



FACT SHEET – CABANAS, CUBBY HOUSES, 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; and,
- **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 approval path applies to my development?

Council has developed a series of Fact Sheets to assist you in determining what approval 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 10.7 Planning Certificate - application forms are available from Lachlan Shire Council's website www.lachlan.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.





Exempt (no approval required)	Yes	No	Complying	Yes	No
Please use checklist for cabanas, cubby houses, ferneries, garden sheds, gazebos and greenhouses					
A cabana, cubby house, fernery, garden shed, gazebo or a greenhouse?			The structure has a maximum height 4.5m above existing ground level?		
Not being constructed on or in a heritage item or draft heritage item?			Heritage, bushfire or flood prone land? <i>Note: If yes, may still be complying development, discuss with Council or your Certifier.</i>		
If being constructed in a heritage conservation area or draft heritage conservation area, is the development located in the rear yard?			Primary and Secondary Setbacks: Detached development must be located behind the building line of a dwelling house that is adjacent to any primary or secondary road.		
Being used for a residential/domestic (non-commercial/non-industrial) purpose?			Side boundary setback If the lot width at the building line is 6-18m, minimum setback is 900mm If the lot width at the building line is 18-24m, minimum setback is 1500mm If the lot width at the building line is >24m, the minimum setback is 2500mm Note: Under certain conditions structures may be built to the boundary, please contact Council or your certifier for further information.		
Maximum floor area Zones RU1, RU2, RU3, RU4, RU6 or R5 of 50m ² . Any other Zone - 20m ²			Rear boundary setback Lot area 200-900m ² = minimum 900mm Lot area 900-1500m ² = minimum 1500mm Lot area >1500m ² = minimum 2500mm		
If it is <i>not</i> on land zoned RU1, RU2, RU3, RU4 or RU6, is it located behind the building line of any road frontage?			Setback from public reserves Will your development be constructed at least 3m from an allotment boundary with a public reserve?		
If it is to be constructed out of metal components, are the components low-reflective and pre-coloured (eg Colourbond)?			Maximum site coverage: Lot area 200 - 250m ² = 78% Lot area >250 - 300m ² = 75% Lot area >300 - 350m ² = 235m ² Lot area >350 - 450m ² = 25% of lot area + 150m ² Lot area >450 - 560m ² = 290m ² Lot area >560 - 600m ² = 25% of lot area + 150m ² Lot area >600 - 740m ² = 335m ² Lot area >740 - 900m ² = 25% of lot area + 150m ² Lot Area >900 - 920m ² = 380m ²		





			<p>Lot Area >920 – 1000m² = 25% of lot area + 150m² Lot Area >1000m² = 400m²</p> <p>Note: When calculating the lot size of a battle-axe lot, the area of the access laneway is excluded.</p>		
It is not higher than 3m above existing ground level?			<p>Maximum Gross floor area Lot area ≤300m² = 36m² Lot area >300 - 600m² = 45m² Lot area >600 - 900m² = 60m² Lot area >900m² = 100m²</p>		
It is <i>not</i> a shipping container?					
It is located at a distance from each lot boundary of at least: (i) Zones RU1, RU2, RU3, RU4, RU6 or R5 – 5m or, (ii) In any other zone – 900mm					
Storm water disposed of correctly without creating nuisance to adjoining land					
Will this development create no more than 2 exempt developments on the lot?					
Located so as to not interfere with building entry/exit or any fire safety measures?					
Is the structure a non-habitable class 10 building?					
Is the structure located greater than 1m from a registered easement?					
Will the development be constructed from non-combustible material if located within 5m of a dwelling in a bushfire prone area?					

