

Local Planning Policy 1

Outbuildings, Farm Buildings and Swimming Pools



May 2021

This policy was adopted by Council to set governing principles in place that align the strategic direction of the organisation with [insert relevant strategic goal from Corporate Plan]

Local Planning Policies are guidelines used to assist the local government in making decisions under the Scheme. In considering an application for planning approval, the local government must have due regard to relevant Local Planning Policies.

1.0 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. This policy is created under the Deemed Provisions of *Local Planning Scheme No. 1*.

2.0 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 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.

3.0 Scope

This Local Planning Policy administers provisions for outbuildings and swimming pools on Future Development, Residential, Rural Residential, Bushland Protection, Priority Agriculture and General Agriculture zoned land. This Local Planning Policy also sets out provisions for farm buildings on Priority Agriculture and General Agriculture zoned land.

3.1 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 3, which are to be considered on their merit under the general provisions of the Scheme.

3.2 Restrictions

- (a) The construction of Outbuildings on vacant Future 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.

4.0 Interpretation

- (a) 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.

5.0 Policy Measures

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.

Performance Criteria		Acceptable Development
Element: Outbuildings and Swimming pools		
PC1.1	Outbuildings that are/can be adequately screened from view from the street and neighbouring properties, or are otherwise an appropriate form and scale, and in an appropriate location, consistent with the visual management guidelines of the Local Planning Strategy.	Future 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
PC1.2	Outbuildings constructed of colours and materials that complement the landscape,	

¹ For the Future Development 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												
dwelling and/or the amenity of the surrounding area.	exceed a median height of 3.6m;												
PC1.3 Outbuildings that will not have an adverse impact to or detract from the streetscape or amenity of neighbouring properties.	AD1.3 Outbuildings do not exceed the following floor area:												
PC1.4 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;	<table border="1" data-bbox="940 311 1378 510"> <thead> <tr> <th>Density Code</th> <th>Area</th> </tr> </thead> <tbody> <tr> <td>R10</td> <td>75m²</td> </tr> <tr> <td>R5 and lower</td> <td>80m²</td> </tr> </tbody> </table>	Density Code	Area	R10	75m ²	R5 and lower	80m ²						
Density Code	Area												
R10	75m ²												
R5 and lower	80m ²												
PC1.5 Outbuildings that exceed the following floor areas are unlikely to be supported:	AD1.4 Outbuildings located behind the front of an existing dwelling and where applicable within the prescribed building envelope or clustered with the dwelling.												
<table border="1" data-bbox="333 745 732 1364"> <thead> <tr> <th>Zone/Density</th> <th>Area</th> </tr> </thead> <tbody> <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</td> <td>180m²</td> </tr> <tr> <td>Bushland Protection</td> <td></td> </tr> </tbody> </table>	Zone/Density	Area	Residential R10	100m ²	Residential R5 and lower	120m ²	Rural Residential ≤2ha	150m ²	Rural Residential >2ha	180m ²	Bushland Protection		AD1.5 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.
Zone/Density	Area												
Residential R10	100m ²												
Residential R5 and lower	120m ²												
Rural Residential ≤2ha	150m ²												
Rural Residential >2ha	180m ²												
Bushland Protection													
	Rural Residential and Bushland Protection Zone												
	AD1.6 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).												
	AD1.7 On Rural Residential lots greater than 2ha in area and Bushland Protection lots outbuildings that collectively are no greater than 150sqm in size on any one site excluding water tank(s).												
	AD1.8 Outbuildings that do not exceed a ridge height of 4.5m.												
	AD1.9 Outbuildings ancillary to the residential use of the land.												
	AD1.10 Outbuildings and swimming pools located behind the front of the dwelling and where applicable within the prescribed building envelope												
	Priority and General Agriculture Zones												
	AD1.11 A total outbuilding floor area that is no greater than 150sqm on any one site excluding water tank(s).												
	AD1.12 Outbuildings ancillary to the residential use of the land.												

Performance Criteria	Acceptable Development
	AD1.13 Swimming pools and outbuildings located behind the front of the dwelling.
Element: Farm Buildings	
<p>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 guidelines of the Local Planning Strategy.</p> <p>PC1.6 Farm buildings constructed of colours and materials which complement the landscape and/or the amenity of the surrounding area.</p> <p>PC1.7 Farm buildings that will not have an adverse impact on or detract from the amenity of neighbouring properties.</p> <p>PC1.8 Farm buildings that are of a scale consistent with the size of the lot on which it is proposed.</p>	<p>Priority and General Agriculture Zones</p> <p>AD1.14 A cumulative farm building floor area no greater than 450sqm on any one site.</p> <p>AD1.15 Farm buildings necessary for the management and conduct of rural practices.</p> <p>AD1.16 Farm buildings ancillary to a legally existing rural use.</p> <p>AD1.17 Farm buildings designed and located to achieve any visual management objectives which apply to the area.</p>

