

**13.2 AMENDMENT OF LOCAL PLANNING POLICY 2.1 – RESIDENTIAL OUTBUILDINGS**

File	LND/57
Author	Kylie Bacon - Coordinator Strategic Planning & Projects
Reporting Officer	Bob Kelly - Executive Manager Regulatory and Development Services
Refer	Item 13.2 - 19 April 2022 Ordinary Council Meeting
Appendices	<ol style="list-style-type: none"> <li>1. Amended Draft LPP 2 1 Residential Outbuildings 150223 [13.2.1 - 4 pages]</li> <li>2. Table Changes to Amended Draft LPP 2 1 Residential Outbuildings and Comments [13.2.2 - 9 pages]</li> </ol>

**DISCLOSURES OF INTEREST**

**PURPOSE**

For Council to consider a draft amendment to Local Planning Policy 2.1 Residential Outbuildings (LPP 2.1 or the Policy) for public comment.

**BACKGROUND**

Local Planning Policy 2.1 - Residential Outbuildings has been reviewed as part of the Shire’s ongoing review and updating program. The review commenced in early 2022 and involved examining a few similar policies established by surrounding local governments.

On 15 April 2022, Council at its Ordinary Meeting resolved to publicly advertise its draft LPP 2.1. As part of the advertising process, the Policy was referred to the Department of Planning, Lands and Heritage (DPLH) for comment on the Policy’s acceptability in respect to the Residential Design Codes (R-Codes). The main comment provided by DPLH was that the Policy was not clear in its intent and therefore provided some uncertainty.

By way of explanation, DPLH suggested that the Shire consider whether the Policy proposed to amend or replace the deemed-to-comply requirements of clause 5.4.3 Outbuildings of the R-Codes, or the Policy provisions were to guide assessment of development applications when being considered under the design principles of clause 5.4.3. Further too DPLH’s comments, a peer review by an independent planning consultant was conducted to clarify points raised by the Department.

Attached as appendices to this report are the draft amended Policy and the tracked changed version of same.

**COMMENT**

The Policy was initially drafted as a response to the community's expectations for larger outbuildings on large residential lots in regional locations, not catered for under the R-Codes. The R-Codes essentially have been designed for a metropolitan urban context. In considering DPLH's and the consultant's comments and the need to facilitate planning efficiency as empowered through the deemed provisions, amendments to the draft Policy have been made.

The wording under the Policy, maximum standards, provided in the Policy Table (for floor area, wall height and overall height) relate to nominated lot sizes, with clear reference to amending the deemed-to-comply requirements of clause 5.4.3 Outbuildings. The amendments now provide clarity on how the Policy must be applied. All other aspects of the outbuilding development will still need to meet other policy standards and the R-Codes.

Amendments or replacements to the deemed-to-comply requirements under clause 5.4.3 are considered to be consistent with the relevant design principle which states:

*Outbuildings that do not detract from the streetscape or the visual amenity of residents or neighbouring properties.*

Moving forward, should the amended draft be adopted by Council, the Policy will potentially allow for compliant outbuildings to be exempt from development approval as provided under the *Planning and Development (Local Planning Schemes) Regulations 2015*, Schedule 2, Part 7, clause 61(1) (the deemed provisions).

The exemptions for outbuilding development that meet with the new deemed-to-comply requirements, provide a benefit to the community by reducing application costs, procedures, time and ultimately improve value of properties. The exemptions will also provide benefits to the Administration by eliminating processing of applications that have relatively minor impact.

The Shire records indicate in the last 12 months (1 January 2022 to 31 December 2022), 23 Development Applications (DA) for outbuildings were received totalling a DA fee income of \$3,381.00. The Shire received these DA's because the outbuildings did not comply with the R-Codes deemed-to-comply requirements and required assessment under the design principles. The variations could have been for several different reasons, not limited to building size. The review of the records did not retrieve statistics for those large outbuildings that complied with all other aspects of the R-Codes. An in-depth review of the records may give a better representation on numbers and income of DA's that would potentially be exempt under the amended draft Policy.

