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## DEVELOPMENT CONTROL PLAN 35 EXEMPT AND COMPLYING DEVELOPMENT



As amended 25 November 2003  
In force 2 April 2004

# CONTENTS

<b>PART A</b>	<b>GENERAL INFORMATION</b>	<b>Page 2</b>
<b>PART B</b>	<b>EXEMPT DEVELOPMENT</b>	
	<b>1. Exempt Development Prerequisites</b>	<b>Page 4</b>
	<b>2. Exempt Development Schedule</b>	<b>Page 5</b>
	1. Advertising	Page 5
	2. Demolition	Page 8
	3. Erection of a Building or Structure	Page 9
	4. Internal Alterations	Page 22
	5. Telecommunication Facilities	Page 24
	6. Use of a Building / Premise	Page 25
<b>PART C</b>	<b>COMPLYING DEVELOPMENT</b>	
	<b>1. Complying Development Prerequisites</b>	<b>Page 30</b>
	<b>2. Complying Development Schedule</b>	<b>Page 31</b>
	<b>Residential</b>	
	A. Ancillary Works to Residential Buildings	Page 31
	B. Alterations & Additions to Dwelling Houses	Page 32
	C. Garages and Carports	Page 34
	D. Outdoor Works	Page 35
	<b>Bed and Breakfast Accommodation</b>	
	E. Bed and Breakfast Accommodation	Page 36
	<b>Commercial</b>	
	F. Change of Use (including change of hours)	Page 37
	G. Structural Works	Page 38
	<b>Community Facility</b>	
	H. Structural Works	Page 38
	<b>Industrial</b>	
	I. Change of Use (including change of hours)	Page 39
	<b>Temporary Buildings</b>	
	J. Temporary Buildings	Page 40
	<b>Subdivision</b>	
	K. Subdivision of Residential Land	Page 41
<b>PART D</b>	<b>COMPLYING DEVELOPMENT CONDITIONS</b>	<b>Page 42</b>
<b>PART E</b>	<b>GLOSSARY</b>	<b>Page 55</b>
<b>PART F</b>	<b>APPENDICES</b>	<b>Page 58</b>

# **PART A - GENERAL INFORMATION**

## **1. INTRODUCTION**

This Development Control Plan (DCP) is titled 'Leichhardt Development Control Plan Number 35 – Exempt and Complying Development'.

This DCP relates to development classified under the Environmental Planning and Assessment Act (EP&A Amendment Act), 1997 and Leichhardt Local Environmental Plan 2000.

The DCP contains Council's development standards and requirements for Exempt and Complying Development.

## **2. ADOPTION DATE**

The DCP was originally adopted by Leichhardt Council on 24 August 1999.

Amendment Number 1 to this DCP was adopted by Leichhardt Council on the 24 October 2000 and came into operation on the 22 December 2000.

Amendment Number 2 to this DCP was adopted by Leichhardt Council on the 25 March 2003, and came into operation on the 2 April 2004.

Amendment Number 3 to this DCP was adopted by Leichhardt Council on the 25 November 2003, and came into operation on the 2 April 2004.

## **3. LAND TO WHICH THIS PLAN APPLIES**

This DCP applies to all land within the Leichhardt Local Government Area, with the exception of land covered by Sydney Regional Environmental Plan No.26 – City West.

## **4. RELATIONSHIP OF THIS PLAN TO OTHER LEP'S AND DCP'S**

This DCP supplements the controls of Leichhardt Local Environmental Plan 2000 (gazetted 22 December 2000).

This DCP has been prepared in accordance with the provisions of s.72 of the Environmental Planning and Assessment Act (EP&A Act) 1979, and clauses 16-22 of the Environmental Planning and Assessment Regulation, 2000.

Under s.85A of the EP&A Act, Leichhardt Council or an Accredited Certifier is required to take this DCP into consideration, when determining a complying development certificate.

## **5. AIMS AND OBJECTIVES**

The aim of this DCP is to provide controls that respond to the July 1998 amendments of the Environmental Planning and Assessment Act, 1979, which introduced Exempt and Complying Development. The controls will facilitate the appropriate assessment of development that has either nil or minimal environmental impact, and aim to protect the amenity of existing and future residents and visitors to the Leichhardt Local Government Area.

The general objectives of this DCP are:

- To provide for a system of appropriate assessment for development in the Leichhardt Local Government Area.
- To provide appropriate development controls so that routine development can be efficiently assessed.
- To provide specific controls and conditions that addresses the Leichhardt Local Government Area's particular environmental circumstances.
- To protect the amenity of people living and working in the Leichhardt Local Government Area.

## **6. VARIATION OF REQUIREMENTS**

This DCP sets standards for Exempt and Complying Development. Development that does not comply with these standards requires a Development Application and Council's Development Consent.

## **7. NOTE BOXES and ADVISORY COMMENTS**

The use of shaded boxes in the DCP provides extra information to assist in understanding the requirements of the DCP. The boxed text does not form part of the legal DCP instrument.

Advisory notes are included in the Exempt and Complying schedules and provides assistance to the reader. These notes do not form part of the requirements that are to be met.

## PART B – EXEMPT DEVELOPMENT

Development that is exempt development may be carried out without the need for development consent provided it satisfies the requirements of the 'Exempt Development Prerequisites', the corresponding listed requirements and Heritage Item exemptions of the 'Exempt Development Schedule'.

### 1. EXEMPT DEVELOPMENT PREREQUISITES

Development specified in the 'Exempt Development Schedule' of the DCP, is exempt development only if:

- a) It is **development allowed** without development consent as listed in the development control tables of Leichhardt Local Environmental Plan 2000; and
- b) It complies with the deemed to satisfy provisions of the **Building Code of Australia**; and
- c) It complies with all the **development requirements** set for the development specified in the 'Exempt Development Schedule'
- d) It does not contravene any **development consent conditions**; and
- e) It is at least one metre from an **easement** or **public sewer main** or complies with Sydney Water's building over sewer requirements; and
- f) It does not require the **removal or significant pruning of a tree(s)** covered under Council's Tree Preservation Order; and
- g) It is not carried out within the **drip line of a tree** if the proposal involves excavations; and
- h) It is not carried out on land where the surface generally has a **slope** greater than 18 degrees from the horizontal and the proposal involves excavation; and
- i) It is not carried out within 40m of the top of the high bank of a **river or waterbody** (including an urban stream) where there will be vegetation or soil disturbance.
- j) It does not cause interference with the **amenity** of the neighbourhood because of ash, dust, waste water, waste products, grit or oil or otherwise; and
- k) It does not restrict any vehicular, approved car parking or pedestrian **access** to or from the site; and
- l) It does not obstruct **drainage** of the site on which it is carried out; and
- m) It is not carried out on land identified, after an Initial Investigation, as having the potential for being **contaminated** at a level that would pose a risk to human health or the environment; and
- n) It is not affected by **State Environmental Planning Policy No. 56** - Sydney Harbour Foreshores and Tributaries ; and
- o) It is not affected by **State Environmental Planning Policy No.10** – Retention of Low Cost Rental Accommodation
- p) It is not carried out on land containing an **Aboriginal place or relic** under the National Parks and Wildlife Act, 1974; and
- q) It is not carried out on land reserved or dedicated under the **National Parks and Wildlife Act, 1974**; and
- r) It is not carried out on land listed on the State Heritage Register, or which is subject to an interim heritage order under the **Heritage Act, 1977**; and
- s) It is not carried out on land that is reserved or dedicated under the **Crown Lands Act, 1989** for the preservation of flora, fauna, or geological formations or for other environmental protection purposes.

Note:

Section 76(3) of the EP&A Act says that exempt development cannot be carried out on land that is:

1. Critical habitat (within the meaning of the Threatened Species Conservation Act 1995) or
2. Within a wilderness area (within the meaning of the Wilderness Act 1987).

## 2. EXEMPT DEVELOPMENT SCHEDULE

DEVELOPMENT TYPE	REQUIREMENTS Exempt Development <u>must meet all</u> of the following requirements	Exempt if a Heritage Item not on the SHR
<b>1. ADVERTISING</b>		
<p><b>GENERAL REQUIREMENTS FOR ADVERTISING:</b></p> <ul style="list-style-type: none"> <li>▪ Satisfies the prerequisites for Exempt Development as listed in provision 1, Part B;</li> <li>▪ The erection of an advertising structure must comply with the requirements of the Building Code of Australia (BCA) including section B1 (Structural Provisions);</li> <li>▪ Signs must not cover mechanical ventilation inlet or outlet vents or obscure other signs;</li> <li>▪ Advertising structures over public road to be at least 600mm from kerb/roadway edge; and</li> <li>▪ Flashing signs are not permitted.</li> </ul>		
<p><b>1.1 Home Business Sign (Residential)</b></p>	<p><b>Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ One per premise/occupation</li> <li>▪ Rectangular figure no more than 0.75m<sup>2</sup> in area</li> <li>▪ Attached to the ground floor facade of a dwelling</li> <li>▪ Not illuminated except for a standard sized Medical Practitioner's light box.</li> <li>▪ Not relating to a premise used as a brothel or a business to which Section 10 of the Indecent Articles &amp; Classified Publications Act 1975, applies</li> </ul>	<p><b>YES</b></p>
<p><b>1.2 Business identification signs in the residential zone</b></p>	<p><b>Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ One per premise</li> <li>▪ The total area of signage is not to exceed 0.75m<sup>2</sup></li> <li>▪ Sign is not to be illuminated</li> <li>▪ If over a public road (e.g. below awning) sign to be erected at a height of no less than 2.6m above ground/pavement level</li> <li>▪ All signs above awnings require development consent</li> </ul>	<p><b>NO</b></p>
<p><b>1.3 Commercial / industrial business signs (not in a residential zone)</b></p>	<p><b>General Requirements for Business Signs:</b></p> <ul style="list-style-type: none"> <li>▪ The total amount of signage per premises must not exceed 5.75m<sup>2</sup></li> <li>▪ All signs above awnings or ground floor level require development consent</li> <li>▪ The sign should only contain particulars about the identity of the premises, particulars of occupations, goods or services, or such directions and cautions required or permitted under any Act.</li> </ul>	

DEVELOPMENT TYPE	REQUIREMENTS Exempt Development <u>must meet all</u> of the following requirements	Exempt if a Heritage Item not on the SHR
1.3.1 <b>Suspended under awning signs</b>	<b>Requirements:</b> <ul style="list-style-type: none"> <li>▪ Attached to and will hang below an awning at right angles to the building which the awning is attached</li> <li>▪ One per premise/occupation</li> <li>▪ Securely fixed by metal supports not exceeding 0.05m in width or diameter</li> <li>▪ Does not exceed 2.5m in length or 0.5m in height</li> <li>▪ If over a public road, suspended at a height no less than 2.6m above ground/pavement level</li> <li>▪ The sign does not project beyond the edge of the awning</li> <li>▪ The sign is to have its centre at least 3.0m away from the centre of any other awning sign</li> </ul>	<b>NO</b>
1.3.2 <b>Hamper Signs</b>	<b>Requirements:</b> <ul style="list-style-type: none"> <li>▪ Located between the underside of the awning and door head or window</li> <li>▪ One per premise/occupation</li> <li>▪ Not to extend below the head of the doorway or window to which it is attached</li> <li>▪ Flush with the surface</li> <li>▪ Not to project beyond the building</li> <li>▪ Maximum area of 2.5m<sup>2</sup></li> </ul>	<b>NO</b>
1.3.3 <b>Window signs</b>	<b>Requirements:</b> <ul style="list-style-type: none"> <li>▪ Occupy less than 20% of the window area</li> <li>▪ 1 per occupation/premise</li> </ul>	<b>NO</b>
1.3.4 <b>Fascia Sign</b>	<b>Requirements:</b> <ul style="list-style-type: none"> <li>▪ Flush with fascia</li> <li>▪ Not to project above or below the existing fascia or return end of the existing awning</li> <li>▪ Non - illuminated</li> <li>▪ 1 per occupation/premise</li> </ul>	<b>NO</b>
1.3.5 <b>Flush Wall Sign</b>	<b>Requirements:</b> <ul style="list-style-type: none"> <li>▪ Non-illuminated</li> <li>▪ Maximum size 0.75m<sup>2</sup></li> <li>▪ Not to project above or beyond the wall</li> <li>▪ Not cover any window or architectural feature</li> <li>▪ 1 per occupation/premise</li> </ul>	<b>NO</b>
1.3.6 <b>Painted Wall Sign</b>	<b>Requirements:</b> <ul style="list-style-type: none"> <li>▪ Max size 0.75m<sup>2</sup></li> <li>▪ Non – illuminated</li> <li>▪ 1 per wall</li> </ul>	<b>NO</b>

DEVELOPMENT TYPE	REQUIREMENTS Exempt Development <u>must meet all</u> of the following requirements	Exempt if a Heritage Item not on the SHR
<b>1.4</b> <b>Real Estate signs</b>	<b>Requirements:</b> <ul style="list-style-type: none"> <li>▪ One sign per premise</li> <li>▪ Maximum area of 1.5m<sup>2</sup> in Residential Zones and 3.5m<sup>2</sup> in Industrial and Business Zones</li> <li>▪ Can be floodlit but not internally illuminated</li> <li>▪ To be removed 10 days after auction/sale/leasing of premises</li> <li>▪ Flushed to wall/fence of building/premises</li> </ul> <b>Advisory</b> <ul style="list-style-type: none"> <li>▪ Signage should accord with the Real Estate Policy</li> </ul>	<b>YES</b>
<b>1.5</b> <b>Change message to an existing sign</b>	<b>Requirements:</b> <ul style="list-style-type: none"> <li>▪ No change in the area, form or shape of the sign</li> <li>▪ Existing sign must have lawful approval/ development consent or be consistent with this DCP</li> <li>▪ No part of the message or advertisement to extend above or beyond the existing sign</li> </ul>	<b>YES</b>
<b>1.6</b> <b>Public Notice</b>	<b>Requirements:</b> Being a notice for public information displayed by a public authority or community organisation giving information or directions about services	<b>NO</b>



DEVELOPMENT TYPE	REQUIREMENTS Exempt Development <u>must meet all</u> of the following requirements	Exempt if a Heritage Item not on the SHR
<b>2. DEMOLITION</b>		
<p><b>GENERAL REQUIREMENTS FOR DEMOLITION:</b></p> <ul style="list-style-type: none"> <li>▪ Satisfies the prerequisites for Exempt Development as listed in provision 1, Part B;</li> <li>▪ Demolition to be carried out to Australian Standard AS2601 – 1991 Demolition Code;</li> <li>▪ All works involving asbestos cement must comply with the Workcover Authority’s “Guidelines for Practices Involving Asbestos Cement in Buildings”;</li> <li>▪ All work involving lead paint removal must not cause lead contamination of air, ground or water, or result in drainage of paint waste into the stormwater system. Refer to DCP No.42 – Contaminated Land management for guidance on lead related issues; and</li> <li>▪ Works associated with the development are carried out between the hours of 7.00am to 5.30pm Monday to Friday inclusive, 7.00am to 1.00pm Saturday and is not carried out on Sundays or Public Holidays.</li> <li>▪ Council to be given 48 hours notice prior to the commencement of any demolition works</li> </ul> <p><b>Advisory</b></p> <ul style="list-style-type: none"> <li>▪ Disposal of demolition material should maximise recycling to minimise landfill and disposal cost.</li> </ul>		
<b>2.1 Ordered Demolition</b>	<p><b>Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ Where an order to demolish has been served under Section 121B of the Environmental Planning and Assessment Act 1979</li> </ul>	<b>YES</b>
<b>2.2 Demolition of an exempt building /structure</b>	<p><b>Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ Demolition of any structure/building where the erection of the structure/building is exempt from requiring development consent under this policy (whether erected before or after this policy took affect)</li> <li>▪ Does not apply to the demolition of hoarding or scaffolding</li> </ul>	<b>NO</b>
<b>2.3 Demolition of a detached Toilet/Laundry or the like</b>	<p><b>Requirements</b></p> <ul style="list-style-type: none"> <li>▪ Building is not to be greater than 10m<sup>2</sup> in area</li> <li>▪ Building is not to be located forward of the primary street frontage</li> <li>▪ Reinstate fence if necessary to a maximum height of 1.8m</li> <li>▪ Cap off redundant service connections to service providers requirements if necessary and ensure neighbouring services are not interrupted</li> <li>▪ Where a common wall is involved, the affected neighbours’ written approval is to be gained along with a certificate from a structural engineer stating that the demolition will not affect the structural adequacy of the remaining structure</li> </ul>	<b>NO</b>

