

Additional Development Exemptions

Policy Type: Local Planning Policy Policy Owner: Director Urban Planning	Policy No. LPP1.17 Last Review Date: 15 November 2016
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Policy Objectives

The objective of this policy is:

- To augment the deemed to comply standards of the R-Codes for Outbuildings and Shade Structures;
- To provide guidance to landowners and applicants with regard to minor structures which do not require development approval from the City.

Policy Scope

This policy applies to residential development such as the erection of outbuildings, shade structures, or other minor structures. Where development satisfies the criteria outlined in this policy, development approval is not required.

Definitions / Abbreviations Used In Policy

Residential Design Codes (R-Codes)
 Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations)

Policy Statement

Clause 61 of Schedule 2 of the Regulations, details the types of works and land uses which are exempt from development approval. In relation to residential development, planning approval is not required if the relevant deemed-to-comply provisions of the R-Codes are met unless the site is affected by heritage considerations.

Table 1 – Additional Development Exemptions

Category of work	Criteria
Outbuilding	As per the R-Codes deemed to comply criteria with the exception of the following: <ul style="list-style-type: none"> • Walls may be built up to the boundary subject to compliance with the boundary wall provisions of <i>LPP3.1 Residential Development</i>.



Shade Structures (Patios, shade sails and pergolas)	<p>Patios Maximum wall height of 3.0m above natural ground level.</p> <ul style="list-style-type: none">• Maximum ridge height 3.5 metres above natural ground level.• Street setbacks to comply with Local Planning Policy <i>LPP3.1 Residential Development</i>.• Open on two or more sides.• Open sided where they are located adjacent to a common boundary.• Not to cover more than two-thirds of the primary outdoor living area.• Supporting posts may be located within 1 metre or less of the boundary subject to the total length being compliant with the boundary wall provisions of <i>LPP3.1 Residential Development</i>. <p>Shade Sails</p> <ul style="list-style-type: none">• Shade sails with a maximum height of 3.0metres• Not to cover more than two-thirds of the primary outdoor living area with a maximum height of 3.0metres.• Street setbacks to comply with <i>LPP3.1 Residential Development</i>. <p>Pergolas</p> <ul style="list-style-type: none">• Pergolas with a maximum height of 3.0metres.• Not to cover more than two-thirds of the primary outdoor living area.• Street setbacks to comply with <i>LPP3.1 Residential Development</i>.
Minor structures	<ul style="list-style-type: none">• Flag poles limited to one per property, not more than 8m in height and not used for advertising purposes.• Cubbyhouse with wall height less than 2.4 metres and ridge height less than 4.2.• Letterboxes not to be located within the vehicle truncation area.
Swimming Pools	Not more than 0.5 metres above natural ground level.
Demolition	<p>Demolition of any building including single house, grouped dwellings, multiple dwellings and non-residential buildings, where the structure(s) is/are not:</p> <ol style="list-style-type: none">(i) located in a place that is entered in the Register of Heritage Places under the Heritage of Western Australia Act 1990; or(ii) the subject of an order under the Heritage of Western Australia Act 1990 Part 6; or(iii) included on a heritage list prepared in accordance with this Scheme; or(iv) located within an area designated under this Scheme as a heritage area; or(v) the subject of a heritage agreement entered into under the Heritage of Western Australia Act 1990 section 29.



References that may be applicable to this Policy

Legislative Requirements:	Planning and Development Act 2005 Planning and Development (Local Planning Schemes) Regulations 2015
Procedure, Process Maps, Work Instructions:	Planning Application Directorate Procedure
Other Plans, Frameworks, Documents Applicable to Policy:	Local Planning Scheme No.6 State Planning Policy 3.1 -Residential Design Codes LPP 3.1 Residential Development LPP 1.7 Telecommunications Facilities and Equipment
Delegated Authority No:	DA – 020: Planning and Related Matters

ORIGIN/AUTHORITY

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