



## Local Planning Policy 2.1 – Outbuilding Control

### 1.0 Citation

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This Policy may be cited as *LPP 2.1 Outbuilding Control*.

### 2.0 Introduction

Outbuildings are recognised as an important addition to residential dwellings as well as necessary for supporting agricultural and other rural land uses.

Existing residential areas in Collie differ from metropolitan areas and are characterised by relatively large (av 1000sqm) lots. Collie residents also tend to lead different lifestyles to those in metropolitan areas. Large lot sizes combined with a regional outdoor lifestyle has resulted in residents needing outbuildings such as sheds and carports that exceed the deemed-to-comply criteria of the Residential Design Codes (R-Codes), particularly in respect of floor area and wall height. This is largely due to the garaging of vehicles, boats and caravans or to provide domestic workshops, games rooms and studios.

Variations to the R-codes have been sought in the Scheme however this Local Planning Policy identifies further guidance on acceptable variations to the R-Codes that are considered to be appropriate to the established local character and amenity plus the needs of the Collie community.

In addition, this Local Planning Policy provides development provisions to guide development approval for outbuildings in Rural Residential, Urban Development and Rural zoned land and Shire managed Reserves.

The Rural Residential and Urban Development zones are predominantly viewed as providing land for residential purposes whilst the Rural zone primarily accommodates agricultural and other land uses appropriate to the zone. Therefore, development provisions for these different zones and their predominate uses vary accordingly.

### 3.0 Objectives

This policy seeks to:

- a) To accommodate outbuildings that meet the needs of the residents whilst being appropriate for the zone and land use;
- b) Ensure that outbuildings do not have adverse impacts on the streetscape, character, amenity, landscape or environmental attributes of the surrounding area;
- c) Exempt certain outbuildings from requiring Development Approval; and
- d) Provide guidance on the Development Approval requirements for outbuildings.



#### 4.0 Applications subject to this Policy

This policy applies to all outbuildings, sheds and any roofed attachments on Residential, Residential, Urban Development and Rural zoned land as well as Shire managed Reserves in the Shire of Collie.

An application for development approval is required to be lodged for all outbuildings that are not identified as exempt (i.e. not requiring development approval) under 7.1 of this policy or other Statutory Exemptions (6.0).

This policy **does not** apply to Light Industry, General Industry, Strategic Industry, Industrial Development or Rural zones.

#### 5.0 Application requirements

5.1 For an outbuilding in a Rural Residential, Urban development or Rural zone or for an outbuilding located on a Shire owned/managed reserve, applicants are required to complete and submit:

- a) An *Application for Development Approval* Form;
- b) Scaled site plan, floor plan and a minimum of 2x elevation plans; and
- c) Any other information or documentation that the assessing officer requires to verify that the objectives of the *Scheme* will be achieved.

5.2 For an outbuilding in a Residential zone, applicants are required to complete and submit:

- a) An *Application for Residential Design Codes Approval* Form;
- b) Scaled site plan including finished floor level relative to boundary reduced levels and common site benchmark, floor plan and a minimum of 2x elevation plans; and
- c) Any other information or documentation that the assessing officer requires to verify that the objectives of the *R-Codes* will be achieved.

#### 6.0 Statutory Exemptions

This Section provides guidance on the existing statutory development approval exemptions that apply to the construction of sheds and outbuildings. This section of the Policy has no implementation purpose, but merely highlights the exemptions of other planning instruments.

##### 6.1 The Deemed Provisions

The deemed provisions exempt outbuildings from development approval when the R-Codes apply, and all the applicable 'deemed-to-comply' provisions of the R-Codes are met.

##### 6.2 Modification of R-Codes

The following modification to the R-codes as contained within the Local Planning Scheme are exempt from requiring development approval:

*Outbuildings that do not exceed a wall height of 3m and collectively do not exceed 100m<sup>2</sup> in area or 10% in aggregate of the site area, whichever is the lesser are considered to meet the*



*deemed to comply provisions of the R-codes. These requirements are in substitution for 5.4.3 C3 of the R-codes.*

*Patios and carports with a setback of 0.5m to the lot boundary and with a maximum wall height of 3.5m and a maximum length of 9m are considered to meet the deemed to comply provisions of the R-codes. These requirements are in addition to 5.1.3 C3.1 (i-iv) of the R-codes.*