DEVELOPMENT TYPE	REQUIREMENTS Exempt Development <u>must meet all</u> of the following requirements	Exempt if a Heritage Item not on the SHR
<b>3. ERECTION OF A BUILDING OR STRUCTURE</b>		
<p><b>GENERAL REQUIREMENTS FOR THE ERECTION OF A BUILDING(S) OR STRUCTURE(S):</b></p> <ul style="list-style-type: none"> <li>▪ Satisfies the prerequisites for Exempt Development as listed in provision 1, Part B;</li> <li>▪ Compliance with the deemed to satisfy provisions of the Building Code of Australia;</li> <li>▪ The works are not to result in the contravention of density and landscape controls as defined in Leichhardt LEP 2000.</li> <li>▪ All works involving asbestos cement must comply with the Workcover Authority's "Guidelines for Practices Involving Asbestos Cement in Buildings" ;</li> <li>▪ All work involving lead paint removal must not cause lead contamination of air, ground or water, or result in drainage of paint waste into the stormwater system. Refer to DCP No.42 – Contaminated Land management for guidance on lead related issues; and</li> <li>▪ The development does not involve excavation beyond 600mm below ground level; and</li> <li>▪ Works associated with the development are to be carried out between the hours of 7.00am to 5.30pm Monday to Friday inclusive, 7.00am to 1.00pm Saturday and is not carried out on Sundays or Public Holidays.</li> </ul>		
<p><b>3.1</b> <b>Access ramps for the disabled</b></p>	<p><b>Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ Maximum length 6m</li> <li>▪ Maximum grade 1:14 and otherwise in compliance with AS 1428.2</li> </ul> <p><b>Advisory</b></p> <ul style="list-style-type: none"> <li>▪ Materials colour and texture must fit in with the design and heritage of the building or place</li> <li>▪ Refer to Council's Development Control Plan No 32 - Design for Equity of Access</li> </ul>	<b>YES</b>
<p><b>3.2</b> <b>Air conditioning units for dwellings</b> (does not include ducted air conditioning systems)</p>	<p><b>Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ One air conditioning unit per dwelling.</li> <li>▪ Any opening created is to be adequately weather proofed.</li> <li>▪ Building work must not reduce the structural integrity of the building.</li> <li>▪ Unit and any associated enclosure to be installed in accordance with manufacturer's specifications.</li> <li>▪ Unit to have a minimum 4 star energy rating.</li> <li>▪ For dwelling houses: <ul style="list-style-type: none"> <li>– unit is to be installed at the rear of the dwelling, a minimum of 2 metres from any wall opposite the unit.</li> <li>– no part of the unit is to be visible from the primary street frontage.</li> </ul> </li> <li>▪ For multi-unit housing: <ul style="list-style-type: none"> <li>– unit is to be installed against the external wall of the dwelling, not on the front face of any balcony, deck or terrace.</li> <li>– if visible from a public place, unit is to be housed in a suitable enclosure of a colour matching that of the external wall.</li> </ul> </li> </ul>	<b>NO</b>

(Item 3.2 Continues over page)

DEVELOPMENT TYPE	REQUIREMENTS Exempt Development <u>must meet all</u> of the following requirements	Exempt if a Heritage Item not on the SHR
	<ul style="list-style-type: none"> <li>- the approval of Owners Corporate is required.</li> <li>▪ The noise level generated by the unit is not to exceed 5dBA above ambient background noise level measured at the property boundary.</li> <li>▪ Unit is to be operated in accordance with the EPA guidelines, that is, it must not be used between 10pm and 7am weekdays, and 10pm and 8am weekends and public holidays.</li> </ul> <p><b>Advisory</b></p> <ul style="list-style-type: none"> <li>▪ The noise impact of a unit can be reduced by: <ul style="list-style-type: none"> <li>- choosing the smallest unit possible that will meet your needs;</li> <li>- locating it away from the windows, doors and outdoor areas of neighbouring properties;</li> <li>- housing it in an acoustic enclosure.</li> </ul> </li> <li>▪ For multi-unit complexes, it is recommended that the Owners Corporate seeks the advice of a qualified acoustic consultant on the suitable acoustic treatment of air conditioning units in the complex.</li> <li>▪ The design and installation of any unit enclosure should be approved by the manufacturer of the air conditioning unit, to ensure its safe and efficient operation.</li> <li>▪ For guidance on energy star ratings and the efficient operation of air conditioning units, visit: <a href="http://www.energyrating.gov.au">www.energyrating.gov.au</a>.</li> </ul>	
<b>3.3 Attachments to elevations of dwellings (eg awnings, canopies, storm blinds and security screens)</b>	<p><b>Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ Not to be located on the primary street frontage (except fixed security bars to residential properties)</li> <li>▪ Located at least 900mm from any property boundary where the attachment is not flush to the existing elevation and/or is constructed of a combustible material</li> <li>▪ If located on a property that is part of a strata plan or commercial title then written approval is required from the body corporate</li> <li>▪ Maximum area of 2m<sup>2</sup> for each attachment if an awning or canopy</li> <li>▪ Installed to manufacturer's specifications</li> <li>▪ Requires no other supporting structure and is to be structurally adequate</li> </ul>	<b>NO</b>
<b>3.4 Barbecues (Class 10b)</b>	<p><b>Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ For domestic use only</li> <li>▪ Located at least 6 metres from any window or other ventilation opening on premises or adjacent buildings</li> <li>▪ Located behind the primary street frontage</li> <li>▪ Maximum cooking area not more than 1m<sup>2</sup></li> <li>▪ Maximum height 1.8m - cooking area must not be less than 900mm above ground level</li> <li>▪ One per property</li> <li>▪ No roof or other structure</li> </ul>	<b>YES</b>
<b>3.5 Children's play equipment for domestic purposes only</b>	<p><b>Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ Maximum height from ground level of 2.1m</li> <li>▪ Maximum total ground coverage of 10m<sup>2</sup></li> <li>▪ Located behind the primary street frontage</li> </ul> <p><b>Advisory</b></p> <ul style="list-style-type: none"> <li>▪ Installed in accordance with manufacturer's specification and complying with relevant Australian Standards</li> </ul>	<b>YES</b>

DEVELOPMENT TYPE	REQUIREMENTS Exempt Development <u>must meet all</u> of the following requirements	Exempt if a Heritage Item not on the SHR
<b>3.6</b> <b>Clothes lines/hoists</b>	<b>Requirements:</b> <ul style="list-style-type: none"> <li>▪ Maximum extended height from ground level of 3m</li> <li>▪ To be located behind the primary street frontage</li> </ul> <b>Advisory</b> <ul style="list-style-type: none"> <li>▪ Installed in accordance with manufacturer's specification</li> </ul>	<b>YES</b>
<b>3.7</b> <b>Decks attached to a dwelling house (Class 1a)</b>	<b>Requirements:</b> <ul style="list-style-type: none"> <li>▪ Deck is not roofed or enclosed</li> <li>▪ Deck is to be located behind the primary street frontage</li> <li>▪ Maximum area of the deck is 15m<sup>2</sup></li> <li>▪ To be a light weight permeable structure (for eg timber)</li> <li>▪ To be no higher than 750mm from ground level</li> <li>▪ Where a deck is within 500mm of an adjacent boundary, the surface of the deck is to be at least 1.6m below the top of any adjacent solid boundary wall or fence</li> <li>▪ Where a deck is further than 500mm from an adjacent boundary, the surface of the deck is to be at least 1.3m below the top of any adjacent solid boundary wall or fence</li> </ul> <b>Advisory</b> <ul style="list-style-type: none"> <li>▪ Where a deck is higher than 500mm from ground level it can not be counted as landscaped area and consideration should be given to whether the statutory 40% landscaped area requirement is maintained.</li> <li>▪ If a pergola is also proposed see separate entry for 'pergola' .</li> </ul>	<b>NO</b>
<b>3.8</b> <b>Vehicular crossings, driveways and hard-stand areas</b>		
<b>3.8.1</b> <b>Driveways and vehicle hard-stand areas on private land</b>	<b>Requirements</b> <ul style="list-style-type: none"> <li>▪ Not over public land.</li> <li>▪ Must be connected to an existing vehicular crossing.</li> <li>▪ To be of sound and stable construction with adequate stabilisation.</li> <li>▪ May not be elevated or suspended more than 150mm above ground level.</li> <li>▪ Hard-stand areas to be located behind the main building line.</li> <li>▪ Minimum dimensions of hard-stand areas to be 2.5m x 5.5m.</li> <li>▪ Not to result in landscaped area of property falling below 40% of the site area. Where landscaped area is already below 40%, development consent is required.</li> <li>▪ Surface water not to be redirected onto adjoining property or Council land, but to drain into porous surfaces or into a stormwater drain on the property.</li> </ul> <b>Advisory</b> <ul style="list-style-type: none"> <li>▪ Materials that allow for water penetration should be used.</li> <li>▪ Consult with relevant utility providers regarding underground infrastructure and easements.</li> <li>▪ Separate development approval will be required for any ancillary structures (eg. car ports, garages and gates) which are not exempt or complying development.</li> </ul>	<b>NO</b>

DEVELOPMENT TYPE	REQUIREMENTS Exempt Development <u>must meet all</u> of the following requirements	Exempt if a Heritage Item not on the SHR
<b>3.8.2</b> <b>Vehicular crossings over footpaths</b>	<b>Requirements</b> <ul style="list-style-type: none"> <li>▪ Must have separate approval under the Roads Act.</li> <li>▪ To be of sound and stable construction with adequate stabilisation.</li> <li>▪ May not be elevated or suspended above the level of the footpath.</li> </ul> <b>Advisory</b> <ul style="list-style-type: none"> <li>▪ Approval will not be granted under the Roads Act unless proposals comply with Council's Policy on Managing Activities on Footpaths and Street Verges.</li> </ul>	<b>NO</b>
<b>3.9</b> <b>Exterior re-cladding of walls</b>	<b>Requirements:</b> <ul style="list-style-type: none"> <li>▪ Excludes buildings within a Conservation Area (LEP 2000)</li> <li>▪ Replace existing materials with same material or similar materials (including size and profile) when same materials are no longer available</li> <li>▪ Does not include the permanent alteration of an external elevation (eg rendering, bagging or painting of face brick work)</li> <li>▪ Materials should be non-reflective</li> <li>▪ If an attached premise, material consistency to external elevations is to be maintained</li> <li>▪ Not to involve structural alterations</li> <li>▪ No alterations to existing window or door openings or their location or size</li> </ul> <b>Advisory</b> <ul style="list-style-type: none"> <li>▪ Council encourages repair and maintenance of existing wall cladding rather than replacement.</li> <li>▪ Australian tree farms or state forest plantation timbers are preferred.</li> </ul>	<b>NO</b>
<b>3.10</b> <b>External lighting for domestic purposes</b>	<b>Requirements:</b> <ul style="list-style-type: none"> <li>▪ Lighting should not cause light spillage onto adjoining properties.</li> <li>▪ Does <u>not</u> apply to lighting of tennis courts, sporting fields and the like</li> <li>▪ Does <u>not</u> apply to external lighting of non-residential uses in residential zones</li> </ul>	<b>YES</b>

DEVELOPMENT TYPE	REQUIREMENTS Exempt Development <u>must meet all</u> of the following requirements	Exempt if a Heritage Item not on the SHR
<b>3.11 Fences, Gates and Roller Doors</b>	<p><b>General Requirements for Fences</b></p> <ul style="list-style-type: none"> <li>▪ Other than fences covered by the Swimming Pool Act 1992</li> <li>▪ All fences erected between the foreshore building line, as shown on the Foreshore Building Line Map, and the mean high water mark are not exempt development.</li> <li>▪ All fences are to be constructed so that they do not prevent the natural flow of surface water or redirect it to neighbouring properties</li> <li>▪ Fences are not to encroach on any publicly owned land</li> </ul> <p><b>Advisory</b></p> <ul style="list-style-type: none"> <li>▪ These requirements do not set aside the provisions of the Dividing Fences Act, 1991 which is administered by the Local Court</li> <li>▪ You are advised to talk to your neighbour at an early stage and consult with your Community Legal centre for enquiries about the Dividing Fences Act</li> <li>▪ In accordance with section 25 of the Dividing Fences Act, 1991, Council is not required to bear any costs for the replacement or repair of fences bordering streets, parks and other public lands</li> <li>▪ Fences are not to encroach on any publicly owned land</li> <li>▪ Refer to 'Maintenance' for repair of existing fences etc</li> </ul>	
<b>3.11.1 Front fences and side fences</b> (between the building line and street or any other public place)	<p><b>Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ Fencing should complement any original fencing relating to the architectural style of the dwelling or found on adjoining properties and in the wider streetscape in terms of style, height and materials</li> </ul> <p><u>Other than masonry:</u></p> <ul style="list-style-type: none"> <li>▪ Maximum height of 1.2m above ground level if constructed of timber, metal or lightweight materials</li> </ul> <p><u>Masonry/brick:</u></p> <ul style="list-style-type: none"> <li>▪ Maximum height of 600mm above ground level</li> <li>▪ Masonry fences are to be structurally adequate for intended purpose and to comply with AS3700 and AS1170</li> </ul>	<b>NO</b>
<b>3.11.2 Rear boundary fences and side fences</b> (between the building line and the rear boundary)	<p><b>Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ Maximum height of 1.8m above ground level</li> <li>▪ Masonry fences are to be structurally adequate for intended purpose and to comply with AS3700 and AS1170</li> </ul>	<b>NO</b>
<b>3.11.3 Fences along lane ways</b> (between the building line and a laneway excluding the area in front of the Primary Street Frontage)	<p><b>Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ Maximum height of 1.8m</li> <li>▪ Masonry fences are to be structurally adequate for intended purpose and to comply with AS3700 and AS1170</li> </ul>	<b>NO</b>
<b>3.11.4 Security Fences</b>	<p><b>Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ Chain wire type fences around Council owned compounds and depots</li> <li>▪ Does <u>not</u> apply to non-Council premises</li> </ul>	<b>NO</b>

