

Fact Sheet: Sheds & Outbuildings (Detached)

Complying Development



State Environmental Planning Policy

(Exempt and Complying Development Codes) 2008

Requirements for complying development for all environmental planning instruments

- (1) To be complying development for the purposes of any environmental planning instrument, the development must not:
 - (a) be development for which development consent cannot be granted except with the concurrence of a person other than:
 - (i) the consent authority, or
 - (ii) the Director-General of the Department of Environment, Climate Change and Water as referred to in section 79B (3) of the Act.
 - (b) Be on land that is critical habitat.
 - (c) Be on land that is, or is part of a wilderness area (within the meaning of *Wilderness Act 1987*),
 - (d) Be on land that comprises, or on which there is an item of environmental heritage:
 - (i) that is subject to an interim heritage order under the *Heritage Act 1977* or that is listed on the State Heritage Register under that Act, or
 - (ii) that is identified as such an item in an environmental planning instrument.
 - (e) Be on land that is within an environmentally sensitive area.

General Requirements for Complying Development

- (1) To be complying development for the purposes of this Policy, the development must:
 - (a) not be exempt development under this Policy.
 - (b) be permissible with consent in the land use zone in which it is carried out.
 - (c) meet the relevant provisions of the *Building Code of Australia*,
 - (d) before the complying development certificate is issued, have an approval, if required by the *Local Government Act 1993*.
 - (i) an on-site effluent disposal system if the development is undertaken on unsewered land, and
 - (ii) an on-site stormwater drainage system.
 - (e) before the complying development certificate is issued, have an approval, if required by the *Roads Act 1993*.
 - (i) for each opening of a public road required by the development, and
 - (ii) to operate or store machinery, materials or waste required by the development on a road or footpath reserve.
 - (f) if it is the alteration or erection of improvements on land in a mine subsidence district within the meaning of the *Mine Subsidence Compensation Act 1961*, have the prior approval of the Mine Subsidence Board, and
 - (g) not be the construction or installation of a skylight or roof window on land to which *Orana Regional Environmental Plan No 1—Siding Spring* applies, and
 - (h) if it involves the removal or pruning of a tree or other vegetation that requires a permit or development consent to which clause 3.6A or 3A.7 does not apply, before the complying development certificate is issued, have a permit or development consent for that removal or pruning.

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Note 1. Clause 3.6A and 3.7A read as follows:

A complying development certificate for complying development is taken to satisfy any requirement under this Policy for a permit or development consent to remove or prune a tree or other vegetation if the tree or vegetation:

- (a) is within 3 metres of the proposed development, and*
- (b) is less than 6 metres high, and*
- (c) is not listed on a significant tree register or register of significant trees kept by the council.*

Note 2. A permit for the removal or pruning of a tree or other vegetation may be granted under a local environmental plan. A development consent for the removal of native vegetation may be granted under the *Native Vegetation Act 2003*.

- (2) The erection of a new dwelling house or an addition to a dwelling house on land in the 20-25 ANEF contours is complying development for this Policy, if the development is constructed in accordance with AS 2021—2000, *Acoustics—Aircraft noise intrusion—Building siting and construction*.
- (3) A complying development certificate for complying development under this Policy is subject to the conditions specified in this Policy in respect of that development.

Note. Clause 136A of the *Environmental Planning and Assessment Regulation 2000* requires a complying development certificate to be issued subject to the conditions specified in that clause.

Land on which exempt development and complying development may not be carried out

(1) General land exemptions

To be complying development, the development must not be carried out on land that is an environmentally sensitive area.

- (2) The general land exemptions set out under *Requirements for complying development for all environmental planning instruments* (above) and subclauses (3) and (4) apply to complying development specified for the following codes:
 - (a) The General Housing Code,
 - (b) The Rural Housing Code,
 - (c) The Housing Alterations Code,
 - (d) The General Development Code,
 - (e) The General Commercial and Industrial Code,
 - (f) The Subdivisions Code,
 - (g) The Demolition Code.
- (3) To be complying development, the development must not be carried out on land that comprises, or on which there is, a draft heritage item.
- (4) If only a part of a lot is land to which this clause applies, complying development must not be carried out on any part of that lot.
- (5) Despite subclause (4), if land is part of a lot to which the Rural Housing Code applies, complying development may be carried out on the part of the lot to which this clause does not apply.

