

 <p data-bbox="359 291 550 403"><b>Shire of Serpentine Jarrahdale</b></p> <p data-bbox="335 414 574 436"><i>Sustainable. Connected. Thriving!</i></p>	<p data-bbox="686 224 1165 257"><b>LOCAL PLANNING POLICY NO. 36</b></p> <p data-bbox="686 257 853 291">Outbuildings</p> <p data-bbox="686 324 989 492">Final Version: 3 Updated: August 2015 File: SJ1117 Trim: E15/3046 Adopted:</p>
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## 1.0 Policy Objectives

The objectives of this Policy are to:

- *Provide guidance as to when a development will be approved by the Shire of Serpentine Jarrahdale;*
- *Ensure that the siting, design and scale of outbuildings are site responsive and respect the character of an area;*
- *Ensure that outbuildings complement the character of the primary dwelling and appear secondary in all regards to the primary dwelling;*
- *Ensure that outbuildings do not have a detrimental visual impact which adversely affects the amenity of the surrounding area;*
- *Ensure the use of outbuildings is incidental to the primary use operating on the land;*
- *Ensure outbuildings contribute towards the efficient use of water resources within the Shire; and*
- *Facilitate development that supports the intended function of an outbuilding.*

## 2.0 Background

The Shire of Serpentine Jarrahdale's *Strategic Community Plan* recognises the need to preserve the distinct character and lifestyle of our rural communities and provide for built form that accommodates their need. Outbuildings are often a necessary requirement for landowners within the Shire, in particular those living within rural areas. Outbuildings are to be developed in a manner responsive to their landscape and environment. This intent is closely aligned with the objectives of the *Strategic Community Plan*.

This Policy ensures applicants are fully aware of the information requirements necessary for lodgement and reduce unnecessary delays in the assessment and determination of these applications. This Policy clearly outlines Acceptable Development Requirements to provide development controls for the development of outbuildings within the Shire.

## 3.0 Application

This Policy applies to the development of outbuildings, as defined under Part 5.0 of this Policy, located in all areas of the Shire. This Policy does not apply to the following types of development:

- Ancillary Accommodation to be used for permanent habitable purposes (refer to *Local Planning Policy No.39 – Ancillary Accommodation*);
- A structure associated with an approved non-residential use, and
- Rural Workers Dwellings to be used for habitable purposes (refer to *Local Planning Policy No.46 – Rural Workers Dwellings*).

## 4.0 Status

(a) **Relationship to Town Planning Scheme No.2**

This Policy is a planning policy prepared, advertised and adopted pursuant to Clause 9.1 of Town Planning Scheme No.2 (TPS 2). All planning policies are documents supporting the Scheme and are to be read in conjunction with the provisions of TPS 2 relating to development applications.

(b) **Relationship to other documents**

This Policy has due regard to, and should be read in conjunction with State Planning Policies, the Shire's Local Planning Policies (LPPs) and other legislative documents which may be relevant to applications for the development of outbuildings.

## 5.0 Interpretations

For the purposes of this Policy, the following definitions apply:

'Outbuildings' - Refers to an enclosed non-habitable structure that is detached from any dwelling. This includes but is not limited to sheds, water tanks, carports, gazebos and any freestanding structure which is enclosed by more than 50%, but excludes a garage.

Note: The maximum floor area for outbuildings applies to the combined total floor area of all existing and proposed outbuildings on a lot.

'Lean-to' - Refers to an ancillary structure to an outbuilding that is attached to an existing or proposed outbuilding and has at least three open sides, generally designed to accommodate one or more motor vehicles.

'Natural Ground Level' - Refers to the level on a site which precedes the proposed development, excluding any site works unless approved by the Council or established as part of subdivision of the land preceding development.

## 6.0 Policy Provisions

6.1 All applications for outbuilding development shall require planning approval prior to the submission of a Building Permit application. Applications shall be assessed against the following factors:

- The provisions contained within this Policy;
- Consistency with a Detailed Area Plan or other site specific guidance including Building Exclusion Zones, or Building Envelopes, where applicable;
- The impact of the proposed development on local heritage places contained within the Register maintained by the Heritage Council under the *Heritage of Western Australia Act 1990*.

6.2 Compliant applications - An application that is compliant with the Acceptable Development Requirements detailed within Table 1 of this Policy. Such applications require a development fee as determined by the *Planning and Development Regulations 2009* which will be payable prior to planning approval.

6.3 Performance Based applications (20% variation) - An application that departs from the Acceptable Development Requirements detailed in Table 1 of this Policy within a 20% variation. Performance based applications shall only be considered upon submission of a clear, written justification for the proposed variance and the payment of relevant fees. Such applications will require a development fee as determined by the *Planning and Development Regulations 2009*, and may also

require a Council fee if the application is required to be determined by Council. Fees will be payable prior to planning approval.