DEVELOPMENT TYPE	REQUIREMENTS Exempt Development <u>must meet all</u> of the following requirements	Exempt if a Heritage Item not on the SHR
<b>3.11.5 Gates and Roller Doors (including support structures)</b>	<b>Requirements:</b> <ul style="list-style-type: none"> <li>▪ Roller Doors are only permissible to rear lanes</li> <li>▪ If the gate or roller door is to provide vehicular access to the site then an existing vehicular crossing or Council approval for a vehicular crossing must exist. Additionally the works are not to contravene the landscape controls as defined in Leichhardt LEP 2000</li> <li>▪ Gates are not to open outwards onto public land</li> <li>▪ Gates are to be same height as the existing fence</li> <li>▪ Gates and roller doors are to have a maximum width of 3m</li> <li>▪ A roller door and supporting structure is to be no higher than 2.6m above ground level</li> <li>▪ A roller door roll (in elevation) is to be shielded</li> <li>▪ Materials are to be consistent, where possible, with the existing fence</li> </ul>	<b>Gates: YES</b>  <b>Roller Doors: NO</b>
<b>3.12 Flagpoles</b>	<b>Requirements:</b> <ul style="list-style-type: none"> <li>▪ Maximum height of 6m above ground level</li> <li>▪ Must be structurally adequate</li> <li>▪ Installed to manufacturer's specification</li> <li>▪ One flag pole per premises</li> <li>▪ No advertising materials, logos etc.</li> <li>▪ One flag per flagpole</li> <li>▪ Not to project over a public place or adjoining property</li> <li>▪ Maximum flag area of 2m<sup>2</sup></li> </ul>	<b>YES</b>
<b>3.13 Letter Box</b>	<b>Requirements:</b> <ul style="list-style-type: none"> <li>▪ Maximum height of 1.2m above ground level</li> <li>▪ Structurally stable with adequate footings</li> </ul> <b>Advisory</b> <ul style="list-style-type: none"> <li>▪ Refer to Australia Post Guidelines for preferred letterbox size and location.</li> </ul>	<b>YES</b>
<b>3.14 Maintenance</b>	<b>Requirements:</b> <ul style="list-style-type: none"> <li>▪ Replace materials with same materials or similar when same materials (including size and profile) are no longer available</li> <li>▪ If an attached premise, material consistency to external elevations is to be maintained</li> <li>▪ Does not include the permanent alteration of an external elevation (eg rendering, bagging or painting of face brick work)</li> <li>▪ When carrying out external painting, ensure the colour is consistent with the streetscape (painting on external surfaces should only be carried out where the existing surface is painted)</li> <li>▪ Not to involve structural alterations</li> <li>▪ No alterations to existing window or door location, size, shape, area for ventilation and opaqueness</li> <li>▪ Windows, doors and roofing material may be replaced with materials consistent with the style and age of the building</li> <li>▪ Where applicable replacement glass should meet AS1288 and AS2208</li> <li>▪ Where timber is used, the timber shall be plantation or regrowth timbers, or recycled timber</li> <li>▪ <b>For a Heritage Item it does not include repairs that involve restoration or reconstruction</b></li> </ul>	<b>YES</b>

DEVELOPMENT TYPE	REQUIREMENTS Exempt Development <u>must meet all</u> of the following requirements	Exempt if a Heritage Item not on the SHR
<b>3.15</b> <b>Minor drainage and landscape work</b>	<b>Requirements:</b> <ul style="list-style-type: none"> <li>▪ Includes landscaping, drainage and gardening works that are ancillary to an existing development.</li> <li>▪ Does not include work or development occurring elsewhere in this Plan</li> </ul>	<b>YES</b>
<b>3.16</b> <b>Outbuildings (Class 10a) exclusively used for a:</b> <ul style="list-style-type: none"> <li>- cabana</li> <li>- gazebo</li> <li>- green house</li> <li>- cubby house</li> <li>- garden shed</li> <li>- aviary</li> </ul>	<b>Requirements:</b> <ul style="list-style-type: none"> <li>▪ Other than masonry construction</li> <li>▪ Detached from main dwelling on land primarily used for residential purposes</li> <li>▪ Maximum cumulative gross floor area 10m<sup>2</sup></li> <li>▪ Maximum height of 2.1m above ground level</li> <li>▪ Located at rear of dwelling, not closer than 900mm from alignment with adjoining premise</li> <li>▪ The works should not contravene the density or landscaping requirements of LEP 2000</li> <li>▪ Safety glazing to any glass doors conforming to AS2208-1978</li> <li>▪ Non reflective materials with a surface finish that blends in with existing landscape</li> <li>▪ Does not divert surface water onto neighbouring properties</li> <li>▪ Aviaries: <ul style="list-style-type: none"> <li>- must not create a nuisance or be injurious to health</li> <li>- must be kept clean and free from offensive odours</li> <li>- must be appropriately located to avoid nuisance to neighbours</li> <li>- not for keeping of poultry</li> </ul> </li> </ul> <b>Advisory</b> <ul style="list-style-type: none"> <li>▪ Outbuildings should not be placed in locations that will adversely affect the amenity of surrounding properties in terms of sunlight access, views, visual and acoustic privacy.</li> <li>▪ Waste water and irrigation water must be directed away from adjoining premises to Sydney Water requirements.</li> </ul>	<b>NO</b>
<b>3.17</b> <b>Pergola (attached to a dwelling house)</b>	<b>Requirements:</b> <ul style="list-style-type: none"> <li>▪ To be located behind the primary street frontage</li> <li>▪ To be located at least 900mm from adjoining boundaries</li> <li>▪ Not enclosed or roofed</li> <li>▪ Maximum area 15m<sup>2</sup></li> <li>▪ Maximum height of 3m above ground level</li> <li>▪ Attached to a dwelling house</li> <li>▪ Be structurally adequate (installed in accordance with AS 1684)</li> </ul> <b>Advisory</b> <ul style="list-style-type: none"> <li>▪ If a 'deck' is also proposed, see separate entry for 'deck' .</li> </ul>	<b>NO</b>
<b>Photovoltaic systems see "Solar Energy Systems"</b>		



DEVELOPMENT TYPE	REQUIREMENTS Exempt Development <u>must meet all</u> of the following requirements	Exempt if a Heritage Item not on the SHR
<b>3.18</b> <b>Rainwater tanks</b>	<p><b>Requirements:</b></p> <ul style="list-style-type: none"> <li>■ The capacity of the tank, or the combined capacity of tanks, on a lot must not exceed 10,000 litres.</li> <li>■ The tank must not collect water from a source other than gutters or downpipes on a building or a water supply service pipe.</li> <li>■ The tank must be fitted with a first-flush device, being a device that causes the initial run-off of any rain to bypass the tank to reduce pollutants entering the tank.</li> <li>■ The tank must be structurally sound.</li> <li>■ The tank must be prefabricated, or be constructed from prefabricated elements that were designed and manufactured for the purpose of the construction of a rainwater tank.</li> <li>■ The tank must be assembled and installed in accordance with the instructions of the manufacturer or designer of the tank.</li> <li>■ The tank, and any stand for the tank, must be installed and maintained in accordance with any requirements of Sydney Water.</li> <li>■ The installation of the tank must not involve the excavation of more than 600mm from the existing ground level, or the filling of more than 600mm above the existing ground level.</li> <li>■ Any retaining walls required for the tank's installation must meet the requirements of this DCP.</li> <li>■ The tank must not be installed over or immediately adjacent to a water main or a sewer main, unless it is installed in accordance with any requirements of Sydney Water.</li> <li>■ The tank must not be installed over any structure or fittings used by a public authority to maintain a water or sewer main.</li> <li>■ No part of the tank or any stand for the tank may rest on a footing of any building or other structure, including a retaining wall.</li> <li>■ The tank must be located behind the street alignment/s of the building to which it is connected.</li> <li>■ The tank must not exceed 2.4 metres in height above existing ground level, including any stand for the tank.</li> <li>■ The tank must be located at least 450 millimetres from any property boundary.</li> <li>■ A sign must be affixed to the tank clearly stating that the water in the tank is rainwater.</li> <li>■ Any overflow from the tank must be directed into an existing stormwater system.</li> <li>■ The tank must be enclosed, and any inlet to the tank must be screened or filtered, to prevent the entry of foreign matter or creatures.</li> <li>■ The tank must be maintained at all times so as not to cause a nuisance with respect to mosquito breeding or overland flow of water.</li> <li>■ Any plumbing work undertaken on or for the tank that affects a water supply service pipe or a water main must be undertaken in accordance with the NSW Code of Practice – Plumbing and Drainage and have the consent of and meet any requirements of Sydney Water.</li> </ul>	<b>NO</b>

(Item 3.18 Continues over page)

DEVELOPMENT TYPE	REQUIREMENTS Exempt Development <u>must meet all</u> of the following requirements	Exempt if a Heritage Item not on the SHR
	<ul style="list-style-type: none"> <li>▪ Any motorised or electric pump used to draw water from the tank or to transfer water between tanks must not create an offensive noise, and in the case of a permanent electric pump, must be installed by a licensed electrician.</li> <li>▪ The specifications of the tank and details of its installation and the end-use of the water collected are to be submitted to Council on the form attached at Appendix 4 (refer to advisory note).</li> </ul> <p><b>Advisory</b></p> <ul style="list-style-type: none"> <li>▪ If water in rainwater tanks is intended for human consumption, the tank should maintained to ensure that the water is fit for human consumption— see the Rainwater Tanks brochure produced by NSW Health and the publication titled Guidance on the use of rainwater tanks, Water Series No 3, 1998, published by the National Environmental Health Forum.</li> <li>▪ Council wishes to compile a database of the use and installation of rainwater tanks in the LGA to inform future environmental initiatives. The form attached at Appendix 4 has been prepared to make it easier to submit the required information to Council. Copies of the form are also available on Council's website or by contacting the Environment Officer.</li> </ul>	
<b>3.19 Retaining Walls</b>	<p><b>Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ Maximum height 600mm above or below ground level</li> <li>▪ Retaining walls are to be structurally adequate for the intended purpose and to comply with: AS3700, AS3600, AS1170 and timber walls must comply with AS1720 and AS1170</li> <li>▪ All retaining walls are to be constructed so that they do not prevent the natural flow of surface water or redirect it to neighbouring properties</li> </ul>	<b>YES</b>
<b>3.20 Roof Penetrations to dwelling houses including roof ventilators, skylights, solar tubes, vents etc.</b>	<p><b>Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ Is not a chimney to a solid fuel heater</li> <li>▪ Must not be located on the primary street frontage</li> <li>▪ Maximum area for each penetration is not to exceed 1m<sup>2</sup></li> <li>▪ Maximum cumulative area of 10m<sup>2</sup></li> <li>▪ Located at least 900mm from the boundary to an adjoining property</li> <li>▪ The building work must not reduce the structural integrity of the building</li> <li>▪ Installation must be adequately weather proofed</li> <li>▪ Installation to manufacturers instructions and specifications</li> </ul>	<b>NO</b>

DEVELOPMENT TYPE	REQUIREMENTS Exempt Development <u>must meet all</u> of the following requirements	Exempt if a Heritage Item not on the SHR
<b>3.21 Solar energy systems</b>		
<b>3.21.1 Solar water heaters</b>	<p><b>Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ Installed so that the panel's orientation is within 45° either side of True North</li> <li>▪ To be located behind the Primary Street Frontage</li> <li>▪ Entire system to be located below the ridgeline of the building</li> <li>▪ Panels must sit flat against the roof plane</li> <li>▪ Tanks to be either close coupled directly to panels, located within the roof space or at ground level.</li> <li>▪ Not directly overlooked from the habitable room windows of adjoining properties</li> <li>▪ Installed to manufacturer's specifications by a licensed person</li> <li>▪ The building work must not reduce the structural integrity of the building</li> <li>▪ Any opening created by the installation to be adequately weather proofed</li> </ul> <p><b>Advisory:</b></p> <ul style="list-style-type: none"> <li>▪ Assurance should be sought that the weight of any heating appliance and accompanying water tank can be supported adequately.</li> <li>▪ Solar water heaters should be correctly sized in accordance with the following guidelines to reflect : <ul style="list-style-type: none"> <li>- Minimum 180 litre system for 2 bedroom dwellings</li> <li>- Minimum 300 litre system for 3 bedroom dwellings</li> </ul> </li> <li>▪ Gas boosters are preferred to electrical boosters</li> </ul>	<b>NO</b>
<b>3.21.2 Heat pumps</b>	<p><b>Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ To be located behind the primary street frontage</li> <li>▪ Noise emission to comply with the Environmental Protection Authority's Noise Control Manual.</li> <li>▪ All hot water-piping to be insulated to Australian Standard</li> <li>▪ Where split heat pump systems are installed the distance between evaporator panels and tank must not exceed 9 metres</li> <li>▪ Installed to manufacturers specifications by a licensed person</li> </ul> <p><b>Advisory:</b></p> <ul style="list-style-type: none"> <li>▪ Heat pumps can transfer up to four times as much energy into the hot water tank as the amount of electricity used to run the pump - they are very energy efficient.</li> <li>▪ In addition to ensuring that pump noise associated with heat pump operation, impacts on neighbourhood amenity within the property boundary should also be considered. This may mean <u>not</u> installing heat pump tank close to bedroom windows, or ensuring that the system is adequately sound-insulated.</li> <li>▪ Install tank close to main locations of hot water use ( kitchen and bathroom) - taking into account advisory notes about pump noise.</li> <li>▪ Recommended that where split systems are installed with roof panels that these be colour-matched to roofing material.</li> <li>▪ Roof panels do not need to face north.</li> <li>▪ Position system to minimise dust, leaf debris or loose material collecting on air in takes.</li> </ul>	<b>NO</b>

DEVELOPMENT TYPE	REQUIREMENTS Exempt Development <u>must meet all</u> of the following requirements	Exempt if a Heritage Item not on the SHR
<b>3.21.3 Photovoltaic systems</b> (Including both panels attached to roof and photovoltaic tiles that form part of the roof itself)	<b>Requirements:</b> <ul style="list-style-type: none"> <li>▪ To be located behind the primary street frontage</li> <li>▪ Installed so that the panel's orientation is within 45° either side of True North or the electrical output is at least 75% of that which would be achieved from orientation of the same sized system to True North</li> <li>▪ Installed to the specifications and standards of electrical utility supplier and panel/solar tile manufacturer</li> <li>▪ Panels must sit flat against the roof plane but with adequate clearance space between panel and roof to prevent heat build-up behind panels</li> <li>▪ For tiles, heat build-up in the roof cavity must be controlled by insulation and/or venting</li> <li>▪ Not directly overlooked from the habitable room windows of adjoining properties</li> <li>▪ Not to include any battery storage systems</li> <li>▪ The building work must not reduce the structural integrity of the building or involve structural alterations</li> <li>▪ Any opening created by the installation to be adequately weather proofed</li> </ul> <b>Advisory:</b> <ul style="list-style-type: none"> <li>▪ An adequate electrical output would be 1200 kwh per annum per kw installed, averaged over the whole system</li> </ul>	<b>NO</b>
<b>3.22 Site investigations</b>	<b>Requirements</b> <ul style="list-style-type: none"> <li>▪ Field investigations to determine foundation and soil qualities including : <ul style="list-style-type: none"> <li>- boreholes drilled with truck mounted drill rigs,</li> <li>- shallow boreholes drilled with hand augers or hand held power augers,</li> <li>- test pits or trenches excavated using a backhoe</li> </ul> </li> </ul>	<b>YES</b>
<b>3.23 SEPP 55 Category 2 Remediation works</b>	<b>Requirements</b> <ul style="list-style-type: none"> <li>▪ If carried out in accordance with Leichhardt Development Control Plan No.42 – Contaminated Land Management</li> </ul>	<b>NO</b>
<b>3.24 Street furniture</b> (includes benches, notice boards, public amenities, kiosks and parking metres, does <u>not</u> include bus shelters or telephone booths)	<b>Requirements</b> <ul style="list-style-type: none"> <li>▪ Construction by or for Council</li> <li>▪ Must be structurally sound</li> <li>▪ Designed, fabricated and installed in accordance with any applicable Australian Standard.</li> <li>▪ Must not contain advertising material.</li> <li>▪ A clear and accessible path of at least 1.5m wide is required past the furniture on the footpath.</li> <li>▪ Public amenities and kiosks must have approval under the Roads Act.</li> <li>▪ Must comply with Council's Policy on Managing Activities on Footpaths and Street Verges.</li> </ul>	<b>NO</b>
<b>3.25 Street signs including name plates, directional signs, advance traffic warning signs and the like</b>	<b>Requirements</b> <ul style="list-style-type: none"> <li>▪ Construction by or for Council</li> <li>▪ Must be structurally sound</li> <li>▪ Designed, fabricated and installed in accordance with relevant Australian Standard</li> <li>▪ Must not contain advertising material</li> </ul>	<b>YES</b>

