

*Our Reference: TRIM 1127 CW:DS*

Director  
Policies and System Implementation  
GPO Box 39  
SYDNEY NSW 2001

13 May 2016

Dear Sir/Madam,

**SUBMISSION TO REVIEW OF COMPLYING DEVELOPMENT FOR INLAND NSW**

Thank you for the opportunity to comment on the proposed changes to the State Environment Planning (Exempt and Complying Development Codes) 2008.

I would like to provide the following comments:

**Proposed amendments to the General Exempt Development Code**

In general we have no objection with the proposed amendments to the General Exempt Development Code which will apply State-wide. In particular, the principle of the size and scale of farm buildings eligible to be carried out as exempt development being determined by the size of the land.

However, clarification is required in terms of how the 'size of the land' is to be determined.

Page 2 of the 'Frequently Asked Questions' document which form part of the consultation documentation suggests that the size and scale of farm buildings that can be carried out as exempt development will be determined based on 'the size of a total land holding, as opposed to a single lot'. There doesn't appear to be in any reference to this distinction within the 'Explanation of Intended Effect' which includes the draft wording for the proposed Design Standard nor the 'Background Paper' (although the Background Paper does refer to limitations with current complying development provisions for sheds ancillary to dwelling houses not being satisfactory with regards to farms with more than one lot).

If the intended approach is for the development standard to be based on the total land holding then careful consideration needs to be given to overcome the potential for issues to arise if one or more of the lots within the landholding were then to be sold.

If 'the size of land' is to be based on the total land holding as opposed to a single lot then the following comments are provided:

- the development standard wording would need to be more explicit on how 'the size of land' is determined;

- although the size of the shed is determined by the total land holding size, the setbacks for the rear and side boundary should relate to the individual lot;
- one option to overcome the potential issues might be to require the lot on which the shed is to be located to meet the minimum lot size in the relevant LEP (even though the size of shed permitted would be based on the total land holding size).

### **Simplification of the General Housing Code**

We also support amendments to the General Housing Code which would simplify the language and development standards to improve its legibility and accessibility to the general public. However, it is not clear from the consultation documentation whether these changes are part of the current consultation or a separate consultation.

### **Wollondilly as a peri-urban area**

The creation of an Inland complying development code to respond to the differences in 'built form' between development in inland NSW and development in metropolitan areas is supported.

Despite being located within the Sydney Metropolitan Area, Wollondilly's vision is 'rural living' and the Shire is better described as a peri-urban area. Peri-urban areas are unique and complex locations which need to be considered differently to metro, rural and regional areas in terms of policy.

We share concerns raised as part of the review process with the complexity and relevance of State Policy to all areas, particularly to peri-urban areas like Wollondilly.

Should you require any further information on the submission please contact Carolyn Whitten from Council's Strategic Planning team on (02) 4677 9551, or by email at [carolyn.whitten@wollondilly.nsw.gov.au](mailto:carolyn.whitten@wollondilly.nsw.gov.au).

Yours faithfully



David Smith  
**Acting Director**  
**PLANNING**