

SHIRE OF TRAYNING LOCAL PLANNING SCHEME N^o1

The Shire of Trayning under and by virtue of the provisions and powers conferred upon it in that behalf by Local Planning Scheme N^o1, hereby adopts the following Policy.

LOCAL PLANNING SCHEME N^o1 POLICY N^o2 OUTBUILDINGS IN RESIDENTIAL AND TOWNSITE ZONED AREAS

DATE ADVERTISED: 12th June 2014

DATE FINALLY ADOPTED: 17th September 2014

1. DISCUSSION

Council is experiencing an increase in the demand for outbuildings greater in proportions to that listed in the R Codes 'Deemed to Comply' provisions. The Council considers it reasonable to put in place this policy in order to properly consider the development of larger outbuildings.

2. DEFINITIONS

- A. **'Outbuilding'** is an enclosed non-habitable structure that is detached from any dwelling, but is NOT a –
- a. **'Garage'** is any roofed structure, other than a carport, designed to accommodate one or more vehicles and attached to the dwelling;
 - b. **'Verandah'** is a roofed open platform attached to a dwelling;
 - c. **'Patio'** is an unenclosed structure covered in a water impermeable material which may or may not be attached to a dwelling;
 - d. **'Gazebo'** is an unenclosed open-framed structure covered in a water permeable material or unroofed, which may or may not be attached to a dwelling.
- B. **'Setback'** is the horizontal distance between a wall at any point and an adjacent Lot boundary, measured at right angles (90 degrees) to the building.
- C. **'R Codes'** is a state planning policy made under section 26 of the *Planning and Development Act 2005*. This policy is cited as State Planning Policy 3.1 Residential Design Codes or R-Codes. The purpose of the R-Codes is to provide a comprehensive basis for the control of residential development throughout Western Australia.

3. BACKGROUND

Residential and Townsite zoned Lots within the townsites of Kununoppin, Trayning and Yelbeni enjoy a greater size being typically around 1,000m² or greater. Land owners of Residential and Townsite zoned Lots often have development potential to build outbuildings greater in size than their City counterparts. Presently the State Planning Policy 3.1 Residential Design Codes commonly referred to as the 'R Codes' permits in areas zoned less or greater than R30:

- an outbuilding size that collectively does not exceed 60m² in area or 10 per cent in aggregate of the site area whichever is the lesser;
- do not exceed a wall height of 2.4m and;
- do not exceed a ridge height of 4.2m.

This outbuilding policy will enable the development of outbuildings larger than the R Codes 'deemed to comply' dimensions.

The Council has delegated authority to the Building Surveyor to determine applications for planning consent for all applications for outbuildings in the Residential and Townsite zones of the Scheme (see Table 1 – Zoning Table of LPS N^o1).

4. POLICY

4.1 *Council Policy on Outbuildings*

Outbuildings that satisfy the following development criteria are regarded as satisfying the Design Principles of the Residential Design Codes 2013 (as amended) and may be approved by the Building Surveyor without referral to the Council of the Shire of Trayning.

Applications not meeting this policy development criteria and/or are of a contentious nature is to be referred to Council in the form of a written development application (available at the Shire office) for determination. Where an application is to be referred to Council for consideration, comments from adjoining and/or affected owners are to be obtained and confirmed in writing.

Outbuildings that Comply with the Residential Design Codes 2013 (as amended) Deemed-to-comply requirements; OR:

- i. Comply with the Building Code of Australia 2013 (as amended);
- ii. Are constructed of new materials. Where second hand materials are proposed, the Building Surveyor may require a certification from a practising structural Engineer as to the structural adequacy of the design and/or materials. The Building Surveyor may also require the cladding of the proposed second

hand outbuilding to be painted in an approved colour or renewed;

- iii. Are not attached to a dwelling;
- iv. Are not habitable;
- v. Are not within the primary street setback area;
- vi. Do not reduce the amount of open space required by the Residential Design Codes 2013 (as amended) to less than the prescribed amount;
- vii. Are setback in accordance with the requirements of the Residential Design Codes 2013 (as amended);
- viii. Are of size, or comprise an aggregate size of outbuildings on one lot, that does not exceed the specifications contained in **Schedule 1** below. Should the lot area exceed the table below then the proposed outbuilding will need to be referred to Council for planning consent –

Schedule 1

LOT AREA (m ²)	MAXIMUM SINGLE OUTBUILDING (m ²)	TOTAL OUTBUILDINGS (m ²)	MAXIMUM WALL HEIGHT (meters)	MAXIMUM RIDGE HEIGHT (meters)
500 – 749	46	62	2.4	3.6
750 – 999	73	97	3.0	3.6
1000 – 1249	94	125	3.0	3.6
1250 – 1699	117	156	3.0	3.9
1700 – 2049	130	202	3.0	3.9
2050 – 2999	143	262	3.3	4.2
3000 – 5000	157	375	3.6	4.5
2050 – 2999	143	262	3.3	4.2
3000 – 5000	157	375	3.6	4.5

4.2 Measures to ensure Compliance with Planning Consent

When an application for planning consent for an outbuilding is considered by the Council, or the Building Surveyor, that Consent may be granted subject to conditions requiring the applicant, or owner, to:

- A.** lodge a bond or bank guarantee with the Council. The bond or bank guarantee will provide the surety for the completion for a second hand outbuilding to a standard acceptable to the Council;
- B.** specify matters which require attention and the manner in which work is required to be completed in order to satisfy standards acceptable to the Council;
- C.** apply and have granted a building permit of a specified duration.

5. OBJECTIVES OF POLICY

To maintain the amenity of streetscapes and views along the street by ensuring that associated outbuildings do not detract from the streetscape and are not visually intrusive to neighbouring properties or adjoining public spaces.

CHIEF EXECUTIVE OFFICER