

|                                    |   |
|------------------------------------|---|
| <b>Responsible Directorate</b>     | Development Services                      |
| <b>Responsible Business Unit/s</b> | Statutory Planning                        |
| <b>Responsible Officer</b>         | Manager Statutory Planning and Compliance |
| <b>Affected Business Units</b>     | Statutory Planning                        |

## Objective

- *Ensure that the siting, design and scale of outbuildings/sheds are site responsive and respect the character of the locality.*
- *Ensure that outbuildings/sheds do not have a detrimental visual impact which adversely affects the amenity of the surrounding area or that of adjoining landowners*

## Scope

This policy applies to all outbuildings, sheds, garden sheds and sea containers within the Shire.

## Policy

The Shire recognises that outbuildings and sheds are a necessary component to meet the storage needs of residential, rural and commercial properties. However, there is a need to ensure that outbuildings are sensitively located, constructed to a high design quality, and appropriately scaled so as to protect the amenity of the locality. This policy also acknowledges the size of outbuildings and sheds in the various zoned land in the Shire can vary due to differences in lot sizes.

(insert brief introduction)

## Provisions

### 1. Matters Exempt from Development Approval

- 1.1 A proposal for a shed, outbuilding, garden shed or sea container that is compliant with Tables 1, 2 or 3 as well as all other provisions of the R-Codes and the Shire's Town Planning Scheme, does not require an application for development approval to be submitted to the Shire.
- 1.2 Where a proposal does not comply with Table 1, 2 or 3, an application for development approval is required to be submitted to the Shire and will be assessed in accordance with Part 3 of the Policy.
- 1.3 The placement of a sea container anywhere on a lot, does not require development approval if the sea container is situated on any private property for no longer than 48 hours.



**Table 1 – Matters Exempt from Development Approval – Outbuildings and Sheds**

| Zone / Lot size   | Floor Area (accumulative*)            | Wall Height | Ridge Height | Street Setback           | Lot boundary setback               |
|---|---------------------------------------|-------------|--------------|--------------------------|------------------------------------|
| <ul style="list-style-type: none"> <li>Rural (≥ 40ha)</li> </ul>  | ≤500m <sup>2</sup>                    | 5m          | 6m           | 20m                      | 10m                                |
| <ul style="list-style-type: none"> <li>Rural (4ha – 40ha;</li> <li>Farmlet</li> </ul>   | ≤ 300m <sup>2</sup>                   | 5m          | 6m           | 20m                      | 10m                                |
| <ul style="list-style-type: none"> <li>Rural (2ha-4ha);</li> <li>Rural Living B;</li> <li>Special Rural</li> <li>Rural Groundwater Protection</li> </ul>  | ≤ 200m <sup>2</sup>                   | 4.5m        | 5m           | 20m                      | 10m                                |
| <ul style="list-style-type: none"> <li>Rural Living A</li> <li>Special Residential</li> </ul>   | ≤ 150m <sup>2</sup>                   | 4.2m        | 5m           | 20m                      | 10m                                |
| <ul style="list-style-type: none"> <li>Special Use Zone – Conservation Living</li> </ul>  | ≤ 200m <sup>2</sup>                   | 4.2m        | 5m           | As per building envelope | As per building envelope           |
| <ul style="list-style-type: none"> <li>Special Use Zone – Darling Views Estate</li> </ul>   | ≤ 150m <sup>2</sup>                   | 4.2m        | 5m           | As per building envelope | As per building envelope           |
| <ul style="list-style-type: none"> <li>Residential (≥ 1,000m<sup>2</sup>)</li> <li>Urban Development (where designated as Residential under a Structure Plan) (≥ 1,000m<sup>2</sup>)</li> </ul> | ≤ 100m <sup>2</sup>                   | 3.2m        | 4.5m         | As per R-Codes/TPS       | As per Tables 2a and 2b of R-Codes |
| <ul style="list-style-type: none"> <li>Residential (≤1,000m<sup>2</sup>)</li> <li>Urban Development (where designated as Residential under a Structure Plan) (≤ 1,000m<sup>2</sup>)</li> </ul>  | As per R-Codes                        |             |              |                          |                                    |
| <ul style="list-style-type: none"> <li>All other zones</li> </ul>   | Not exempt from development approval. |             |              |                          |                                    |

\*Note: The floor areas is based on the floor area of all outbuildings and/or sheds on sites



**Table 2 – Matters Exempt from Development Approval – Garden Sheds**

| Zone / Lot size   | Garden Shed Requirements              | Wall Height | Ridge Height | Street Setback     | Lot boundary setback |
|---|---------------------------------------|-------------|--------------|--------------------|----------------------|
| <ul style="list-style-type: none"> <li>Rural</li> <li>Farmlet</li> <li>Rural Living A and B</li> <li>Special Rural</li> <li>Rural Groundwater Protection</li> <li>Special Use Zone</li> <li>Residential (<math>\geq 1,000m^2</math>)</li> </ul> | 1 per lot to a maximum size of 16sqm, | 2.4m        | 3m           | As per R-Codes/TPS | Minimum 5m           |
| <ul style="list-style-type: none"> <li>All other zones</li> </ul>   | Not exempt from development approval. |             |              |                    |                      |

