

OUTBUILDINGS IN RESIDENTIAL AREAS

What is an outbuilding?

An outbuilding is an enclosed non-habitable structure that is detached from any dwelling.

What sort of outbuilding can I build?

Clause 5.4.3 (Outbuildings) of State Planning Policy 7.3 Residential Design Codes Volume 1 (R-Codes – Volume 1) prescribes development controls that apply to outbuildings. The requirements are as follows:

Outbuildings that:

- are not attached to a dwelling;
- are non-habitable;
- collectively do not exceed 60m² in area or 10 per cent in total of the site area, whichever is the lesser;
- do not exceed a wall height of 2.4m;
- do not exceed roof pitch height of 4.2m;
- are not within the primary or secondary street setback area;
- do not reduce the amount of open space required in Table 1 (of the R-Codes – Volume 1); and
- are set back in accordance with Tables 2a and 2b of the R-Codes – Volume 1 (explained below).

Examples are provided at the end of this document.

How far from the side boundary can I build an outbuilding?

The setback of the outbuilding from the boundary depends on the length and height of the wall. Generally, the longer and higher the wall the greater the setback from the boundary is required to be. Please refer to Table 1-5.2a, 1-5.2b and 1-5.2c of Policy No. 7.1.1 Built Form (Built Form Policy) which specifies the required setbacks for walls and replace the requirements of the R-Codes. Generally, if the wall does not exceed a length of 9m and a height of 3.5m a setback of 1m is acceptable.

Can I build a wall on the boundary?

Boundary walls may be permitted development, noting any proposed boundary walls are required to take into consideration any existing boundary walls. Please refer to the applicable Built Form Area within the Built Form Policy for the applicable requirements relating to boundary walls.

Do I need development approval?

Development approval is **not** required for outbuildings if the proposal is fully compliant with deemed-to-comply requirements of the Built Form Policy and the R-Codes.

Development approval **is** required for outbuildings located on properties subject to heritage protection or within character retention areas.

Where an application does not meet the requirements as set out in the City's Built Form Policy or the R-Codes, written justification detailing how the development satisfies the relevant design principles is required to be submitted with the application. A Planning Officer will consider this variation and whether the application is considered to meet the relevant design principles or objectives of the City's Built Form Policy and/or R-Codes, to determine whether the variation can be considered. Where variations are not deemed appropriate or in line with the design principles, amended plans or reconsideration of the proposal will be required.

How long does the development application process take?

The City has 60 days in which to determine the application or 90 days if the application requires community consultation.

Clause 75(c) of the *Planning and Development (Local Planning Schemes) Regulation 2015* states that applications may take longer than 90 days where it is agreed to in writing between the local government and the applicant.



How long do I have to build my outbuilding?

Development approvals are valid for 2 years. The construction of the outbuilding is to be substantially commenced within this time period.

What information is required for a Development Application?

Please refer to the relevant Development Application Checklist.

Do I need building approval?

Applying for development approval and a building permit are two separate processes, both controlled under different legislation. A building permit ensures that the building is structurally safe and complies with the relevant building legislation.

For class 10a buildings, being sheds, carports, patios and the like, the Building Regulations Schedule 4 provides an exemption from requiring a building permit for: Construction, erection, assembly or placement of a freestanding class 10a building that:

- has a floor area not exceeding 10m²;
- is no more than 2.4m in height; and
- is not located in wind region C or D as defined in AS1170.2

All buildings are also subject to compliance with the Building Codes of Australia, which includes fire separation requirements.

Please contact the City's Building Services Business Unit on **9273 6000** for further information relating Building Permits.

Do you have more questions?

The City is unable to confirm if a proposal will be supported in the absence of a formal development applications. However, applicants can discuss planning proposals and preliminary plans with the City's Urban Planners. Urban Planners can provide general advice to applicants on a proposed development or land use and the information required to lodge a complete application.

