Outbuildings, Farm Buildings and Swimming Pools

Local Planning Policy 1

Citation

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015.* This policy may be cited as Local Planning Policy (LPP) – 1 Outbuildings, Farm Buildings and Swimming Pools.

Introduction

This Local Planning Policy provides a framework for the assessment and determination of applications for farm buildings, swimming pools and for outbuildings on developed land, with regard to the provisions in the R-Codes and in accordance with the purpose and provisions of the Scheme.

Objectives

(a) Timely processing of applications for planning approval for outbuildings, swimming pools and farm buildings that are in accordance with this Local Planning Policy.
(b) Buildings located in proximity to, or clustered with, the main/habitable structure(s).
(c) Buildings constructed in colours and of materials that complement the existing dwelling, the landscape and/or the amenity of the surrounding area.
(d) Buildings which are are ancillary to the main dwelling or principal land use on the site.
(e) Buildings of a form and scale consistent with the purpose of the zone in which they are located.

Application of this Policy

This Local Planning Policy administers provisions for outbuildings and swimming pools on Urban Development, Residential, Rural Residential, Environmental Conservation and Priority Agriculture zoned land. This Local Planning Policy also sets out provisions for farm buildings on Priority Agriculture zoned land.

Limitations

This Local Planning Policy does not apply to the following:

(a) Outbuildings equal to or less than ten square metres in size, which are considered below a threshold of 'development' and so exempt from the need to obtain planning approval where compliant with other relevant requirements of the scheme and R-Codes; and
(b) Outbuildings or farm buildings in zones not mentioned in Part 5, which are to be considered on their merit under the general provisions of the Scheme.

Restrictions

(a) The construction of Outbuildings on vacant Urban Development, Residential and Rural Residential zoned land is only permitted when a dwelling exists, or when an approved dwelling is under construction on the same lot. A building permit for the outbuilding must be issued with, or after, a building permit has been issued for a dwelling on the site; and
(b) Outbuildings used or capable of use for permanent occupation, except for an approved home occupation or cottage industry, will not be supported.

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Interpretation
Land Use Definitions:

'**Outbuilding**' means an enclosed non-habitable structure that is detached from any dwelling and for the purposes of this policy includes a water tank.

'**Farm building**' means those buildings and structures or parts of buildings and structures that are used for the storage of farm machinery and equipment and agricultural produce grown on the land.

'Lean to' means a roofed structure which is attached to an outbuilding but which has open sides.

Policy Provisions

Note: Outbuildings, swimming pools and farm buildings that meet the acceptable development criteria of this policy are exempt from the need to obtain planning approval - refer to clause 61 of the Deemed Provisions of the Scheme.

<table>
<tr><th>Performance Criteria</th><th>Acceptable Development</th></tr>
<tr><td colspan="2">Element: Outbuildings and Swimming pools</td></tr>
<tr><td>PC1.1 Outbuildings that exceed the following floor areas are unlikely to be supported:
<table><tr><td>Zone/Density</td><td>Area</td></tr><tr><td>Residential R10</td><td>100m²</td></tr><tr><td>Residential R5 and lower</td><td>120m²</td></tr><tr><td>Rural Residential ≤2ha</td><td>150m²</td></tr><tr><td>Rural Residential >2ha
Environmental Conservation</td><td>180m²</td></tr></table>Outbuildings of a size greater than that set out in the Acceptable Development provisions are to address the following:
PC1.2 Outbuildings are screened from view from the street and neighbouring properties, or are otherwise, consistent with the established pattern of development within the streetscape and maintain passive surveillance of the street from the dwelling.</td><td>Urban Development and Residential Zones[1]
AD1.1 Outbuildings consistent with the deemed to comply requirements under clauses 5.4.3 and 6.4.4 of the R Codes, with the exception of wall height and floor area for lots coded R10 and lower.
AD1.2 Outbuildings that do not exceed a wall height of 3.1m, measured in accordance with figure 1 or in the case of a skillion roof design, do not exceed a median height of 3.6m;
AD1.3 Outbuildings do not exceed the following floor area:<table><tr><td>Density Code</td><td>Area</td></tr><tr><td>R10</td><td>75m²</td></tr><tr><td>R5 and lower</td><td>80m²</td></tr></table>AD1.4 Lean to's open on 3 sides - limited to 25% of the allowable area as per AD1.3.
AD 1.5 Outbuildings located behind the front of an existing dwelling and where applicable within the prescribed building envelope or clustered with the dwelling.</td></tr>
</table>

[1] For the UrbanDevelopment and Residential zones this Local Planning Policy augments the deemed-to-comply standards C3 & C4 provided in the R Codes at clause 5.4.3.

