

Acceptable facilities within detached studios and sheds

FACT SHEET

This guideline is intended to clarify Council's position on the facilities considered to be acceptable within detached studios and sheds.

Studios

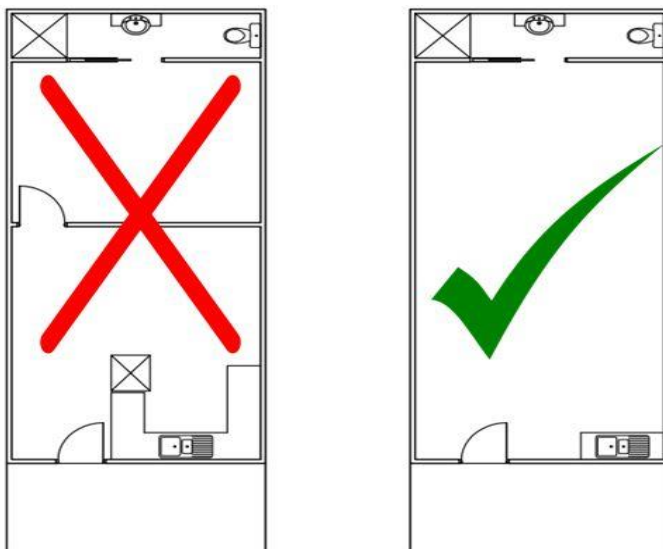
Council considers a detached studio to be development that is:

- (a) established in conjunction with a lawful dwelling, and
- (b) generally located within 30m of the dwelling, and
- (c) not capable of being occupied as a separate dwelling.

Detached studios may be used for purposes such as a bedroom, an artist's work space, a home office, a hobby room, a rumpus room, a teenager's retreat, or similar habitable room. Detached studios are permissible with consent under the Clarence Valley Local Environmental Plans (LEP) 2011 and any development application for a detached studio would be required to comply with the applicable Development Control Plan (DCP). A studio shall generally comprise a single room or a single room and bathroom facility. No kitchen or laundry facilities will be permitted. The following facilities may be permitted within detached studios depending on the proposed use:

- a bathroom comprising a toilet, shower and wash basin.
- a sink (free-standing or in a maximum 1.2m long bench-top) with a hot and cold water supply for washing hands and/or cleaning art/ hobby equipment only.

When assessing a development application which includes a detached studio, Council will require the applicant to provide a floor plan showing all proposed facilities and may ask for a statement of use. This statement of use will assist in determining what facilities will be permitted in the detached studio. A condition will also be included in any development consent indicating the detached studio is not permitted to be used, or be adapted to be used, for separate occupancy.



Floor plans which give an example of what would and wouldn't be considered acceptable for a detached studio.

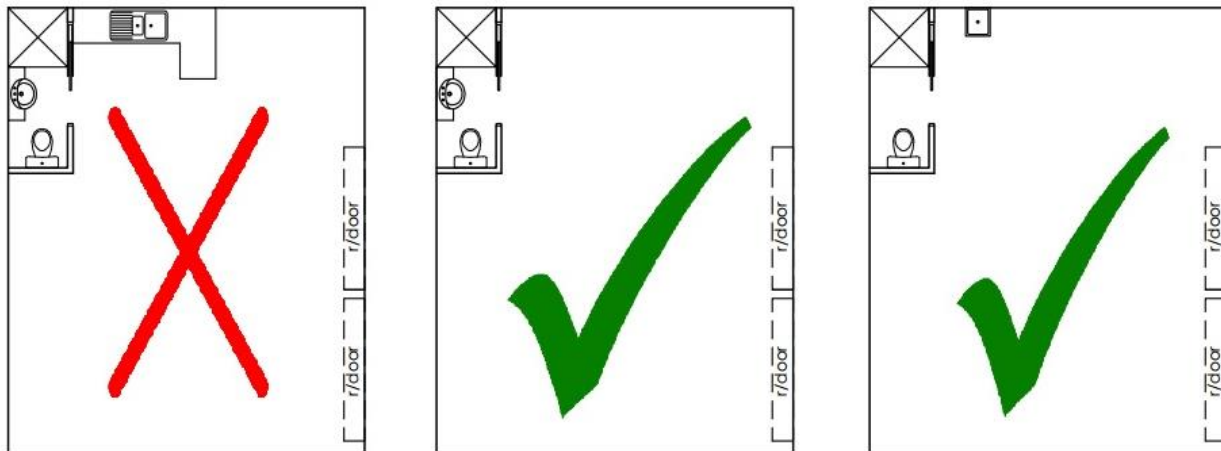
A detached studio forms part of the primary dwelling on the land and is classified a Class 1 building under the Building Code of Australia (BCA). Accordingly, the relevant provisions of the BCA and DCP applicable to a Class 1 dwelling, including bushfire, smoke alarms, flood controls, etc. apply to a detached studio. Generally, a Basix Certificate is not required for a detached studio, unless the value of building work is over \$50,000. When Basix does not apply, Councils DCP will require reasonable and practical energy efficiency measures, such as insulation to walls/ceilings and shading to windows.

Sheds

Sheds and outbuildings are class 10a (non habitable) buildings under the Building Code of Australia and cannot be used for a habitable use. A shed can include a bathroom facility comprising a toilet, shower and wash basin. No kitchen or laundry facilities will be permitted. Sheds generally have vehicular access to part of the shed.

When assessing a development application for a shed or outbuilding, Council will require the applicant provide a floor plan showing any proposed sanitary facilities and may ask for a statement of use. A condition will also be included in any development consent indicating the shed or outbuilding is not permitted to be used, or be adapted to be used, for habitation.

Bushfire requirements do not apply to sheds and outbuildings unless they are located within 10m of the dwelling on bushfire prone land.



Floor plans which give an example of what would and wouldn't be considered acceptable for a shed

What is a dwelling?

The Clarence Valley LEP & DCP's define a dwelling as a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.

What is a habitable room?

The Building Code of Australia defines a habitable room as a room used for normal domestic activities and

includes a bedroom, living room, lounge room, music room, television room, kitchen, dining room, sewing room, study, playroom, family room, home theatre, and sunroom, but

excludes a bathroom, laundry, water closet, pantry, walk-in wardrobe, corridor, hallway, lobby, photographic darkroom, clothes drying room, and other spaces of a specialised nature occupied neither frequently nor for extended periods.

The following related fact sheets are available at www.clarence.nsw.gov.au

- Temporary Accommodation: - living in a shed or caravan on a temporary basis whilst a dwelling is erected on the property.
- Secondary dwellings: - erecting a secondary dwelling (i.e. granny flat).
- Conversion of a shed to a dwelling.

Disclaimer:

This information is provided in good faith as a guide. The relevant legislation and Planning documents take precedent over the information in this fact sheet.

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VALLEY COUNCIL