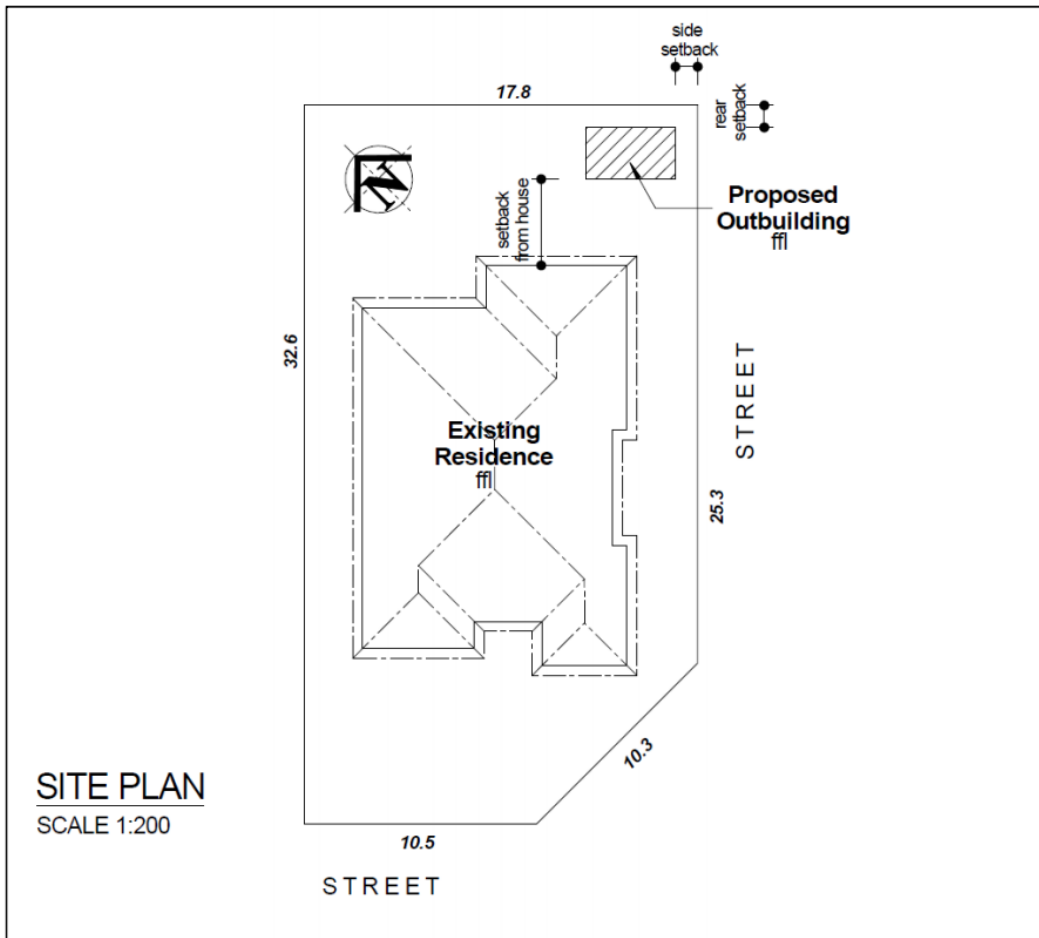
A Duty Planner is available to talk to at the City's Administration Office Monday to Friday, 8.30am to 5.00pm, in person or on the phone.