Performance Criteria	Acceptable Development
PC1.3 Outbuildings are of a scale and materiality which does not detract from the character of the immediate locality, are not of an excessive scale relative to established dwellings, constructed of colours and incorporate design features and materials that complement the dwelling and amenity of the surrounding area. PC1.4 Outbuildings that will not have an adverse impact to or detract from the amenity of neighbouring properties. PC1.5 Outbuildings that, where practical, are grouped with the residence to limit potential adverse visual impacts and are proportionally scaled relative to the dwelling on site;	AD1.6 On properties coded R5, the 5m side setback does not apply to Outbuildings (including water tanks) and swimming pools where located wholly behind the rear elevation of the associated dwelling and where compliant with tables 2a and 2b and clause 5.4.1 of the R-Codes. Rural Residential and Environmental Conservation Zone AD1.7 On Rural Residential lots equal to or less than 2ha in area, outbuildings that collectively are no greater than 120sqm in size on any one site excluding water tank(s). AD1.8 On Rural Residential lots greater than 2ha in area and Environmental Conservation lots outbuildings that collectively are no greater than 150sqm in size on any one site excluding water tank(s). A.D.1.9 Lean to's open on 3 sides - limited to 25% of the allowable area as per AD1.7 or AD1.8 as relevant.AD1.10 Outbuildings that do not exceed a ridge height of 4.5m. AD1.11 Outbuildings ancillary to the residential use of the land. AD1.12 Outbuildings and swimming pools located behind the front of the dwelling and where applicable within the prescribed building envelope Priority Agriculture Zones AD1.13 A total outbuilding floor area that is no greater than 150sqm on any one site excluding water tank(s). AD1.14 Outbuildings ancillary to the residential use of the land. AD1.15 Swimming pools and outbuildings located behind the front of the dwelling.
Element: Farm Buildings	
PC1.5 Farm buildings that are/can be adequately screened from view, or are otherwise an appropriate form and scale, and in an appropriate location, consistent with the visual management	Priority Agriculture Zones AD1.16 A cumulative farm building floor area no greater than 450sqm on any one site. AD1.17 Farm buildings necessary for the

Performance Criteria		Acceptable Development	
	guidelines of the Local Planning Strategy.		management and conduct of rural practices.
PC1.6	Farm buildings constructed of colours and materials which complement the landscape and/or the amenity of the surrounding area.	AD1.18	Farm buildings ancillary to a legally existing rural use.
PC1.7	Farm buildings that will not have an adverse impact on or detract from the amenity of neighbouring properties.	AD1.19	Farm buildings designed and located to achieve any visual management objectives which apply to the area.
PC1.8	Farm buildings that are of a scale consistent with the size of the lot on which it is proposed.		

Notes:

The maximum ridge height for outbuildings in the Urban Development and Residential Zones: 4.2m (see Residential Design Codes)

The maximum outbuilding floor area for Residential lots with a density code of R15 and above: 60sqm (see Residential Design Codes)

The maximum height for outbuildings in the Priority Agriculture Zone: 8m (see LPS2)

The maximum height for farm buildings in the Priority Agriculture Zone: 11m (see LPS2)

