

POLICY MANUAL

Title:	Patios, Verandahs and Carports Policy
Previous No:	
File No:	ADM 0224
Statutory Environment:	Clause 8.7 of Town Planning Scheme No. 3
Minute No:	10.02.10.03
Last Updated:	
Review Date:	June 2013

Objective:

This Policy is made with the objective of removing the requirement for planning approval for patios, verandahs, carports and other structures associated with an existing dwelling, in specified zones, that comply with the Residential Design Codes 2008 and Town Planning Scheme No. 3 (TPS 3) or their successors.

Background:

In zones where a single dwelling is designated as a “P” (permitted) use under TPS 3 it is unclear if development approval is required for minor ancillary structures such as patios, verandahs, rain water tanks and carports. In all other zones approval is required regardless of how minor the development is.

At its 19 February 2009 meeting Council resolved that:

“All patios, verandahs, carports and other structures proposed to be associated with an existing single dwelling, which comply with the requirements of Town Planning Scheme No. 3, are considered ancillary to the single dwelling and as such no further Planning Approval is required”

This policy is to formalise Council’s resolution.

Application of Policy:

The policy applies to relevant development in the Residential, Rural Residential, Rural Townsite and Farming zones, where a single dwelling has been approved and constructed. In all other zones Planning Approval is required.

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 Brookton's Town Planning Scheme No. 3 and its successors;
2. The Residential Design Codes 2008 and its successors; and
3. All other relevant Council policies.
4. The structure shall not be finished with zincalume and/or untreated or unpainted timber or metal, unless it matches the existing built form.

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 licence 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 approval may not be required, a building licence is required to be sought and issued by Council's Building Surveyor prior to construction commencing.