

## PLANNING & DEVELOPMENT

POLICY NUMBER	- 6.1
POLICY SUBJECT	- 6.1 Outbuildings in Residential Areas Local Planning Policy
DATE ADOPTED	- 20 October 2020 (CMRef 0292)
RESPONSIBLE OFFICER	- Town Planner
REVIEWED	- 18 June 2024 (CMRef: 0968)

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### Objective

The objectives of this Policy are to:

1. control the size and height of outbuildings in residential areas.
2. ensure that outbuildings are not visually intrusive to neighbouring properties or adjoining public spaces; and
3. ensure that the construction of an outbuilding does not detract from the general aesthetics and amenity of the residential area.

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### Policy

#### Definitions

**'Outbuilding'** is an enclosed non-habitable structure that is detached from any dwelling, but is NOT a:

1. **'Garage'** is any roofed structure, other than a carport, designed to accommodate one or more vehicles and attached to the dwelling.
2. **'Verandah'** is a roofed open platform attached to a dwelling.
3. **'Patio'** is an unenclosed structure covered in a water impermeable material which may or may not be attached to a dwelling.
4. **'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.

**'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.

**'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 7.3 – Residential Design Codes Volume 1 (R-Codes). The purpose of the R-Codes is to provide a comprehensive basis for the control of residential development throughout Western Australia.

#### Application

This Policy applies to new residential outbuildings on land in the district of Dowerin where the R-Codes apply.

## Outbuildings

Applications not meeting this development criteria and/or are of a contentious nature is to be referred to Council in the form of a written development application 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 satisfy the following development criteria may be approved by the Building Surveyor without referral to the Council of the Shire of Dowerin:

1. Outbuildings that comply with the Residential Design Codes Deemed-to-comply Requirements; and
2. Comply with the Building Code of Australia.
  - a. 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, unless a certified BA3 accompanies the application from a private certifier. The Building Surveyor may also require the cladding of the proposed second-hand outbuilding to be painted in an approved colour or renewed to ensure they do not detract from the visual amenity of the area.
  - b. Are not attached to a dwelling.
  - c. Are not habitable or contain habitable features, such as bathroom or wet bar.
  - d. Are not within the primary street setback area.
  - e. Do not reduce the amount of open space required by the Residential Design Codes to less than the prescribed amount.
  - f. Are setback in accordance with the requirements of the Residential Design Codes; and
  - g. Are of size or comprise an aggregate size of outbuildings on one lot, that does not exceed the specifications contained in the table below. Should the lot area exceed the table below then the proposed outbuilding will need to be referred to Council for planning consent:

LOT AREA (m <sup>2</sup> )	MAXIMUM SINGLE OUTBUILDING (m <sup>2</sup> )	TOTAL OUTBUILDINGS (m <sup>2</sup> )	MAXIMUM WALL HEIGHT (m)	MAXIMUM RIDGE HEIGHT (m)
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

**Roles and Responsibilities****Chief Executive Officer**

The Chief Executive Officer is responsible for implementing this policy.

**Staff**

Staff have the responsibility of being aware of the policy and adhering to it in respect of all procurement activities.

**Related Documentation****Related Legislation/Local Law/Policy/Procedure**

*Local Government Act 1995*

**Related Delegation**

Document Control	
Policy Number	6.1
Policy Version	3
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Last Review Date	18 June 2024 (CMRef: 0968)
Next Review Due	This policy will be reviewed annually or more often where circumstances require.