DEVELOPMENT TYPE	REQUIREMENTS Exempt Development <u>must meet all</u> of the following requirements	Exempt if a Heritage Item not on the SHR
<b>3.26 Temporary structures and buildings</b>		
<b>3.26.1 Temporary structures /buildings for construction purposes including builders shed, portable toilets, temporary fencing, scaffolding and the like</b>	<p><b>Requirements</b></p> <ul style="list-style-type: none"> <li>▪ Removal must occur within 28 days after construction of associated development</li> <li>▪ Structures encroaching onto footpaths must have approval under the Roads Act.</li> </ul> <p><b>Advisory</b></p> <ul style="list-style-type: none"> <li>▪ Approval will not be granted under the Roads Act unless proposals comply with Council's Policy on Managing Activities on Footpaths and Street Verges.</li> </ul>	<b>YES</b>
<b>3.26.2 Temporary structures/ buildings for residential purposes including:</b> - Marquees - Mini stages	<p><b>Requirements</b></p> <ul style="list-style-type: none"> <li>▪ Located within property boundaries</li> <li>▪ Not in place longer than 1 week with a maximum floor area of 15m<sup>2</sup></li> <li>▪ Must be structurally adequate</li> </ul>	<b>YES</b>
<b>3.26.3 Temporary demonstration units for new or altered developments</b>	<p><b>Requirements</b></p> <ul style="list-style-type: none"> <li>▪ Must be located on the site to which the consent for new or altered residential development relates</li> <li>▪ Units must not be used for any longer than 12 months</li> <li>▪ Must comply with the relevant sections of the BCA</li> <li>▪ Must not be occupied for residential purposes</li> </ul>	<b>NO</b>
<b>3.27 Water heaters (excluding Solar Hot Systems)</b>	<p><b>Requirements</b></p> <ul style="list-style-type: none"> <li>▪ Replacement of an existing system only</li> <li>▪ Replacement system must score at least 3.5 stars on SEDA's energy rating system</li> <li>▪ The work must not reduce the structural integrity of the building or involve structural alterations</li> <li>▪ Installation to be carried out by a licensed person</li> <li>▪ Located behind the primary street frontage</li> <li>▪ Is located at ground level or inside building</li> </ul> <p><b>Advisory</b></p> <ul style="list-style-type: none"> <li>▪ Leichhardt Council and the NSW Sustainable Energy Development Authority (SEDA) strongly support energy efficiency.</li> <li>▪ Hot Water typically accounts for over 30% of residential energy consumption and contributes to global climate change via the greenhouse effect. Energy efficient systems include solar-gas, solar-electric, heat pump and energy efficient gas (storage or instantaneous) models. See SEDA for further information on energy efficient hot water systems.</li> <li>▪ Replacement systems should be sized to adequately meet the anticipated regular occupancy of the premise.</li> </ul>	<b>YES</b>

DEVELOPMENT TYPE	REQUIREMENTS Exempt Development <u>must meet all</u> of the following requirements	Exempt if a Heritage Item not on the SHR
<p><b>3.28</b> <b>Install drop-down blinds over footpath</b> (attached to facade, awning, awning, verandahs, balcony or pergola).</p>	<p><b>Requirements</b></p> <ul style="list-style-type: none"> <li>▪ Separate approval must be granted under the Roads Act.</li> <li>▪ Minimum clearance above footpath of 2.6m.</li> <li>▪ Must be structurally sound.</li> <li>▪ Non reflective materials must be used.</li> <li>▪ All structures shall be visually light.</li> <li>▪ If located on a property that is part of a strata plan or commercial title then written approval is required from the body corporate.</li> </ul> <p><b>Advisory</b></p> <ul style="list-style-type: none"> <li>▪ Approval will not be granted under the Roads Act unless proposals comply with Council's Policy on Managing Activities on Footpaths and Street Verges.</li> </ul>	<p><b>NO</b></p>
<p><b>3.29</b> <b>Public art on footpaths</b> (includes sculpture, murals and pavement installations)</p>	<p><b>Requirements</b></p> <ul style="list-style-type: none"> <li>▪ Separate approval must be granted under the Roads Act.</li> <li>▪ Installation by or for Council.</li> <li>▪ Must be structurally sound.</li> <li>▪ Designed, fabricated and installed in accordance with any applicable Australian Standard.</li> <li>▪ A continuous clear and accessible path of travel at least 1.5m wide is required past the item on the footpath.</li> <li>▪ Must not contain advertising material.</li> </ul>	<p><b>NO</b></p>

DEVELOPMENT TYPE	REQUIREMENTS Exempt Development <u>must meet all</u> of the following requirements	Exempt if a Heritage Item not on the SHR
<b>4. INTERNAL ALTERATIONS</b>		
<p><b>GENERAL REQUIREMENTS FOR INTERNAL ALTERATIONS</b></p> <ul style="list-style-type: none"> <li>▪ Satisfies the prerequisites for Exempt Development as listed in provision 1, Part B;</li> <li>▪ Compliance with the deemed to satisfy provisions of the Building Code of Australia;</li> <li>▪ All works involving asbestos cement must comply with the Workcover Authority’s “Guidelines for Practices Involving Asbestos Cement in Buildings “;</li> <li>▪ All work involving lead paint removal must not cause lead contamination of air or ground. Refer to DCP No.42 – Contaminated Land management for guidance on lead related issues;</li> <li>▪ Where timber is used, the timber shall be plantation or regrowth timbers, timbers grown on Australian farms or state forest plantation, or recycled timber; and</li> <li>▪ Works associated with the development are carried out between the hours of 7.00am to 5.30pm Monday to Friday inclusive, 7.00am to 1.00pm Saturday and is not carried out on Sundays or Public Holidays.</li> </ul> <p><b>GENERAL ADVISORY COMMENTS:</b></p> <ul style="list-style-type: none"> <li>▪ Repairs to doors, walls, ceilings and joinery are generally encouraged rather than replacement.</li> <li>▪ You are advised to consult a structural engineer, architect or building surveyor before commencing alterations to ensure you comply with the Building Code of Australia and will not affect the structural sufficiency and stability of the building</li> </ul>		
<p><b>4.1</b> <b>Internal alterations to residential buildings</b></p>	<p><b>Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ Applies to non-structural work such as: <ul style="list-style-type: none"> <li>- the replacement of doors, wall, ceiling or floor linings, or deteriorated frame members with equivalent or improved quality materials</li> <li>- renovations of bathrooms, kitchens, inclusion of built-in fixtures such as vanities cupboards and wardrobes</li> <li>- insulation</li> </ul> </li> <li>▪ Work must not alter the external appearance of the building</li> <li>▪ Work must not reduce window arrangements for light and ventilation, reduce doorways for egress purposes or enclose open areas</li> <li>▪ Work must not affect the structural integrity of the building</li> <li>▪ Work must not damage the internal surface finish of walls, floors or ceilings of adjoining buildings</li> <li>▪ Applies only to the alteration or renovation of previously completed buildings</li> </ul> <p><b>Advisory:</b></p> <ul style="list-style-type: none"> <li>▪ It is recommended that insulation achieve an added ‘R’ value of at least: <ul style="list-style-type: none"> <li>- R3.0 for roofs and ceilings</li> <li>- R1.5 for walls</li> </ul> </li> </ul>	<p><b>NO</b></p>

DEVELOPMENT TYPE	REQUIREMENTS Exempt Development <u>must meet all</u> of the following requirements	Exempt if a Heritage Item not on the SHR
<b>4.2</b> <b>Internal alterations to non-residential buildings</b>	<p><b>Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ Must be in conjunction with a use that has development consent, or a use permitted under this DCP</li> <li>▪ Applies to non-structural work such as: <ul style="list-style-type: none"> <li>- the replacement of doors, wall, ceiling or floor linings, or deteriorated frame members with equivalent or improved quality materials</li> <li>- renovations of bathrooms, kitchens, inclusion of built-in fixtures such as vanities cupboards and wardrobes</li> <li>- erection of partitioning</li> <li>- shop fitouts</li> <li>- insulation</li> </ul> </li> <li>▪ Work must not reduce window arrangements for light and ventilation, reduce doorways for egress purposes or enclose open areas</li> <li>▪ Any fire fighting equipment or egress requirements comply with the requirements of sections D&amp;E of the BCA</li> <li>▪ Materials used must comply with the requirements of clause 1.10 of the BCA</li> <li>▪ Work must not affect the structural integrity of the building</li> <li>▪ Work must not damage the internal surface finish of walls, floors or ceilings of adjoining buildings</li> <li>▪ Applies only to the alteration or renovation of previously completed buildings</li> <li>▪ Works to an existing food premise or registered premise must comply with the National Code for Construction and Fitout of Food Premises, 1993 and the NSW Department of Health Skin Penetration Guidelines where relevant.</li> </ul> <p><b>Advisory:</b></p> <ul style="list-style-type: none"> <li>▪ It is recommended that insulation achieve an added 'R' value of at least: <ul style="list-style-type: none"> <li>- R3.0 for roofs and ceilings</li> <li>- R1.5 for walls</li> </ul> </li> </ul>	<b>NO</b>



DEVELOPMENT TYPE	REQUIREMENTS Exempt Development <u>must meet all</u> of the following requirements	Exempt if a Heritage Item not on the SHR
<b>5. TELECOMMUNICATION FACILITIES</b>		
<b>GENERAL REQUIRMENTS FOR TELECOMMUNICATION FACILITIES:</b> <ul style="list-style-type: none"> <li>▪ Satisfies the prerequisites for Exempt Development as listed in provision 1, Part B</li> <li>▪ Compliance with the deemed to satisfy provisions of the Building Code of Australia</li> </ul>		
<b>5.1</b> <b>Satellite dishes</b>	<b>Requirements:</b> <ul style="list-style-type: none"> <li>▪ Must be located behind the primary street frontage</li> <li>▪ Directly attached to roof or wall or, if on ground, within rear yard</li> <li>▪ Maximum diameter 900mm</li> <li>▪ The height of the dish must not extend above the height of the building upon which it is located</li> <li>▪ The satellite dish must not interfere with telecommunications reception or transmission to or from other premises</li> <li>▪ One per allotment</li> </ul>	<b>NO</b>
<b>5.2</b> <b>Television aerial/microwave antennae</b>	<b>Requirements:</b> <ul style="list-style-type: none"> <li>▪ Maximum height 1m above roof</li> <li>▪ Not to be a separate pole in the yard space</li> <li>▪ Must be located within the property boundary and no overhanging to adjoining properties</li> <li>▪ Must be located behind the primary street frontage</li> <li>▪ One per allotment</li> </ul>	<b>YES</b>

DEVELOPMENT TYPE	REQUIREMENTS Exempt Development <u>must meet all</u> of the following requirements	Exempt if a Heritage Item not on the SHR
<b>6. USE OF A BUILDING / PREMISE</b>		
<p><b>GENERAL REQUIREMENTS:</b></p> <ul style="list-style-type: none"> <li>▪ Satisfies the prerequisites for Exempt Development as listed in provision 1, Part B;</li> <li>▪ Compliance with the deemed to satisfy provisions of the Building Code of Australia;</li> <li>▪ The new use is consistent with the current classification of the building under the Building Code of Australia ;</li> <li>▪ Only applies to the use of an existing lawful building; and</li> <li>▪ The new use does not involve handling, storing or using hazardous chemicals or materials otherwise than on a domestic scale and does not release any hazardous chemicals or materials or any pollutants into the environment</li> </ul>		
<p><b>6.1</b>  <b>Change of use from:</b>  - shop to a shop (Class 6)  - commercial premise to a commercial premise (Class 5)  - light industry to a light industry (Class 8)  - social club to a sporting club  - community facility to a community facility</p>	<p><b>Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ The new use replaces a former use being carried out in accordance with a development consent and complies with the conditions of consent</li> <li>▪ The use is not prohibited by any provision</li> <li>▪ The proposed use is not actually or potentially hazardous or offensive</li> <li>▪ The proposed use must not involve an increase in floor area</li> <li>▪ The proposed use does not include: <ul style="list-style-type: none"> <li>- food premise;</li> <li>- registered premise; and</li> <li>- a use that requires a Trade Waste Agreement with Sydney Water Corporation, included in Appendix 2</li> </ul> </li> <li>▪ Change from a light industry to another light industry <u>does not</u> involve the use of more than 500m<sup>2</sup> of floor area,</li> <li>▪ Existing vehicle parking, landscaping, loading, unloading and waste facilities must be retained</li> <li>▪ Does not involve the display or sale of publications within the meaning of the Indecent Articles and Classified Publications Act 1975, or display of objects primarily concerned with sexual behaviour</li> <li>▪ Social and Sporting Clubs does not include clubs registered under the Registered Clubs Act 1976</li> <li>▪ Written notification of change of use is to be forwarded to Council</li> </ul>	<b>YES</b>

