

Single House and Ancillary Structures Assessment

Local Planning Policy

VERSION 2

December 2015

town planning services

Version	Adoption	Comment
1	12 October 2011 Council Item SC015	Draft.
1	20 December 2011 Council Item SC019	Final.
2	15 December 2015 Council Item DRS242	Readopted under the new LPS No. 1.

Contents

- 1.0 CITATION..... 3**
- 2.0 BACKGROUND..... 3**
- 3.0 OBJECTIVES 4**
- 4.0 POLICY MEASURES 4**
 - 4.1 Application Requirements 4
 - 4.2 Assessments and Fees..... 4
- 5.0 DEFINITIONS 5**

town planning services

1.0 CITATION

This is a local planning policy prepared under the *Planning and Development (Local Planning Schemes) Regulations 2015* and the City of Greater Geraldton Local Planning Scheme No. 1 ('the Scheme'). It may be cited as the *Single House and Ancillary Structures Assessments local planning policy*.

The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area. In making a determination under the Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with the Scheme.

2.0 BACKGROUND

The Scheme and the deemed provisions as set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2, stipulate what types of development do not require the development approval of the local government.

In addition to this the *Building Act 2011* and *Building Regulations 2012* requires that a permit authority (the local government) cannot issue a building permit application until all other prescribed matters (including town planning) have been satisfied.

Generally a single house (including any extensions and ancillary structures) does not require development approval provided it complies with the requirements of the Scheme and the R-Codes.

In assessing whether development approval is required for a single house or ancillary structure it involves (inter alia):

- a) R-Codes – if the development satisfies the deemed-to-comply requirements it does not require development approval. If the development involves an assessment against the design principles it requires development approval.
- b) Local Planning Policies – if a development does not comply with a local planning policy it requires development approval.
- c) Local Development Plans – if a development does not comply with a local development plan it requires development approval.
- d) Special Control Areas – if a development is located within a Special Control Area it requires development approval.
- e) Unconstructed Roads – if a development is located on a property that abuts an unconstructed road or is located on a property that does not have frontage to a gazetted road it requires development approval.
- f) Geraldton Airport Obstacle Limitation Surface – if a development exceeds the height limits of the Airport OLS it requires development approval.
- g) New Street Alignment – if a development is located on a property that is affected by a new street alignment it requires development approval.
- h) Heritage – if a development is located on a property that is included in a heritage list (State or Scheme) or within a heritage area it requires development approval.

- i) Contaminated Sites – if a development is located on a contaminated site (under the *Contaminated Sites Act 2003*) it requires development approval, and the local government cannot grant approval without first consulting with the Department of Environmental Regulation.

3.0 OBJECTIVES

- a) To ensure that sufficient information is provided with an application for a building permit so that the permit authority can be satisfied that the applicant has complied with each provision of a town planning written law.
- b) To provide a consistent assessment framework so that it can be determined if a development does not require the development approval of the local government.

4.0 POLICY MEASURES

4.1 Application Requirements

- 4.1.1 When an application is made for a building permit it should be accompanied by either a completed assessment form (as per the attached), inclusive of all approved plans that demonstrates that the development does not require development approval or a 'Single House Verification Certificate' (available from the WA Planning Commission) or a copy of the development approval, inclusive of all approved plans.
- 4.1.2 If the approved plans have been altered or amended a new development approval or new assessment may be required.
- 4.1.3 Additionally there may be instances where the development approval will have conditions that are required to be complied with prior to applying for a building permit. Evidence of compliance with these conditions will also need to be provided.

4.2 Assessments and Fees

- 4.2.1 The local government can provide an assessment (for a fee) or a proponent can provide their own assessment.
- 4.2.2 Note: An assessment is not to be construed as a development approval. An assessment will only determine if a development does not require the development approval of the local government. If a development requires development approval there is a separate process and fee applicable. A development approval can only be issued by the local government.
- 4.2.3 The fee for a planning assessment shall be as per the fee charged for "*Determining a development application and the estimated cost of development is not more than \$50,000*" and GST must be added to this fee.

5.0 DEFINITIONS

Refer to *State Planning Policy 3.1 – Residential Design Codes (the R-Codes)*.

Ancillary Structures means ancillary dwelling, outbuilding, external fixture, boundary wall or fence, patio, pergola, verandah, garage carport or swimming pool on the same lot as a single house or grouped dwelling.