In allowing this amended draft Policy, it is recommended that Council consider the benefits to the community and not just the loss of revenue as outbuildings compliant with the new deem-to-comply requirements will no longer require development approval. The Shire will most likely have a reduction in the amount of DA's received compared to previous years, particularly for those oversized outbuildings that comply with the other design elements of the Policy and the R-Codes. This does not mean that every outbuilding will be exempt from development approval. There are other factors (setbacks, open space etc.) that are taken into consideration when assessing an outbuilding, not just size of the lot and the floor area.

Where a development proposal seeks to erect an outbuilding greater than provided for in the Table outlined in the Policy, seeks to use reflective or recycled construction material, or seeks an assessment under the design principle of clause 5.4.3 of the R-Codes, a development approval will be required. The Shire may require additional assessment information that addresses matters such as, but not limited to, solar access and ventilation for adjoining sites, streetscape, visual amenity impacts and reflective glare assessments.

The Shire created the Policy to respond to community expectations and demand to facilitate larger outbuildings, considering lot size which is a consequence of our location. It is considered, the amended Policy now provides an orderly and proper planning approach to dealing with the inadequacy in the R-Codes, but provides efficiency to both the ratepayer and the Shire.

#### Community Consultation and Engagement

Should Council resolve to adopt amended the Policy for advertising purposes, public consultation will be undertaken for a period of not less than 21 days, in accordance with clauses 4 and 5 of the Deemed Provisions.

Public consultation will include:

- a. Placement of a public notice in a newspaper circulating in the Shire of Gingin;
- b. Publication of the public notice on the Shire's social media platforms;
- c. Placement of the public notice and a copy of the proposed amended Policy on the Shire's public webpage;
- d. Placement of a public notice on the public notice boards both at Gingin Administration Centre and Lancelin Offices; and

- e. Making a hard copy of the documentation available at the front counter of the Shire's Gingin Administration Centre and Lancelin Office.

**STATUTORY/LOCAL LAW IMPLICATIONS**

*Planning and Development (Local Planning Scheme) Regulations 2015* Schedule 2 – Deemed Provisions for Local Planning Schemes.

State Planning Policy 7.3 Residential Design Codes, Volume 1

Local Planning Scheme No. 9 (LPS 9)

**POLICY IMPLICATIONS**

The review of this policy will ensure that it aligns with the Regulations and better meets the needs of the community.

**BUDGET IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Shire of Gingin Strategic Community Plan 2022-2032

<b>Aspiration</b>	3. Planning & Sustainability - Plan for Future Generations
<b>Strategic Objective</b>	3.3 Planning & Land Use - Plan the use of the land to meet future requirements incorporating economic development objectives and community amenity

**VOTING REQUIREMENTS - SIMPLE MAJORITY**

**OFFICER RECOMMENDATION**

That Council:

1. Pursuant to Schedule 2, Part 2, Clause 5(1) of the *Planning and Development Local Planning Schemes) Regulations 2015*, adopt amended Local Planning Policy No. 2.1 - 'Residential Outbuildings' for the purpose of advertising for public consultation; and
2. Subject to no adverse submissions being received, resolve to proceed with amended Local Planning Policy No. 2.1 - 'Residential Outbuildings' without further modification.

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SHIRE OF GINGIN  
LOCAL PLANNING SCHEME NO. 9



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**LOCAL PLANNING POLICY STATEMENT NO. 2.1  
RESIDENTIAL OUTBUILDINGS**

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**1.0 STATUTORY CONTEXT**

This Local Planning Policy (LPP) has been prepared pursuant to Schedule 2, Part 2, Division 2 – ‘Local Planning Policies’ of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Deemed Provisions).

**2.0 POLICY PURPOSE**

The purpose of this Policy is to provide standards and guidance for development and use of outbuildings on Residential zoned land within the Shire.

