# OUTBUILDINGS IN RESIDENTIAL AND RURAL ZONES

**POLICY NUMBER: LPP3**

**STATUTORY BACKGROUND**

This Policy is adopted under Part 2 of Schedule 2, of the *Planning and Development (Local Planning Schemes) Regulations 2015* which enables the City of Kalgoorlie to prepare local planning policies for any matter related to the planning and development of the scheme area.

## PURPOSE

The purpose of this Policy is to provide local variation to the provisions of the R-Codes and establishing Zone standards for outbuildings.

## OBJECTIVES

The objectives of this policy are to:

* + To alter the deemed-to-comply provisions of the R-Codes for *Design Principle 5.4.3 and 6.4.4 – Outbuildings;*
	+ Recognise the unique characteristics of outbuilding development in the City not adequately catered for by the R-Codes;
	+ Provide appropriate development standards for outbuildings that reflect the City’s climate, lifestyle and built form and do not detrimentally affect the amenity of the property or adjoining properties;
	+ To ensure that outbuildings are not used for habitation, commercial or industrial purposes by controlling building bulk (size and height); and
	+ To encourage the use of outbuilding materials and colours that complements the landscape and amenity of the surrounding areas.

This policy establishes criteria for the assessment of outbuilding and sea container applications.

## RELATIONSHIP TO OTHER DOCUMENTS

This Local Planning Policy forms part of the City of Kalgoorlie (the City) local planning policy framework. Where this Policy is inconsistent with the City’s local planning scheme, the local planning scheme prevails. Where this Policy is inconsistent with an adopted Local Development Plan, Activity Centre Plan or Structure Plan, the adopted Local Development Plan, Activity Centre Plan or Structure Plan prevails. Where this Policy is inconsistent with the provisions of a specific Policy, Master Plan or Guidelines applying to a particular site or area, the provisions of that specific Policy, Master Plan or Guidelines shall prevail.

## DEFINITIONS

**Outbuildings** are defined in the Residential Design Codes as non-habitable structures that are detached from a dwelling, but this does not include a kennel structure.

**Sea containers** are prefabricated durable steel framed containers (primarily designed for cargo transport) that can be placed on a site and relocated as a self-contained unit.

 Minor exempted structures include:

* + sheds of less than 10m2 in area and 2.4m in height (which are exempt from requiring approval under Building Regulations);
	+ aviaries, animal pens and shade houses with permeable walls; and
	+ equipment enclosures associated with pumps, bores, services and the like.

## POLICY PROVISIONS

Council will consider the following matters when assessing outbuilding proposals in Residential and Rural zones:

1. The colours and materials of the outbuilding and whether they are compatible with their setting;
2. The setbacks of the outbuilding to adjoining properties and the primary and secondary street (where applicable);
3. The bulk and scale of the outbuilding;
4. Whether the outbuilding will be visible from the street (primary or secondary).
5. The size of the lot; and
6. The proposed use of the outbuilding.

Council acknowledges that as lot sizes increase properties are more capable of accommodating larger outbuildings in ways which provide screening, separation, and the maintenance of visual amenity in a rural context. Accordingly, Table 2 provides;

***Table 1 – Area and Height***

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Zone | Min Site Area  | Floor Area | Wall Height | Max Height |
| Residential above R40 |  | As per the R-Codes |  As per the R-Codes | As per the R-Codes |
| Residential R10-R40 |  |  80sqm | 3.5 | 4.5 |
| Resident R2 & R5 | Above 4 ha |  120sqm | 4 | 5 |
| Rural 1- 4 h | 1 – 4ha  | 200 sqm | 4.5 | 5 |
| Rural Above 4 ha | Above 4 ha | 300 sqm | 5 | 6 |

**Table 2 – Setbacks**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Zone | Primary Street  | Secondary Street  | Side  | Rear |
| Residential R10 -R40 | 6m | As per the R-Codes |  As per the R-Codes | As per the R-Codes |
| Residential Above R40 | Behind the building | As per the R-Codes | As per the R-Codes | As per the R-Codes |
| Resident R2 & R5 | 10 | As per the R-Codes | As per the R-Codes | As per the R-Codes |
| Rural 1- 4 h | 15  | 10 | 5 | 10 |
| Rural Above 4 ha | 20 | 15 | 10 | 20 |

* Floor area is calculated based on the total floor area of all outbuildings.
* Outbuildings that meet the criteria of Table 1 and setback requirements of the R-Codes or Scheme are exempt from the need to obtain Planning Approval.
* Where a proposal exceeds any of the dimensions contained in Table 1 and 2 a Planning Approval is required and the application will be advertised to any neighbour who, in the opinion of the City, may be potentially affected by the outbuilding.
* Outbuildings are to be used for domestic or storage purposes.
* Outbuildings shall generally be located behind the front setback and not be significantly visible from the primary street. Some visibility from the secondary street

may be unavoidable.

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| --- | --- |
| Date Adopted: *Insert OCM details and date* | Item Number: *Insert OCM Item No.* |
| Delegation: Ordinary Council Meeting | Revision Number: 1 |
| Authority: City of Kalgoorlie-Boulder Local Planning Scheme No. 2 2021 (as amended) |