DEVELOPMENT TYPE	REQUIREMENTS Exempt Development <u>must meet all</u> of the following requirements	Exempt if a Heritage Item not on the SHR
<b>6.2</b> <b>Change of use from:</b> - shop / refreshment room to commercial premise - commercial premise / refreshment room to a shop	<b>Requirements</b> <ul style="list-style-type: none"> <li>▪ The use replaces a former or current use being carried out in accordance with a development consent</li> <li>▪ Complies with development consent conditions</li> <li>▪ The proposed use must not involve an increase in floor area</li> <li>▪ The proposed use does not include:               <ul style="list-style-type: none"> <li>- food premise;</li> <li>- registered premise; and</li> <li>- a use that requires a Trade Waste Agreement with Sydney Water Corporation, included in Appendix 2; and</li> </ul> </li> <li>▪ The change of use <u>does not</u> involve the use of more than 200m<sup>2</sup> of floor area</li> <li>▪ The use is not prohibited by any provision</li> <li>▪ Existing vehicle parking, landscaping, loading, unloading and waste facilities must be retained</li> <li>▪ Does not involve the display or sale of publications within the meaning of the Indecent Articles and Classified Publications Act 1975, or display of objects primarily concerned with sexual behaviour</li> <li>▪ Written notification of change of use is to be forwarded to Council</li> </ul>	<b>NO</b>
<b>6.3</b> <b>Home based childcare</b>	<b>Requirements:</b> <ul style="list-style-type: none"> <li>▪ Must operate in accordance with the Family Day Care and Home Based Child Care Services Regulation 1996.</li> <li>▪ Does <u>not</u> include a Child Care Facility</li> </ul>	<b>YES</b>
<b>6.4</b> <b>Home occupation</b>	<b>Requirements:</b> <ul style="list-style-type: none"> <li>▪ Carried on in a dwelling or within an allotment which contains a dwelling house</li> <li>▪ Undertaken by the permanent residents</li> <li>▪ Employs no other person than the permanent residents</li> <li>▪ Does not involve display or retail of goods or materials</li> <li>▪ Does not interfere with the amenity of the neighbourhood due to:               <ul style="list-style-type: none"> <li>- the generation of excessive vehicular traffic</li> <li>- the attraction of an excessive number of customers or clients</li> <li>- the reduction of car parking in the vicinity of the site</li> </ul> </li> <li>▪ Does not involve the storage of goods forward of the primary street frontage</li> </ul>	<b>YES</b>
<b>6.5</b> <b>Use of public open space for community/ Cultural purposes</b>	<b>Requirements:</b> <ul style="list-style-type: none"> <li>▪ Must be in accordance with an Activity Approval issued by the Council</li> </ul>	<b>YES</b>
<b>6.6</b> <b>Use of public assembly building (Class 9b) for public meeting</b>	<b>Requirements:</b> <ul style="list-style-type: none"> <li>▪ Temporary meeting only</li> <li>▪ Essential Services Certificates for the Class (9b) building must be up to date</li> <li>▪ No amplified music in conjunction with the meeting</li> </ul>	<b>YES</b>

DEVELOPMENT TYPE	REQUIREMENTS Exempt Development <u>must meet all</u> of the following requirements	Exempt if a Heritage Item not on the SHR
6.7 Filming activities	<p><b>Requirements:</b></p> <ul style="list-style-type: none"> <li>■ The filming must not create significant interference with the neighbourhood.</li> <li>■ A Filming Management Plan for the filming must be prepared and lodged with Council in accordance with the requirements below.</li> <li>■ The person carrying out the filming must, at least 5 working days before the commencement of filming at the particular location, give notice in writing of the filming to residents within a 50-metre radius of the location in accordance with the requirements below.</li> <li>■ The person carrying out the filming must obtain a policy of insurance that adequately covers the public liability of the person in respect of the filming for an amount of not less than \$10,000,000.</li> <li>■ Filming carried out within conservation areas or on the site of heritage items must not involve or result in: <ul style="list-style-type: none"> <li>– any changes or additions that are not merely superficial and temporary to any part of the item or conservation area;</li> <li>– the mounting or fixing of any object or article on any part of the item or conservation area (including any building or structure);</li> <li>– the movement, parking or standing of any vehicle or equipment on or over any part of the item or conservation area that is not specifically designed for this; and</li> <li>– any changes to the vegetation or other physical features of the item or conservation area.</li> </ul> </li> </ul> <p><b>Filming on private land</b></p> <ul style="list-style-type: none"> <li>■ If the filming is carried out on private land, it must not be carried out for more than 30 days within a 12-month period at the particular location.</li> <li>■ Filming Management Plan to be lodged with Council 5 working days prior to filming commencing.</li> </ul> <p><b>Filming in a public place</b></p> <ul style="list-style-type: none"> <li>■ If the filming is carried out in a public place, that is not part of an iconic site, it must not be carried out for more than 5 days within any 28 day period, for a maximum of 20 days within a 12-month period.</li> <li>■ Use limited to between 7am and 7pm Monday to Saturday.</li> <li>■ Must not obstruct access to adjoining properties.</li> <li>■ Filming Management Plan is to be lodged with Council with any application for approval of the filming activity under the Local Government Act or Roads Act. If approval under the Local Government Act or Roads Act is not required, the Filming Management Plan is to be lodged with Council 7 working days prior to filming commencing.</li> </ul> <p><b>Filming Management Plans</b></p> <ul style="list-style-type: none"> <li>■ A Filming Management Plan must contain the following information and documents: <ul style="list-style-type: none"> <li>– the name, address and telephone number of the person</li> </ul> </li> </ul>	YES

(Item 6.7 continues over page)

DEVELOPMENT TYPE	REQUIREMENTS Exempt Development <u>must meet all</u> of the following requirements	Exempt if a Heritage Item not on the SHR
	<p>carrying out the filming (such as a production company) and of the producer for the filming;</p> <ul style="list-style-type: none"> <li>- a brief description of the filming to be carried out (for example, a television commercial, a television series, a feature film or a documentary);</li> <li>- the proposed location of the filming;</li> <li>- the proposed commencement and completion dates for the filming at the location;</li> <li>- the proposed daily length of filming at the location;</li> <li>- the number of persons to be involved in the filming;</li> <li>- details of any temporary structures to be erected at the location for the purposes of the filming;</li> <li>- the type of filming equipment to be used in the filming (such as a hand-held or mounted camera);</li> <li>- proposed arrangements for parking all vehicles associated with the filming during the filming;</li> <li>- whether there will be any temporary disruption to the location of the filming or the surrounding area and the amenity of the neighbourhood (for example, by the discharge of firearms or explosives, the production of offensive noise, vibrations, disruption to traffic flow or the release of smells, fumes, vapour, steam, soot, ash, dust, waste water, grit or oil);</li> <li>- whether the filming will involve the use of outdoor lighting or any other special effects equipment;</li> <li>- where filming is on public land, a photographic record of the location to be used for filming. This will be used to assess any damage to the land as a result of the filming. A bond will be required to be submitted to Council prior to filming commencing to cover the repair of any damage caused;</li> <li>- a copy of the public liability insurance policy that covers the filming at the location; and</li> <li>- a copy of any approval given by a public authority to carry out an activity associated with the proposed filming at the location (such as an approval by the Roads and Traffic Authority for the closure of a road, and an approval by Council for the erection of a temporary structure at the location, or closure of a road or a public footpath). (Note. For filming activity on public land, the Filming Management Plan is to be lodged in conjunction with any application to Council under the Local Government Act or Roads Act.)</li> </ul> <p><b>Notification of residents</b></p> <ul style="list-style-type: none"> <li>■ The notice to residents is to be by way of a letter-box drop and is to contain the following information: <ul style="list-style-type: none"> <li>- the name and telephone number of the person carrying out the filming (such as a production company) and of a contact representative of that person;</li> <li>- a brief description of the filming to be carried out at the location, and any proposed temporary disruptions to the location or the surrounding area or the amenity of the neighbourhood;</li> <li>- proposed arrangements for parking all vehicles</li> </ul> </li> </ul>	

(Item 6.7 continues over page)

DEVELOPMENT TYPE	REQUIREMENTS Exempt Development <u>must meet all</u> of the following requirements	Exempt if a Heritage Item not on the SHR
	<p>associated with the filming during the filming;</p> <ul style="list-style-type: none"> <li>- the proposed commencement and completion dates for the filming at the location; and</li> <li>- the proposed daily length of filming at the location.</li> </ul> <p><b>Advisory:</b></p> <ul style="list-style-type: none"> <li>▪ Other approvals, such as under the Roads Act or Local Government Act, may still be required for the filming activity. The following documents will assist in understanding the statutory controls relating to filming: <ul style="list-style-type: none"> <li>- the <i>Local Government Filming Protocol</i> published by the NSW Department of Local Government; and</li> <li>- the Guide to NSW EPA Requirements for the Film and Television Industry published by the NSW Environment Protection Authority.</li> </ul> </li> <li>▪ Catering vehicles shall comply with Council's Code for Temporary Food Premises. All waste water of any classification is to be disposed of via Council's stormwater system.</li> </ul>	
<p><b>6.8</b> <b>Use part of footpath as dining area of adjacent café/restaurant</b> (does not apply to taverns, hotels or pubs)</p>	<p><b>Requirements</b></p> <ul style="list-style-type: none"> <li>▪ Separate approval must be granted under the Roads Act, and a Footway Licence issued by Council.</li> <li>▪ Must be immediately adjacent to and adjoining respective restaurant/cafe.</li> <li>▪ Must not increase the total number of seats used by the café/restaurant beyond that approved by Council.</li> <li>▪ Must be set back at least 2 metres from kerb. Set back must be able to accommodate a straight unobstructed path of travel of at least 1.5m wide.</li> <li>▪ Does not include the installation of any structures apart from tables and chairs. Furniture must be well maintained and in good order and must not incorporate advertising.</li> </ul> <p><b>Advisory</b></p> <ul style="list-style-type: none"> <li>▪ Approval will not be granted under the Roads Act unless proposals comply with Council's Policy on Managing Activities on Footpaths and Street Verges.</li> <li>▪ Additional kerbside setback provisions (2.5m min.) may be required on major roads, in accordance with RTA provisions.</li> </ul>	<p><b>YES</b></p>

## PART C – COMPLYING DEVELOPMENT

Complying development may only be carried out if a **Complying Development Certificate** is obtained. The certificate may be obtained from either the Council or an accredited certifier.

A Complying Development certificate is subject to the conditions listed in Part D – Complying Development Conditions.

### 1. COMPLYING DEVELOPMENT PREREQUISITES

Development specified in the 'Complying Development Schedule' of the DCP, is complying development only if:

- a) It is **development** of a kind that can be carried out with consent on the land on which it is proposed, as specified in Leichhardt Local Environmental plan 2000; and
- b) It complies with the deemed to satisfy provisions of the **Building Code of Australia**; and
- c) It complies with all the **development requirements** set for the development specified in the 'Complying Development Schedule', and the corresponding conditions listed in the 'Complying Development Conditions'; and
- d) It does not contravene any condition of a **development consent** applying to the land; and
- e) It is at least one metre from an **easement** or **public sewer main** or complies with Sydney Water's building over sewer requirements; and
  
- f) It is not carried out on land identified, after an Initial Investigation, as having the potential for being **contaminated** at a level that would pose a risk to human health or the environment; and
- g) It is not carried out on a site that has previously been used as a use listed in **Table 1**, and which has not been remediated in accordance with SEPP 55; and
  
- h) It does not require the **removal or significant pruning of a tree(s)** covered under Council's Tree Preservation Order; and
- i) It is not carried out within the **drip line of a tree** if the proposal involves excavations; and
- j) It is not carried out on land where the surface generally has a **slope** greater than 18 degrees from the horizontal and the proposal involves excavations; and
- k) It is not carried out within 40m of the top of the high bank of a **river or water body** (including an urban stream) where there will be vegetation or soil disturbance; and
- l) It is not affected by a **foreshore building line**; and
- m) It is not within a Class 1 or 2 **Acid Sulphate Soil Risk** category as identified on the Acid Sulphate Soil Risk Map if the proposal involves excavations; and
  
- n) It is not affected by **State Environmental Planning Policy No. 56** - Sydney Harbour Foreshores and Tributaries ; and
- o) It is not affected by **State Environmental Planning Policy No.10** – Retention of Low Cost Rental Accommodation; and
  
- p) It is not carried out on land containing an **Aboriginal place or relic** under the National Parks and Wildlife Act, 1974; and

- q) It is not carried out on land reserved or dedicated under the **National Parks and Wildlife Act, 1974**; and
- r) It is not carried out on land that is reserved or dedicated under the **Crown Lands Act, 1989** for the preservation of flora, fauna, or geological formations or for other environmental protection purposes.

Note:  
 Section 76A(6) of the EP&A Act says the following development can not be complying development:  
 (a) State significant development,  
 (b) Designated development,  
 (c) Any development, if consent for it requires the concurrence of a person (other than the consent authority or the Director – General of National Parks and Wildlife as referred to in section 79B(3) of the EP&A Act).

Section 76A(6) of the EP&A Act says the following development can not be complying development on land:  
 (a) That is critical habitat (within the meaning of the Threatened Species Conservation Act 1995), or  
 (b) That is within a wilderness area (within the meaning of the Wilderness Act 1987), or  
 (c) That comprises, or on which there is, an item of the environmental heritage to which an order under the Heritage Act 1977 applies or that is identified as such an item in an environmental planning instrument, or  
 (d) That is identified as an environmentally sensitive area in the environmental planning instrument that makes provision for the complying development.

## 2. COMPLYING DEVELOPMENT SCHEDULE

REQUIREMENTS	
Complying Development <u>must meet all</u> the following requirements	
<b>RESIDENTIAL</b>	
<b>GROUP A</b>	
<b>Ancillary Works to Residential Buildings</b>	
<b>A.1</b> <b>Structural works to existing building</b>	<b>General Requirements:</b> <ul style="list-style-type: none"> <li>All work must comply with the deemed to satisfy provisions of section 3 – Acceptable Construction of the Building Code of Australia (Housing Provisions).</li> <li>No visible external works.</li> <li>Works shall not provide for an additional dwelling/s.</li> <li>No works are to be carried out on a shared wall, floor or ceiling without the affected owners written approval.</li> <li>If works affect a property that is part of a strata plan or commercial title then written approval is required from the Strata or Body Corporate.</li> <li>Certificate from a practicing Structural Engineer stating that the works will not affect the structural adequacy of the building.</li> </ul>



<b>REQUIREMENTS</b>	
<b>Complying Development <u>must meet all</u> the following requirements</b>	
<b>A.2 Alteration and addition of openings (windows and doors)</b>	<p><b>General Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ All work must comply with the deemed to satisfy provisions of Section 3 - Acceptable Construction of the BCA Building Code of Australia (Housing Provisions).</li> <li>▪ Openings are to be located not less than 900mm from a property boundary and not less than 900mm from a wall separating attached dwellings.</li> <li>▪ Does not apply to openings in shared walls.</li> <li>▪ Works to ground floor only.</li> <li>▪ Does not include the addition of an opening with an area greater than 4m<sup>2</sup>.</li> <li>▪ If works affect a property that is part of a strata plan or commercial title then written approval is required from the Strata or Body Corporate.</li> </ul> <p><b>Urban Form and Design Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ No works to the Primary Street Frontage.</li> </ul> <p><b>Amenity Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ Alterations and additions of transparent openings to habitable rooms which have a sill height of less than 1.6m and that are within 15m of an adjoining dwelling or primary landscaped area, are only permissible if they face a solid wall or a fence at least 1.3m in height from the floor level of the dwelling to be altered.</li> </ul>
<b>GROUP B Alterations &amp; Additions to Dwelling Houses</b>	
<b>B.1 Ground Floor Alterations and Additions</b>	<p><b>General Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ All work must comply with the deemed to satisfy provisions of Section 3 - Acceptable Construction of the BCA Building Code of Australia (Housing Provisions).</li> <li>▪ Works to ground floor only.</li> <li>▪ Works are not to be located on the primary street frontage and are to be set back at least 6m from this frontage.</li> <li>▪ Does not include works to small-detached houses with a gross floor area of less than 100m<sup>2</sup> in its original form.</li> <li>▪ Works shall not provide for an additional dwelling/s.</li> <li>▪ Works are not to result in the loss of off-street parking.</li> <li>▪ Works are not to increase the gross floor area of the dwelling house by more than 40m<sup>2</sup>.</li> <li>▪ The works are not to result in the contravention of density and landscape controls as defined in Leichhardt LEP 2000.</li> </ul> <p><b>Urban Form and Design Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ External walls are to be located not less than 900mm from a property boundary.</li> <li>▪ The ground floor level of the works at any point is to be no more than 700mm above ground level.</li> <li>▪ The distance between the floor level and the underside of the eaves is to be no more than 2.7m.</li> <li>▪ The roof pitch is to be no more than 30 degrees, openings are to be flush with the roof and consistent with the controls set out in this DCP.</li> <li>▪ The height of the works is not to exceed the existing ridge height or 4m above</li> </ul>