**3.0 POLICY OBJECTIVES**

The objectives of this policy are:

- a) To provide a framework in which outbuilding development and use can take place without having adverse impacts on the streetscape, character and amenity or environmental attributes of the surrounding area.
- b) To provide development standards for outbuildings that consider varying residential lot sizes and community needs.
- c) To develop deemed-to-comply requirements to reflect community expectations for outbuildings on residential zoned land.
- d) To ensure an outbuilding is associated to a dwelling and or is constructed at the same time as a dwelling.
- e) To identify acceptable material colours and finishes for outbuildings, that maintain the amenity of residential streetscapes and for adjoining residential properties.

**4.0 APPLICATION REQUIREMENTS**

- 4.1 The development requirements identified under Part 5 of this Policy supplement the deemed-to-comply requirements of clause 5.4.3 (C3) of State Planning Policy 7.3 Residential Design Codes (R Codes) (Volume 1), for the purpose of determining development proposals.
- 4.2 Development approval is not required for an outbuilding when the deemed-to-comply provisions of clause 5.4.3 of the R Codes, Supplementary Deem to Comply Standards table and development standards under this Policy are complied with.
- 4.3 Applications that do not meet the deemed-to-comply requirements outlined under Part 5, will be considered under the design principle of Cl 5.4.3 of the R Codes.

**5.0 DEVELOPMENT REQUIREMENTS**

**5.1 Permissibility of Development**

5.1.1 For an outbuilding to be considered for approval within the residential zone, the subject land must contain an existing dwelling approved by the Shire e.g., single house, or associated to a substantially commenced dwelling, e.g., house pad.

5.1.2 An outbuilding that forms part of a development proposal that includes a dwelling. However, given the risk that the outbuilding may be constructed and used without a dwelling first being built, conditions of development approval may be imposed to control the timing of construction to ensure that the outbuilding is developed in association with the dwelling and not before.

5.1.3 Without a dwelling being present on the lot, an outbuilding by itself constitutes a warehouse / storage land use, which is not permitted in a residential zone under Local Planning Scheme No.9 (LPS 9).

**5.2 Use of Outbuildings**

5.2.1 Outbuildings shall only be used for activities associated with a dwelling e.g., storage of personal and/or household items, vehicles, caravans, boats or similar. Use of an outbuilding for other purposes may require development approval pursuant to LPS 9.

**5.3 Supplementary Deem to Comply Standards**

5.3.1 An outbuilding development is deemed-to-comply, when it meets the requirements under clause 5.4.3 of the R-Codes, supplementary standards table below, and the standards under this policy.

RESIDENTIAL ZONE		
APPLICABLE LOT SIZE	STANDARD	MAXIMUM
<600m <sup>2</sup>	Floor Area	70m <sup>2</sup>
	Wall Height	3.0m
	Overall Height (single storey)	4.2m
601m <sup>2</sup> - 800m <sup>2</sup>	Floor Area	90m <sup>2</sup>
	Wall Height	3.6m
	Overall Height (single storey)	5.0m
801m <sup>2</sup> - 1,000m <sup>2</sup>	Floor Area	100m <sup>2</sup>
	Wall Height	3.8m
	Overall Height (single storey)	5.0m
1001m <sup>2</sup> - 2,000m <sup>2</sup>	Floor Area	120m <sup>2</sup>
	Wall Height	3.8m
	Overall Height (single storey)	5.0m
2001m <sup>2</sup> - 3,000m <sup>2</sup>	Floor Area	130m <sup>2</sup>
	Wall Height	3.8m
	Overall Height (single storey)	5.0m
3001m <sup>2</sup> - 4,000m <sup>2</sup>	Floor Area	140m <sup>2</sup>
	Wall Height	4.0m
	Overall Height (single storey)	5.0m

>4,001m <sup>2</sup>	Floor Area	160m <sup>2</sup>
	Wall Height	4.2m
	Overall Height (single storey)	5.5m
<i>Wall height is to be measured from natural ground level as defined by the R Codes</i>		

5.3.2 Boundary and privacy setbacks for outbuildings are to be determined in accordance with Tables 1, 2a and 2b of the R Codes.

#### **5.4 Materials**

5.4.1 Outbuildings shall be finished with new materials and a consistent colour.

5.4.2 The use of reflective material is discouraged and may be permitted at the discretion of the Shire, where demonstrated by the applicant it cannot impact the amenity of the residential streetscape or adjoining properties.