Figure 1 – Measuring Wall and Ridge Height of an Outbuilding

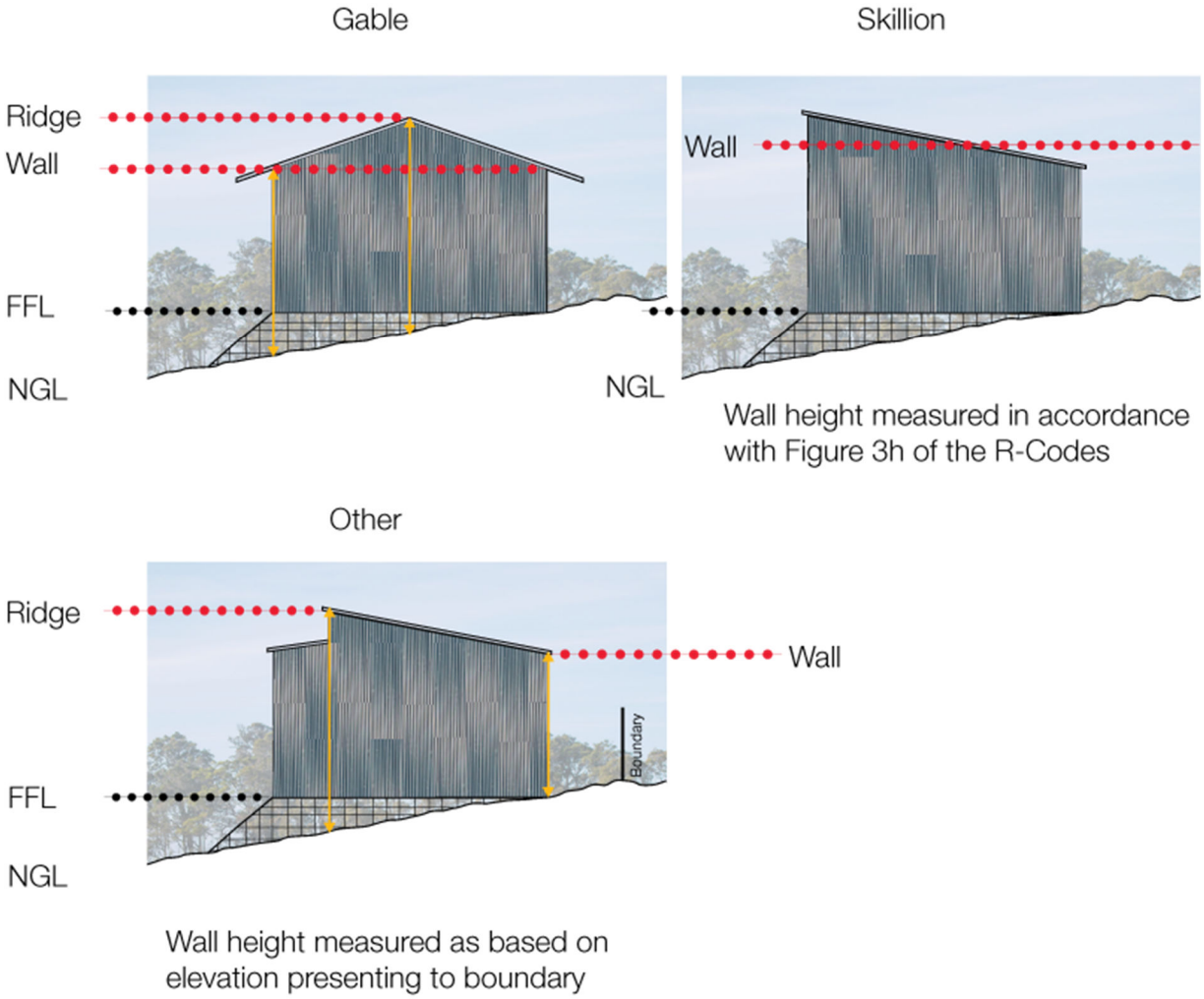
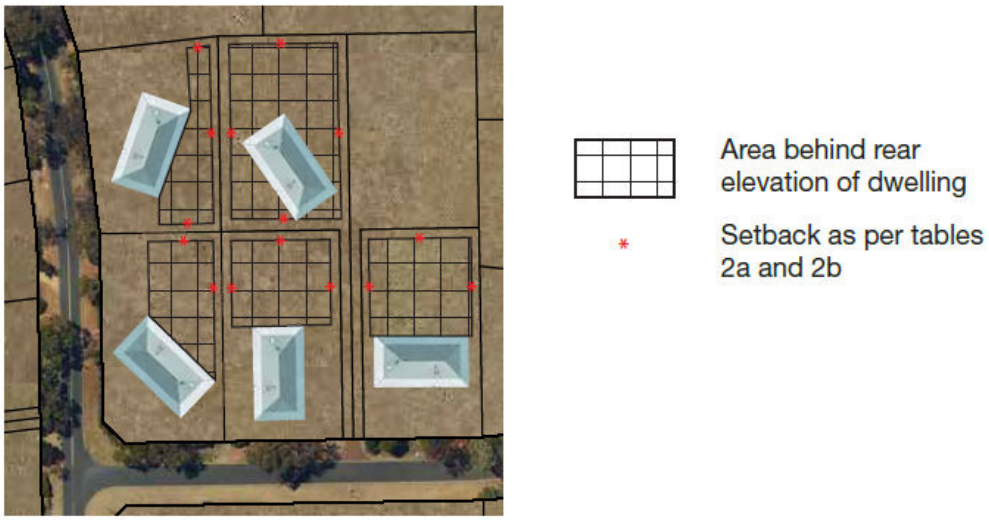


Figure 2 – Application of AD1.5 for relaxation of 5m setback requirement



Document and version control table			
Responsible Directorate	Development and Infrastructure		
Contact officer	Planning Department		
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