



Development Services

**City of Albany
Policy**

NON-HABITABLE STRUCTURES

NON-HABITABLE STRUCTURES

(i.e. Outbuildings, Sheds, Gazeboes, Carports, Sea-containers, Shade houses)

1. Objective

1. To achieve a balance between providing for various legitimate storage needs of residents whilst minimising any adverse impacts non-habitable structures may have on the locality.

2. Scope

1. Non-habitable structures include structures that are not attached to a dwelling and commonly known as outbuildings, sheds, gazeboes, carports, sea containers and shade houses.
2. Garden structures (i.e. structures without a solid roof - pergolas with shade cloth and arbours) are considered exempt from the provisions of the policy.
3. This policy applies to non-habitable structures on lots designated for 'Residential', 'Tourist Residential', 'Future Urban', 'Special Residential', 'Rural Residential', 'Rural Village', Yakamia Creek, 'General Agriculture and Priority Agriculture' (<4ha) and 'Conservation' purposes. This Policy does not apply to non-habitable structures on lots designated 'General Agriculture and Priority Agriculture' (>4ha), 'Industrial' or 'Commercial'.
4. Setbacks for non-habitable structures in the 'Residential', 'Tourist Residential' and 'Future Urban' zones are to conform to the Table 1, 2a or 2b of the Residential Design Codes WA. Setbacks for non-habitable structures in the 'General Agriculture and Priority Agriculture', 'Conservation', 'Rural Residential', 'Special Residential' and 'Rural Village' zones are to comply with the provisions listed in the scheme applicable to each area. Where requirements are not clearly defined, compliance shall be in accordance with the objective of this policy.
5. A non-habitable structure with a floor area of 10m² or less and under 2.4m in height is considered exempt from the provisions of the policy (i.e. small garden shed). A second non-habitable structure with a floor area of 10m² or less and under 2.4m in height is to be assessed in accordance with the Non-habitable structure Policy.

3. Definitions

“Reflective Materials” includes factory applied finishes such as zincalume, galvabond and light colorbond colours such as white, off-white and surfmist.

“Height” is the height of the non-habitable structure as measured vertically from the natural ground level to the highest point of the building above that point, as stipulated in the Residential Design Codes of Western Australia, and not the measurement taken above the proposed finished floor level of the non-habitable structure.

“Maximum Floor Area” the combined total floor area of all existing and proposed non-habitable structures on a lot.

4. Policy Provisions

1. Non-habitable structures do not require planning approval except under the following circumstances:
 - a. Where the *Local Planning Scheme 1* requires planning scheme consent or a proposal varies from a Scheme or Residential Design Code provision.
 - b. For the development of a sea container.

Applications for sea containers are to include:

- i. Plans indicating re-development measures to make more visually appealing. This can be done by painting and/or re-cladding to a colour and design similar to surrounding development; and
- ii. Referral to neighbours (neighbours comments).

Screening by planting trees or shrubs or by any other methods shall be considered to reduce the visual impact of the sea container.

- c. For the development of a non habitable structure on a vacant lot that is zoned Residential, Tourist Residential, Future Urban, Residential Development or Special Residential.

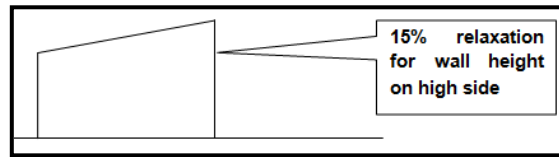
Approval will be conditional upon:

- i. A Building Permit for a dwelling being issued by the City; and
- ii. Referral to neighbours (neighbours comments).

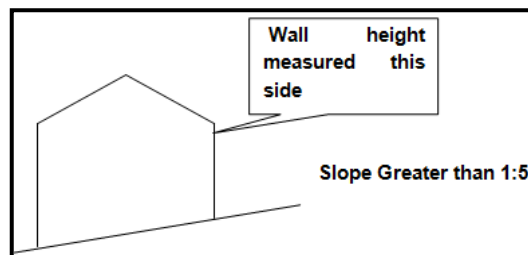
Screening by planting trees or shrubs or by any other methods may be required to reduce the visual impact of the non-habitable structure on the vacant lot.