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(6) **Specific land exemptions for General Housing Code and Rural Housing Code**

To be complying development specified for the General Housing Code or the Rural Housing Code (including sheds & outbuildings (detached)), the development must not be carried out on:

- (a) land within a heritage conservation area or a draft heritage conservation area, unless the development is a detached outbuilding or swimming pool, or
- (b) land that is reserved for a public purpose in an environmental planning instrument, or
- (c) land identified on an Acid Sulfate Soils Map as being Class 1 or Class 2, or
- (d) land that is to a biobanking agreement under Part 7A of the *Threatened Species Conservation Act 1995* or a property vegetation plan under the *Native Vegetation Act 2003*,
- (e) excluded land identified by an environmental planning instrument, or
- (f) land in a foreshore area, or
- (g) land that is in the 25 ANEF contour or a higher ANEF contour, unless the development is only for the erection of ancillary development, the alteration of or an addition to ancillary development or the alteration of a dwelling house, or
- (h) unsewered land:
 - (i) to which *Drinking Water Catchments Regional Environmental Plan No 1* applies, or
 - (ii) in any other drinking water catchment identified in any other environmental planning instrument, or
- (i) land that is declared to be a special area under the *Sydney Water Catchment Management Act 1998*.

environmentally sensitive area means any of the following:

- (a) the coastal waters of the state,
- (b) a coastal lake,
- (c) land to which *State Environmental Planning Policy No 14 – Coastal Wetlands* or *State Environmental Planning Policy No 26 – Littoral Rainforests* applies,
- (d) land reserved as an aquatic reserve under the *Fisheries Management Act 1994* or as a marine park under the *Marine Parks Act 1997*,
- (e) land within a wetland of international significance declared under the Ramsar Convention on Wetlands or within a World Heritage areas declared under the World Heritage Convention,
- (f) land within 100m of land to which paragraph (c), (d) or (e) applies,
- (g) land identified in this or any other environmental planning instrument as being of high Aboriginal cultural significance or high biodiversity significance,
- (h) land reserved as a state conservation area under the *National Parks and Wildlife Act 1974*,
- (i) land reserved or dedicated under the *Crown Lands Act 1989* for the preservation of flora, fauna, geological formations or for other environmental protection purposes,
- (j) land identified as being critical habitat under the *Threatened Species Conservation Act 1995* or Part 7A of the *Fisheries Management Act 1994*.

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Excluded land identified by an environmental planning instrument means:

- (a) land identified by an environmental planning instrument as being any of the following:
 - (i) within a buffer area,
 - (ii) within a river front area,
 - (iii) within an ecologically sensitive area,
 - (iv) environmentally sensitive land,
 - (v) within a protected area,
- (b) land identified by an environmental planning instrument, a development control plan or a policy adopted by the council as being a coastal erosion hazard.

River front area means any land within 400 metres of the high bank of the Murray River within Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone E2 Environmental Conservation, Zone E3 Environmental Management, Zone RE1 Public Recreation or Zone RE2 Private Recreation.

In addition to the requirements specified for development under this code, adjoining owners' property rights, the applicable common law and other legislative requirements for approvals, licences, permits and authorities still apply. For example, requirements relevant to development in this code are contained in the Act, the *Environmental Planning and Assessment Regulation 2000*, various State environmental planning policies, the *Protection of the Environment Operations Act 1997*, the *Roads Act 1993* and the *Swimming Pools Act 1992*.

If the development is in proximity to infrastructure, including water, stormwater and sewer mains, electricity power lines and telecommunications facilities, the relevant infrastructure authority should be contacted before commencing the development.

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Definition:

An **Outbuilding** means any of the following:

- (a) Balcony, deck, patio, pergola, terrace or verandah that is detached from a dwelling house,
- (b) Cabana, cubby house, fernery, garden shed, gazebo or greenhouse,
- (c) Carport that is detached from a dwelling house,
- (d) Farm building,
- (e) Garage that is detached from a dwelling house,
- (f) Shade structure that is detached from a dwelling house,
- (g) Shed.