	<b>REQUIREMENTS</b>
	<p><b>Complying Development <u>must meet all</u> the following requirements</b></p> <p>ground level, which ever is the lowest.</p> <ul style="list-style-type: none"> <li>▪ The works are to be located within the Building Location Zone as described in Leichhardt DCP 2000.</li> </ul> <p><b>Amenity Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ Transparent openings to habitable rooms which have a sill height of less than 1.6m and that are within 15m of an adjoining dwelling or primary landscaped area, are only permissible if they face a solid wall or a fence at least 1.3m in height from the floor level of the dwelling to be altered.</li> <li>▪ Solar access is to be maintained to adjacent properties' habitable rooms for a minimum period of 2 hours between 9.00am and 3.00pm at the winter solstice, or where less than 2 hours solar access is currently available, no additional overshadowing is permitted.</li> <li>▪ Solar access to the subject property and adjacent properties' primary landscaped area is to be maintained over a minimum of 50% of that space for a period of at least three hours between 9.00am and 3.00 pm at the winter solstice.</li> </ul> <p><b>ESD Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ Submission of a Waste Management Plan and a site plan showing waste storage, recycling and composting areas and collection points consistent with the requirements of Leichhardt Development Control Plan No.38 – Waste – Avoid, Reuse, Recycle.</li> <li>▪ An addition should achieve an added 'R' value for insulation to the following standards: <ul style="list-style-type: none"> <li>- R 3.0 for roofs and ceilings,</li> <li>- R 1.5 for walls.</li> </ul> </li> </ul> <p><b>Advisory Notes:</b></p> <ul style="list-style-type: none"> <li>▪ Where possible ensure materials are complementary to the existing dwelling.</li> <li>▪ Where relevant no less than 16m<sup>2</sup> of landscaped area should be located directly off the primary living area of the dwelling, have a minimum dimension of 3m and not to be steeper than 1 in 20.</li> </ul>
<p><b>B.2 Extensions within the existing roof space including dormer windows.</b></p>	<p><b>General Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ All work must comply with the deemed to satisfy provisions of Section 3 - Acceptable Construction of the BCA Building Code of Australia (Housing Provisions).</li> <li>▪ Applies <u>only</u> to bedrooms, studies and non habitable rooms.</li> <li>▪ The works are not to result in the building exceeding the density controls as prescribed in Leichhardt LEP 2000.</li> <li>▪ Works are to be contained within the existing roof space, except those associated with the addition of a dormer window.</li> <li>▪ Only 1 dormer window permissible with a complying development certificate.</li> <li>▪ Dormer window is only permitted on the rear elevation.</li> </ul> <p><b>Urban Form and Design Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ The dormer window is to be located not less than 900mm from a property boundary and not less than 900mm from a wall separating attached dwellings.</li> <li>▪ Dormer windows are to be centrally located along the width of the roof.</li> <li>▪ Dormers are to be traditionally vertically proportioned, with a height 1.5 x</li> </ul>

<b>REQUIREMENTS</b>	
	<p><b>Complying Development must meet all the following requirements</b></p> <p>width.</p> <ul style="list-style-type: none"> <li>▪ Dormer windows shall be set at least 200mm below the ridgeline and up from the eaves.</li> <li>▪ Dormer windows shall be no less than 200mm from the rear wall so as not to create an extended vertical wall.</li> </ul> <p><b>Amenity Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ The sides of the dormer windows are to be of a solid construction without glazing.</li> </ul> <p><b>ESD Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ Submission of a Waste Management Plan consistent with the requirements of Leichhardt Development Control Plan No.38 –Waste – Avoid, Reuse, Recycle.</li> <li>▪ The extension should achieve an added 'R' value for insulation to the following standards: <ul style="list-style-type: none"> <li>- R 3.0 for roofs and ceilings</li> <li>- R 1.5 for walls.</li> </ul> </li> </ul>
<b>GROUP C Garages and Carports to Dwelling Houses</b>	
<p><b>C.1 Erection and alterations of a garage or carport (including panel lift doors and supporting structures)</b></p>	<p><b>General Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ All work must comply with the deemed to satisfy provisions of Section 3 - Acceptable Construction of the BCA Building Code of Australia (Housing Provisions).</li> <li>▪ It is to be located to the rear of the dwelling and not on or in front of the primary street frontage.</li> <li>▪ It is to be built within 500mm of the boundary where the vehicular crossing is located.</li> <li>▪ A vehicular crossing or approval for a vehicular crossing must exist.</li> <li>▪ The erection of the garage or carport is not to result in the contravention of density and landscape controls as defined in Leichhardt LEP 2000.</li> <li>▪ Applies to sites containing single dwellings only.</li> </ul> <p><b>Urban Form and Design Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ The ground floor level of the structure at any point is to be no more than 500mm above ground level.</li> <li>▪ The distance between the floor level and the underside of the eaves is to be no more than 2.7m.</li> <li>▪ The roof pitch is to be no more than 30 degrees.</li> <li>▪ The structure is to have a maximum width of 3.5m and a maximum depth of 6m and a maximum ridge height of 4m above ground level.</li> <li>▪ Garages are to be located no less than 450mm off a side boundary if they are built of a combustible material and/or where a surface requires maintenance.</li> <li>▪ It is to be a single storey structure with no storage or studio space above and is not to have a trafficable roof.</li> </ul> <p><b>Amenity Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ Solar access is to be maintained to adjacent properties' habitable rooms for a minimum period of 2 hours between 9.00am and 3.00pm at the winter solstice, or where less than 2 hours solar access is currently available, no additional overshadowing is permitted.</li> </ul>

<b>REQUIREMENTS</b>	
<b>Complying Development must meet all the following requirements</b>	
	<ul style="list-style-type: none"> <li>▪ Solar access to the subject property and adjacent properties' primary landscaped area is to be maintained over a minimum of 50% of that space for a period of at least three hours between 9.00am and 3.00 pm at the winter solstice.</li> </ul> <p><b>ESD Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ Submission of a Waste Management Plan consistent with the requirements of Leichhardt Development Control Plan No.38 – Waste – Avoid, Reuse, Recycle.</li> </ul> <p><b>Advisory notes:</b></p> <ul style="list-style-type: none"> <li>• Where possible ensure materials match the existing dwelling.</li> </ul>
<b>GROUP D</b>	
<b>Outdoor Works</b>	
<b>D.1 Pool / Spa</b>	<p><b>General Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ All work must comply with the deemed to satisfy provisions of section 3 Acceptable Construction of the BCA (Housing Provisions).</li> <li>▪ Is Ancillary to a dwelling house for private use only.</li> <li>▪ Surface area is not to be greater than 20m<sup>2</sup>.</li> <li>▪ To be located to the rear of the dwelling.</li> <li>▪ All aspects of the structure should comply with the Swimming Pool Act and Regulations and where relevant: <ul style="list-style-type: none"> <li>- AS/NZS 1838:1994 – Swimming Pools – Premoulded fibre-reinforced plastics – Design and fabrication, and AS/NZS 1839:1994 – Swimming Pools – Premoulded fibre-reinforced plastics – Installation, or</li> <li>- AS 2738:1992 – Use or reinforced concrete for small swimming pools.</li> <li>- AS 1926:1986 – Swimming Pool Safety</li> </ul> </li> <li>▪ Must not: <ul style="list-style-type: none"> <li>- Be built over an easement,</li> <li>- Be in breach of any covenant to which the Council is a party,</li> <li>- Be located within a zone of influence of a public sewer main,</li> <li>- Be located within a zone of influence of a public drainage pipe,</li> </ul> Without the written approval of the relevant person or authority benefiting from the easement or covenant. </li> </ul> <p><b>Urban Form and Design Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ The pool/spa is to be located no closer than 1.5m from side and rear boundaries.</li> <li>▪ The finished level of the pool / spa is to be no more than 1.5m above the ground level.</li> <li>▪ The filter motor must be located at least 150mm away from the boundary fence and be located within a sound insulating structure.</li> <li>▪ All decking around the pool / spa is to be no more than 500mm above the ground level.</li> </ul> <p><b>Amenity Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ The areas surrounding the pool/spa structure shall be graded to divert surface water to a surface water collection point clear of the proposed structure and adjoining premises.</li> </ul>

	<b>REQUIREMENTS</b>
	<b>Complying Development <u>must meet all</u> the following requirements</b>
	<ul style="list-style-type: none"> <li>▪ All pool/spa waste water shall be disposed of via an approved sewage system.</li> <li>▪ The pool/spa is not to be located adjacent to bedroom windows of adjoining dwellings.</li> <li>▪ The works are not to result in the contravention of density and landscape controls as defined in Leichhardt LEP 2000.</li> </ul> <p><b>ESD Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ Submission of a Waste Management Plan consistent with the requirements of Leichhardt Development Control Plan No.38 – Waste – Avoid, Reuse, Recycle.</li> </ul>

	<b>REQUIREMENTS</b>
	<b>Complying Development <u>must meet all</u> the following requirements</b>
<b>BED AND BREAKFAST ACCOMMODATION</b>	
<b>GROUP E</b>	
<b>Bed &amp; Breakfast Accommodation in a detached dwelling house</b>	
<b>E.1 Bed &amp; Breakfast</b>	<p><b>General Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ All work must comply with the deemed to satisfy provisions of Building Code of Australia.</li> <li>▪ The dwelling house must be approved.</li> <li>▪ The dwelling house must be permanently occupied by a resident or residents.</li> </ul> <p><b>Urban Form and Design Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ The dwelling is to have no more than 2 double rooms for let and a maximum of 4 guests.</li> <li>▪ Access is to meet the requirements of DCP 32 – Design for equity of Access.</li> </ul> <p><b>Amenity Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ A separate hand wash basin is to be provided in each guest room.</li> <li>▪ One offstreet car parking space, located behind the Primary Street Frontage is to be provided.</li> <li>▪ The visitor common area is not to be located adjacent to bedroom windows of adjoining dwellings.</li> </ul> <p><b>ESD Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ A site plan showing waste storage, recycling and composting areas and collection points consistent with Development Control Plan No. 38 – Waste – Avoid, Reuse, Recycle’.</li> </ul>

	<b>REQUIREMENTS</b> Complying Development <u>must meet all</u> the following requirements
<b>COMMERCIAL</b>	
<b>GROUP F</b> <b>Change of use from shop/commercial premise/refreshment room to shop/commercial premise including change of hours (excludes properties with existing use rights )</b>	
<b>F.1</b> <b>Change of Use</b>	<p><b>General Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ Complies with the deemed to satisfy provisions of the Building Code of Australia.</li> <li>▪ The proposed use must replace a former or current lawful use with the same classification under the Building Code of Australia.</li> <li>▪ The proposed use is not prohibited by any provision of an Environmental Planning Instrument.</li> <li>▪ The new use does not involve handling, storing or using hazardous chemicals or materials otherwise than on a domestic scale and does not release any hazardous chemicals or materials or any pollutants into the environment.</li> <li>▪ The proposed use is for either a commercial premise or a shop but does not include:             <ul style="list-style-type: none"> <li>- food premise;</li> <li>- registered premise; and</li> </ul> </li> <li>▪ Fire Safety – fire fighting and egress requirements must comply with the requirements of sections D &amp; E of the BCA.</li> </ul> <p><b>Urban Form and Design Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ No increase in gross floor area.</li> <li>▪ No alteration to the shopfront.</li> <li>▪ No more than 500m<sup>2</sup> of gross floor area to be changed if the change is from a commercial premise to a shop.</li> <li>▪ Access is to meet the requirements of Leichhardt DCP 32 – Design for Equity of Access.</li> <li>▪ Existing vehicle parking, landscaping, loading, unloading and waste facilities must be retained.</li> </ul> <p><b>Amenity Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ Hours of operation to be between 8.30am-6.00pm Monday to Sunday and 8.30am to 9.00pm Thursday.</li> <li>▪ No increase in number of employees.</li> <li>▪ Does not primarily involve the display or sale of publications within the meaning of the Indecent Articles and Classified Publications Act 1975, or display of objects primarily concerned with sexual behaviour.</li> <li>▪ Advertising must comply with this DCP and other relevant Council Standards.</li> </ul> <p><b>ESD Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ Provide details of operational/management practices for recycling and collection and the ongoing management of waste in accordance with Development Control Plan No. 38 – Waste – Avoid, Reuse, Recycle.</li> </ul>

	<b>REQUIREMENTS</b>
	Complying Development <u>must meet all</u> the following requirements
<b>GROUP G Structural Works</b>	
<b>G.1 Structural works to existing buildings</b>	<p><b>General Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ All work must comply with the deemed to satisfy provisions of the Building Code of Australia.</li> <li>▪ No visible external works.</li> <li>▪ No works are to be carried out on a shared wall, floor or ceiling without the affected owners' written approval.</li> <li>▪ If works affect a property that is part of a strata plan or commercial title then written approval is required from the Strata or Body Corporate.</li> <li>▪ A Certificate is required from a practicing Structural Engineer stating that the works will not affect the structural adequacy of the building</li> <li>▪ Any fire fighting equipment or egress requirements shall comply with the requirements of sections D&amp;E of the BCA</li> </ul>

	<b>REQUIREMENTS</b>
	Complying Development <u>must meet all</u> the following requirements
<b>COMMUNITY FACILITY</b>	
<b>GROUP H Structural Works</b>	
<b>H.1 Structural Works to existing buildings</b>	<p><b>General Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ All work must comply with the deemed to satisfy provisions of the Building Code of Australia.</li> <li>▪ No visible external works.</li> <li>▪ No works are to be carried out on a shared wall, floor or ceiling without the affected owners' written approval.</li> <li>▪ If works affect a property that is part of a strata plan or commercial title then written approval is required from the Strata or Body Corporate.</li> <li>▪ A Certificate is required from a practicing Structural Engineer stating that the works will not affect the structural adequacy of the building</li> <li>▪ Any fire fighting equipment or egress requirements shall comply with the requirements of sections D&amp;E of the BCA</li> </ul>

