

**2.3: DEVELOPMENT APPLICATION – OVERSIZE OUTBUILDING,
KELTY VIEW, WILLYUNG**

ALTERNATE MOTION BY COUNCILLOR DUFTY

DATE & TIME RECEIVED: 7:00PM ON TUESDAY 6 SEPTEMBER 2011

ITEM 2.3: ALTERNATE MOTION BY COUNCILLOR DUFTY

THAT Council resolves to ISSUE a Notice of Planning Scheme Consent for an ‘Oversized Outbuilding’, inclusive of a side setback relaxation, at Lot 421 Kelty View, Willyung subject to the following conditions:

- 1) The proposed outbuilding being clad in factory applied colour finished sheet metal.**
- 2) The outbuilding being used for domestic storage only and not for commercial or industrial use or human habitation.**
- 3) All runoff from impervious surfaces being contained within the property and disposed of to Council’s satisfaction.**

Councillor Reason:

The subject land is over 1 hectare in area and even though the proposal exceeds the floor space restrictions for a Special Residential lot over 4000m², the lot size is similar to that of Special Rural. The Special Rural zone allows a maximum floor space of 200m² and this proposal at 196m² would be consistent with this maximum.

The proponent has also established valid reasons for needing the extra space which relate to the storage of personal vehicles and equipment.

Officers Report (G Bride):

1. Council’s Outbuilding Policy has recognised that larger lot sizes can accommodate larger outbuildings. Within the Special Residential Zone, the policy allocates a maximum floor space of 120m² for lots below 4000m² and allows an extra 30m² (up to 150m²) for lots above 4000m². In this case because the special residential lot is in excess of 4000m², the larger floor space figure of 150m² applies to this lot. The relaxation requested under the policy is 46m² which is substantial.
2. Should Council support the alternative motion it may create a precedent to consider similar applications and will ultimately lead to such proposals being forwarded to Council for consideration. The State Administration Tribunal (SAT) in determining the weight and value of a local planning policy, the consistent application of the policy is an important determining factor. The current policy has been in place since July 2010 and all applications since this date have been in compliance with this Policy.