Development that is Complying Development under this Code

	Yes	No	N/A
Existing single storey and two storey dwelling houses The erection of an Outbuilding on a lot that: (a) has an area of at least 200m ² , and (b) is in Zone R1, R2, R3, R4, R5, RU1, RU2, RU3, RU4 or RU5, is development specified for this code	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Calculating lot area For the purpose of calculating the area of a lot, the area of the access laneway is excluded if it is a battle-axe lot.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Note.

An outbuilding cannot be erected without a dwelling house first being erected and/or approved on-site.

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Development Standards for this Code

Site Requirements

	Yes	No	N/A
<p>Building envelope</p> <p>(1) If under section 88B of the <i>Conveyancing Act 1919</i> a restriction is created that specified a building envelope for a lot, development specified for this code may only be carried out within the building envelope specified.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Maximum site coverage of all development</p> <p>(1) The site coverage of the dwelling house and all ancillary development (including outbuildings) on a lot must not be more than the following:</p> <p>(a) 65% of the area of the lot, if the lot has an area of at least 200m² but less than 250m²,</p> <p>(b) 60% of the area of the lot, if the lot has an area of at least 250m² but less than 300m²,</p> <p>(c) 55% of the area of the lot, if the lot has an area of at least 300m² but less than 450m²,</p> <p>(d) 50% of the area of the lot, if the lot has an area of at least 450m² but less than 900m²,</p> <p>(e) 40% of the area of the lot, if the lot has an area of at least 900m² but less than 1500m²,</p> <p>(f) 30% of the area of the lot, if the lot has an area of at least than 1500m².</p> <p>(g) The site coverage of a new dwelling house and all ancillary development on a lot in Zone R5 that has an area of less than 4000m² must not be more than 430m².</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Maximum floor area for outbuildings</p> <p>(1) The floor area of an outbuilding on a lot must not be more than:</p> <p>(a) 36m², if the lot has an area of less than 300m², or</p> <p>(b) 45m², if the lot has an area of at least 300m² but less than 600m², or</p> <p>(c) 60m², if the lot has an area of at least 600m² but less than 900m²,</p> <p>(d) 100m², if the lot has an area of at least 900m².</p> <p>(2) The floor area of an outbuilding on a lot in Zone R5 that has an area of less than 4000m² must not be more than the following:</p> <p>(a) 500m², if the only purpose of the outbuilding is for agricultural use, or</p> <p>(b) 100m² in any other case.</p> <p>Note. See separate Fact Sheet for Farm Buildings & Structures as Exempt Development</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Building Heights and Setbacks