5.4.3 Shipping containers are unacceptable material and require a development approval pursuant to LPS 9 and Local Planning Policy 1.9 – Sea Containers.

#### **5.5 Variations to Standards**

5.5.1 There is a general presumption against allowing a reduction to the open space requirements prescribed by Table 1 of the R Codes in order to accommodate an outbuilding unless an applicant can provide sufficient justification on town planning grounds for seeking a reduction.

5.5.2 Development proposals that seek to use recycled construction material must be accompanied by photographs clearly showing that the condition and visual appearance of the recycled material is to a satisfactory standard.

5.5.3 Where a development proposal seeks to erect an outbuilding at a greater scale than provided for in the Table above, seeks to use reflective or recycled construction material or seeks an assessment under the design principle of clause 5.4.3 of the R Codes, the Shire may require additional assessment information that addresses matters such as, but not limited to, solar access and ventilation for adjoining sites, streetscape and visual amenity impacts and reflective glare assessments.

5.5.4 Development proposals that seek variations to this policy shall be determined in accordance with the objectives of this Policy.

#### **6.0 DEFINITIONS**

The following are definitions that relate to the application of this policy:

**Floor Area** - means the total gross area of all outbuildings on the lot.

**Natural Ground Level** – same meaning as the Residential Design Codes (R-Codes).

**Outbuilding** - same meaning as the Residential Design Codes (R-Codes).

**Reflective Roofing Material** - means any building material with the potential to create specular glare or visual detracting of the scenic or landscape character of the Shire when in-situ and includes:

- Zinalume® (including any zinc or Zinc-Aluminium coated sheet or polished metal),



- Light and Very Light building materials as outlined under the Building Code of Australia (BCA) on the basis of their solar absorption.

**Shipping Container** - means a re-sealable, re-usable, modular enclosed box constructed of steel panels, with flat roof, which can be transported and adopted for storage use and other non-habitable uses

**GOVERNANCE REFERENCES**

<b>Statutory Compliance</b>	<ul style="list-style-type: none"> <li>• <i>Planning and Development Act 2005</i></li> <li>• <i>Planning and Development (Local Planning Schemes) Regulations 2015</i></li> <li>• <i>State Planning Policy 7.3: Residential Design Codes (Volume 1)</i></li> <li>• <i>Shire of Gingin Local Planning Scheme No. 9</i></li> </ul>
<b>Industry Compliance</b>	N/A
<b>Organisational Compliance</b>	N/A

**POLICY ADMINISTRATION**

<b>Review Cycle</b>	Biannual
<b>Review Next</b>	21 February 2025
<b>Department</b>	Office of the Chief Executive Officer

Version	Decision Reference	Synopsis
1	21 February 2023	Policy Adopted under LPS No.9

**Appendix 13.1.2 - Changes to Draft Policy 2022 and Comments**

REF:	SECTION AND CHANGES	ACTION	COMMENT
1	<b>1.0 STATUTORY CONTEXT</b>	No change	N/A
2	This Local Planning Policy (LPP) has been prepared pursuant to Schedule 2, Part 2, Division 2 – ‘Local Planning Policies’ of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> (Deemed Provisions).	Insert wording	Context
3	<del>The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area. In making a determination under the Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with the Scheme.</del>	Delete all wording	Recommended all wording be deleted, as unnecessary quote from the Regs. The statement fact and required for the policy. Statement is an overarching point that can be made for all policies, on web site or other information-based document.
4	<b>2.0 POLICY PURPOSE</b>		
5	The purpose of this Policy is to outline provide standards and other guidance for in relation to the development and use of outbuildings on Residential zoned land within the Shire.	Insert/Delete	Clarity and context
6	<del>This Policy does not substitute State Planning Policy 7.3 Residential Design Codes (R-Codes), but rather complements and enhances it, in the context of assessing and determining development proposals.</del>	Delete all wording	Reference not needed. Part 4.0 Application Requirements, part of policy clarifies below clarifies purpose.
7	<b>3.0 POLICY OBJECTIVES</b>	No change	
8	The objectives of this policy are:	No change	N/A

