


Hay Shire Council Policy



Title of Policy	Sheds and Shipping Containers in Residential Areas		
This applies to	Hay Shire Local Government Area		
Author	Jack Terblanche	Date Approved:	31/07/2025
Position of Author	Executive Manager and Planning Compliance	Authorised by:	Council
Legislation, Australian Standards, Code of Practice.	<ul style="list-style-type: none">• Local Government Act 1993• Environmental Planning & Assessment Act 1979• Environmental Planning & Assessment Regulation 2000• State Environmental Planning Policy (Exempt and Complying Development Codes) 2008		
Related Policies/Procedures	Building Line Policy Notification & Advertising Policy for Development Proposals		
Attachments	Nil		
Aim	Provide guidelines for the development of sheds and shipping containers in residential areas.		
Version	Details	Date	
Version 1	Initial Issue	26/06/2018	
Version 2	Revision	31/07/2025	
Superseded Policies	Nil		
The Policy			

OBJECTIVES

- To ensure compatibility with other buildings on adjoining lots.
- To protect and enhance the natural and built environment by ensuring that proposed developments relate to site conditions.
- To ensure industrial/commercial style sheds are not built in residential areas.
- To ensure residential neighbours are not impacted by the development, e.g. overshadowing, privacy, displeasing views.
- To ensure that shipping containers do not have an impact on residential amenity.

POLICY

Land to which the policy applies

- Zone RU5 – Village (Hay LEP 2011) where there is a residential use on the site, or the lot has residential uses adjacent to it.

Standards

When submitting an application for the development of a shed/outbuilding in RU5 – Village (residential area), please consider the following standards/guidelines:

- **Building Setback** – The outbuilding/shed must not be within the building setback, and not in front of a dwelling. Please see the Building Line Policy for further details.

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- **Building Height** – The outbuilding/shed must not exceed 4.5m to the ridge, and 3.6m to the eave.
 - **Floor Area** – The floor area of the outbuilding/sheds for:
 - Blocks less than 1012m² must not exceed a floor space of 100m²;
 - Blocks over 1012m² the shed shall cover no more than 10% of the block and be no greater than 175m²;
 - **Materials** – Any Sheds larger than 40m² must be constructed of non-reflective coloured material (such as Colourbond).
 - **Amenities** – Amenities in an outbuilding/shed are restricted to one toilet and a hand basin. A shower will only be allowed in a pool house or cabana, unless a valid reason is provided for a shower to be installed in a shed.
 - **Uses** – The shed/outbuilding must not be used for industrial purposes (see Hay Local Environmental Plan 2011 for definitions).
 - Commercial use (see Hay Local Environmental Plan 2011 for definitions) will require approval and must be clearly stated with your development application for the shed.
- The shed must not be used as a dwelling unless it was approved as a dwelling or has been successfully converted to a dwelling by meeting the requirements of the BCA and relevant legislation (please see fact sheet on converting a shed to a dwelling).

Matters for Consideration

In unusual or exceptional circumstances, shed sizes greater than the “deemed to satisfy” provisions outlined in this Policy may be approved. These variations are to be decided on a performance basis which requires assessment of the following criteria:

- a. the levels, depth, shape or conditions of the allotment and adjoining allotments;
- b. the nature of any proposed building or structure on the allotment;
- c. the nature of any existing or proposed buildings or structures on adjoining allotments;
- d. whether the allotment is a corner allotment;
- e. whether the allotment has two road frontages;
- f. any other matter it considers relevant.

Council must be satisfied that the building or structure, built on the allotment in the way proposed, would not unduly:

- a. obstruct the natural light or ventilation of an adjoining allotment; or
- b. interfere with the privacy of an adjoining allotment; or
- c. restrict the areas of the allotment suitable for landscaping; or
- d. overcrowd the allotment.

If your development does not meet the standards of this policy, your application will be notified to neighbours, and may be advertised and taken to Council in conjunction with the Notification & Advertising Policy for Development Proposals.

Shipping Containers for Storage

Shipping containers can be used for storage on a lot, with the following conditions:

- Only one container per lot
- It is located behind the existing dwelling
- It complies with Council's Building Line Policy
- It is painted to match the existing dwelling
- It is screened where visible from the street and adjoining properties
- It is only used for domestic storage
- It is not on land that contains a heritage item
- It is not allowed on flood affected land.

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