	Yes	No	N/A
<p>Building heights of outbuildings</p> <p>(1) The maximum building height of an outbuilding or the alterations and additions to an existing outbuilding must not be more than 4.8m above ground level (existing).</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Setbacks of outbuildings from roads</p> <p>(1) An outbuilding must be located behind the forward building line of the existing dwelling house.</p> <p>(2) An outbuilding must have a setback from a boundary with a secondary road of at least the following:</p> <p>(a) 2m, if the lot has an area of at least 200m² but less than 600m², or</p> <p>(b) 3m, if the lot has an area of at least 600m² but less than 1500m², or</p> <p>(c) 5m, if the lot has an area of at least 1500m².</p> <p>(3) An outbuilding must have a setback from a boundary with a secondary road of at least the following:</p> <p>(a) if the lot is in Zone R5 and has an area of less than 4,000m²—5m,</p> <p>(b) if the lot is in Zone R5 and has an area of at least 4,000m², or is in Zone RU1, RU2, RU3 or RU4—10m.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Setbacks of outbuildings from side boundaries and built to boundary walls in Zones R1, R2, R3 or RU5</p> <p>(1) An outbuilding must have a side boundary setback of at least the following:</p> <p>(a) For lots with a width between 6-10m:</p> <p>(i) for any part of the building with a height of up to 5.5m—0.9m,</p> <p>(ii) for any part of the building with a height of more than 5.5m—0.9m plus one-quarter of the height of the building above 5.5m,</p> <p>(b) For lots with a width between 10-18m:</p> <p>(i) for any part of the building with a height of up to 4.5m—0.9m,</p> <p>(ii) for any part of the building with a height of more than 4.5m—0.9m plus one-quarter of the height of the building above 4.5m,</p> <p>(c) For lots with a width between 18-24m:</p> <p>(i) for any part of the building with a height of up to 4.5m—1.5m,</p> <p>(ii) for any part of the building with a height of more than 4.5m—1.5m plus one-quarter of the height of the building above 4.5m,</p> <p>(d) For lots with a width greater than 24m—2.5m for all building heights.</p> <p>(2) Despite subclause (1) (a):</p> <p>(a) if a lot has a width of at least 6m, but less than 8m, the building may be built to both side boundaries, or</p> <p>(b) if the lot has a width of at least 8m but less than 10m, the building may be built to one side boundary.</p> <p>(3) Subclause (2) does not apply if:</p> <p>(a) the wall of the building adjoining the boundary is not of masonry construction and is within 900mm of the boundary, or</p> <p>(b) the wall of the building adjoining the boundary has a window facing the boundary and is within 900mm of the boundary.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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	Yes	No	N/A
<p>Setbacks of outbuildings from rear boundaries in Zones R1, R2, R3 or RU5</p> <p>(1) An outbuilding on a lot must have a rear setback of at least the following:</p> <ul style="list-style-type: none"> (a) if the lot has an area of at least 200m², but less than 300m²: <ul style="list-style-type: none"> (i) for any part of the outbuilding with a height of up to 3.3m—the outbuilding may be built to the rear boundary, or (ii) for any part of the outbuilding with a height greater than 3.3m—one-quarter of the height of the outbuilding above 3.3m, (b) if the lot has an area of at least 300m², but less than 900m²: <ul style="list-style-type: none"> (i) for any part of the outbuilding with a height of up to 3.8m—0.9m, or (ii) for any part of the outbuilding with a height greater than 3.8m—0.9m plus one-quarter of the height of the outbuilding above 3.8m, (c) if the lot has an area of at least 900m², but less than 1500m²: <ul style="list-style-type: none"> (i) for any part of the outbuilding with a height of up to 3.8m—1.5m, or (ii) for any part of the outbuilding with a height greater than 3.8m—1.5m plus one-quarter of the height of the outbuilding above 3.8m, (d) if the lot has an area of at least 1500m²: <ul style="list-style-type: none"> (i) for any part of the outbuilding with a height of up to 3.8m—2.5m, or (ii) for any part of the outbuilding with a height greater than 3.8m—2.5m plus one-quarter of the height of the outbuilding above 3.8m. <p>(2) Despite subclause (1) (a) if:</p> <ul style="list-style-type: none"> (a) the wall of the building adjoining the boundary is not of masonry construction and is within 900mm of the boundary, or (b) the wall of the building adjoining the boundary has a window facing the boundary and is within 900mm of the boundary, <p>the outbuilding must have a setback from the rear boundary of the lot of at least the following:</p> <ul style="list-style-type: none"> (c) for any part of the outbuilding with a height of up to 3.8m—0.9m, (d) for any part of the outbuilding with a height greater than 3.8m—0.9m plus one-quarter of the height of the outbuilding above 3.8m. <p>(4) Despite subclause (2), if the lot has a rear boundary with a lane the outbuilding may have a building line that abuts that boundary for not more than 50 per cent of the length of that boundary.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Setbacks of outbuildings from side and rear boundaries in Zones RU1, RU2, RU3, RU4 or R5</p> <p>(1) An outbuilding, or alterations and additions to an existing outbuilding in Zone RU1, RU2, RU3, RU4 or R5, must have a setback from a side or rear boundary of at least:</p> <ul style="list-style-type: none"> (a) if the only purpose of the outbuilding is for agricultural use—10m, or (b) in any other case—5m. 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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	Yes	No	N/A
<p>Exceptions to setbacks</p> <p>Despite any other requirement:</p> <p>(a) an outbuilding must have a setback of at least 3m from a boundary with a public reserve, and</p> <p>(b) side and rear setbacks and setbacks from the boundary with a road do not apply to allowable encroachments permitted under clause 3.7.1.7 of Volume 2 of the <i>Building Code of Australia</i> or any eave or roof overhang that has a horizontal width of not more than 450mm.</p> <p>Note. The allowable encroachments permitted under clause 3.7.1.7 of Volume Two of the <i>Building Code of Australia</i> include fascias, gutters, downpipes, rainwater tanks, chimneys, flues, domestic fuel tanks, cooling or heating appliances, light fittings, electricity and gas meters, aerials, antennae, pergolas, sun blinds, unroofed terraces, landings, steps and certain ramps.</p> <p>(c) an outbuilding in Zones RU1, RU2, RU3, RU4 or R5 must have a setback of at least 40m from the bank of any perennial watercourse identified on a 1:50,000 topographical map published by the Land Property Management Authority, and</p> <p>(d) an outbuilding in Zones RU1, RU2, RU3, RU4 or R5 must have a setback of at least 250m from a boundary with adjoining land being used for any of the following:</p> <ul style="list-style-type: none"> (i) forestry; (ii) intensive livestock agriculture, (iii) intensive plant agriculture, (iv) mines and extractive industries, (v) railway lines, (vi) rural industries. 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Car Parking and Access

