

POLICY NUMBER: 00010

EFFECTIVE DATE: 24 July 2013

DEPARTMENT: Community and Development Services

UNIT: Development Assessment

1.0 Purpose and Scope

The purpose of this Policy is to provide consistent guidelines for Council, Private Certifiers, the Community and Developers to consider applications to construct oversized sheds within the local government area.

This Policy applies to all sheds and structures (i.e. Class 10a buildings) proposed to exceed 200m² Floor Area, or 8.5 metres in height, and to be located within the Town Zone: Rural Residential, Residential and Residential Accommodation Precincts, Village Zone or Gemfields Zone that are not separately approved through the relevant Planning Scheme and provides for an Amenity & Aesthetics Assessment to be carried out by Council to assess applications of this nature.

2.0 Reference

Sustainable Planning Act 2009
National Construction Code
Queensland Development Code

3.0 Definitions

In this Policy the following definitions apply:

The Act shall mean the Local Government Act 2009 (as amended).

The Regulation shall mean the Local Government Regulation 2012 (as amended).

Applicant shall mean a person, persons or company that has submitted a development application.

Community shall mean the residents of the Central Highlands Regional Council local government area.

Council shall mean the Central Highlands Regional Council.

Property Owner shall mean the registered owner of the relevant parcel of land.

Oversized Shed shall mean a Class 10a building and any associated Class 10 structures as defined within the *National Construction Code*, that exceeds a combined Floor Area of 200m² or a maximum height at any point of 8.5 metres within the Town Zone: Rural Residential, Residential or Residential Accommodation Precinct, Village Zone or Gemfields Zone of a relevant Planning Scheme.

Relevant Planning Scheme shall mean a Planning Scheme adopted and in use within the Central Highlands Regional Council local government area.

Current Planning Schemes are as follows:

- Bauhinia Shire Planning Scheme (Amendment No. 1 – 2011);
- Daringa Shire Planning Scheme (Amendment No. 1 – 2011);

- Emerald Shire Planning Scheme (Amendment No. 2 – 2011); and
- Peak Downs Shire Planning Scheme (Amendment No. 1 – 2011).

4.0 Policy Statement

Council is responsible for preserving the character of development within the built environment of the Central Highlands Regional Council local government area. To support this aim, amenity and aesthetics assessments are undertaken of lands within the Town Zone: Rural Residential, Residential and Residential Accommodation Precincts, Village Zone or Gemfields Zone to regulate sheds with a combined floor area in excess of 200m², or 8.5 metres in height.

These assessments consider:

1. The location of the proposed structure with respect to development on neighbouring allotments;
2. The potential for overshadowing of neighbouring properties and any associated impacts upon solar access for affected properties;
3. The scale of the proposed structure in comparison to neighbouring development and from a streetscape perspective;
4. Any proposed mitigation measures to address amenity and aesthetics impacts; and
5. The amenity and aesthetics impacts (if any) likely as a result of development of an oversized shed.

Note:

This Policy should be read in conjunction with the relevant Planning Scheme and the Queensland Development Code Part 1 – Siting and Amenity – Detached housing and Duplexes to determine all requirements applicable to the construction of a Class 10a shed.

4.1 Making an Application for an Oversized Shed

4.2 New Development

1. The applicant must submit details of the proposed development, including:
 - a) Site Plan (Drawn to scale (e.g. 1:100, 1:200, 1:500, etc.) showing all existing buildings and structures located on the site, street frontages, street name/s, and a north point. Plans and documents should also identify the street address and real property description of the subject land;
 - b) Shed Plans, including Floor Plan/s, Elevations (all sides) and details of any internal building works (e.g. mezzanine floor, plumbing and drainage works, etc.). All Shed Plans must be drawn to scale and indicate the locations of any proposed openings (e.g. windows and doors) and the construction materials to be used (e.g. Colorbond, timber, etc.);
 - c) Neighbours consent in writing from all neighbours who share a common boundary with the site subject to this request, including a copy of the plans initialled or signed by the neighbours; and
 - d) Details as to the proposed use, or reasons supporting this request (i.e. why do you need an oversized shed on the site?).
2. A Council officer will check whether the proposed structure and use complies with the Planning Scheme and determine if any adverse amenity or aesthetics impacts are likely should this development proceed.
3. If the proposed structure does not comply, the applicant will be notified with site specific details to address identified issues (e.g. Development Application required, overshadowing, etc.).
4. If the proposed structure does comply, no issues are identified from an amenity and aesthetics perspective, no adverse comments are received from neighbours, and no adverse reason is identified that should cause the proposed structure to be rejected, the applicant will be notified that the proposed development is acceptable.
5. Where adverse comments or reasons have been provided, but the proposed structure otherwise complies with the Policy and provisions of the relevant Planning Scheme, the development will only be approved following a report to a full Council Meeting.

4.3 Extensions/ Alterations to Existing Oversized Sheds

Existing oversized sheds are not permitted to be extended or altered (e.g. addition of a mezzanine floor, etc.) without assessment under this policy. All assessments of existing oversized sheds must be conducted in accordance with the provisions of section 1.1 of this policy.

4.4 Shed Siting

The siting of Class 10a sheds including sheds with a floor area less than 200m² must fully comply with the requirements of the relevant Planning Scheme and the Queensland Development Code. Where a dispensation of requirements is required, approval is required from Council prior to the construction of the Class 10a shed.

5 Policy Review

This policy is nominated to be reviewed on: 01/07/2015

All policies will be reviewed at least bi-annually or when any of the following evaluations occur:

- *Relevant legislation, regulations, standards, and policies are amended or replaced; and*
- *Other circumstances as determined from time to time by the Chief Executive Officer or through a resolution of Council.*