

## OUTBUILDINGS IN RESIDENTIAL AREAS

### What is an outbuilding?

An 'outbuilding' is an enclosed non-habitable structure that is detached from any dwelling. This includes structures used as garages if they are not attached to a 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) prescribes development standards for outbuildings.

The R Codes has two sets of requirements for outbuildings, depending on the size and number of the outbuildings on a site. The requirements are as follows:

Small outbuilding:

- (i) no more than one outbuilding per dwelling site;
- (ii) has no more than two boundary walls;
- (iii) does not exceed 10m<sup>2</sup> in area;
- (iv) does not exceed a wall and ridge height of 2.7m;
- (v) not located within the primary or secondary street setback area; and
- (vi) does not reduce open space and outdoor living area requirements in Table 1 of the R Codes.

OR

Large and multiple outbuildings:

- individually or collectively does not exceed 60m<sup>2</sup> in area or 10 per cent in aggregate of the site area, whichever is the lesser;
- set back in accordance with Table 2a (of the R Codes);
- does not exceed a wall height of 2.4m;
- does not exceed a ridge height of 4.2m;
- not located within the primary or secondary street setback area; and
- does not reduce the open space and outdoor living area requirements in Table 1 of the R Codes.

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

Outbuildings are required to be setback from lot boundaries in accordance with Table 2a of the R Codes, however a small outbuilding may be placed on two lot boundaries.

The required setback of outbuildings 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. As a general guide a setback of 1m – 1.5m is usually acceptable, depending on the distance from the existing dwelling and the size of existing development on site.

### Can I build an outbuilding on the boundary of my property?

A small outbuilding may be located on up to two lot boundaries.

A large outbuilding or multiple outbuildings would require development approval to be place on a site's boundary.

Boundary walls are covered under their own clause of the R Codes. The length of boundary walls permitted on a site depends on the site's dimensions, street setbacks and residential density coding.

### Do I need development approval?

If a proposed outbuilding is on the same lot as a single house or grouped dwelling, and is fully compliant with the above standards of the R Codes, development approval is not required.



Development approval is required for outbuildings located on properties which are heritage listed.

Where a proposal does not meet the standards 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.

An Urban Planner will consider this variation and whether the application is considered to meet the relevant design principles or local housing objectives, to determine whether the variation can be supported. Where variations are not considered to meet 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 from the date of issue. The construction of the outbuilding is to be substantially commenced within this time.

*Note: Pursuant to Schedule 4, Clause 4.2 of the Clause 78H Notice of Exemption from Planning Requirements During State of Emergency signed by the Minister for Planning on 4 March 2022, a further two years is added to the date by which the development shall be substantially commenced (four years total).*

## What information is required for a Development Application?

Please refer to the relevant [Development Application Checklist](#). Please also examples at the end of this information sheet of site plans and elevations which would need to be included in your development application.

## 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 10m<sup>2</sup>;
- is no more than 2.4m in height; and

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 team on [9273 6000](tel:92736000) for further information relating Building Permits.

## Do you have more questions?

The City can't confirm if a proposal would be supported unless a development application is lodged. However, residents can discuss planning proposals and preliminary plans with the City's Urban Planners. Urban Planners can provide general advice to residents on a proposed development 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.