**Table 3 – Matters Exempt from Development Approval – Sea Containers**

| Zone / Lot size  | Number of Sea Containers              | Street Setback           | Lot boundary setback               | Requirements  |
|--|---------------------------------------|--------------------------|------------------------------------|---|
| <ul style="list-style-type: none"> <li>Rural</li> <li>Farmlet</li> <li>Rural Living A and B</li> <li>Special Rural</li> <li>Rural Groundwater Protection</li> </ul>  | 1 per lot                             | 20m                      | 10m                                | <ul style="list-style-type: none"> <li>Shall not be used for habitable purposes.</li> </ul>                               |
| <ul style="list-style-type: none"> <li>Special Use Zones</li> </ul>  | 1 per lot                             | As per building envelope | As per building envelope           | <ul style="list-style-type: none"> <li>Shall not be used for habitable purposes.</li> </ul>                               |
| <ul style="list-style-type: none"> <li>Residential (<math>\geq 1,000m^2</math>)</li> <li>Urban Development (where designated as Residential under a Structure Plan) (<math>\geq 1,000m^2</math>)</li> <li>Special Residential (<math>1,000m^2</math>)</li> </ul> | 1 per lot                             | As per R-Codes/TPS       | As per Tables 2a and 2b of R-Codes | <ul style="list-style-type: none"> <li>Shall not be used for habitable purposes</li> <li>Maximum of 12 months.</li> </ul> |
| <ul style="list-style-type: none"> <li>All other zones</li> </ul>  | Not exempt from development approval. |                          |                                    |   |



- 
- 2. Sheds, Garden Sheds, Outbuildings and Sea Containers Requiring Development Approval**
- 2.1 A proposal for a shed, garden shed, outbuilding or sea container that is non-compliant with Tables 1, 2 or 3 or any other provisions of the R-Codes and/or the Shire's Town Planning Scheme, requires an application for development approval to be submitted to the Shire.
- 2.2 The Shire will consider the following matters in respect of an application for development approval:
- 2.2.1 Whether a size variation is required to satisfy specific needs of the owner/applicant;
  - 2.2.2 Whether a size variation is excessive, considering the character of the surrounding area;
  - 2.2.3 Whether a size variation would reduce the amount of open space or outdoor living area required in accordance with the R-Codes.
  - 2.2.4 Whether the development is sited behind the front setback line for the dwelling, visible from the street or neighbouring properties;
  - 2.2.5 Whether non-reflective materials are proposed on the building;
  - 2.2.6 Whether adequate screening exists, or has been proposed, from the road and/or neighbouring; and
  - 2.2.6 Consideration of comments from the affected adjoining landowners.
- 2.3 In order for the Shire to assess the suitability of a proposal for a shed, garden shed, outbuilding or sea container, the applicant should provide a written justification which includes the following:
- 2.3.1 How the proposal will not adversely impact the adjoining property owners. This could include written non-objections from the adjoining landowners and/or photographs as viewed from the proposed location of the shed, garden shed, outbuilding or sea container.
  - 2.3.2 How the streetscape or the amenity of the locality will not be negatively impacted.
  - 2.3.3 How any potential negative visual impacts can be ameliorated. This may include the provision of vegetative screening and/or colours or materials matching the existing buildings or vegetation on site.

## Definitions

**'Outbuilding'** – As defined under the R-Codes

**'Shed'** – A structure enclosed on three or more sides that is non-habitable and associated with a land use other than Residential.

**'Garden Shed'** – An outbuilding located on vacant land that is used for the storage of equipment associated with the up keep of the property.

**'Sea Container'** – A metal transportable structure, which is usually rectangular in shape, designed for the storage and transport of goods from one location to another by road, rail and sea and modified for temporary or permanent use on land.



**Note: A proposal for a ‘shed’, other than a ‘garden shed’, on vacant land that is not associated with any land use, is considered a ‘warehouse’ as defined in the Shire’s Town Planning Scheme.**

**Relevant Policies/Council Documents**

- Strategic Community Plan 2017 - 2027

**Legislation/Local Law Requirements**

- *Local Government Act 1995*
- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Schemes) Regulations 2015*

|                             |             |  |                     |  |
|-----------------------------|-------------|--|---------------------|--|
| <b>Office Use Only</b>      |             |  |                     |  |
| <b>Relevant Delegations</b> |             |  |                     |  |
| <b>Council Adoption</b>     | <b>Date</b> |  | <b>Resolution #</b> |  |
| <b>Reviewed/Modified</b>    | <b>Date</b> |  | <b>Resolution #</b> |  |
| <b>Reviewed/Modified</b>    | <b>Date</b> |  | <b>Resolution #</b> |  |