



## CABANAS, CUBBYHOUSES, FERNERIES, GARDEN SHEDS, GAZEBOS & GREENHOUSES IN RURAL AREAS AS EXEMPT OR COMPLYING DEVELOPMENT

### General requirements

For residential-allied development such as cabanas, garden sheds and greenhouses, the NSW planning system adopts three primary approval paths subject to certain pre-determined criteria being met, as follows:

- **Exempt Development** > where no approvals are required from Council;
- **Complying Development** > a 'fast track' system for low impact, small scale types of development. Approval can generally be provided in 7-10 days by Council or an accredited private building certifier;
- **Local Development** > applies to developments that don't fit into the two categories above and which require a more detailed assessment and on some occasions, notification of neighbours.

### How do I know what approvals path applies to my development?

Council has developed a series of Fact Sheets to assist you in determining what approvals path applies to your development. Establishing what particular category of approval depends largely on the requirements of the overarching legislation (which applies state-wide) known as State Environmental Planning Policy—Exempt & Complying Development Codes 2008 (the 'Codes SEPP'). Under the Codes SEPP, a range of site specific issues require consideration including, but not limited to:

- The zoning of the land;
- The size of the property and building;
- Distances to boundaries;
- Whether the land is flood prone, bush fire prone or has a heritage item on it;
- Any easements located on the land;
- The existing siting, size and coverage of existing structures on the land.

### How do I find out more about these issues?

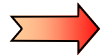
Much of the required information is contained in a section 149(2) Planning Certificate - application forms are available from the Planning & Development section of the LPSC website [www.lpsc.nsw.gov.au](http://www.lpsc.nsw.gov.au). Alternatively, you can make an **appointment** with one of Council's qualified and experienced staff to discuss your project, or, an accredited private certifier.



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# CABANAS, CUBBYHOUSES, FERNERIES, GARDEN SHEDS & GREENHOUSES IN RURAL AREAS... Exempt & complying development self-assessment checklist

<b>1. Exempt Development (No approvals required)</b>	<b>2. Complying Development (Apply for a Complying Development Certificate)</b>	<b>3. Local Development (Submit a Development Application &amp; Construction Cert.)</b>
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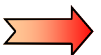


1. EXEMPT Development Standard	Yes ✓	No ✗	2. COMPLYING Development Standard	Yes ✓	No ✗
A cabana, cubbyhouse, fernery, garden shed, gazebo or a greenhouse?	<input type="checkbox"/>	<input type="checkbox"/>	Max. height 4.8m above ground level?	<input type="checkbox"/>	<input type="checkbox"/>
Located in the RU1, RU2, RU3, RU4 or R5 Zone?	<input type="checkbox"/>	<input type="checkbox"/>	Heritage, bushfire or flood prone land? <i>Note: If yes, may still be complying development &gt; discuss with Council or your Certifier.</i>	<input type="checkbox"/>	<input type="checkbox"/>
Not being used for a commercial purpose?	<input type="checkbox"/>	<input type="checkbox"/>	<b>Front Setbacks:</b> In line with existing building line (where other houses are located within 40m of the property) <i>Note: measured from the front of the house OR P</i>	<input type="checkbox"/>	<input type="checkbox"/>
Max. floor area of 50m <sup>2</sup>  <i>Important Note: Check your LEP land zone as residential areas have a smaller max. floor area.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Primary frontage setback:</b> Lot size <300m <sup>2</sup> = 3m Lot size 300-900m <sup>2</sup> = 4.5m Lot size 900—1500m <sup>2</sup> = 6.5m Lot size >1500m <sup>2</sup> = 10m Classified road = 9m	<input type="checkbox"/>	<input type="checkbox"/>
Located behind the building line of any road frontage? <i>Note: measured from the front of the house</i>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Side boundary setback (Lot width 6—10m):</b> Height ≤ 5.5m = 0.9m Height ≥ 5.5m = 0.9m + 1/4 height of building	<input type="checkbox"/>	<input type="checkbox"/>
Low-reflective & pre-coloured (eg colourbond)	<input type="checkbox"/>	<input type="checkbox"/>	<b>Side boundary setback (Lot width 10—18m):</b> Height ≤ 4.5m = 0.9m Height ≥ 4.5m = 0.9m + 1/4 height of building	<input type="checkbox"/>	<input type="checkbox"/>
Max. height of 3m above existing ground level	<input type="checkbox"/>	<input type="checkbox"/>	<b>Side boundary setback (Lot width 18—24m):</b> Height ≤ 4.5m = 1.5m Height ≥ 4.5m = 1.5m + 1/4 height of building	<input type="checkbox"/>	<input type="checkbox"/>
Not a shipping container	<input type="checkbox"/>	<input type="checkbox"/>	<b>Side boundary setback (Lot width &gt; 24m):</b> Height ≥ 4.5m = 2.5m	<input type="checkbox"/>	<input type="checkbox"/>
Located min. 900mm from the site boundary	<input type="checkbox"/>	<input type="checkbox"/>	<b>Rear boundary setback (Lot area 200—300m<sup>2</sup>):</b> Height ≤ 3.3m = built to rear boundary Height ≥ 3.3m = 1/4 of height of building above 3.3m	<input type="checkbox"/>	<input type="checkbox"/>
Stormwater disposed of correctly without creating nuisance to adjoining land	<input type="checkbox"/>	<input type="checkbox"/>	<b>Rear boundary setback (Lot area 300—900m<sup>2</sup>):</b> Height ≤ 3.8m = 0.9m Height ≥ 3.8m = 0.9m + 1/4 of height of building above 3.8m	<input type="checkbox"/>	<input type="checkbox"/>
Max. 2 structures per lot	<input type="checkbox"/>	<input type="checkbox"/>	<b>Rear boundary setback (Lot area 900—1500m<sup>2</sup>):</b> Height ≤ 3.8m = 1.5m Height ≥ 3.8m = 1.5m + 1/4 of height of building above 3.8m	<input type="checkbox"/>	<input type="checkbox"/>
Located so as to not interfere with building entry/exit or any fire safety measures?	<input type="checkbox"/>	<input type="checkbox"/>	<b>Rear boundary setback (Lot area &gt; 1500m<sup>2</sup>):</b> Height ≤ 3.8m = 2.5m Height ≥ 3.8m = 2.5m + 1/4 of height of building above 3.8m	<input type="checkbox"/>	<input type="checkbox"/>
<b>Council Officer Signature:</b> .....			<b>Max. site coverage:</b> Lot area 200 -200m <sup>2</sup> = < 65% Lot area 250 -300m <sup>2</sup> = < 60% Lot area 300 - 450m <sup>2</sup> = < 55% Lot area 450 - 500m <sup>2</sup> = < 55% Lot area 450 -900m <sup>2</sup> = < 50% Lot area 900 - 1500m <sup>2</sup> = < 40% Lot area > 1500m <sup>2</sup> = < 30%	<input type="checkbox"/>	<input type="checkbox"/>
<b>Council Officer Name:</b> .....				<input type="checkbox"/>	<input type="checkbox"/>
<b>Date:</b> .....				<input type="checkbox"/>	<input type="checkbox"/>

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