

# Outbuildings and Sheds

An outbuilding is a non-habitable structure that is detached from any dwelling. Whilst also referred to as sheds, barns or workshops, the rules for these structures differ depending on the property.

## Outbuildings

Under the *Shire of Donnybrook-Balingup Local Planning Scheme No. 7 (LPS7)*, an outbuilding holds the same definition as *State Planning Policy 7.3 Residential Design Codes (SPP 7.3)*:

***“an enclosed non-habitable structure that is detached from any dwelling”***

An outbuilding, by definition, must include a dwelling.

## Outbuilding/Shed before a Dwelling

Under LPS7, the construction of an outbuilding or shed before a dwelling, or without a dwelling on the property, is not permitted in the Residential, Rural Residential or Rural Small Holdings zones.

## Outbuildings, Carports and Garages

The key differences between the different structures can be summarized as follows:

- An outbuilding is ‘enclosed’ which means that the structure is bound on three or more sides by a permanent wall and covered in a water impermeable material.
- A carport is not enclosed (i.e. has a maximum of two walls) and does not generally have a door.
- A garage is integrated with or attached to a dwelling

These structures cannot be built prior to a dwelling in the Residential, Rural Residential or Rural Small Holdings zones.

## Small Outbuildings (Garden Sheds)

A small outbuilding, often referred to as a ‘garden shed’ is:

- Less than 10m<sup>2</sup> in floor area; and
- Less than 2.4m in height.

A small outbuilding cannot be built before a dwelling however does not generally require an Application for Development (Planning) Approval, nor does it require a Building Permit.

Only one small outbuilding is allowed per dwelling site.

## Living in an Outbuilding/Shed

Under the Building Code of Australia, an outbuilding is classified as a class 10a structure which means it is non-habitable.

As a class 10a structure is non-habitable, you cannot live in an outbuilding or shed.

## Residential Zone

The permitted size of outbuildings in the Residential zone is:

- Wall Height – 3.5m
- Roof Height – 4.2m



# Outbuildings and Sheds

The total floor area permitted for all outbuildings on a property depends on the size of the lot:

- Lots < 1,200m<sup>2</sup> – 70m<sup>2</sup>
- Lots > 1,200m<sup>2</sup> and < 2,000m<sup>2</sup> – 90m<sup>2</sup>
- Lots > 2,000m<sup>2</sup> – 108m<sup>2</sup>

The required setbacks depend on the height and width of the outbuilding walls, generally between 1 – 2m as a minimum. Confirmation of required setbacks can be obtained from the Shire's Planning Services.

## Rural Residential Zone; and Rural Small Holdings Zone

The permitted size of outbuildings in the Rural Residential zone is:

- Wall height – 3.5m
- Floor area – 180m<sup>2</sup>

In some cases, a variation may be considered, where:

- the lot exceeds 1.5 hectares;
- the proposed outbuilding is behind the dwelling;
- at least 50% is screened from the street; and
- the elevation facing the street is the shortest side.

Any variation is to be assessed through the submission of an Application for Development Approval however can generally only be a maximum of:

- Wall height – 4m
- Floor area – 220m<sup>2</sup>

In these zones, the required setbacks are:

- Any Street – 15m
- Other boundaries – 10m

## General Agriculture Zone; and Priority Agriculture Zone

There are no size restrictions for outbuildings or sheds within these zones. The required setbacks are:

- Any Street – 30m
- Other boundaries – 20m

## Other Zones

Outbuildings in all other zones are subject to a site-specific assessment and require the submission of an Application for Development Approval.

## Development (Planning) Approval

Where an outbuilding or shed is proposed that does not comply with the relevant Planning rules, an Application for Development (Planning) Approval is required. Each application is assessed on the merits of the proposal, context of the site, and impact to the surrounding area.

An Application for Development Approval Form and Application Checklist is available on the Shire's website:

[www.donnybrook-balingup.wa.gov.au](http://www.donnybrook-balingup.wa.gov.au).

## Building Permit

With the exception of a small outbuilding (garden shed), an outbuilding will always require a Building Permit. If Development (Planning) Approval is also required, this must be done prior to obtaining a Building Permit.



# Outbuildings and Sheds

## Frequently Asked Questions

### ***Can I build my shed before my house?***

In the Residential, Rural Residential or Rural Small Holdings zones, you cannot build a shed without an approved dwelling on the property.

### ***Can I apply for approval of my house and an outbuilding at the same time?***

Yes. Conditions of approval are generally included to ensure the house is built within an appropriate timeframe to the outbuilding.

### ***Can I live in my shed while I build my house?***

No, a shed is a non-habitable structure and cannot be lived in.

### ***What is a shed home?***

The term 'shed home' is a bit misleading. Under the Building Code of Australia, a 'shed home' would have to be classified and constructed in accordance with either a:

- Class 10a – shed; or a
- Class 1a – dwelling

You can live in a class 1a dwelling, but you cannot live in a class 10a shed as it is a non-habitable structure.

### ***Can I build a shed that is bigger than the size requirements for my property?***

Any proposal for a shed that exceeds any of the size requirements outlined, is subject to assessment by the Shire through an Application for Development (Planning) Approval.

### ***My carport is attached to the house and I would like to add two more walls. Is this now considered an outbuilding?***

Yes. Where a carport is attached to the wall of a dwelling, this is considered a wall on one side. When you add another two sides, this is now enclosed on three sides. A structure is considered an outbuilding when it is enclosed on three or more sides.

### ***How long does it take the Shire to determine an Application for Development (Planning) Approval?***

Depending on whether the proposal needs to be advertised or not, the Shire has 60 to 90 days to determine an Application for Development (Planning) Approval.

### ***If I have Development (Planning) Approval, do I also need a Building Permit?***

Yes, regardless of whether a Planning approval is required, you will always need a Building Permit for a shed (with the exception of a garden shed).

### ***How do I find out more information?***

You may contact the Shire's Planning Services on (08) 9780 4200 or via email at [shire@donnybrook.wa.gov.au](mailto:shire@donnybrook.wa.gov.au).