	<b>REQUIREMENTS</b> Complying Development <u>must meet all</u> the following requirements
<b>INDUSTRIAL</b>	
<b>GROUP I</b> <b>Change of Use from an Industry to a Light industry (excludes properties operating with existing use rights )</b>	
<b>I.1</b> <b>Change of Use</b>	<p><b>General Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ Complies with the deemed to satisfy provisions of the Building Code of Australia.</li> <li>▪ Proposed use must replace a former or current lawful use with the same classification under the Building Code of Australia.</li> <li>▪ Proposed use is not prohibited by any provision of an Environmental Planning Instrument.</li> <li>▪ Proposed use is not actually or potentially hazardous or offensive.</li> <li>▪ The new use does not involve handling, storing or using hazardous chemicals or materials otherwise than on a domestic scale and does not release any hazardous chemicals or materials or any pollutants into the environment.</li> <li>▪ Fire Safety – fire fighting and egress requirements must comply with the requirements of sections D &amp; E of the BCA.</li> <li>▪ The proposed use must not require a licence under the Protection of the Environment Operations Act, 1997.</li> <li>▪ The proposed use is for a light industrial use but does not include:           <ul style="list-style-type: none"> <li>- food premise;</li> <li>- automotive dismantling;</li> <li>- designated development as defined in the EP&amp;A Act, 1979, and</li> </ul> </li> </ul> <p><b>Urban Form and Design Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ Change of use shall not alter the external form of the building.</li> <li>▪ Change of use does not involve the use of more than 500m<sup>2</sup> of gross floor area and must not increase the gross floor area</li> <li>▪ Access is to meet the requirements of Leichhardt DCP 32 – Design for Equity of Access.</li> <li>▪ Existing vehicle parking, landscaping, loading, unloading and waste facilities must be retained.</li> </ul> <p><b>Amenity Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ Hours of operation to be between 7.00am-6.00pm Monday to Saturday.</li> <li>▪ No increase in number of employees.</li> <li>▪ Proposed change of use must comply with the guidelines set down in the NSW EPA Environmental Noise Control Manual.</li> <li>▪ Proposed change of use should not involve retail activities.</li> <li>▪ The building should not have a commercial component greater than 20% of the total gross floor area.</li> </ul> <p><b>ESD Requirements:</b></p> <p>Provide details of operational/management practices for recycling and collection and the ongoing management of waste in accordance with Development Control Plan No. 38 – Waste – Avoid, Reuse, Recycle</p>



	<b>REQUIREMENTS</b> Complying Development <u>must meet all</u> the following requirements
<b>TEMPORARY BUILDINGS</b>	
<b>GROUP J Temporary Buildings</b>	
<b>J.1 Temporary Buildings</b>	<p><b>General Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ The building is to be removed within the period from the date of approval specified in the Complying Development Certificate, being a period not exceeding 5 years. [Note: The building must be demolished or removed no later than 60 days after the specified period expires].</li> <li>▪ The building is not to be used for residential purposes.</li> <li>▪ The building is not to be used for the storage or handling of inflammable materials.</li> <li>▪ It is to be a single storey structure with no storage or studio space above.</li> <li>▪ Does not include a building erected by way of alteration, addition or extension to an existing building.</li> <li>▪ Existing vehicle parking, loading, unloading and waste facilities must be retained.</li> </ul> <p><b>Urban Form and Design Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ The height of the temporary building is not to exceed 3.6m above ground level.</li> <li>▪ Building/s are to have a maximum gross floor area of 40m<sup>2</sup>.</li> </ul> <p><b>Amenity Requirements:</b></p> <ul style="list-style-type: none"> <li>▪ The building is to be set back from every boundary of the lot by a minimum of 3 metres and is to be no closer than 5m to any dwelling.</li> <li>▪ Windows and doors adjacent habitable rooms of dwellings are permissible if there is a boundary fence at least 1.8m high.</li> </ul>

<b>REQUIREMENTS</b>	
Complying Development <u>must meet all</u> the following requirements	
<b>SUBDIVISION</b>	
<b>GROUP K</b>	
<b>Subdivision of residential land</b>	
<b>K.1</b> <b>Subdivision of land for the purposes of:</b>  - A boundary adjustment between allotments; or - Rectifying an encroachment upon an allotment	<b>General Requirements:</b> <ul style="list-style-type: none"> <li>▪ Does not involve the creation of an additional allotment.</li> <li>▪ Does not contravene any conditions or minimum site area requirements of a Development Consent.</li> <li>▪ Does not result in more than a 10% variation in the size of a lot.</li> <li>▪ Will not result in any building contravening the deemed to satisfy provisions of the Building Code of Australia.</li> <li>▪ The subdivision is not to result in the contravention of subdivision, density and landscape controls of Leichhardt LEP 2000.</li> </ul>

# **PART D - COMPLYING DEVELOPMENT CONDITIONS**

## **Determination of applications and commencement of complying development**

Users should refer to Division 2, Part 7 of the Environmental Planning and Assessment Regulation 2000. Issues covered include:

- Procedure for determining an application for a complying development certificate,
- Development standards for building work associated with a change of building use,
- Development standards for building work involving the alteration, enlargement or extension of an existing building,
- Compliance with the Building Code of Australia and insurance requirements under Home Building Act 1989,
- Form of complying development certificate,
- Notice under section 86 of the Act of appointment of principal certifying authority, and
- Notice under section 68 of the Act of intention to commence subdivision work or erection of building.

## **GENERAL CONDITIONS**

These general conditions apply to all Complying Development Certificates and are imposed to ensure that the development is carried out in accordance with the complying development certificate, having regard to the environmental circumstances of the site.

### **Condition Group A – General Conditions**

#### **A1 Approved Plans**

The development shall be implemented in accordance with the details set out on the plan no.s <<insert number>> dated <<insert date>> and on the application form and on any supporting information received with the application except as amended by the conditions specified hereunder.

#### **A2 Class and Rise of Building**

The building is classified as Class <<class of building>> building/s having a rise of <<number of storeys>> under the Building Code of Australia.

### **A3 Appointment of a Principal Certifying Authority**

No works in connection with this complying development certificate are to be commenced until the applicant:

- (i) has appointed a Principal Certifying Authority, and;
- (ii) has notified the Council of the appointment 2 days prior to commencement of works; and
- (iii) has notified the adjoining owners 2 days prior to the commencement of works

The applicant may appoint the Council or an accredited certifier as the principal certifying authority for the development.

If the principal certifying authority is not the Council, then the person so nominated must provide an acceptance of the nomination in writing to the Council.

If the principal certifying authority is the Council, the nomination will be subject to the payment of a fee for the service to cover the cost of undertaking all necessary inspections and the issue of appropriate certificates.

### **A4 Fire Safety**

Fire safety measures and procedures shall meet and be certified in accordance with the requirements set by the Building Code of Australia and shall meet the requirements as set by the Environmental Planning and Assessment Regulation, 2000, as amended.

## **CONDITIONS TO BE COMPLIED WITH BEFORE WORK COMMENCES**

The following conditions must be satisfied / completed before work commences on site:

### **Condition Group B - All Construction Works**

#### **B1 Site Preparation**

Before any site works, building or demolition begins, the applicant must:

- (i) notify the Council of the name, address, phone number and licence number of the builder, and
- (ii) erect a sign at the front of the property with the builders name, licence number, site address, and the consent number, and
- (iii) if the PCA is not Council, that sign should also include the name and contact details of the accredited certifier, along with advise that inquiries relating to the works be directed to the certifier,
- (iv) a sign should also be erected stating that unauthorised entry to the site is not permitted, and
- (v) Prevent any substance from falling onto a public place.

This condition does not impose a requirement on an applicant if it is complied with by the builder.

## **B2 Skip Bins**

Where it is proposed to store waste and recycling containers, skip bins etc on part of Council's footpath or roadway, an Activity Application for a construction zone together with the necessary fee in accordance with Council's schedule of fees and charges shall be submitted to Council.

## **B3 Safety Fencing**

The building site shall be adequately fenced to restrict public access to the site and building works, materials or equipment on the site when building works are not in progress.

All fencing is to be erected within site boundaries and any gates shall swing into the property.

Fencing to be a minimum 1.5m high & max 1.8m high.

Fencing to be rigid construction and of a material so as to prevent access to the site.

Existing boundary fencing may be used provided such fencing is in sound condition.

## **B4 Party Walls/Cross Easements of Support**

Where applicable, approval from the adjoining owners of the Party wall for the use of the wall shall be gained and evidence must be provided, from a practising Structural Engineer, as to the adequacy of the party wall to support the additional loads to be imposed. Documentary evidence shall be submitted to the Principle Certifying Authority.

## **B5 Council Property and Environmental Damage Security**

Before the commencement of works the applicant shall provide security to the value as prescribed by Council's Schedule of Fees for the payment of the cost of making good any damage caused to any Council property as a consequence of the implementation of the consent. The security may be provided by way of a deposit with the Council or a guarantee satisfactory to the Council.

Should any of Council's property and/or the environment sustain damage during the course of the works, or if the works put Council's assets or the environment at risk, Council may carry out any works necessary to repair the damage and/or remove the risk. The cost of these works will be deducted from the security.

An inspection fee of \$110 is also required to be paid to Council prior to the commencement of works.

A request for release of the security may be made to the Council after all work has been completed.

## **B6 Support for neighbouring buildings**

If an excavation associated with the erection or demolition of a building extends below the level base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

- (a) must preserve and protect the affected building from damage, and
- (b) if necessary, underpin and support the affected building in an approved manner, and
- (c) must at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purpose of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land includes a public road and any other public place.

## **Group C - Commercial / Industrial properties involving a change of use**

### **C1 Sydney Water**

A Section 73 Compliance Certificate is to be obtained for the development, if required, from the Sydney Water Corporation.

## **CONDITIONS TO BE COMPLIED WITH DURING CONSTRUCTION**

The following conditions must be complied with at all times during the course of construction:

### **Group D - Demolition Works**

#### **D1 Demolition**

Any demolition on the site is to be conducted in strict accordance with, but not limited to, sections 1.5, 1.6, 1.7, 3.1 and 3.9 of the AS 2601 - 1991, demolition of structures. The following measures must be undertaken:

- a) Prior to the demolition, the applicant shall submit a Work Plan prepared in accordance with AS 2601 by a person with suitable expertise and experience to the Principal Certifying Authority. The Work Plan shall identify any hazardous materials, the method of demolition, the precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.
- b) Hazardous dust must not be allowed to escape from the site. The use of fine mesh dust proof screens or other measures is required.
- c) All contractors and employees directly involved in the removal of hazardous dusts and substances shall wear protective equipment conforming to AS 1716 Respiratory Protective Devices and shall adopt work practices in accordance

with WorkSafe requirements (in particular, the WorkSafe standard for the Control Inorganic Lead at Work ).

- d) Any existing accumulations of dust (eg; ceiling voids and wall cavities must be removed by the use of an industrial vacuum fitted with a high efficiency particulate air (HEPA) filter and disposed of appropriately.
- e) All dusty surfaces including building cavities and dust created from work is to be suppressed by a fine water spray or misting. Water must not be allowed to enter the street and stormwater systems. No waste material should be burnt on site.
- f) Demolition is not to be performed during high winds that may cause dust to spread beyond the site boundaries without adequate containment.
- g) All lead contaminated material is to be disposed of in accordance with the NSW Environment Protection Authority's requirements.
- h) Following demolition activities, soil must be tested by a person with suitable expertise to ensure the soil lead levels are below acceptable health criteria for residential areas. Full certification is to be provided for approval by the Principal Certifying Authority prior to the commencement of building works.
- i) Disposal of demolition material should maximise recycling to minimise landfill and disposal cost.

### **Group E – All Construction Works**

#### **E1 Copy of Complying Development Certificate to be kept on site**

For the duration of any work on site the builder must maintain a copy of the specification, approved plans, and copy of the Complying Development Certificate.

#### **E2 Building Work Inspections**

The building works where applicable must be inspected at the following stages during construction:

1. Pre-commencement (Installation of soil erosion and sedimentation controls, safety fencing, protection barriers for existing trees, installation of builders' toilets, installation of signage).

Note: A pre-commencement inspection is only required when development will occur adjacent to the public footway / roadway, or cause significant site disturbance.

2. Foundations (placement of piers or foundation before placing footings).
3. Steel Reinforcement (steel reinforcing before pouring concrete).
4. Framework including floors, walls, roof (before lining or cladding is fixed).
5. Stormwater drainage lines (before backfilling).

- 6 Wet area flashings (before lining or tiling).
- 7 Pool / Spa fencing (prior to pool being filled).
- 8 Fire Inspections (to check essential services and to issue fire safety certificates).
- 9 Completion (before building occupation).

Compliance certificates verifying a satisfactory level of compliance must be lodged with the Principal Certifying Authority for each required inspection.

### **E3 Site Controls**

Demolition, excavation, or building work associated with the proposed development shall be restricted to the hours of 7.00 a.m. to 5.30 p.m. Monday to Friday inclusive, 7.00 a.m. to 1.00 p.m. Saturday. No work must be carried out on Sunday or Public Holidays.

### **E4 Noise**

Noise levels during the works must comply with the Environment Protection Authority's Environmental Noise Control Manual and the Protection of Environment Operations Act, 1997.

### **E5 Construction Materials and Machinery**

All construction materials, sheds, temporary water closets, spoil, etc, shall be kept wholly on site and not placed in a position to be washed onto the roadway or into the stormwater system. No vehicles or machines shall be permitted to stand on Council's footpath.

### **E6 ESD – Building Materials**

Choose building materials that take into account the following environmental considerations:

- Energy efficient materials with low embodied energy,
- Recyclable and reusable materials,
- Renewable or abundant resources,
- Durable materials with low maintenance,
- Non-polluting materials, and
- Environmentally-acceptable production methods.

### **E7 Waste Minimisation**

To minimise waste, reuse and recycle demolition materials where possible.

Onsite material storage areas and containers for recycling / reuse and waste disposal are to be provided.

Where applicable this should be done in accordance with the submitted Waste Management Plan.



## **E8 Asbestos removal**

All asbestos removal and transportation works are to fully comply with the requirements of WorkCover NSW and the Environment Protection Authority, as well as the "Code of Practice for the Safe Removal of Asbestos (NOHSC:2002 (1988))" prepared by the National Occupation Health and Safety Commission. The requirements of WorkCover NSW and the Environment Protection Authority are to be obtained before proceeding with the removal of any asbestos.

## **E9 Lead Removal**

All work involving lead removal must not cause lead contamination of air, water (including sewerage and stormwater) or ground.

Any paint containing lead on residential and commercial buildings must be managed in accordance with the Australian Standard AS 4361.2, Guideline to Lead Paint Management Part 2: Residential and Commercial Buildings without causing any contamination to the environment.

Removal of lead paint and protective coatings, using methods such as abrasive blasting, from larger buildings and industrial infrastructure where higher lead protective coatings continued to be used should be done in accordance with AS 4361.1 Guide for Lead Paint Management in Industrial Applications 1995.

Work practices must be in accordance with WorkSafe requirements (in particular, the WorkSafe Standard for the *Control of Inorganic Lead at Work* (NOHSC:1012, 1994) and AS2641, 1998). Regard should also be given to environmental guidelines produced by the Environment Protection Authority.

Note: For further information on the management of lead contamination refer to Leichhardt Development Control Plan No. 42 - Contaminated Land Management.

## **E10 Noise and Vibration**

Works involving alterations and/or additions to dwellings that are within 250m of a rail corridor are to implement noise and vibration mitigation measures that meet criteria set by relevant Australian Standards and EPA Guidelines.

## **E11 Footpath Protection**

The builder is to ensure footways and kerbs are protected from damage at all times.

## **E12 Signs to be erected on building and demolition sites**

A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:

- (a) stating that unauthorised entry to the work site is prohibited, and
- (b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.

Any such sign is to be removed when the work has been completed.

This clause does not apply to:

- (a) building work carried out inside an existing building, or
- (b) building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.

### **E13 Toilet Facilities**

Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

Each toilet provided:

- (a) must be a standard flush toilet, and
- (b) must be connected:
  - to a public sewer, or
  - if connection to a public sewer is not practicable, to an accredited sewage management facility approved by the council, or
  - if connection to the sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by the Council.

The provision of toilet facilities in accordance with this clause must be completed before any other work is commenced.

