Local housing objectives will guide judgements about the merits of proposals for residential development in the Shire of Collie.
- 5.3 Existing residential areas in Collie are characterised by a high proportion of sheds, most of which would exceed the deemed-to-comply criteria in respect of floor area and wall height than stated in Clause 5.4.3 - Outbuildings of the Residential Design Codes. This Local Planning Policy identifies alternative ways of meeting the Design Principles for the R-Codes that are considered to be appropriate to the established local character and amenity of Collie.

Deemed-to-comply proposals

- 5.4 The deemed-to-comply provisions of the R-Codes apply except as specified below:

Clause 5.4.3 Outbuildings

- C3 (iii) collectively do not exceed 60m² in area or 10 per cent in aggregate of the site area, whichever is the lesser;
- (iv) do not exceed a wall height of 2.4m;
- (viii) comply with setback requirements of Table 1, but in areas coded R15 or less, the rear setback requirement is determined by Tables 2a and 2b.

Design Principles proposals

- 5.5 Any element of a proposal that does not meet the deemed-to-comply provisions will be assessed against the relevant design principles of the R-Codes.
- 5.6 The following design principles will be considered in the determination of proposals assessed against the provisions set out in this policy:

Clause 5.4.3 Outbuildings

- P3 Outbuildings that do not detract from the streetscape or the visual amenity of residents or neighbouring properties.

6.0 Development Provisions

6.1 Maximum Floor Area

The total collective floor area of outbuildings on site shall be in accordance with Table 1: Maximum Size as follows:

Table 1: Maximum Size

Lot Size	Maximum Size of Outbuildings
700 m ² or less	70 m ²
701-1,000 m ²	81 m ²
1,001 m ² upwards	120 m ²
All Rural Residential zoned lots and Residential zoned lots greater than 2000m ²	250 m ²

Advice Note: Should standard size factory manufactured sheds be not more than 10% larger than the maximum size listed then the local government may exercise discretion in issuing approval based upon compliance with other development provisions.

6.2 Development within the Residential zone

Outbuildings should not be approved for construction on Residential zoned lots unless:

- (i) There is an existing Class 1 residential dwelling constructed on the Lot or the approval is issued concurrently with an application for a residential dwelling.
- (ii) A condition is placed on the approval preventing the owner from occupying the building unless approval for Temporary Accommodation is approved by the Shire of Collie.

6.3 Rural Residential zones and Residential Development zoned lots with no further subdivision potential

Outbuildings should not be approved for construction on Rural Residential zoned lots or Residential Development zoned lots with no further subdivision potential unless a condition is placed on the appropriate Approval preventing the owner from occupying the building except where a building is proposed to be used for 'temporary accommodation' and approval to occupy is granted with due regard to *LPP 2.3 Temporary Accommodation*.

6.4 Appearance

Non-painted steel wall cladding and roofing, (zincalume) or a similar building material will not be approved due to its reflective qualities unless it can be demonstrated that reflection will not cause undue impact to neighbouring properties or passing road traffic.

6.5 Setback

- 6.5.1 In the Residential Development, Rural 1 and Rural 2 zone, where a variation of the Development Standards is applied for domestic outbuildings, a minimum

setback of 5m for lots less than 1ha and 10m for lots greater than 1ha should be applied to retain the rural (open) character of the area.

- 6.5.2 Variations to Development Standards in the Residential Development, Rural 1 and Rural 2 zone shall not compromise the ability to provide a Fire Break in accordance with the annual Shire of Collie Fire Break Notice.

6.6 *Maximum Wall Height*

- 6.6.1 On lots zoned Residential and on all other zoned lots where the site area is less than 2020m², a maximum wall height of 3.5 metres applies.

7.0 **Variation of Development Requirements**

- 7.1 In exercising any discretion the local government should ensure that the variation will not contravene the following provisions of the Scheme.

(a) purpose and objectives of this Local Planning Policy;

(b) section 1.6 The Aims of the Scheme;

(c) section 4.2 Objectives of the Zones; and

(d) clause 67 'Matters to be considered by local government' of 'Part 9 – Procedure for dealing with applications for development approval' of 'Schedule 2 — Deemed provisions for local planning schemes' under the Planning and Development (Local Planning Schemes) Regulations 2015.

- 7.2 Any variations of this Policy must be accompanied by additional plans and elevations that visually demonstrate how the proposed structure will fit into the streetscape in relation to existing buildings. This may be in the form of a 3d image, photo montage or scaled elevations.

8.0 **Definitions**

'carport' means a roofed structure designed to accommodate one or more motor vehicles unenclosed except to the extent that it abuts a dwelling or a property boundary on one side, and being without a door unless that door is visually permeable

'garage' means any roofed structure, other than a carport, designed to accommodate one or more motor vehicles and attached to a dwelling

'outbuilding' means an enclosed non-habitable structure that is detached from any dwelling, but not a garage

Date of Adoption: 27/09/2018

Resolution: 7884

Date of Next Review: June 2020