

CUBBY HOUSES

STATUS:	City Policy - <i>A policy that is developed for administrative and operational imperatives and has an internal focus.</i> <i>City policies are referred to Council for review and endorsement.</i>
RESPONSIBLE DIRECTORATE:	Planning and Community Development
OBJECTIVE:	To establish a criteria for cubby houses that ensures that the structures are of a minor nature, are not detrimental to the amenity of adjoining properties, and therefore do not require planning or building licence approvals.

Authority

This policy has been prepared in accordance with clause 8.11 of the City of Joondalup District Planning Scheme No. 2 (DPS2) which allows Council to prepare planning policies relating to planning or development within the scheme area.

Area

This policy applies to the whole of the City of Joondalup

Definitions:

Interpretations and definitions of terms used in this policy are as per DPS2 and the Residential Design Codes, with the addition and clarification of the following:

“architectural feature” means finial or other minor decorative feature built into the design and construction of the building.

“amenity” shall have the same meaning as DPS2:- meaning all those factors which combine to form the character of the area to residents and passers by and shall include the present and likely future amenity.

“building” shall have the same meaning as DPS2:- meaning any structure or appurtenance thereto whether fixed or moveable, temporary or permanent, and without limiting the generality of the foregoing includes a shed, stall, fence, wall, barrier, hoarding, outbuilding, tent, caravan or swimming pool.

“cubby house” means an enclosed structure such as a small-scale replica of a dwelling and includes tree houses, usually of simple construction which is used primarily by children for the purposes of play, but excludes unenclosed platforms. A cubby house may also be commonly referred to by other names, such as an outdoor fort or children’s den.

“**natural ground level**” shall have the same meaning as the Codes:- meaning the levels on a site which precede the proposed development, excluding any site works unless approved by the council or established as part of the land proceeding development.

Statement

A Cubby House does not require planning approval or a building licence provided each of the following criteria are met:

A Cubby House shall:

1. not have a floor level elevated more than 500mm above natural ground level.
2. not have balconies, windows, doors and like which overlook adjoining properties.
3. not be located within the primary street setback area.
4. not be used for habitable purposes.
5. be limited to one cubby house per survey strata or green title lot.
6. not exceed 2.1 metres in height above the natural ground level, with the exception of architectural features or a flagpole, which shall not exceed 2.5 metres above natural ground level.
7. not exceed 6m² in total floor area.
8. not be attached to a boundary fence or other buildings.
9. not abut more than one side or rear boundary.
10. apart from statement 9, must be setback a minimum of 1.0 metre from all other boundaries.
11. contain all stormwater run off onsite.

If a cubby house fails to satisfy any one or more of the above, an application for planning approval and thereafter a building licence will be required.

Advertising of Applications

All applications for planning approval will require the City of Joondalup to consult with property owners likely to be affected by the proposal for a minimum period of 14 days, prior to the determination of the application.

Planning Consideration

Where an application for planning approval is required such applications will be considered on their individual merits.

In determining whether to approve a planning application the City of Joondalup will consider whether the proposal has the potential to adversely impact adjoining properties and/or streetscape with regard to:

- the comments of any objectors or supporters of the application;
- the degree to which the proposal impacts the amenity of adjoining properties and/or streetscape;
- the need to protect the privacy of adjoining properties by preventing views into adjoining active habitable spaces and outdoor living areas;
- the requirement to consider matters stipulated under clause 6.8 of the DPS2; and
- any other relevant planning matter the City of Joondalup considers appropriate or is required to consider.

When submitting an application for planning approval, the applicant is required to provide justification addressing the above mentioned planning considerations.

Amendments:	CJ007-02/09
Related Documentation:	District Planning Scheme No. 2 Residential Design Codes
Issued:	February 2009