



TPS POLICY No. 10: PATIOS and CARPORTS

PURPOSE

To provide guidance for the Planning requirements for patios, verandas, carports and similar structures in the Residential, Rural Residential and Farming zones.

AUTHORITY TO PREPARE AND ADOPT A PLANNING POLICY

The Shire of Beverley, pursuant to Clause 7.6 of the Shire of Beverley Town Planning Scheme No.2, hereby makes this Town Planning Scheme Policy regarding patios, carports and similar structures associated with a dwelling, throughout the Shire of Beverley. This policy will be incorporated into future schemes when Town Planning Scheme No.2, or greater, is revoked.

BACKGROUND

Under the Shire of Beverley's Town Planning Scheme No. 2 Planning Approval is not required for single dwellings that meet specific criteria. There is an implied but no specific exemption to the requirement for Planning Approval for minor structures attached or associated with dwellings.

In order to resolve the matter, at its September 2008 meeting Council passed the following resolution:

"All patios, verandas, carports and other structures proposed to be attached to an existing dwelling, which comply with Town Planning Scheme No. 2, are considered ancillary to that dwelling and therefore do not require Planning Approval."

The Shire's Town Planning Scheme has no criteria under which such applications are to be determined. As such, this policy is required to provide certainty in relation to approval requirements for minor structures associated with previously approved dwellings.

DETERMINATION

Council's Town Planning Scheme No.2 allows Council to grant discretionary consent to single dwellings on all Rural Residential, Town Centre, Rural Townsite and Farming zoned land within the Shire. Single dwellings in Residential zones that comply with scheme and Residential Design Code requirements do not require Planning Approval. Grouped dwellings may only be granted approval in a Residential zone.

POLICY

As Planning Approval has already been granted for the dwelling where required, it is considered such approval encompasses minor attached and/or associated structures that comply with scheme and Residential Design Code requirements.



Where development ancillary to an existing single dwelling, such as patios, verandahs and carports is proposed, no Planning Approval is required provided the proposed development complies with:

1. The Shire of Beverley's Town Planning Scheme No. 2 and its successors;
2. The Residential Design Codes 2008 and its successors; and
3. All other relevant Council policies.
4. The structures shall not be finished with zincalume and/or untreated or unpainted timber or metal.
5. All structures proposed to contain second hand material shall require planning approval.

If in the opinion of Council or the Shire Planner under delegated authority, the structure is of such a scale, bulk or style that it is likely to disturb the amenity and/or character of the area, then the structure will not be considered minor and Planning Approval will be required.

All Building Permit applications for the construction of patios, verandas, carports and other structures proposed to be attached to, or associated with an existing dwelling, will be assessed against this policy. Should Planning Approval be required, determination will be made under the appropriate provisions of the Scheme.

In determining an application, Council or the Shire Planner under delegated authority may:

- Approve the application with or without conditions; or
- Refuse the application.

*Notwithstanding that Planning Consent may not be required,
a Building Permit is required to be sought and issued by
Council's Building Surveyor prior to construction commencing.*