

ANCILLARY RESIDENTIAL DEVELOPMENT: SHEDS, GARAGES, CARPORTS AND OUTBUILDINGS

This information sheet explains how the Lithgow Development Control Plan (DCP) 2021 is to be used when lodging a development application for ancillary developments such as sheds, garages, carports and outbuildings.

WHAT IS THE LITHGOW DCP 2021?

The Lithgow Development Control Plan (DCP) 2021 contains detailed planning and design guidelines that are to be considered when preparing to submit a Development Application. It applies to all developments and works such as residential houses, commercial buildings, industrial premises and ancillary structures.

The DCP supports and supplements the provisions in the LLEP 2014.

It is important to note that the DCP will not be used when assessing applications determined to be classified exempt or complying developments under the Exempt and Complying Codes SEPP.

HOW DOES THE DCP IMPACT MY SHED, GARAGE, CARPORT OR OUTBUILDING APPLICATION?

Sheds, garages, carports and outbuildings make up a large percentage of development applications received by Council.

All applications that are submitted through the Development Assessment pathway (i.e. not exempt or complying development) are to demonstrate how they comply with relevant objectives and controls in the Lithgow DCP 2021.

For ancillary development, there are five main chapters that need to be addressed. These chapters are:

- Chapter 2: Site Requirements
- Chapter 3: Natural Environment & Hazards
- Chapter 4: Heritage & Cultural Conservation
- Chapter 6: Residential Development
- Chapter 8: Rural & Other Land Uses

DCP CONTROLS FOR ANCILLARY DEVELOPMENT

All detached sheds and outbuildings are to be considered as an ancillary use to residential. To this extent, Council requires that a house be already existing on a site or an application for a house be lodged concurrently.

Detached sheds and outbuildings need to be ancillary to a residential dwelling or have a specific land use nominated for them that is permissible with consent in the relevant land use zone.

Applications for Ancillary development are separated into three parts based on land zoning and lot size. To find out the zoning of the land, please refer to the Planning Portal ePlanning Spatial Viewer.



HOW TO USE THE ePLANNING SPATIAL VIEWER

The NSW ePlanning Spatial Viewer has been designed by the NSW Government to provide public access to a range of planning overlays established under the Environmental Planning and Assessment Act 1979 (the EP&A Act). This includes the mapping contained in the Lithgow LEP 2014.

For the purposes of finding your properties zoning use the following steps:

1. Go to the Planning Portal ePlanning Spatial Viewer found at: [HTTPS://WWW.PLANNINGPORTAL.NSW.GOV.AU/SPATIALVIEWER](https://www.planningportal.nsw.gov.au/spatialviewer)
2. Type in your property address in the top left box
3. A list will now be presented on the right hand side of your screen under 'Search Results'. click the '+' button next to the heading 'Land Zoning'
4. Your zoning should now be shown (E.G. R1: General Residential)

ANCILLARY DEVELOPMENT (SHEDS, GARAGES, CARPORTS AND OUTBUILDINGS)

SPECIFIC CONTROLS IN THE R1, R2, RU5 AND R5 ZONES BELOW 4000M2

The controls for ancillary buildings in R1, R2, RU5 and R5 zones that are smaller than 4000m² are as followed:

- o All detached sheds, garages, and outbuildings will only be considered if there is an existing dwelling on the lot or the same application seeks concurrent approval for a dwelling on the same lot;
- o Building height and setbacks from boundaries consider the impacts on adjacent properties including, but not limited to: overshadowing, solar access, noise and visual amenity/privacy, colour and visibility, and the requirements of the National Construction Code (NCC) including, but not limited to, fire separation; and
- o The maximum cumulative floor area of all detached garages/ carports/ sheds/ outbuildings on a lot is set out as following:
 - < 900m² 80m²
 - 900m² to 2000m² 100m²
 - >2000m² 120m²
- o The maximum building height (as measured from the highest point on the building to the natural ground level immediately below) and minimum setbacks for all detached garages/carports/sheds/outbuildings on a lot is set out in the following table:

Zone/Lot Size	Maximum Ridge Height	Maximum Wall Height	Wall Height	Minimum Side and Rear Setback
R1	4.5m	3m	2.4m	600mm
			> 2.4m - 2.7m	900mm
R2 (lot ≤ 2000m ²)	4.8m	3m	> 2.7m	1.2m
			2.4m - 2.7m	900mm
R2 (Lot > 2000m ²)	4.8m	3.3m	> 2.7m	1.2m
			2.4m - 3m	1.2m
RU5	4.8m	3m	> 3m	1.5m
			2.4m - 2.7m	900mm
R5 (Lot <4000m ²)	4.8m	3.6m	> 2.7m	1.2m
			2.4m - 3m	1.2m
			>3m - 3.3m	1.5m
			> 3.3m	1.8m

SPECIFIC CONTROLS IN THE R5 ZONE ABOVE 4000M2.