	Yes	No	N/A
<p>Garages, carports and car parking spaces</p> <p>(1) A garage, carport or car parking space must:</p> <p>(a) be at least 1m behind the building line, where the dwelling house has a setback from a road boundary of 4.5m or more, or</p> <p>(b) be at least 5.5m from a road boundary, where the dwelling house has a setback of less than 4.5m.</p> <p>(2) If the door or doors on a garage face a primary road, a secondary road or a parallel road, the total width of all those door openings must not exceed:</p> <p>(a) 3.2m if the lot has a width, measured at the building line, of at least 8m, but less than 12m, or</p> <p>(b) 6m if the lot has a width, measured at the building line, of at least 12m.</p> <p>(c) if the lot has a frontage of more than 15m—be not more than 50 per cent of the width of the building, measured at the building line to the relevant property boundary, and</p> <p>(d) if the lot has a frontage of not more than 15m—be not more than 60 per cent of the width of the building, measured at the building line to the relevant property boundary.</p> <p>(3) A garage cannot be erected on a lot that has a width, measured at the building line, of less than 8m.</p> <p>(4) An open hard stand car parking space must measure at least 2.6m wide by 5.4m long.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Vehicle access</p> <p>(1) A lot on which an off-street car parking space is provided or retained under the car parking requirements (above) must have a driveway to a public road.</p> <p>(2) A driveway on a lot must be constructed in accordance with Australian Standard AS 2890.1 – 1993, <i>Parking Facilities – Off Street car parking</i>.</p> <p>(3) The off street car parking space for a battle-axe lot must be constructed in a way that allows vehicles to leave the lot in a forward direction.</p> <p>Note. See Factsheet Driveways for the installation of a driveway as Exempt Development.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Earthworks of Sloping Sites

	Yes	No	N/A
<p>Excavation of sloping sites</p> <p>(1) Excavation associated with the erection of, or alterations or additions to, an outbuilding must:</p> <ul style="list-style-type: none"> (a) be not more than 1m below ground level (existing), and (b) be constructed using a retaining wall or unprotected embankment that meets the standards of subclause (2) or (3), respectively. <p>(2) A retaining wall:</p> <ul style="list-style-type: none"> (a) must not redirect the flow of surface water onto adjoining property, and (b) must not extend more than 2m horizontally from any external wall of the dwelling house or ancillary development. <p>(3) An unprotected embankment must not extend more than 2m horizontally beyond the external wall of the outbuilding.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Fill of sloping sites</p> <p>(1) Fill associated with the erection of, or alterations or additions to, an outbuilding must:</p> <ul style="list-style-type: none"> (a) be contained wholly within the footprint of the outbuilding, or (b) be adequately contained by a retaining wall that: <ul style="list-style-type: none"> (i) is not higher than 600mm (including the height of any batters) above ground level (existing), and (ii) does not redirect the flow of surface water onto adjoining property. <p>(2) Despite subclause (1), exposed fill may be constructed using an unprotected embankment if the outbuilding has a setback of more than 2m from a side or rear boundary, if:</p> <ul style="list-style-type: none"> (a) the fill is not more than 600mm above ground level (existing), and (b) the fill (but not the embankment) does not extend more than 1m beyond an external wall of the outbuilding, and (c) the toe of the unprotected embankment has a setback of at least 400mm from a side or rear boundary. 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Run-off and erosion controls</p> <p>Run-off and erosion controls must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on the surrounding land by:</p> <ul style="list-style-type: none"> (a) diverting uncontaminated run-off around cleared or disturbed areas, and (b) erecting a silt fence to prevent debris escaping into drainage systems and waterways, and (c) preventing tracking of sediment by vehicles onto roads, and (d) stockpiling top soil, excavated materials, construction and landscaping supplies and debris within the lot. 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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	Yes	No	N/A
<p>Drainage</p> <p>(1) All stormwater collecting as a result of the erection of, or alterations or additions to, an outbuilding must be conveyed by a gravity fed or charged system to:</p> <p>(a) a public drainage system, or</p> <p>(b) an inter-allotment drainage system, or</p> <p>(c) an on-site disposal system.</p> <p>(2) All stormwater drainage systems within a lot and the connections to a public or an inter-allotment drainage system to:</p> <p>(a) if an approval is required under section 68 of the <i>Local Government Act 1993</i>, be approved under that Act, or</p> <p>(b) if an approval is not required under section 68 of the <i>Local Government Act 1993</i>, comply with any requirements for the disposal of stormwater drainage contained in a development control plan that is applicable to the land.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Outbuildings in Heritage Conservation Areas

