

Inland Code: Simplifying development approval in Regional Code

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The NSW Department of Planning & Environment has recently announced new legislation aimed to simplify and speed up the approval process for homes, home renovations and farm buildings in regional NSW. The **Inland Code** commences on **1 January 2019**, with its major purpose to simplify the complying and exempt development rules in residential and rural areas of regional NSW. The rules and regulations with respect to complying and exempt development are going to be consolidated into the Inland Code, which will then form part of 3D of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Who does it apply to?

The Inland Code will apply to 69 differing local government areas as specified on the Inland Code Map. The Inland Code will apply to specific developments on land zones RU1, RU2, RU3, RU4, RU5, RU6, R1, R2, R3, R4 and R5 in the inland LGA.

Exempt Development:

The Code creates a brand new category of developments that now are classed as 'exempt'. More specifically, the code now states that development standards for stock holding yards (that are not used for the sale of stock, grain silos and grain bunkers) are now all classed as exempt developments in the hope that it simplifies the process for citizens within these LGA.

Complying development:

The Inland Code specifies that development that is complying development for dwelling houses, attached development and detached development. It further specifies development that is classed a 'complying development' for farm buildings. It offers more concrete definitions for '*farm building, landholding and detached development*'. It also prescribes development standards for works that are associated with complying development (excavation, fill, retaining walls, structural supports, drainage and protection of adjoining walls).

Further requirements:

Despite these amendments, adjoining owner's property rights, common law and other legislative requirements for approvals, licenses and permits and authorities still apply.