

### Date of Resolution

This guideline was adopted by Council on 28 October 2019.

### Purpose of the Guideline

The purpose of this guideline is to assist with the implementation of the Amenity and Aesthetics Referral Provisions, as adopted by Council in accordance with the *Planning Act 2016* and local government as referral agency provisions under the *Planning Regulation 2017*. In particular, this guideline relates to Oversized Class 10 Buildings and Structures.

Council's Implementation Guidelines assist to apply a standard approach to the interpretation and implementation of the relevant aspects of the Amenity and Aesthetics provisions. They offer a degree of certainty to applicants, Council and the community. Where an applicant is proposing a solution that is different from the guidelines, the onus is on the applicant to demonstrate the facts and circumstances to support the solution.

### Discretion may be Applied

Notwithstanding the actual provisions contained in the guideline, care must be exercised in its application in order to consider:

- (i) the specific impacts on individual cases, including nearby land; and
- (ii) whether non-compliance, by a marginal amount (including a specific numerical standard) would affect the overall intent of this guideline.

### Background

A Class 10 building is defined by the Building Codes Australia to be a non-habitable building or structure being a private garage, carport, shed or the like. The use of the building is generally ancillary to and associated with the primary use of the property (i.e. supporting the residential use of the site).

Examples of Class 10 buildings and structures include, but are not limited to: garage; shed; barn; carport; garaport; patio; gazebo; and shade sails.

Council considers that to maintain built form and impacts on neighbouring properties within a locality; oversized Class 10 Buildings and Structures not otherwise caught by other regulatory measures (i.e. Planning Scheme, Queensland Development Codes) must be considered with regard to the

amenity or the future amenity, community expectation and the neighbourhood in which the proposed building is to be erected. Oversized sheds may potentially present unreasonable bulk and scale, inconsistency with character and built form, overshadowing, and privacy issues.

Heights and roof/plan areas of Class 10 buildings and structures respective to land area categories are nominated as an accepted measure for the purpose of maintaining expected Amenity and Aesthetics within a locality. All proposals outside of the accepted measures must be considered by Council through a referral agency application.

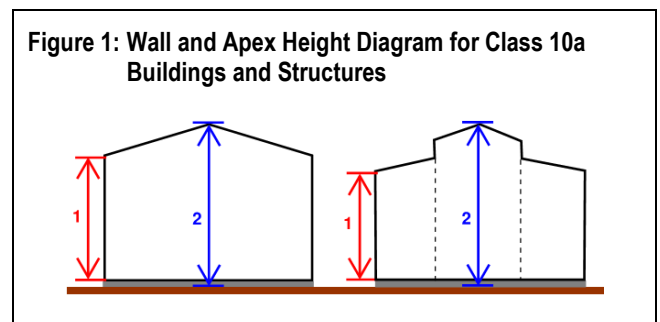
### Application of this Guideline

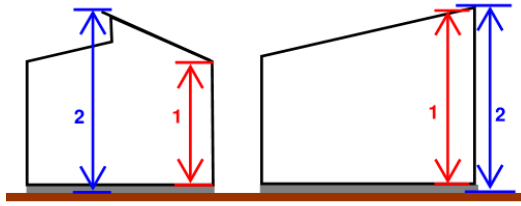
When considering the design and location of the Class 10 buildings and structures, the intended use of the building or structure should be carefully considered so as to avoid any unacceptable impacts on both the neighbourhood amenity and nearby properties.

The following aspects will be considered when assessing an amenity and aesthetics referral application for an oversized Class 10 building or structure.

#### 1. Plan area and height

- (i) The proposed bulk and scale of the building is compatible with the physical characteristics of the site and the prevailing built form within the locality.
- (ii) The proposed wall height and apex height of the building is appropriate for the intended use.
- (iii) Roof pitch angle, roof line and building orientation to lessen building height and potential impact.
- (iv) Wall and apex heights are determined as shown in Figure 1 below.





1. Wall height – vertical distance between the top of the slab or footing to the roof pitching point. Applies whether the building is enclosed (e.g. a shed) or has open sides (e.g. a carport or patio).
2. Apex height – vertical distance between the surface level of the ground and the apex (highest point) of the building's roof.

## 2. Siting

- (i) The proposed building must not dominate the street view of the property. The building should be located behind the line of any existing or proposed dwelling or be obscured by other means (refer 4 – Treatments below).
- (ii) The visual impact of the building plan area and height on adjoining properties is to be minimised through appropriate boundary setbacks. A minimum side and rear setback of 1.5m or half the overall building height is desirable.
- (iii) The proposed building should not significantly inhibit natural light to habitable or recreational areas on adjoining properties.
- (iv) Where it is considered that the proposed building may substantially impact an adjoining property, consultation with the adjoining land owner may be requested.

## 3. Proposed use of the building

- (i) The proposed building **MUST** only be used for general storage or recreation ancillary to the primary/private use of the land.
- (ii) The onus is on the applicant to identify their storage requirements to provide a justification for the proposed size of the building. Evidence may include a floor plan of proposed storage arrangements, an itemised list, photographs or vehicle/craft dimensions and access requirements.

## 4. Treatments

- (i) Appropriate building materials, finishes and colour treatments complementary to locality should be utilised to reduce the visual impact of the building.

- (ii) Varying roof heights/pitches and the use of windows or open bays/awnings are encouraged such that the proposed building complements the locality.
- (iii) Screening by way of mature vegetation or fencing considered to minimise visual impacts on adjoining properties or the street view.

## 5. Access

- (i) Details must be provided in the applications and plans of the proposed access to the building/structure. Any secondary access requests will require an additional approval – refer 'Other Approvals'.

## Building Approval

The construction of a Class 10 building or structure constitutes assessable building work in accordance with the *Building Act 1975* and as such requires a building approval, in addition to an amenity and aesthetics response, prior to the commencement of building work. The building approval will consider matters such as:

- (i) the footing, foundation and structural integrity of the proposed building;
- (ii) site wind and soil conditions;
- (iii) associated earthworks, varied cut/fill, retaining or batters; and
- (iv) stormwater discharge and runoff.

## Other Approvals

- (1) A referral agency response for design and siting may also be required, pursuant to Schedule 9, Part 3, Division 2, Table 3 of the *Planning Regulation 2017*, if the roof area, wall lengths or boundary clearances of the proposed and existing buildings exceed the limits contained within the Queensland Development Code.
- (2) If the proposed building will be located over or near a service providers infrastructure, additional approvals may be required from Queensland Urban Utilities (sewer or water) or Council (stormwater) **BEFORE** an amenity and aesthetics approval.
- (3) If the proposed building relies on access other than the primary residential access, a Driveway Permit will be required **BEFORE** an amenity and aesthetics approval. For further information, please refer to Council's website, [www.ipswich.qld.gov.au/residents](http://www.ipswich.qld.gov.au/residents).

## Referral Exceptions

An exception may exist where identified within the Amenity and Aesthetics Referral Provisions.