	Yes	No	N/A
<p>(1) This clause applies:</p> <p>(a) to an outbuilding erected on a lot in a heritage conservation area or a draft heritage conservation area to which this code applies, and</p> <p>(b) in addition to the development standards specified for '<i>Maximum site coverage of all development</i>', '<i>Maximum height of outbuildings</i>', '<i>Setbacks of outbuildings from side boundaries and built to boundary walls</i>' and '<i>Setbacks of outbuildings from rear boundaries</i>' as contained within this Fact Sheet.</p> <p>(2) The outbuilding must be located:</p> <p>(a) behind the rear most building line of the dwelling house, and</p> <p>(b) no closer to each side boundary than the dwelling house.</p> <p>(3) The floor area of an outbuilding must not be more than 20m².</p> <p>(4) The lot must not adjoin a lane or a secondary or parallel road frontage.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Bushfire Prone Land

	Yes	No	N/A
<p>Development standards for bush fire prone land</p> <p>(1) This clause applies:</p> <ul style="list-style-type: none"> (a) to all development specified for this code that is to be carried out on a lot that is wholly or partly bush fire prone land (other than development that is the erection of a farm building that is more than 10m from any dwelling house, landscaping, a non-combustible fence or a swimming pool), and (b) in addition to all other development standards specified for this code. <p>(2) The development may be carried out on the lot only if:</p> <ul style="list-style-type: none"> (a) the development conforms to the specifications and requirements of the following that are relevant to the development: <ul style="list-style-type: none"> (i) <i>Planning for Bush Fire Protection</i> (ISBN 0 9751033 2 6) published by the NSW Rural Fire Service in December 2006, (ii) <i>Addendum: Appendix 3</i> (ISBN 0 9751033 2 6, published by NSW Rural Fire Service in 2010) to <i>Planning for Bush Fire Protection</i> (ISBN 0 9751033 2 6), (iii) if another document is prescribed by the regulations for the purposes of section 79BA of the <i>Environmental Planning and Assessment Act 1979</i>—that document, and (b) the part of the lot on which the development is to be carried out and any associated access way is not in bush fire attack level-40 (BAL-40) or the flame zone (BAL-FZ), and (c) the lot has direct access to a public road or a road vested in or maintained by the council, and (d) a reticulated water supply is connected to the lot, and (e) a fire hydrant is located less than 60 metres from the location on the lot of the proposed development, and (f) mains electricity is connected to the lot, and (g) reticulated or bottled gas on the lot is installed and maintained in accordance with AS/NZS 1596:2008, <i>The storage and handling of LP Gas</i> and the requirements of relevant authorities (metal piping must be used), and (h) any gas cylinders on the lot that are within 10m of a dwelling house: <ul style="list-style-type: none"> (i) have the release valves directed away from the dwelling house, and (ii) are enclosed on the hazard side of the installation, and (iii) have metal connections to and from the cylinders, and (i) there are no polymer sheathed flexible gas supply lines to gas meters adjacent to the dwelling. <p>Note. The requirements of AS 3959—2009, <i>Construction of buildings in bushfire-prone areas</i> set out in the <i>Building Code of Australia</i> also apply</p> <p>(3) A standard specified in subclause (2) (b) is satisfied if one of the following certifies that the development is not in bush fire attack level-40 (BAL-40) or the flame zone (BAL-FZ):</p> <ul style="list-style-type: none"> (a) until 25 February 2012—the NSW Rural Fire Service, or (b) a person who is recognised by the NSW Rural Fire Service as a suitably qualified consultant in bush fire risk assessment, or (c) the council. 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Fact Sheet: Sheds & Outbuildings (Detached)

