

## P-DEV 20 – Outbuildings and Sea Containers

Management Procedure	Relevant Delegation

### Purpose

#### 1.1 Statutory

This policy is prepared under Clause 2.2 of the Shire's Local Planning Scheme No. 3 (LPS No. 3). This policy is a supporting document that is to be read in conjunction with the provisions of LPS No. 3 and shall be given due regard in consideration of any development application made for outbuilding(s) in the residential and rural zones of the Shire.

This policy applies to all outbuildings, including sheds, rainwater tanks and sea containers.

#### 1.2 Purpose

It is recognised that outbuildings are a necessary component to meet storage needs of residential and rural 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.

The purpose of this policy is to provide guidance on development of outbuildings and sea containers within the following zones:

- Residential;
- Residential Bushland;
- Special Rural;
- Rural Agriculture;
- Rural Composite;
- Rural Landscape Interest; and
- Rural Conservation.

Properties zoned Residential R5 and R10 are classified as Residential zones under the LPS No. 3 and State Planning Policy 3.1 – Residential Design Codes (R-Codes), however due to the larger lot sizes within these zones, land uses larger maximum floor area, wall height and roof height criteria compared to properties zoned Residential R12.5 and above can be considered.

### **1.3 Objectives**

The primary objectives of this policy are to:

- a) Ensure the amenity of the locality and streetscape is preserved through orderly planning of any development of outbuildings including sheds, rainwater tanks and sea containers within the Shire of Kalamunda.
- b) To ensure that outbuildings are of an appropriate scale and form in the context of the size of the lot, location of the outbuilding, environmental characteristics of the area, and existing buildings on the site.
- c) Facilitate the intended use of the outbuilding while not creating an adverse impact to the surrounding landowners.
- d) To give due consideration for proposals incorporating outbuildings and sea containers where there are legitimate constraints on the subject lot; and
- e) To establish clear guidelines for the placement of sea containers.

## **Policy Statement**

### **2.1 Policy Provisions**

Applications for development approval shall be assessed against the prescribed setback, floor area, height requirements, design outcomes, and recommended materials set out in Tables 1 and 2 of this policy.

### **2.2 Matters to be Considered**

The following matters will be given consideration in the assessment of applications for outbuildings and sea containers:

- a) Any relevant matters set out in Clause 10.2 of the LPS No. 3 and the objectives of the zone;
- b) The impact of the proposed outbuilding(s) and sea containers on the amenity and character of residential and rural areas, as viewed from a street, public space or neighbouring property;
- c) Whether any significant trees or other vegetation should be preserved;
- d) The preservation of areas of useable on-site open space;
- e) Any special limitation on the development of the land by virtue of its size, shape or environmental/geographical feature;
- f) Whether the proposed use of the outbuilding and use class of the lot warrants a size that exceeds the recommended total floor area and height that is prescribed under Table 1;
- g) Whether support for the development application will set an undesirable precedent for similar sized surrounding lots; and

h) Comments received from affected adjacent property owners/occupiers.

## **Development requirements**

### **3.1 Location of Outbuildings**

Any proposal for an outbuilding in the Residential or Residential Bushland zones, will not be permitted in the primary or secondary street setback areas.

### **3.2 Setback Requirements**

Where no building envelope affects the lot, all development shall be subject to the prescribed setback requirements of the R-Codes for residential zones and LPS No. 3 for all other zones.

### **3.3 Operation**

Outbuildings that comply with the criteria specified in Tables 1 and 2 corresponding to the applicable zone are deemed to meet the design principles of the R-Codes and/or development requirements and objectives of the LPS No. 3 and will be supported without advertising to neighbours for comment.

### **3.4 Floor Area and Height Requirements**

Unless otherwise stipulated in the R-Codes, all outbuildings shall comply with the recommended maximum outbuilding floor area, aggregate floor area, building height and design outcomes stipulated under Table 1 of this policy.