9	a) To provide a <del>context and</del> framework in which outbuilding <del>development and use and development</del> can take place without having adverse impacts on the streetscape, character and amenity or environmental attributes of the surrounding area.	Insert/Delete	Alphabet reference inserted for clear identification. Inserts and deletions for better context.
10	<ul style="list-style-type: none"> <li><del>• To ensure that an outbuilding is of a built form and scale consistent with the Objectives of the Residential Zone as outlined under Local Planning Scheme No. 9 (LPS 9).</del></li> <li><del>• To complement the deemed-to-comply provisions of clause 5.4.3 of the R-Codes in order to better reflect community expectations for residential outbuildings.</del></li> <li><del>• To ensure that the colour scheme and construction material of an outbuilding will not be vivid or prominent but will be visually recessive in the landscape and streetscape context.</del></li> </ul>	Delete all wording	These objectives considered difficult operationally. The changes to the R-Codes in 2021 permit higher dwellings. In some cases three storeys on sloping land. Dot Point 2 (objective 2) leaves room for interpretation that the scale could be consistent with b) of the Scheme's Zone objective ie "maintain and enhance the residential character and amenity of the zone". New objectives proposed below.
11	<ul style="list-style-type: none"> <li>b) To provide development standards for outbuildings that consider varying residential lot sizes and community needs.</li> <li>c) To develop deemed-to-comply requirements to reflect community expectations for outbuildings on residential zoned land.</li> <li>d) To ensure an outbuilding is associated to a dwelling and or is constructed at the same time as a dwelling.</li> <li>e) To identify acceptable material colours and finishes for outbuildings, that maintain the amenity of residential streetscapes and for adjoining residential properties.</li> </ul>	Insert	New objectives proposed to for clarity and align reasons for changes.

12	<b>4.0 APPLICATION REQUIREMENTS</b>	No change	N/A
13	<b>4.1</b> The development requirements identified under Part 5 of this Policy supplement the deemed-to-comply requirements of clause 5.4.3 (C3) of State Planning Policy 7.3 Residential Design Codes (R-Codes) (Volume 1), for the purpose of determining development proposals.	Insert	Numeric referencing for clear identification. Sub parts 4.1 added for clarity of how Policy is applied. Reference also aligns with comments made by the Department of Planning, Lands and Heritage, <i>"Non-compliant proposals would require assessment under cl.5.4.2 P3."</i>
14	<b>4.2</b> Development approval is not required for an outbuilding when the deemed-to-comply provisions of clause 5.4.3 of the R-Codes, <b>Supplementary Deem to Comply Standards table and development standards under this Policy are complied with.</b>	Insert	Numeric referencing for clear identification. Sub parts 4.2 extra wording added for clarity of how Policy is applied.
15	<b>4.3</b> Applications that do not meet the deemed-to-comply requirements outlined under Part 5, will be considered under the design principle of Cl 5.4.3 of the R-Codes.	Insert	Numeric referencing for clear identification. Sub parts 4.3 added for clarity of how Policy is applied.
16	<b>5.0 DEVELOPMENT REQUIREMENTS</b>	No change	N/A
17	<b>5.1 Permissibility of Development</b>	No change	N/A
18	<b>5.1.1</b> For an outbuilding to be considered for approval <del>within on the residential zoned lots,</del> the subject land must contain an existing dwelling approved by the Shire (e.g. single house) <del>or be the subject of associated to</del> a substantially commenced dwelling, e.g. <del>i.e.</del> house pad.	Insert/ Delete	Numeric reference inserted for clear identification.