- d. Where development varies from standards defined in Table 1 and the following provisions (i-iv):

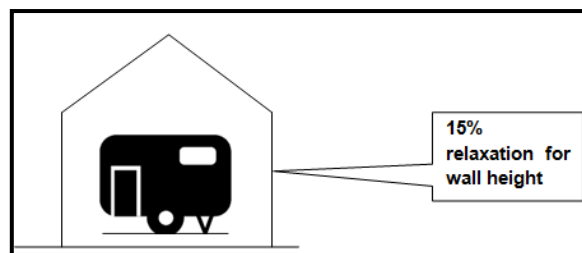
- i. For mono-pitched (skillion) roofed non-habitable structures (not ridged roofs), a relaxation of the height of the wall (on high side - up to 15%) may be supported; or



- ii. where the land upon which the non-habitable structure is to be erected has a slope greater than 1 in 5, the height of the wall shall be measured on the wall that is located at the higher point of the site where the land has not been subject to cut and/or fill; or



- iii. where in order to accommodate larger boats, caravans or motor-homes, the applicant is to demonstrate proof of ownership of such vehicle/vessel and a relaxation of the height of the wall (up to 15%) may be supported on Residential / Tourist Residential / Future Urban / Zone lots that are less than 4000m²; or



- iv. A discretionary allowance of an extra 5m² over the maximum permitted floor area may be considered in cases where the stated maximum floor area allowed is unworkable due to the dimensions of a standard design.
2. Non-habitable structures shall be located away from the primary or secondary street areas (i.e. to the rear of the lot).
 3. Non-habitable structures that exceed 60m² in floor area shall be constructed out of non-reflective materials.

TABLE 1: NON-HABITABLE STRUCTURE SPECIFICATIONS

Zoning	Max. Wall Height	Max. Ridge Height	Max. Floor Area (combined floor area of all non-habitable structures on lot)
Residential / Tourist Residential / Future Urban / Zone (Lots < 450m ²)	2.4 metres	3 metres	<60m ² in area or 10% in aggregate of the site area, whichever is the lesser
Residential / Tourist Residential / Future Urban / Zone (Lots 450m ² - 600m ²)	3 metres	4.2 metres	<60m ² in area or 10% in aggregate of the site area, whichever is the lesser
Residential / Tourist Residential / Future Urban / Zone (Lots 600m ² - 1000m ²)	3 metres	4.2 metres	100m ²
Residential / Tourist Residential / Future Urban / Zone (Lots 1000m ² – 2000m ²)	3 metres	4.2 metres	120m ²
Residential / Tourist Residential / Future Urban / Zone (Lots 2000m ² – 4000m ²)	3 metres	4.5 metres	150m ²
Residential / Tourist Residential / Future Urban / Zone (Lots > 4000m ²)	3.5 metres	4.5 metres	170m ²
Yakamia Creek Zone (Lots < 3000m ²).	3.5 metres	4.5 metres	120m ²
Yakamia Creek Zone (Lots > 3000m ²).	3.5 metres	4.5 metres	150m ²
Special Residential Zone (Lots < 4000m ²)	4.2 metres	4.8 metres	150m ²
Special Residential (Lots > 4000m ²)	4.2 metres	4.8 metres	170m ²
Rural Residential Zone (Lots < 2ha)	4.2 metres	4.8 metres	200m ²
Rural Residential Zone (Lots 2ha to 4ha)	4.2 metres	4.8 metres	220m ²
Rural Residential Zone (Lots 4ha to 6ha)	4.2 metres	4.8 metres	240m ²
Rural Residential Zone (Lots > 6ha)	4.2 metres	4.8 metres	300m ²
Rural Village Zone (Lots < 4000m ²)	3 metres	4.5 metres	150m ²
Rural Village Zone (Lots 4000m ² - 1ha)	4.2 metres	4.8 metres	170m ²
Rural Village Zone (Lots > 1ha)	4.2 metres	4.8 metres	220m ²
Rural Small Holding Zone (Lots < 1ha)	4.2 metres	4.8 metres	220m ²
Rural Small Holding Zone (Lots 1 - 4ha)	4.2 metres	4.8 metres	240m ²
Rural Small Holding Zone (Lots > 4ha)	4.2 metres	4.8 metres	300m ²
General Agriculture and Priority Agriculture Zone (Lots < 2ha)	4.2 metres	4.8 metres	200m ²
General Agriculture and Priority Agriculture Zone (Lots 2ha to 3.99ha)	4.2 metres	4.8 metres	220m ²
Conservation Zone (Lots < 2ha)	3.5 metres	4.8 metres	170m ²
Conservation Zone (Lots > 2ha)	4.2 metres	4.8 metres	220m ²

Note: Prior to considering an application for a non-habitable structure that proposes a variation to this policy, it is recommended that the Council first consider varying the policy. In order to do so, the Council will need to seek comment from the public and the Western Australian Planning Commission. Alternatively, it is recommended that such an application be refused.