### **3.5 Variations to the Policy**

Any variation to development requirements of Tables 1 and 2 will require the applicant to provide additional justification demonstrating how the proposal will not adversely affect adjoining property owners, the streetscape or the amenity of the locality, with particular reference to Clause 2.2 – 'Matters to be Considered' of this policy. The Shire may undertake consultation with adjoining affected property owners/occupiers during assessment.

**Table 1 - Floor Area, Height and Design Outcomes**

Zoning	Column A - Maximum Floor Area *		Column B - Recommended Maximum Height (Measured from the Natural Ground Level) *		Column C - Acceptable Design Outcomes
	Individual Outbuilding	Maximum Aggregate Floor Area	Wall (metres)	Roof Pitch** (Metres)	
Residential ≥R12.5	As per the R-Codes (as amended).				
Residential R10, R5	90m <sup>2</sup>	150m <sup>2</sup>	3.0m	4.2m	<ul style="list-style-type: none"> <li>Compliant with R-Codes setback requirements.</li> <li>Will not reduce areas of open space below the deemed-to-comply requirements of the R-Codes.</li> <li>Outbuilding(s) located behind the main dwelling alignment and not directly visible from a street or public space.</li> <li>Are not located within a Flood and Stream Management Area or any other area where there is historical evidence of flood waters reaching high levels.</li> <li>Does not result in the excessive or unnecessary removal of vegetation.</li> <li>The proposed colours and materials are consistent with the criteria set out in in Table 2 of this policy.</li> <li>Will not unduly impact on the amenity of an adjoining property owner/occupier</li> </ul>
Residential Bushland	90m <sup>2</sup>	150m <sup>2</sup>	3.0m	4.2m	<ul style="list-style-type: none"> <li>Compliant with LPS No. 3 setback requirements and located within any designated building envelope.</li> <li>Outbuilding located behind the main dwelling alignment and not directly visible from a street or public space.</li> <li>Are not located within a Flood and Stream Management Area or any other area where there is historical evidence of flood waters reaching high levels.</li> <li>Does not result in the excessive or unnecessary removal of vegetation.</li> <li>The proposed colours and materials are consistent with the criteria set out in in Table 2 of this policy.</li> <li>Will not unduly impact on the amenity of an adjoining property owner/occupier.</li> </ul>

Special Rural	100m <sup>2</sup>	200m <sup>2</sup>	4.0m	4.8m	<ul style="list-style-type: none"> <li>Compliant with LPS No. 3 setback requirements and located within any designated building envelope.</li> <li>Outbuilding located behind the main dwelling alignment and/or will not be directly visible from a street or public space.</li> <li>Are not located within a Flood and Stream Management Area or any other area where there is historical evidence of flood waters reaching high levels.</li> <li>Does not result in the excessive or unnecessary removal of vegetation.</li> <li>The proposed colours and materials are consistent with the criteria set out in in Table 2 of this policy.</li> <li>Will not unduly impact on the amenity of an adjoining property owner/occupier.</li> </ul>
Rural Landscape Interest, Rural Agriculture, Rural Composite & Rural Conservation	150m <sup>2</sup>	300m <sup>2</sup>	5.0m	5.8m	

\* Consideration may be given to a variation to the outbuilding area and height provided the applicant can demonstrate to the satisfaction of the Shire that the use of the outbuilding and use class of the lot (i.e. a non-domestic land use) warrants a size beyond the recommended total floor area and height that is prescribed under this policy.

\*\* Consideration may be given to a proposed roof pitch height above what is prescribed in Table 1 if PVP (Solar) Panels are proposed.

