

25. Outbuildings

1. Background

Outbuildings are a necessary and desirable form of incidental development to dwellings. As lifestyle patterns and domestic storage needs have changed there is a trend toward the construction of larger outbuildings within the Shire. At the same time, there has been a trend towards smaller residential lots. If not sensitively located and designed outbuildings can impact on the amenity of nearby residents, the streetscape, character and environmental attributes of the area.

This policy therefore seeks to ensure that outbuildings are constructed to a high quality and design, are suitably sized for their context and appropriately located so they do not adversely impact on the surrounding area.

2. Objectives

- a) To provide a clear definition of what constitutes an “outbuilding”.
- b) To ensure that the siting, design and scale of outbuildings are site responsive and respect the character of an area.
- c) To encourage the use of outbuilding materials and colours that compliments the landscape and amenity of the surrounding areas.
- d) To ensure there is a relationship between the scale of the dwelling and the scale of the outbuilding.
- e) To provide a process for approving outbuildings that require Planning Consent in terms of the provisions of the Town Planning Scheme.

3. Legal Status/Considerations

This Policy has been adopted in accordance with Clause 2.4 of Town Planning Scheme No. 7.

4. Special Procedural Considerations

1. Where a landowner proposes to construct an outbuilding on a property and the proposed development requires a Planning Consent in terms of the provisions of the Town Planning Scheme, Council will require a Development Application to be lodged pursuant to Clause 6.1.2 (c) (i) of the Scheme. Said Development Application will then be assessed against the requirements of this Policy.
2. Council will assess Building Permit Applications for outbuildings against the requirements of this Policy. Where an outbuilding is considered to be inconsistent with the requirements of this Policy then the proposal requires a Development Application to be lodged pursuant to Clause 6.1.2 (c) (i) of the Scheme.

3. Outbuildings that comply with all the criteria specified in Columns B and C of Table 1 are deemed acceptable and will be approved without referral to neighbours for comment except where:
 - a) In the opinion of the Chief Executive Officer / Director Development Services potential adverse impacts on the streetscape may occur.
 - b) The proposed development does not comply with another provision of the Town Planning Scheme, the R-Codes or Local Planning Policy.
4. Applications for outbuildings that do not comply with one or more of the criteria specified in Columns B and C of Table 1 or that are subject to the provisions of Clause 5.3 of this Policy, will be advertised for public comment before being determined.

5. Policy Statement

5.1 Use

1. Unless a specific use has been approved by the Shire, an outbuilding may only be used for purposes ancillary to the existing / proposed dwelling.
2. In residential zones, outbuildings are only to be used for domestic storage or other domestic purposes associated with the dwelling on the same property.
3. In rural and rural residential areas where no dwelling exists on the property, the outbuilding is only to be used to store vehicles, goods and equipment associated with the maintenance or other use of the lot and the land owner's domestic storage.
4. Outbuildings are not to be designed or used for commercial or industrial purposes or human habitation unless specifically approved by the Shire for that purpose.
5. Uses such as Home Based Businesses, Cottage Industries or other discretionary uses provided for under the relevant zoning in the Town Planning Scheme, require the Planning Consent of Council and are subject to the necessary provisions of the Scheme.

5.2 General Provisions

1. No restriction on building area is placed on outbuildings within the Rural zones for lots 2ha and above.
2. Prior to the development of an outbuilding on a property, a dwelling must already be established on the land or intended to be established on the land concurrent with the construction of the outbuilding, except in rural zones. Intention to establish a dwelling on site can be established through an approved Planning Consent and/or Building Permit or a statutory declaration stating an intent to build within 12 months.
3. Outbuildings are not to reduce the minimum area of open space required for the associated dwelling as specified by the R Codes.

5.3 Siting

- 1 On land zoned Urban 4, 5, 8 or 9; outbuildings are to be located in accordance with the deemed to comply criteria and/or Design Principles of the R Codes.
- 2 On lots subject to the R Codes outbuildings are to be set back in accordance with Tables 1 and 2 of the R Codes.
- 3 On Special Residential / Rural Living / Rural lots containing an approved building envelope, outbuildings are to be located entirely within the building envelope.
- 4 On Special Residential / Rural Living / Rural lots where no building envelope exists, outbuildings are to be designed and located in a manner that:
 - a) Is in accordance with the setbacks applicable to the particular lot as stipulated in the Town Planning Scheme or relevant Local Planning Policy;
 - b) Is not visually obtrusive from neighbouring properties or the street and does not adversely impact on the landscape character of the surrounding area;
 - c) Does not impact on any native vegetation and other areas of environmental sensitivity.

5.4 Landscaping

- 1 The applicant may be required to plant landscaping or other screening to assist in reducing the visual impact of the outbuilding.
- 2 Where the Shire does approve an outbuilding in a location that requires the clearing of native vegetation, only the minimum amount of vegetation necessary for the construction of the outbuilding, associated firebreaks and access is to be cleared and the Shire may require the revegetation of at least an equivalent area of land on the lot.

