

LPP4.19 – Outbuildings, Sheds, Garden Sheds and Sea Containers

Responsible Directorate	Development Services
Responsible Business Unit/s	Statutory Planning
Responsible Officer	Manager Statutory Planning and Compliance
Affected Business Units	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.

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 Local 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 (including stables on lots 4,000m² or greater)

Zone / Lot size	Floor Area (accumulative*)	Wall Height	Ridge Height	Street Setback	Lot boundary setback
<ul style="list-style-type: none"> Rural 	≤ 500m ²	5m	6m	20m	10m
<ul style="list-style-type: none"> Rural Smallholdings 	≤ 300m ²	5m	6m	20m	10m
<ul style="list-style-type: none"> Rural Residential 	≤ 200m ²	4.5m	5m	20m	10m
<ul style="list-style-type: none"> Residential (≥ 1,000m²) Urban Development (where designated as Residential under a Structure Plan) (≥ 1,000m²) 	≤ 100m ²	3.2m	4.5m	As per R-Codes/LPS	As per Tables 2a and 2b of R-Codes
<ul style="list-style-type: none"> Residential (≤1,000m²) Urban Development (where designated as Residential under a Structure Plan) (≤ 1,000m²) 	As per R-Codes				
<ul style="list-style-type: none"> Urban Development zone where designated Residential under a Structure Plan with no R-Code 	As per R-Codes based on equivalent minimum site area compared to the lot size				
<ul style="list-style-type: none"> All other zones 	Not exempt from development approval.				

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

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

Zone / Lot size	Garden Shed Requirements	Wall Height	Ridge Height	Street Setback	Lot setback boundary
<ul style="list-style-type: none"> • Rural • Rural Smallholding • Rural Residential • Residential 	1 per lot to a maximum size of 16sqm,	2.4m	3m	As per R-Codes/LPS	Minimum nil boundary setback or 4m where a firebreak is required
<ul style="list-style-type: none"> • All other zones 	Not exempt from development approval.				

Table 3 – Matters Exempt from Development Approval – Sea Containers

1. Sea container is only used for the loading or unloading of goods and stored for only up to a maximum of 7 days in any 12 month period;
2. The sea container is used only in conjunction with building construction or subdivision works that is occurring or approved to occur on the subject or adjoining site, and only up to a maximum of 12 months.

Standard Requirements	<p>Sea container(s) shall be maintained in good and orderly condition to the satisfaction of Council.</p> <p>The use of sea container(s) must be incidental / ancillary to an approved land use or a use which does not require approval.</p>
Lots with an area less than 2,000m ² .	No sea container(s) will be permitted except those used on a temporary basis.



<p>Lots with an area between 2,000m² and 4,000m².</p>	<p>A maximum of one (1) 20ft sea container may be permitted per property;</p> <p>Sea container shall be suitably screened and/or fenced from public view, situated at the rear of the property and painted in a colour that is consistent with the surrounding built or natural environment to blend the container with its surrounding environment, unless otherwise determined by Council;</p> <p>Sea container must satisfy the setback requirements according to the Residential Design Codes / LPS</p> <p>Sea container is not to be located over septic tanks and / or leach drains or utilities.</p>
<p>Lots with an area between 4,001m² and 40,000m².</p>	<p>A maximum of one (1) 40ft sea container or equivalent, may be permitted per property;</p> <p>Sea containers may be stacked to a maximum of two (2) sea containers high, providing issues of amenity are addressed and subject to the containers being secured to the ground;</p> <p>Sea container(s) shall be suitably screened and / or fenced from the road frontage, be situated behind the building line / front setback area of the property and painted in a colour that is consistent with the surrounding built or natural environment to blend the container(s) with its surrounding environment, unless otherwise determined by Council;</p> <p>Sea container(s) must satisfy the setback requirements according to the Scheme Sea Container(s) are not to be located over septic tanks and / or leach drains or utilities.</p>



Lots with an area equal-to or greater than 40,001m ² .	<p>A maximum of two (2) 40ft sea containers or equivalent, may be permitted per property;</p> <p>Sea containers may be stacked to a maximum of two (2) sea containers high, providing issues of amenity are addressed and subject to the containers being secured to the ground</p> <p>Sea container(s) shall be suitably screened and / or fenced from the road frontage, be situated behind the building line / front setback area of the property and painted in a colour that is consistent with the surrounding built or natural environment to blend the container(s) with its surrounding environment, unless otherwise determined by Council;</p> <p>Sea container(s) must satisfy the setback requirements according to the Scheme. Sea Container(s) are not to be located over septic tanks and / or leach drains or utilities.</p>
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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 Local 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, outdoor living area or plot ratio required in accordance with the R-Codes/Scheme.
 - 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 properties; 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 Local Planning Scheme and will not be supported

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*

Office Use Only



Continued

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and Sea Containers**

Relevant Delegations				
Council Adoption	Date		Resolution #	
Reviewed/Modified	Date		Resolution #	
Reviewed/Modified	Date		Resolution #	