	<p>5.1.2 <del>Notwithstanding the above,</del> An outbuilding <del>may that</del> forms part of a development proposal that includes a dwelling. However, given there <del>is a</del> risk that the outbuilding may be constructed and used without a dwelling first being built, conditions of development approval may be imposed to control the timing of construction to ensure that the outbuilding is developed in association with the dwelling and not before.</p> <p>5.1.3 Without a dwelling being present on the lot, an outbuilding by itself <del>constitutes</del> <del>takes on</del> a warehouse / storage land use, which is not permitted in a residential zone under <del>Local Planning Scheme No.9</del> (LPS 9).</p>		<p>Inserts and deletions for better context. Also aligns with comments made by the Department of Planning, Lands and Heritage.</p>
19	<b>5.2 Use of Outbuildings</b>	No change	N/A
20	<p>5.2.1 Outbuildings shall only be used for <del>incidental</del> activities associated with a dwelling e.g. storage of personal and/or household items, vehicles, caravans, boats or similar. <del>Proposals to use of</del> an outbuilding for <del>any</del> other purposes <del>may will</del> require development approval <del>for the use</del> pursuant to LPS 9.</p>	Insert/ Delete	<p>Inserts and deletions for better context and align with comments made by the Department of Planning, Lands and Heritage, <i>“Why ‘incidental’. Does not add anything just say activities associated with...”</i></p>
22	<b>5.3 Supplementary Deem to Comply Standards of Outbuildings</b>	Insert/ Delete	<p>Not support the Department of Planning, Lands and Heritage suggested change to title.</p>
23	<p>5.3.1 <del>An outbuilding development is deemed-to-comply, when it meets the requirements under clause 5.4.3 of the R-Codes, supplementary standards table below, and the standards under this policy.</del></p> <p><del>Where development approval is required for an outbuilding(s) and is to be assessed under clause 5.4.3 P3 of the R Codes, the outbuilding(s) should satisfy the The maximum allowable standards for outbuildings are prescribed in the following table.</del></p>	Insert/ Delete	<p>Insert for better context.</p> <p>Not support the Department of Planning, Lands and</p>

24	<b>RESIDENTIAL ZONE</b>			Insert/ Delete	Heritage suggested change to text.	
	<b>APPLICABLE LOT SIZE</b>	<b>STANDARD</b>	<b>MAXIMUM</b>			Inserts and deletions for better context.
	<600m <sup>2</sup>	Floor Area Wall Height Overall Height (single storey)	70m <sup>2</sup> 3.0metres 4.2metres			Align with comments made by the Department of Planning, Lands and Heritage
	601m <sup>2</sup> - 800m <sup>2</sup>	Floor Area Wall Height Overall Height (single storey)	90m <sup>2</sup> 3.6metres 5.0metres			
	801m <sup>2</sup> - 1,000m <sup>2</sup>	Floor Area Wall Height Overall Height (single storey)	100m <sup>2</sup> 3.8metres 5.0metres			
	1001m <sup>2</sup> - 2,000m <sup>2</sup>	Floor Area Wall Height Overall Height (single storey)	120m <sup>2</sup> 3.8metres 5.0metres			
	2001m <sup>2</sup> - 3,000m <sup>2</sup>	Floor Area Wall Height Overall Height (single storey)	130m <sup>2</sup> 3.8metres 5.0metres			
	3001m <sup>2</sup> - 4,000m <sup>2</sup>	Floor Area Wall Height Overall Height (single storey)	140m <sup>2</sup> 4.0metres 5.0metres			
	>4,001m <sup>2</sup>	Floor Area Wall Height Overall Height (single storey)	160m <sup>2</sup> 4.2metres 5.5metres			
	<i>Wall height <del>is are</del> to be measured from natural ground level as defined by the R Codes</i>					

