

POLICY TYPE:	LOCAL PLANNING POLICY
DATE ADOPTED:	19/03/2020

POLICY NO:	1
DATE LAST REVIEWED:	

LEGAL (PARENT):	<i>Shire of Wandering Town Planning Scheme No. 3</i>
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LEGAL (SUBSIDIARY):	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i>
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DELEGATION OF AUTHORITY APPLICABLE:	Nil
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DELEGATION NO.	
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ADOPTED POLICY	
TITLE:	Sheds and Outbuildings Policy
OBJECTIVE:	<ul style="list-style-type: none"> To clarify the interpretation and application of Scheme provisions in relation to the development of sheds (outbuildings) and to maintain the character of the Shire and to ensure an adequate standard of residential accommodation. This policy applies to the whole Shire.

DEFINITIONS

The Deemed Provisions contained within the *Planning and Development (Local Planning Scheme) Regulations 2015* state in clause 3 that:

- The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.
- A local planning policy —
 - may apply generally or in respect of a particular class or classes of matters specified in the policy; and
 - may apply to the whole of the Scheme area or to part or parts of the Scheme area specified in the policy.
- A local planning policy must be based on sound town planning principles and may address either strategic or operational considerations in relation to the matters to which the policy applies.
- The local government may amend or repeal a local planning policy.
- In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.

Strategic or operational considerations do not replace or contradict the Scheme provisions.

Clause 67 then sets out the matters to be considered by local government when considering an application. A Local Planning Policy is just one of the 27 items which are listed for consideration.

BACKGROUND

Town Planning Scheme No 3 does not specifically define or list outbuildings as a separate use of land.

Within 'residential' areas outbuildings when developed in conjunction with a house are governed by the provisions of the Residential Design Codes (2010) and are defined as an enclosed non-habitable structure that is detached from any dwelling.

Carports and garages which abut or are attached to a dwelling are not included in this Policy.

Clause 6.10.1 of the R Codes requires that outbuildings do not detract from the streetscape or the visual amenity of residents or neighbouring properties.

Within 'rural' areas outbuildings are normally considered as being ancillary to the main use of the property.

Such uses defined within the Scheme include,

Use Class	Rural	Rural Residential	Rural Residential Blackboy Springs
Intensive agriculture	A	A	
Industry - rural	D	X	
Rural home business	D	D	
Rural pursuit	P	A	

Setback from lot boundaries *			
All boundaries	20m		
Front		30m	
Rear and Side		10m	
Moramockining Road			50m
State Forest or watercourse or drainage line			30m

* Lot boundaries means any individual allotment as defined within the Planning and Development Act 2005

POLICY STATEMENT

1. Outbuildings will not require Planning Approval from Council

(a) In the Residential Zone provided that:

- a dwelling already exists on the lot subject to the application;
- The aggregate of all outbuildings does not exceed 60 m², or 10 per cent in aggregate of the site area, whichever is the lesser;
- The outbuilding does not exceed 3.6m in wall height;
- The outbuilding does not exceed 4.5m in ridge height;
- The use of non-reflective natural colours which blend with the natural landscape to the satisfaction of the local government being used on all external surfaces of the outbuilding noting that unpainted zincalume cladding does not apply;
- The outbuildings shall only be used for purposes incidental to the residential use of the property;
- All buildings are setback from lot boundaries in accordance with the R Codes and BCA requirements; and
- The outbuilding in the is placed behind the main residential building line

(b) In the Rural Zone where they are for non-commercial or non-industrial purposes and are setback more than 20m from any front lot boundaries for any property not fronting Albany Highway.

(c) In the Rural Zone where they are for non-commercial or non-industrial purposes and are setback more than 500m from the front lot boundary for any property fronting Albany Highway.

(d) In the Rural Residential Zone provided that:

- a dwelling already exists on the lot subject to the application;
- The aggregate of all outbuildings does not exceed 120m², or 10 per cent in aggregate of the site area, whichever is the lesser;
- The outbuilding does not exceed 4.2m in wall height;
- The outbuilding does not exceed 5.4m in ridge height;
- The outbuildings shall only be used for purposes incidental to the residential or rural use of the property; and
- The use of non-reflective natural colours which blend with the natural landscape to the satisfaction of the local government being used on all external surfaces of the outbuilding noting that unpainted zincalume cladding does not apply.

2. Council in considering all applications for outbuildings will have specific regard to the proposed use and location of the outbuilding and how this might impact on the surrounding properties. It may require any such applications to be advertised and may (if it approves any such application) impose conditions relating to:

- The provision of landscaping;
 - In the Residential and Rural Residential Zones the use of non-reflective natural colours which blend with the natural landscape to the satisfaction of the local government being used on all external surfaces of the outbuilding noting that unpainted zincalume cladding does not apply.
 - The site being so ordered and maintained as not to prejudicially affect the amenity of the locality by reason of appearance
 - The outbuildings shall only be used for purposes incidental to the residential or rural use of the property.
3. Outbuildings will require the Planning Approval of Council in the Commercial, and Industrial Zones.
 4. Outbuildings will not be approved on vacant land within the Residential Zone.
 5. Outbuildings are not to be used for human habitation at any time.