

Approval Pathways

Exempt Development	Complying Development	Development Application
Currently available in C4	Not currently available in C4	Currently available in C4
Many types of minor home renovations and small building projects such as building carports, balconies, decks or garden sheds do not need a planning or building approval. These types of projects are called exempt development. If a building project meets specific development standards and land requirements, no planning or building approval is needed.	Straightforward, low impact residential and commercial developments that do require planning approval may qualify for a fast-track approval process known as Complying Development. If an application meets specific standards and land requirements a Complying Development Certificate can be obtained through Council or an accredited certifier without the need for a full Development Application.	A Development Application (DA) is needed if the Queanbeyan-Palerang Regional Local Environmental Plan 2022 (QPRLEP) or a State Environmental Planning Policy (SEPP) states that development consent is required before the development can take place. This is the most common approval pathway and typically requires submission of detailed plans, a cost estimate, and Statement of Environmental Effects. Referral to relevant agencies and public notification of the DA may be required. All DAs must be lodged on the NSW Planning Portal and are assessed by Council.

What is NOT part of the Planning Proposal?

- Allowing prohibited uses
- Compliance matters
- Rezoning land

This is what you can do now

Development that is permitted in C4 Environmental Living Zone

Permitted without consent	Permitted with consent	Prohibited
• Extensive agriculture • Home businesses • Home occupations	• Agritourism • Animal boarding or training establishments • Bed and breakfast accommodation • Building identification signs • Business identification signs • Cellar door premises • Community facilities • Dual occupancies • Dwelling houses • Emergency services facilities • Environmental protection works • Farm buildings • Farm stay accommodation • Flood mitigation works • Function centres • Home-based child care • Home industries • Information and education facilities • Intensive plant agriculture • Neighbourhood shop • Oyster aquaculture • Places of public worship • Plant nurseries • Pond-based aquaculture • Recreation areas • Restaurants or cafes • Roads • Roadside stalls • Secondary dwellings • Tank-based aquaculture • Water reticulation systems • Water storage facilities	• Industries • Local distribution premises • Service stations • Turf farming • Warehouse or distribution centres • Any other development not specified in the two preceding columns

The INLAND CODE

Development that would be allowed as complying development if we turn on the Inland Code

Complying Development

Prohibited

This list of Complying Development is all permissible in C4, however, many require a Development Application (if the Inland Code is not applied).

- **Dwelling house** (1 or 2 storey and any attached development)
- **Alterations and additions** (1 or 2 storey dwelling house and any attached development)
- **Farm buildings** (as defined in the Standard Instrument and only on lots 4000m2 or larger and subject to meeting specific development controls i.e. setbacks), ancillary office to a farm building
- **Detached development** (more than 900mm away)
 - access ramp
 - awning, blind or canopy
 - deck, patio, pergola, terrace or verandah
 - cabana, cubby house, fernery, garden shed, gazebo or greenhouse
 - carport
 - detached studio
 - driveway, hard stand space
 - garage or hard stand space
 - pathway or paving
 - rainwater tank (above ground)
 - retaining wall
 - screen
 - shade structure
 - shed
 - and any fence, swimming pool or spa pool and child-resistant barrier that is not exempt development under this Policy.
 - **detached studio** means a habitable building that is used for purposes ancillary to a dwelling house such as a home office, entertainment area, art studio or guest room and—
 - is established in conjunction with a dwelling house, and
 - is on the same lot of land as the dwelling house, and
 - is separate from the dwelling house, and
 - is not used as a separate dwelling house, and
 - does not contain any cooking facilities.
- **Attached development** (no more than 900mm away)
 - access ramp
 - awning, blind or canopy
 - balcony, deck, patio, pergola, terrace or verandah
 - basement
 - cabana, cubby house, fernery, garden shed, gazebo or greenhouse
 - carport
 - driveway
 - garage or hard stand space
 - pathway or paving
 - rainwater tank
 - retaining wall
 - shed

- Industries
- Local distribution premises
- Service stations
- Turf farming
- Warehouse or distribution centres
- Any other development not specified in the two preceding columns

What is the **INLAND CODE** and what would it allow as complying development?

The Inland Code is part of the State Environmental Planning Policy. It provides for a range of complying development on inland rural and residential zoned land and brings together the planning rules for new development. It was brought in to simplify and speed up the planning process for homeowners and farmers in regional NSW.

Proposals that meet the development standards in the Code can seek approval via the complying development pathway and potentially have an approval in three weeks.

The types of complying development that could be considered include:

- Dwellings (1-2 storeys)
- Alterations and additions (1-2 storeys)
- Farm buildings or detached development (including alterations and additions)
 - This can include silos, pools, driveways and fences, retaining walls and earthworks, tanks and more

Read the complete list of complying development under the Inland Code at legislation.nsw.gov.au



The Inland Code currently **does not apply** in the C4 Environmental Living Zone due to the need to protect environmental features. It is possible, however, for Council to seek approval from the State Government to amend the Queanbeyan-Palerang Regional Local Environmental Plan 2022 to make the Inland Code apply in certain areas of the C4 Environmental Living Zone where it can be demonstrated that there is not high level biodiversity.

How do I know if I have a **BUILDING ENVELOPE**? When do they get created?

A Building Envelope will be shown on the registered plan of your property. If you are unsure if you have one, Council staff can check that for you using our Intramaps system.

A Building Envelope is created under section 88B of the Conveyancing Act 1919 and is usually created at the time of subdivision. It identifies a surveyed area on a lot that construction of any buildings and structures must be within. This is done to protect significant environmental features on the property from disturbance.

Options to progress Complying Development approval pathways

Option 1	Option 2	Option 3
All C4 zoned land within the QPRC Local Government Area (LGA)	Only C4 zoned land within Bywong and Wamboin	Only land within Bywong and Wamboin that has a Building Envelope or one created
“Turn on” the Inland Code for all C4 zoned land in QPRC to allow complying development (includes Bywong Wamboin, Royalla Carwoola, Greenleigh, Ridgeway + more) What is involved - A biodiversity study is required for the entire LGA - This is an expensive option as it would require specialist consultants State agencies have advised that a blanket application of complying development in C4 is not supported. A detailed biodiversity study is required to identify the low value land where Complying Development could be supported.	“Turn on” the Inland Code for C4 zoned land only in Bywong and Wamboin to allow complying development What is involved - A Biodiversity Study has been completed by Biosis State agencies have advised that Complying Development should be limited to land identified as low value (Class 3 lands)	“Turn on” the Inland Code for properties with a Building Envelope in Bywong and Wamboin only to allow complying development What is involved Site specific studies must be completed on land without a Building Envelope if the Inland Code is to be applied to that land. Cost would be on individual land owners to create a Building Envelope (Site specific study, survey, application and registration) State agencies have advised that complying development within the Building Envelope is supported

Planning Proposal Process