6.3 Schedule A – ‘Supplemental Provisions’ of the Scheme provides an exemption from development approval for:

*The erection or extension of an external fixture, boundary wall or fence, patio, pergola, veranda, garage, carport, water tank, or swimming pool on the same lot as a single house if a single house is a permitted use (“P”) in the zone where the R Codes do not apply and where the development standards set out in the Scheme for that particular zone (including boundary setbacks) are satisfied, unless the development is located in a place that is:*

- (i) entered in the Register of Heritage Places under the Heritage Act 2018; or*
- (ii) the subject of an order under the Heritage Act 2018 Part 4; or*
- (iii) included on a heritage list prepared in accordance with this Scheme; or*
- (iv) within an area designated under the Scheme as a heritage area; or*
- (v) the subject of a heritage agreement entered into under the Heritage Act 2018 section 90.*

## **7.0 Policy Exemptions**

This section of the Policy provides further exemptions for the requirement for development approval pursuant to Sch. 2, Pt. 7, Cl. 61(i) of the deemed provisions.

The following outbuildings are exempt from requiring development approval:

An Outbuilding which:

- a) has a floor area not exceeding 10m<sup>2</sup>; and
- b) is no more than 2.4m in height; and
- c) complies with any applicable development standards of the Scheme or ‘deemed-to-comply’ standards of the Residential Design Codes.

For example:

- Prefabricated garden sheds;
- Cubby houses;
- Aviaries;
- Dog kennels;
- Chicken coups; and
- Pool pump sheds

Please note development approval is still required for outbuildings on Shire managed reserves.



## 8.0 Development Provisions

Any element of an outbuilding proposal that is not considered exempt under Clause 6 or 7, or is proposed on a Shire managed reserve, requires a development approval and will be assessed using the development provisions below.

Meeting these conditions is not a guarantee for development approval and approval is subject to the discretion of the Shire of Collie.

All outbuildings proposed by a lessee on a Shire managed reserve requires development approval.

**Table 1 – Development Provisions According to Zone**

Provisions	Zone/Land Size			
	Residential <1000m <sup>2</sup>	Residential ≥1000m <sup>2</sup>	Urban Development	Rural Residential
<b>Max Aggregate Floor Area</b>	100m <sup>2</sup> or 12% of site area whichever is less	150 m <sup>2</sup> or 12% of site area whichever is less <sup>1</sup>	250 m <sup>2</sup> or 12% of site area whichever is less	250 m <sup>2</sup>
<b>Max Wall Height</b>	3.5m	3.5m	6m	6m
<b>Max Ridge Height</b>	4.5m	5m	9m	9m
<b>Setbacks</b>	As per Scheme and R-codes <sup>2</sup>			
<b>Zincalume</b>	No	No	No	No
<b>Building Approval for Class 1A Dwelling<sup>2</sup></b>	Yes	Yes	Yes	Yes

Note 1 – An additional 40m<sup>2</sup> for a detached garage or carport is permitted provided that there is no garage incorporated under the main roof of the dwelling.

Note 2 – As per Local Planning Scheme provisions

## 8.0 Variations of Development Requirements

Applications seeking variations to this Policy shall be determined in accordance with:

- The purpose and objectives of this Policy;
- The Local Planning Scheme –
  - Aims of the Scheme;
  - Reserve objectives;
  - Zone objectives; and
- Schedule 2 cl. 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015* - Matters to be Considered by Local Government.



## 9.0 Consultation

A proposal that is not in accordance with one or more clauses of this Policy may be advertised in accordance with the provisions of cl. 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Advertising may include:

- notification by post, email or other means of communication to property owners and occupiers that the Shire considers to be affected by the granting of development approval;
- publishing of a notice of the proposed development in a local paper;
- onsite signage;

The cost of any advertising in a paper and/or signage shall be met by the applicant.

## 10.0 Definitions

**Aggregate Floor Area** means the gross total area of all floors of **outbuildings** on a lot. For the application of this policy this includes any **roofed attachments**.

**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.

**Enclosed** means an area bound on three or more sides by a permanent wall and covered by a water impermeable structure.

**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. It also includes any **roofed attachments**.

**Patio** means an unenclosed structure covered in a water impermeable material which may or may not be attached to a dwelling.

**R-codes** means State Planning Policy 7.3 Residential Design Codes. These can be sourced at <https://www.dplh.wa.gov.au/rcodes>.

**Roofed attachments** means any roofed structure attached to, or within 500mm of, the **outbuilding** irrespective if they are an **enclosed** or **unenclosed** structure.

**Unenclosed** means an area bound on no more than two sides by a permanent wall/infilling feature.

Responsible Business Unit	Development Services
Adoption Date	15 December 2020
Next Review Date	November 2023