5.5 Standards

Table 1

Column A	Column B		Column C
Lot Size	Maximum Floor Area (m ²)	Max Ridge height (m)	Conditions to be met for approval without advertising.
Urban Zones			I. The proposed outbuilding is located behind the existing dwelling; and II. The proposed outbuilding is set back from side and rear boundaries in accordance with Tables 2a and 2b of the R-Codes, is located entirely within an approved building envelope or is proposed to be located in accordance with the setbacks applicable to the particular area as stipulated in the Town
<270 m ²	50	3.6	
270 – 500m ²	50	3.6	
501 – 570m ²	60	3.6	
571 – 666m ²	70	3.9	
667 – 800m ²	90	4.2	
801 – 1000m ²	100	4.2	

1001 – 2000m ²	120	4.2	III. Planning Scheme or relevant Local Planning Policy; and The proposed outbuilding is constructed of a style and of colours and materials which are complementary to and compatible with the existing or proposed dwelling or in keeping with the amenity of the area
2001– 4000m ²	150	4.2	
4001- 5000m ²	200	5.0	
Over 5000m ²	300	5.0	
Rural Zones			
<5,000m ²	200m ²	5.0	I. The proposed outbuilding is located entirely within an approved building envelope or is in accordance with the setbacks applicable to the particular area as stipulated in a town planning scheme or relevant local planning policy and in keeping with the amenity of the area.
5,001m - 10,000m ²	300m ²	5.0	
1Ha+ - 2Ha	400m ²	6.5	
Lots > 2Ha	No Limit	9.0	

Notes:

1. A discretionary allowance of an extra 5% on the maximum floor area and maximum ridge height may be considered in cases where the stated maximum floor area allowed is unworkable for the location of a specific outbuilding or a higher ridge height is required to allow a specific outbuilding design. (Including the accommodation of standard designs and squaring off of the outbuilding).
2. The maximum floor area for outbuildings applies to the combined total floor area of all existing and proposed outbuildings on a lot.
3. Also see Exemptions.

5.6 Colours and Materials

5.6.1 Urban 5 Zone

1. Within the Moyanup Heights and Lake Moyanup Estate Policy Area no outbuilding exterior wall may be constructed of Zinalume, vivid white or off white (Colorbond) colour. The use of some secondhand materials may be considered by Council where such material is not the primary material and the condition and appearance of such material appears as new.
2. Within the Brooklyn Rise – Special Residential Zone no outbuilding exterior wall may be constructed of Zinalume, vivid white or off white (Colorbond) colour or secondhand materials.
3. Notwithstanding (a) and (b) above, the use of Zinalume material may be allowed at the discretion of the Chief Executive Officer.

5.6.2 Rural 6 Zone

1. In locations where the Town Planning Scheme prohibits the use of galvanized iron, Zinalume or white Colorbond, such material may not be used as exterior roofing or cladding within the Rural 6 – Rural Residential zone. Outbuildings should be constructed

from appropriate materials with earthy tones or neutral colours that are site responsive and sympathetic to the surrounding local environment.

2. In locations where the use of galvanized iron, Zinalume or white Colorbond is not prohibited by the Town Planning Scheme, the following factors shall be considered when assessing an application that proposes the use of these materials:
 - a. Materials and colour schemes of existing buildings
 - b. Setback distances and prominence of proposed outbuilding/s from adjoining properties and public roads.
 - c. Existing and/or proposed vegetation screening.

5.6.3 Special Design Precincts

1. Within a Special Design Precinct depicted on the Scheme map an outbuilding may not be constructed, altered or added to unless all external walls and party walls are constructed of brick, brick veneer, masonry or other materials approved by Council.
2. Within a Special Design precinct no outbuilding exterior wall may be constructed of galvanized iron, Zinalume, vivid white or off white (Colorbond) colour or secondhand materials.
3. Other materials that may be approved by Council include Colorbond and Hardiplank provided that a colour scheme that is complimentary to the existing/proposed dwelling is utilised.

5.6.4 All Other Zones

- a) In all other zones outbuilding are to be constructed of colours and materials that are complementary to and compatible with the existing or proposed dwelling or in keeping with the amenity of the area.

5.7 Exemptions

- 1 Outbuildings smaller than 9m² are considered exempt from the provisions of the policy.
- 2 Class 7 and Class 8 buildings, under the Building Code of Australia, located on Rural lots larger than 2Ha are considered exempt from the provisions of this policy.
- 3 Class 10a Buildings, under the Building code of Australia, located in the Rural 1 General Farming Zone on lots larger than 2Ha are considered exempt from the provisions of this policy.

Adoption / Amendments

Draft: **14.02.12 OCM12/02/005**

Final: **22.05.12 OCM12/05/059**

Amendment/s: **23.02.2016 OCM16/02/011**