**Table 2 - Materials and Finishes**

	<b>Preferred</b>	<b>Discretion required</b>	<b>Unacceptable</b>
Materials	<ul style="list-style-type: none"> <li>Powder Coated Steel.</li> <li>Straw bale.</li> <li>Masonry (brick, rendered brick, stone, and rendered or painted concrete).</li> <li>Timber.</li> <li>Weatherboard.</li> <li>Rammed Earth.</li> <li>Lightweight materials with a rendered or painted finish.</li> </ul>	<ul style="list-style-type: none"> <li>Reflective – E.g. Aluminium alloy.</li> </ul>	<ul style="list-style-type: none"> <li>Materials which in the opinion of the Shire do not meet the relevant structural standard.</li> </ul>
Colours	<ul style="list-style-type: none"> <li>Earthy and/or complimentary colours to the main building and surrounding vegetation.</li> </ul>	<ul style="list-style-type: none"> <li>A colour which is similar to the main dwelling but not complimentary to the subject lots locality.</li> </ul>	<ul style="list-style-type: none"> <li>Uncharacteristic, inconsistent or bright colours.</li> <li>Contrasting colours to the main dwelling and surrounding landscape.</li> </ul>

## Sea Containers

- 4.1 The placement of a sea container does not require development approval if the sea container is situated on private property for no longer than 48 hours. Development approval is to be obtained from the Shire if it is to remain on the property for a longer period.
- 4.2 A maximum of one (1) sea container is permitted and does not require development approval if it is used during the construction of an approved building. The sea container must be removed within 48 hours of the building's completion.
- 4.3 On Residential zoned lots, a maximum of one (1) sea container is permitted and does not require development approval only if it is temporary and being used by removalists and/or those residing on the property where it is to be located, for the purpose of moving domestic items to/from the property.
- 4.4 The placement of no greater than one (1) sea container on a Rural zoned lot which meets the setback requirements stipulated within Table 2 of the Shires LPS No. 3 shall not require development approval.
- 4.5 Where a sea container is placed on a site for the purposes outlined in Clauses 4.1, 4.2, 4.3 and 4.4 of this policy, the sea container should be located behind the front setback area or building line wherever practicable.
- 4.6 Where a sea container is placed permanently on a site and is not exempt from the requirement to obtain development approval, the following modifications may be required by the Shire:
  - a) Where visible from the street, public spaces or a neighbouring property, appropriate screening and/or alterations to the exterior colour, finish and roof form should be used to be complementary/sympathetic with the surrounding development or landscape;
  - b) The inclusion of a personnel door that can be opened and unlocked from the inside;
  - c) Permanent ventilation being provided by either openable windows or a roof vent.
- 4.7 The permanent placement and use of sea containers on Residential zoned land, except as provided for by Clause 4.1, 4.2 and 4.3 of this policy will not be permitted unless it can be demonstrated that the exterior appearance of the sea container will be upgraded to be complementary with the surrounding development or landscape.
- 4.8 On Rural zoned lots, the number of sea containers proposed will be assessed on the individual merits of the application, having due regard to Tables 1 and 2 of this policy, and the matters outlined under Clause 10.2 of LPS No. 3.

## Definitions

**“Dwelling Alignment”** – for the purpose of this policy means the closest point of the dwelling to the primary or secondary street boundary.

**“Floor Area”** – for the purpose of this policy means the area of an outbuilding floor including the area of any internal and external walls.

**“Maximum Aggregate Floor Area”**- for the purpose of this policy means the gross total area of all floors of all outbuildings, including the area of any internal and external walls.

**“Outbuilding”** – has the same meaning as the R-Codes (as amended).

**“Primary Street”** – has the same meaning as the R-Codes (as amended).

**“Residential Design Codes”** - means State Planning Policy 3.1 – Residential Design Codes (as amended), published by the Department of Planning on behalf of the Western Australian Planning commission.

**“Roof Pitch”** – for the purpose of this policy means the highest point of a pitched roof.

**“Sea Container”** – means a metal transportable structure designed for the storage and transport of goods from one location to another by road, rail and sea.

**“Secondary Street”** – has the same meaning as the R-Codes (as amended).

**“Setback”** - has the same meaning as the R-Codes (as amended).

**“Wall”** - has the same meaning as the R-Codes (as amended).

<b>Related Local Law</b>			
<b>Related Policies</b>			
<b>Related Budget Schedule</b>			
<b>Legislation</b>			
<b>Conditions</b>			
<b>Authority</b>			
<b>Adopted</b>	23 November 2015	<b>Next Review Date</b>	