Complying Development



State Environmental Planning Policy

(Exempt and Complying Development Codes) 2008

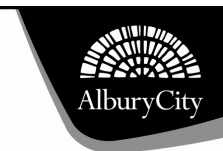
Note. More information about the categories of bush fire attack, including the flame zone, can be found in Table A3.4.2 of *Addendum: Appendix 3* (ISBN 0 9751033 2 6 and published by NSW Rural Fire Service in 2010) to the publication titled *Planning for Bush Fire Protection* (ISBN 0 9751033 2 6) published by NSW Rural Fire Service in 2006.

Flood Prone Land

	Yes	No	N/A
<p>Development standards for flood prone land</p> <p>(1) This clause applies:</p> <ul style="list-style-type: none"> (a) to all development specified for this code that is to be carried out on a flood control lot, and (b) in addition to all other development standards specified for this code. <p>(2) The development must not be on any part of a flood control lot unless that part of the lot has been certified, for the purposes of the issue of the relevant complying development certificate, by the council or a professional engineer who specialises in hydraulic engineering as not being any of the following:</p> <ul style="list-style-type: none"> (a) a flood storage area, (b) a flood pathway area, (c) a flow path, (d) a high hazard area, (e) a high risk area, <p>(3) The development must, to the extent it is within a flood planning area:</p> <ul style="list-style-type: none"> (a) have all habitable rooms no lower than the floor levels set by the council for that lot, and (b) have the part of the development at or below the flood planning level constructed of flood compatible material, and (c) be able to withstand the forces of floodwater, debris and buoyancy up to the flood planning level (or if on-site refuge is proposed, the probable maximum flood level), and (d) not increase flood affectation elsewhere in the floodplain, and (e) have reliable access for pedestrians and vehicles from the development, at a minimum level equal to the lowest habitable floor level of the development, to a safe refuge, and (f) have open car parking spaces or carports that are no lower than the 20-year flood level, and (g) have driveways between car parking spaces and the connecting public roadway that will not be inundated by a depth of water greater than 0.3m during a 1:100 ARI (average recurrent interval) flood event. <p>(4) A standard specified in subclause (3) (c) or (d) is satisfied if a joint report by a professional engineer who specialises in hydraulic engineering and a professional engineer who specialises in civil engineering confirms that the development:</p> <ul style="list-style-type: none"> (a) can withstand the forces of floodwater, debris and buoyancy up to the flood planning level (or if on-site refuge is proposed, the probable maximum flood level), or (b) will not increase flood affectation elsewhere in the floodplain. <p>(5) If a word or expression used in this clause is defined in the Floodplain Development Manual, the word or expression has the same meaning as it has in that Manual unless it is otherwise defined in this clause.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Fact Sheet: Sheds & Outbuildings (Detached)

Complying Development



State Environmental Planning Policy

(Exempt and Complying Development Codes) 2008

(6) In this clause:

flood compatible material means building materials and surface finishes capable of withstanding prolonged immersion in water.

Floodplain Development Manual means the *Floodplain Development Manual* (ISBN 0 7347 5476 0) published by the NSW Government in April 2005.

flow path means a flow path identified in the council's flood study or floodplain risk management study carried out in accordance with the Floodplain Development Manual.

high hazard area means a high hazard area identified in the council's flood study or floodplain risk management study carried out in accordance with the Floodplain Development Manual.

high risk area means a high risk area identified in the council's flood study or floodplain risk management study carried out in accordance with the Floodplain Development Manual.

If the answer is YES or N/A to all of the above questions then the proposed development is deemed to be complying.

I confirm that the attached plans and specifications are consistent with all of the above conditions (general and specific) and that it is my responsibility to ensure the development complies with the above and any conditions that may be attached to the Complying Development Certificate (CDC).

Signature:

Name: *(print)*.....

Date ___ / ___ / 20___

Note: I understand that it is my responsibility to seek assistance if I have any difficulty interpreting the above or any conditions of the CDC.