25	<b>5.3.2</b> Boundary and privacy setbacks for outbuildings are to be determined in accordance with Tables 1, 2a and 2b of the R-Codes.	Insert	Setbacks not mentioned. Standards still applicable and provide clarity.
26	<b>5.4 Materials</b>	No change	N/A
27	<p><b>5.4.1</b> Outbuildings <del>assessed under this policy</del> shall be <del>finished constructed using</del> with new materials and <del>be of</del> a consistent colour <del>scheme</del>.</p> <p><b>5.4.2</b> The use of reflective <del>roofing</del> material is discouraged and may be permitted at the discretion of the Shire, <del>only where it has been demonstrated by the applicant it that the proposal satisfies the objectives of this policy cannot impact the amenity of the residential streetscape or adjoining properties.</del></p> <p><b>5.4.3</b> Shipping / Sea containers are unacceptable material <del>do not constitute outbuildings for the purpose of this policy and</del> require a development proposal <del>to be lodged</del> pursuant to LPS 9 and <del>assessed against the provisions of</del> Local Planning Policy 1.9 – Shipping / Sea Containers.</p>	Insert/ Delete	<p>Numeric reference inserted for clear identification.</p> <p>Inserts and deletions for better context.</p> <p>Recommend changes to Local Planning Policy 1.9 – Sea Containers, title (adding wording ‘Shipping’) and body of policy about acceptable standards i.e. cladding windows.</p> <p>There will be conflict between these policies. Point verified by Department of Planning, Lands and Heritage states that shipping containers are deemed to be outbuildings under R-Codes.</p>

28	<b>5.5 Variations to <del>Development</del> Standards</b>	Delete/Vary	As recommended by DPLH.
29	<del>5.5.1 There is a general presumption against allowing a reduction to the open space requirements prescribed by Table 1 of the R Codes in order to accommodate an outbuilding unless an applicant can provide sufficient justification on town planning grounds for seeking a reduction.</del>	Insert	
30	<p><del>5.5.2</del> Development proposals that seek to use recycled construction material must be accompanied by photographs clearly showing that the condition and visual appearance of the recycled material is to a satisfactory standard.</p> <p><del>5.5.3</del> Where a development proposal seeks <del>to erect an an</del> outbuilding(s) that does not satisfy the standards prescribed at a greater scale than provided for in the Table above, seeks to use reflective or recycled construction material <del>or seeks an assessment under the design principle of clause 5.4.3 of the R Codes</del>, the Shire may require additional assessment information that addresses matters such as, but not limited to, solar access and ventilation for adjoining sites, streetscape and visual amenity impacts and reflective glare assessments.</p> <p><del>5.5.4</del> Development proposals that seek variations to this policy shall be determined in accordance with the objectives of this Policy.</p>	Insert/ Delete	Align with comments made by the Department of Planning, Lands and Heritage
31	<del><b>6.0 — STAKEHOLDER CONSULTATION</b></del>	Delete	Delete
32	<p><del>Outbuildings that seek a variation to the standards prescribed by this policy require consultation with surrounding landowners for a minimum period of 14 days in accordance with clause 64 of the Deemed Provisions.</del></p> <p><del>Outbuildings that seek a variation to the deemed-to-comply provisions of clause 5.4.3 of the R Codes, however comply with the standards prescribed by this policy, will not be advertised to surrounding landowners. Advertising proposals that vary the deemed-to-comply provisions, however comply with the standards prescribed by this policy will be by exception, at the discretion of the Planning Department if an unusual circumstance is identified.</del></p>	Delete	Recommended that this section be deleted as it's a generic requirement
33	<b>6.0 DEFINITIONS</b>	Insert	New numbering with deletion of 6.0 above





35	<b>GOVERNANCE REFERENCES</b>			No change	N/A
36	<b>Statutory Compliance</b>	<ul style="list-style-type: none"> <li>• <i>Planning and Development Act 2005</i></li> <li>• <i>Planning and Development (Local Planning Schemes, Regulations 2015</i></li> <li>• <i>State Planning Policy 7.3: Residential Design Codes (Volume 1)</i></li> <li>• <i>Shire of Gingin Local Planning Scheme No. 9</i></li> </ul>		No change	N/A
	<b>Industry Compliance</b>	N/A			
	<b>Organisational Compliance</b>	N/A			
37	<b>POLICY ADMINISTRATION</b>			No change	N/A
38	<b>Review Cycle</b>	Biannual		No change	N/A
	<b>Review Next</b>	21 February 2025			
	<b>Department</b>	Office of the Chief Executive Officer			
	<b>Version</b>	<b>Decision Reference</b>	<b>Synopsis</b>		
	1	21 February 2023	Policy Adopted under LPS No.9		