Figure 1 – Measuring Wall and Ridge Height of an Outbuilding

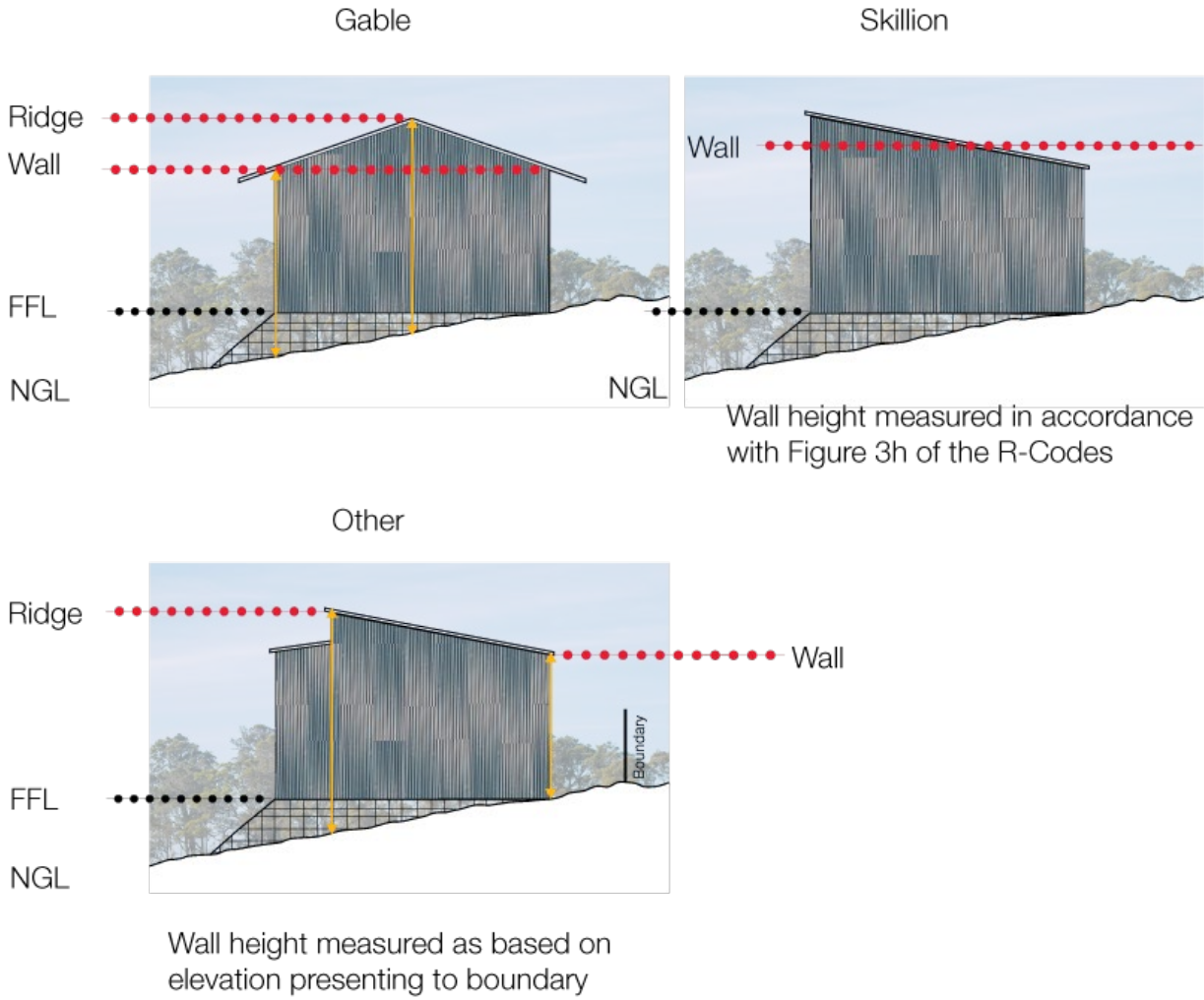
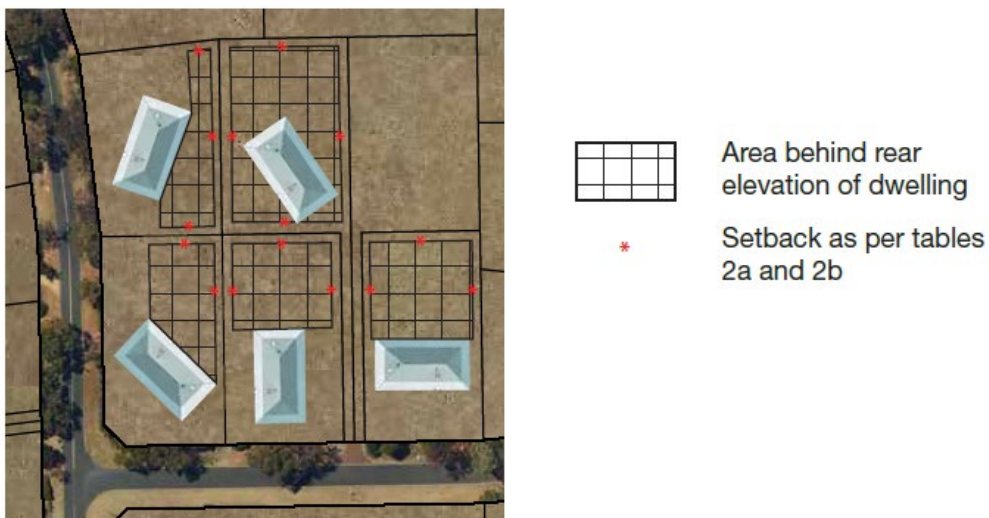


Figure 2 – Application of AD1.5 for relaxation of 5m setback requirement



Document and version control table

Strategic outcome	Clearly defined areas for growth renewal and protection		
Responsible Directorate	Sustainable Development and Infrastructure		
Authority of original issue	Council		
Date of original issue	25 September 2013 (decision OM1309/23)		
Contact officer	Planning Services		
Date of next review	[1-3 years from last review]		
Document No.	[Synergy Document No.]	File No.	[Synergy File No.]
Version	Date issued	Brief description	
1.0	24 February 2016	Reviewed (advertised)	
1.1	24 August 2016	Adopted by Council	