Phone: 9273 6000

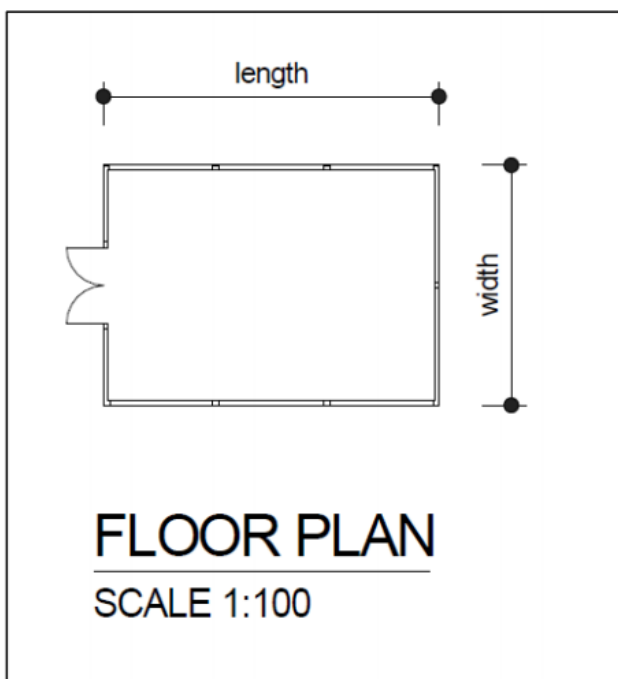
Email: mail@vincent.wa.gov.au

Address: Main Administration Building, 244 Vincent Street, Leederville 6007, WA

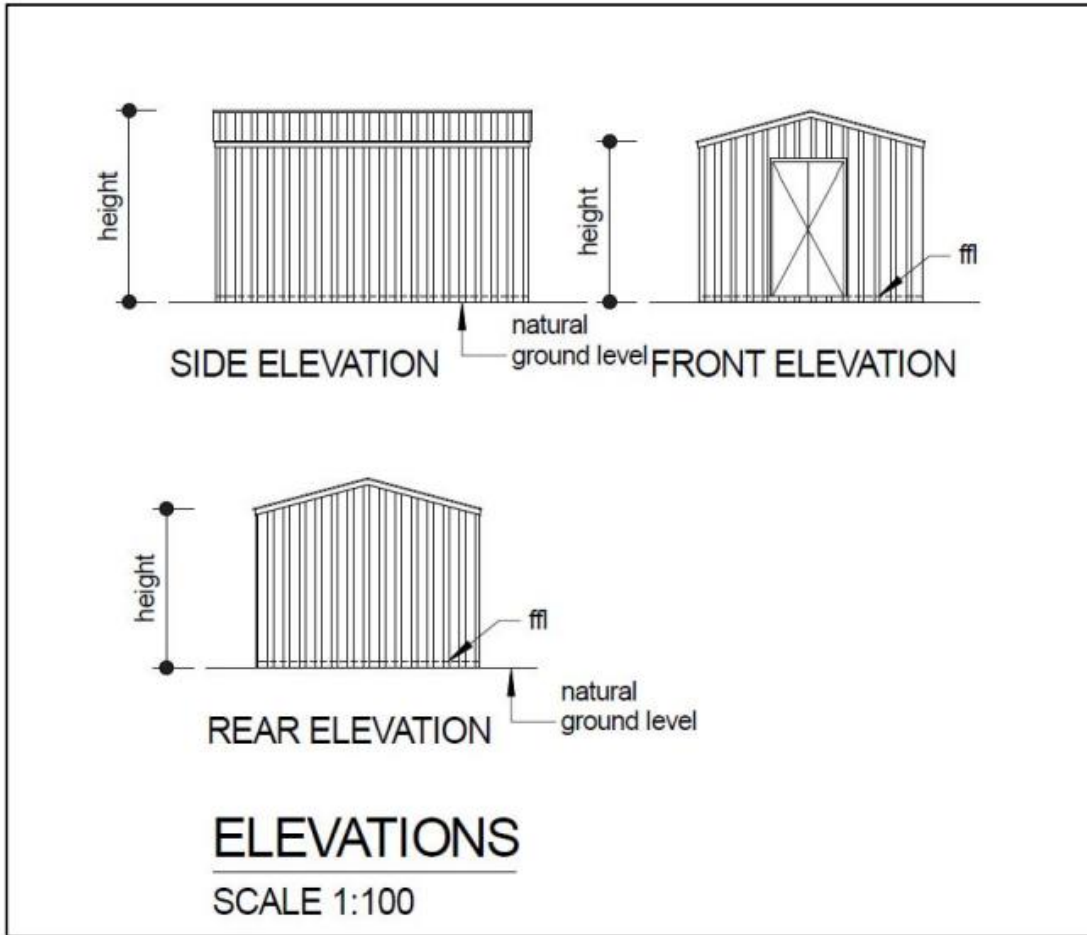
SITE PLAN



FLOOR PLAN



ELEVATION PLAN



Disclaimer: This information is produced by the City of Vincent in good faith and the City accepts no responsibility for any ramifications or repercussions for providing this information. Verification with the original Local Laws, planning schemes and other relevant documents is recommended for detailed references.