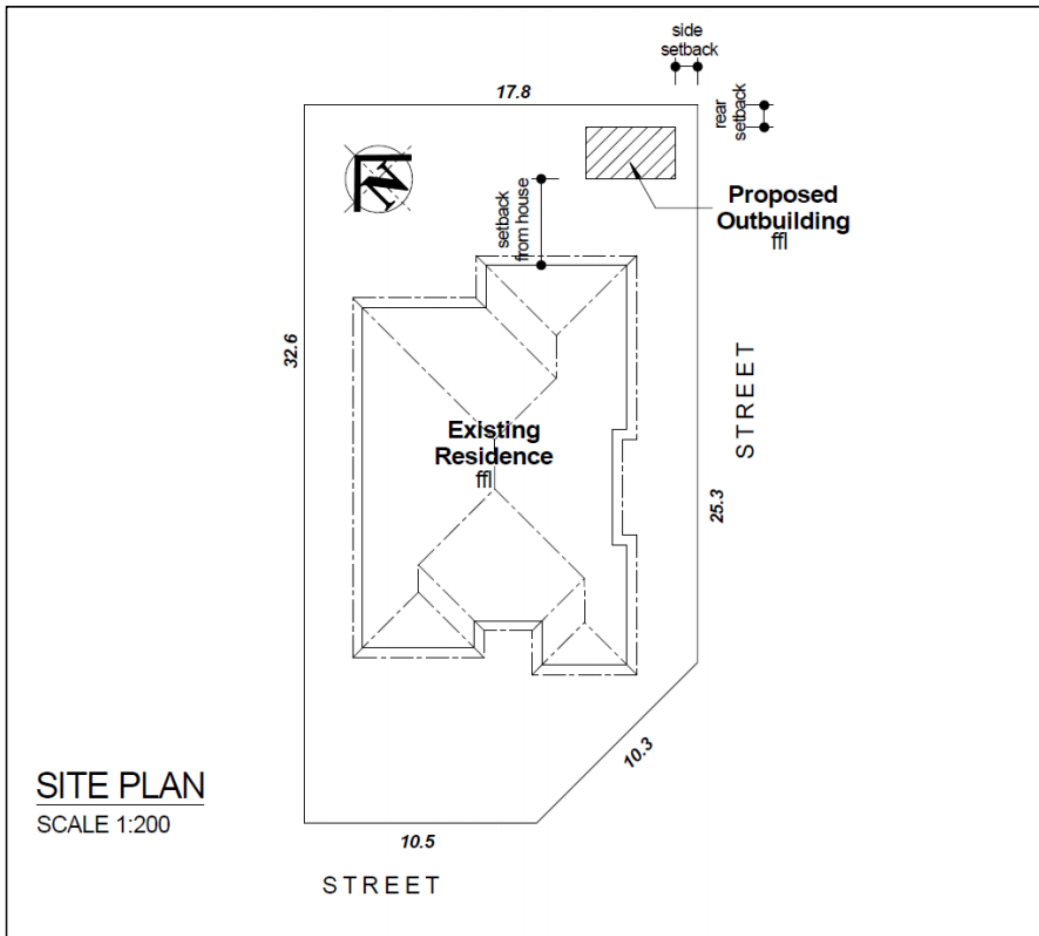
Phone: 9273 6000

Email: [mail@vincent.wa.gov.au](mailto:mail@vincent.wa.gov.au)

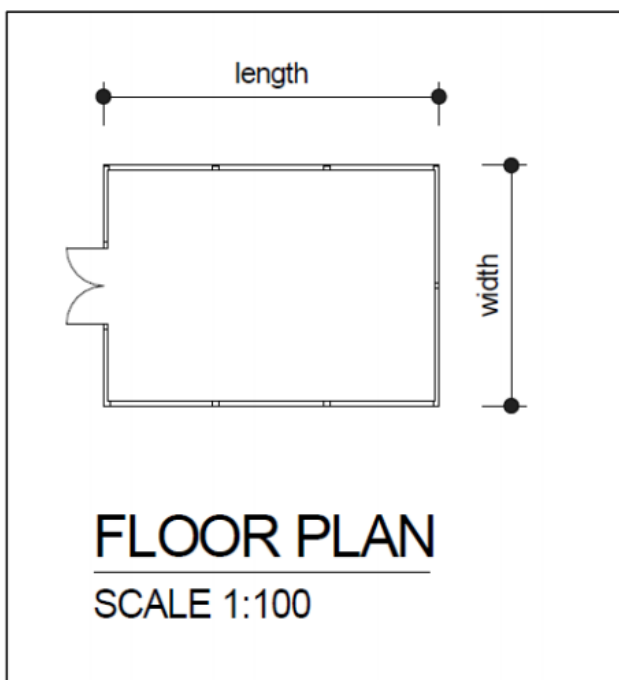
Address: Main Administration Building, 244 Vincent Street, Leederville 6007, WA

*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.*

SITE PLAN EXAMPLE:



FLOOR PLAN EXAMPLE:



ELEVATION PLAN EXAMPLE:

