
LOCAL PLANNING POLICY STATEMENT NO. 2.1 RESIDENTIAL OUTBUILDINGS

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 ²	Floor Area	70m ²
	Wall Height	3.0m
	Overall Height (single storey)	4.2m
601m ² - 800m ²	Floor Area	90m ²
	Wall Height	3.6m
	Overall Height (single storey)	5.0m
801m ² - 1,000m ²	Floor Area	100m ²
	Wall Height	3.8m
	Overall Height (single storey)	5.0m
1001m ² - 2,000m ²	Floor Area	120m ²
	Wall Height	3.8m
	Overall Height (single storey)	5.0m
2001m ² - 3,000m ²	Floor Area	130m ²
	Wall Height	3.8m
	Overall Height (single storey)	5.0m
3001m ² - 4,000m ²	Floor Area	140m ²
	Wall Height	4.0m
	Overall Height (single storey)	5.0m

>4,001m ²	Floor Area	160m ²
	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 detractor 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

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

POLICY ADMINISTRATION

Review Cycle	Biannual
Review Next	21 February 2025
Department	Office of the Chief Executive Officer

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