- 6.4 ***Non-Compliant applications*** - Where an application is deemed to be non-compliant with this Policy, the planning application shall only be supported by the Shire where it can be demonstrated that exceptional circumstances prevail, and will only be considered upon submission of a clear, written justification for the proposed non-compliance and the payment of relevant fees. Such applications will require a development fee as determined by the *Planning and Development Regulations 2009* and will also require a Council fee as such applications are required to be determined by Council.
- 6.5 Written justification for performance based and non-compliant applications shall include but is not limited to the following:
- Addresses key objectives of this Policy.
  - Justify the reason/s for non-compliance with the Acceptable Development Requirements.
  - Mitigate issue/s of non-compliance, which may include:
    - landscaping and screening vegetation
    - setback and siting
    - design, external finish and visual impact
    - cumulative impacts
  - Provide supporting information, which may include:
    - bushfire and natural hazard management mechanisms.
- 6.6 Applications deemed by the Shire to be performance based or non-compliant are required to be advertised as a part of the planning assessment.
- 6.7 It is the Shire's expectation that all 'Rural' zoned lots stormwater be retained/disposed on-site and/or used for bushfire protection purposes. This may be achieved through the use of rainwater tanks. Where it is not practical for this to be achieved, the applicant is to provide written justification.
- 6.8 Applications will be assessed in accordance with the most suitable category under Table 1 as determined by the Shire.
- 6.9 Any proposed roofed structure that does not clearly fall within the definition of an outbuilding and lean-to, or any other structure defined under the Scheme, will be assessed in accordance with this Policy and will be restricted to the total floor area requirements identified in Table 1.
- 7.0 Lean-To**
- 7.1 The maximum size of an ancillary "Lean-To" shall be 30% of the roof cover of the existing or proposed outbuilding.
- 7.2 For the purposes of calculating total floor area of an outbuilding(s), a lean-to is deemed to form part of the overall floor area if it is enclosed on two (2) or more sides (including the shared wall with the existing or proposed outbuilding).
- 7.3 All lean-tos shall be constructed of materials that match or complement the proposed / existing adjoining outbuilding.

**Table 1: Acceptable Development Requirements - Floor Area and Height**

Zoning/Area	Floor Area		Maximum Height* (Measured from Natural Ground Level)	
	Acceptable Development	Performance Based (20% variation)	Wall (metres)	Roof Ridge** (metres)
Rural Zone ( $\geq 40$ ha)	$\leq 500\text{m}^2$	$> 500\text{m}^2 - \leq 600\text{m}^2$	5	6
Rural Zone (4ha – 40ha)	$\leq 300\text{m}^2$	$> 300\text{m}^2 - \leq 360\text{m}^2$	5	6
Farmlet Zone (4ha – 40ha)	$\leq 300\text{m}^2$	$> 300\text{m}^2 - \leq 360\text{m}^2$	5	6
Rural Living B/Special Rural Zone (2ha – 4ha)	$\leq 200\text{m}^2$	$> 200\text{m}^2 - \leq 240\text{m}^2$	4.5	5
Rural Groundwater Protection (approx. 2ha)	$\leq 200\text{m}^2$	$> 200\text{m}^2 - \leq 240\text{m}^2$	4.5	5
Rural Living A (1ha – 2ha)	$\leq 150\text{m}^2$	$> 150\text{m}^2 - \leq 180\text{m}^2$	4.2	5
Rural Living A (4000m <sup>2</sup> – 1ha)	$\leq 120\text{m}^2$	$> 120\text{m}^2 - \leq 144\text{m}^2$	4.2	5
Special Use Zone – Conservation Living	$\leq 200\text{m}^2$	$> 200\text{m}^2 - \leq 240\text{m}^2$	4.2	5
Special Use Zone – Darling Views Estate	$\leq 150\text{m}^{2***}$	$> 150\text{m}^2 - \leq 180\text{m}^2$	3.5	5
Special Residential ( $\geq 2000\text{m}^2$ ).	$\leq 100\text{m}^2$	$> 100\text{m}^2 - \leq 120\text{m}^2$	3.2	4.5
Residential/Urban Development (1000m <sup>2</sup> – 2000m <sup>2</sup> )	$\leq 100\text{m}^2$	$> 100\text{m}^2 - \leq 120\text{m}^2$	3.2	4.5
Residential (R10 – R80)	$< 60\text{m}^2$ or 10% of lot area, whichever is the lesser	$> 60\text{m}^2 - \leq 72\text{m}^2$	2.4	4.2

\* Maximum height measured from natural ground level, as defined in Section 5.0 of this Policy.

\*\* A higher roof ridge height may be approved where an outbuilding proposes PVP (solar) panels. The Shire of Serpentine Jarrahdale understands a 20° pitch is required to be able to facilitate this.

\*\*\* Applications proposing a greater floor area than the acceptable development will be required to provide evidence the shed is associated with the Light Industrial use as defined in the Scheme and complies with the provisions identified in Appendix 2 of the Scheme.