The controls for ancillary buildings in R5 zones that are larger than 4000m² are as followed:

- o All detached sheds, garages, and outbuildings will only be considered if there is an existing dwelling on the lot or the same application seeks concurrent approval for a dwelling on the same lot.
- o Any detached garages, carports, outbuildings or sheds do not exceed a total cumulative floor area of 300m² and no one detached building exceeds a floor area of 150m². between all detached garages, carports, outbuildings or sheds; and
- o Where the dwelling is within 50m of a public road, the outbuilding(s)/shed(s) are located behind the front building line of any dwelling.
- o All detached sheds/garages, and outbuildings are to have a maximum wall height of 4.2m and a maximum ridge height of 6m. In this control, ridge height is measured from the highest point of the building to the natural ground level immediately below.
- o All detached sheds/garages, and outbuildings are to be setback from side and rear boundaries a minimum of 5m.

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SPECIFIC CONTROLS IN E3, E4, RU1 AND RU2 ZONES

Chapter 8 can refer to a shed either as a outbuilding/ancillary building **OR** as a farm building depending on the approved land use.

Controls for ancillary buildings in RU1 and RU2 zones are as followed:

- o Any application clearly nominates the use for any farm building or ancillary structure and cannot be used for residential purposes without approval.
- o The maximum ridge height above ground level (existing) is 6m;
- o Ensure that building materials and colours reduce the visibility of the building(s) and are consistent with the rural or landscape setting;
- o Visual impacts are to be considered where a structure is not ancillary to an agricultural use on the land and/or is on a visually prominent site or close to a public road;
- o Try to cluster buildings together to minimise additional access and other infrastructure requirements;
- o Provide details of any associated vehicle parking and manoeuvring areas;
- o Minimise the removal of significant native vegetation and provide buffers to environmentally sensitive areas and watercourses;
- o Minimise the removal of significant native vegetation and provide buffers to environmentally sensitive areas and watercourses;
- o Minimise impacts from natural hazards; and
- o Address any storage of hazardous materials or chemicals.

If a shed is approved as a farm building, the application will need to address the following criteria in addition to the general rural shed controls:

- o The cumulative building area/footprint of all farm buildings (other than grain bunkers) on any landholding and does not exceed:
 - <4ha 2.5% of the lot
 - 4ha to <10ha 1,000m²
 - 10ha to <100ha 2,000m²
 - >100ha 4,000m²
- o The maximum ridge height above ground level (existing) is 10m; and

- o Demonstrate that any one (1) proposed farm building(s) (other than stock holding yards, grain silos and grain bunkers) meet the following table:

Land Area	Max. Building Area/ Footprint (m ²)	Front Setback from Primary Frontage (m)	Side/Rear Setback (m)
<2,000m ²	80m	Behind any existing dwelling or 10m (whichever is greater)	On Merits/NCC
2000m ² to 1ha	110m	15m	3m
1ha to <2ha	270m	325	5m
2ha to <4ha	325m	450	10m
4ha to <40ha	450m	600	10m to boundary or 50m from adjoining dwelling (whichever is greater)
40ha to <100ha	600m	1,200	
>100ha	1,200m		



HOW TO MAKE A SUBMISSION

Should any person or group wish to make a submission on the Draft Lithgow Development Control Plan 2021, it should be in writing and be received by 4.30pm on 13 June 2021. Submissions should be addressed to:

The General Manager, Lithgow City Council, PO Box 19
LITHGOW NSW 2790, quoting reference LDCP 2021
OR

By emailing attention to: The General Manager, and quoting reference LDCP 2021 at: council@lithgow.nsw.gov.au.

Submissions can also be completed on Council's DCP webpage found at: <https://council.lithgow.com/draft-lithgow-dcp-2021/>

HOW TO OBTAIN FURTHER INFORMATION

Further information may be obtained by contacting Mrs Sherilyn Hanrahan or Mr Christian Matthews at Council on 026354999 or council@lithgow.nsw.gov.au.