## **Group F - Building Works Outside the Existing Built Form**

### **F1 Excavations & Backfilling**

All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.

All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

### **F2 Erosion and Sedimentation**

Sediment and erosion controls must be in place before work is commenced on the site. The control strategies must be in accordance with the Environment Protection Authority's guidelines, "Pollution Control Manual for Urban Stormwater".

Any stormwater runoff collected from the site must be treated in accordance with the Guidelines, before discharge off the site to comply with the Protection of the Environment Operations Act, 1997.

Where sedimentation control basins are provided discharge shall be to the requirements of the Environment Protection Authority.

Material from the site is not to be tracked onto the road by vehicles entering or leaving the site.

Removal or disturbance of vegetation and topsoil must be confined to within 3 metres of the proposed building.

**F3 Drainage**

Stormwater run-off from all areas within the property shall be collected in a system of gutters, pits and pipelines and discharged by gravity to either:

- (i) a public road or
- (ii) an easement drainage system in favour of the subject site.

All drainage works shall be in accordance with Council's Drainage Code.

**F4 Survey Report**

No portion of the proposed structure shall encroach onto the adjoining properties.

No portion of the proposed structure, including gates and doors during opening and closing operations, shall encroach upon public land.

**F5 Surveyor's Certificate**

A Surveyor's Certificate and report must be submitted to the Principal Certifying Authority, on commencement of brickwork or wall construction, indicating the position of external walls in relation to the boundaries of the allotment and indicating the lowest floor level.

On completion, a survey indicating the position and finished ridge levels, as shown on the approved plan, relative to a fixed datum point must also be submitted.

**F6 Tree Protection**

All trees are to be suitably protected prior to the commencement of construction or demolition works on site.

Isolate the root zone to the drip line (canopy line) of individual or groups of trees through the erection of a clearly marked fence, (min 1.5m high) prior to land clearing or construction work.

No dumping of materials, parking of vehicles, excavation, or filling is to be permitted within the fenced root zone.

Minimise soil disturbance in the surrounding area (to twice the canopy width), and;

Where trenches for services cannot be laid outside the fenced zone, roots greater than 75mm wide diameter are to be lean cut and treated with a fungicide in accordance with acceptable arboricultural practices. All cut roots will be treated with an approved hormone compound and sealed with bitumen.

## **CONDITIONS TO BE COMPLIED WITH BEFORE FINAL INSPECTION**

The following conditions must be complied with prior to the final inspection.

### **Group G - All Works**

#### **G1 Approval To Use/Occupy Building**

The building or any part thereof must not be used or occupied until an Occupation Certificate has been issued for class 2-9 buildings, or a completion inspection, has been satisfactorily carried out for class 1&10 structures

### **Group H - Swimming Pools / Spas**

#### **H1 Swimming Pools**

Fences and gates must be erected prior to the pool being filled with water and prior to a final inspection by the Principal Certifying Authority.

If applicable, the existing door in the wall of the dwelling must be a child-safe door and must be kept child safe by means of a lock, latch, bolt, chain or other child resistant device located at least 1.5m above finished floor level.

If applicable, the existing window in the wall of the dwelling must have its lower opening panel at least 1.2m above the finished floor level OR the window is to be child safe, or be a window totally enclosed by a child safe grille, or by a fixed child-safe flyscreen.

Surface waters from about the swimming pool should be collected in a system of gutters, pits and pipelines and discharged by gravity to either:

- 1) a public road
- 2) an easement drainage system in favour of the subject site.

All drainage works shall be in accordance with Council's Drainage Code.

#### **H2 Swimming Pool Safety Notice**

The occupier of any premises on which a swimming pool is situated must ensure that there is at all times maintained, in a prominent position in the immediate vicinity of the swimming pool, a sign which must contain the words "YOUNG CHILDREN SHOULD BE SUPERVISED WHEN USING THIS SWIMMING POOL", together with details of resuscitation techniques (for adults, children and infants) set out in accordance with the relevant provisions of the document entitled "Cardio Pulmonary Resuscitation".

## **Condition Group I - Bed and Breakfasts**

### **I1 Fire Requirements**

Smoke alarms are to be maintained and fully operational in all bedrooms and hallways on each storey of the building not already provided with an alarm. Approved (AS 3786) single station detector systems connected to a permanent 240v electricity supply with battery operated back-up device only are to be provided to comply with BCA requirements.

Lighting to assist evacuation in the event of a fire must be installed and be activated by the smoke alarm to comply with BCA standards.

Self closing solid core doors are to be installed for all guest rooms.

Fire escape paths for guests are to be kept clear.

Instructions for action in the event of a fire are to be placed in each guest room.

### **I2 Kitchen Requirements**

The B&B is to comply with the Food Act 1989, the Food (General) Regulation 1992 and the Food Standards Code. A double bowl sink and a commercial grade dishwasher (can heat water to a min of 77 degrees Celsius) is to be provided.

A refrigerator that can maintain food at below 5 degrees Celsius is to be provided.

Kitchen flooring and benches are to be of impervious materials.

A portable fire extinguisher (3.5kg carbon dioxide) and 1.2m square fire blanket are to be mounted on the kitchen wall together with clear instructions for use.

### **I3 Guest Room Requirements**

Each guest room is to be provided with space and facilities for occupants to store clothes and travel gear.

Bedding and flooring is to be provided to each guest room, which are regularly cleaned and maintained so as not to provide harbourage for vermin of any description.

No key release dead locks on guest bedrooms and exit doors.

No bars or other restrictions to egress are to be placed on guest room windows.

## **CONDITIONS THAT ARE ONGOING REQUIREMENTS OF THIS CONSENT**

To reduce any potential environmental or amenity impacts of the development proposal, the following conditions of consent must be complied with at all times during the operation of development consent.

### **Condition Group J - Commercial / Industrial properties**

#### **J1 Noise Control**

The operating noise level of any plant and/or equipment shall comply with the guidelines set down in the NSW EPA Environmental Noise Control Manual.

#### **J2 Hours of Operation**

For Commercial premises, the premise is to be open for business only between the hours of 8.00am and 6.00pm Monday to Sunday and 8.00am and 9.00pm Thursday.

For Industrial premises, the premise is to be open for business only between the hours of 7.00am and 6.00pm Monday to Saturday and is not to be open Sunday or Public Holidays.

#### **J3 Curtilage of Building**

The curtilage of the building must not be used in conjunction with the operation of the premises.

#### **J4 Parking**

The development is to be carried out so that:

- a) no obstruction is caused to the movement of traffic on the subject land;
- b) there is no reduction in the number of parking spaces provided; and
- c) there is no reduction in the safety or utility of the driveways and manoeuvring areas

#### **J5 Amenity Issues**

To ensure reasonable levels of amenity for neighbouring properties, to minimise any adverse impact arising from occupation of the development and to ensure the development does not conflict with the public interest:

\* The lighting of the premise shall be directed so as not to cause nuisance to the owners or occupiers of adjacent/ adjoining premises or to motorists on adjoining or nearby roads. All existing and proposed lights shall comply with the Interim Australian Standard AS4284(Int) - 1995 - Control of the Obtrusive Effects of Outdoor Lighting.

\* The use of the premise, building services, equipment, machinery and ancillary fittings shall not give rise to an "offensive noise" as defined under the provisions of the Protection of the Environment Operations Act, 1997.

\* There shall be no industrial activities, storage or depositing of any goods or maintenance to any machinery conducted external to the building.

\* The use of the building and any plant, equipment and fittings installed shall be operated so as to meet the requirements of the:

- (a) Protection of the Environment Operations Act, 1997
- (b) Australian Standard 1668 – Part 2 - 1991
- (c) Australian Standard 3666 – 1989
- (d) Public Health Act - 1991
- (e) Public Health Act - 1991, Regulation

## **J6 Trade Waste**

Any discharge to the sewer from the subject premises shall be in accordance with the requirements of the Waste Water Source Control Branch of the Sydney Water Corporation.

## **Condition Group K - Swimming Pools**

### **K1 Operation of Pool / Spa**

The swimming pool / spa pump must not be operated between the hours of 8.00 p.m. and 7.00 a.m. Monday to Friday and 8.00 p.m. to 8.00 a.m. Saturdays, Sundays and Public Holidays.

The pool area enclosure as approved shall be maintained throughout the life of the pool.

### **K2 Noise Control**

The operating noise level of any plant and/or equipment shall comply with the guidelines set down in the NSW EPA Environmental Noise Control Manual.

## **Condition Group L – Bed & Breakfast Accommodation – Fire Safety**

### **L1 Fire Safety Certificates**

A fire safety certificate is to be submitted on completion of works. Thereafter, an annual fire safety statement must be submitted to Council.

### **L2 Amenity Requirement**

The B&B is to be conducted in a manner that does not interfere with the amenity of the neighbourhood.

## **Condition Group M – Temporary Buildings**

### **M1 Removal of Temporary Building**

Any building erected for use for a specified period of not more than 5 years pursuant to a Complying Development Certificate must be completely demolished or removed from the site no later than 60 days after the specified period ends.

Demolition will be in accordance with the controls set out in Development Control Plan No. 35 - Exempt and Complying Development.

## PART E - GLOSSARY

1. This plan adopts the definitions included in Leichhardt Local Environmental Plan 2000.
2. The definitions in this glossary are additional to those found in Leichhardt Local Environmental Plan 2000 and explain the terms used in this plan.

**Aboriginal place** means a place that has been declared so by the Minister for the Environment because he or she believes that the place is or was of special significance to Aboriginal culture. It may or may not contain physical relics.

**Automotive Dismantling** means a building or a place used for the purpose of dismantling and wrecking motor vehicles and associated activities.

**Building** means part of a building and any structure or part of a structure, but does not include:

- (a) a manufactured home, a moveable dwelling or associated structure or part of a manufactured home, a moveable dwelling or associated structure, or
- (b) a temporary structure within the meaning of the local Government Act, 1993.

**Building Code of Australia (BCA)** means the document of that name published on behalf of the Australian Building Codes Board in October 1996, together with:

- (a) such amendments made by the Board, and
- (b) such variations approved by the Board in relation to New South Wales; as are prescribed by the regulations.

**Complying development certificate** means a complying development certificate issued by a Council or accredited certifier.

**Dwelling house** means a single dwelling on a single Torrens Title Lot.

**Filming** means recording images (whether on film or video tape or electronically or by other means) for exhibition or broadcast (such as by cinema, television or the Internet or by other means), but does not include:

- still photography, or
- video recording of a wedding ceremony or other private celebration or event principally for the purpose of making a record for the participants in the ceremony, celebration or event, or
- video recording as a visitor or tourist for non-commercial purposes, or
- recording for the immediate purposes of a television program that provides information by way of current affairs or daily news.

**Food premise** means a building that is used for the storage, manufacture, preparation or the consumption of food on premises.

**Freestanding dwelling** means a separate house on an individual lot with no shared land or facilities including walls, floors, ceilings or the like.

**Funeral parlour** means a premises which is used, or intended to be used, for the preparation, embalming, or storage of bodies before their burial or cremation, but does not include the holding of funerals, cremations or the like.



**Ground floor** means a floor which is no more than 500mm above ground level at any point.

**Habitable Room** means a room used for normal domestic activities such as a bedroom, living room, lounge room, kitchen, dining room, study, playroom and sunroom.

**Hazardous industry** means the development for the purposes of an industry which, when the development is in operation and when all the measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the development from existing or likely future development on other land in the locality), would pose a significant risk in relation to the locality:

- a) to human health, life or property; or
- b) to the biophysical environment.

**Home based child care** means the use of a dwelling for the provision of childcare under the Family Day Care and Home Based Child Care Services Regulation, 1996.

**Iconic site** means the foreshore area within the meaning of the Sydney Harbour Foreshore Authority Act 1998.

**Initial Evaluation** means the evaluation carried out to determine whether contamination is an issue as described in the Managing Land Contamination Planning Guidelines, DUAP & EPA.

**Light Industry** means an industry not being an offensive or hazardous industry in which the processes carried on, or the transportation involved or the machinery or materials used, do not interfere with the amenity of the neighbourhood, but does not include a use of land elsewhere defined in this Plan.

**Maintenance** means works that are required to prevent the deterioration of a building or structure to ensure the health and safety of occupants. These works generally do not alter or add to the structure or fabric of the building unless existing materials are no longer available.

**Minor drainage and landscape work** means works that are ancillary to an existing development that does not occur elsewhere in this Plan.

**Noxious species** means those species excluded from Council's Tree Preservation Order being:

- Bamboo (all species)
- Genus Eriobotrya (loquat)
- Ficus Elastica (rubber plant)
- Genus Liquistrum (including large and small leaf privet)
- Genus Musa (banana)
- Nerium Oleander (oleander)
- Genus Rhus (rhus)

**Offensive Industry** means a development for the purposes of an industry which, when the development is in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the development from existing or likely future development on other land in the locality), would emit a polluting discharge or cause an adverse impact (including, for example, noise), in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land in the locality.

**Outbuilding** means a building that is ancillary or incidental to a dwelling house.

**Primary landscaped area** means the primary open space of a dwelling that is generally at ground level and often has direct access to principal indoor living areas.

**Primary street frontage** means the frontage of a dwelling that addresses the street on which it is located. In the case of a property with more than one frontage, this includes the street that the property is addressed to or where primary front access is achieved.

**Private land** means land that is not a public place or an iconic site.

**Public place** means a site, area, building or other work that is not privately owned. For example public places include roads, parks, recreation facilities, community facilities etc.

**Registered premise** means a premise registered by Leichhardt Council for the purposes of ensuring public health and safety and includes brothels, acupuncturists, beauty therapists/salons, funeral parlours, hairdressers, methadone clinic and tattooists.

**Significant pruning** means pruning of trees covered by the Tree Preservation Order other than the following:

- Removal of dead timber,
- Removal of torn limbs,
- Minor trimming of canopies and root systems to prevent interference with structures (not more than 10% of the canopy or branches with a diameter of not more than 100mm,
- Remedial measures such as the insertion of root barriers.

**Small detached house** means a small house generally having a gross floor area less than 100m<sup>2</sup> and often around 75m<sup>2</sup> configured with a living space, two bedrooms, kitchen, and ancillary spaces such as a WC, pantry, laundry, etc. Room sizes have areas that are generally less than 12m<sup>2</sup>.

**Telecommunication facility** means a facility as defined in the Telecommunications Act 1997 - Low Impact Facilities Determination 1997. A facility cannot be a low-impact facility unless it is specified in this determination

**Temporary Building** means a portable manufactured structure that is not used for residential purposes.

## PART F - APPENDIX 1

**TABLE 1 – POTENTIAL CONTAMINATED SITES**

acid/alkali plant formulation  
agricultural/horticultural activities  
airports  
asbestos production and disposal  
chemicals manufacture and formulation  
defence works  
drum reconditioning works  
dry cleaning establishments  
electrical manufacturing (transformers)  
electroplating and heat treatment premises  
engine works  
explosives industry  
gas works  
iron and steel works  
landfill sites  
metal treatment  
mining and extractive industries  
oil production and storage  
paint formulation and manufacture  
pesticide manufacture and formulation  
power stations  
railway yards  
scrap yards  
service stations  
sheep and cattle dips  
smelting and refining  
tanning and associated trades  
waste storage and treatment  
wood preservation

## APPENDIX 2

**Uses that require a Trade Waste Agreement with Sydney Water Corporation which are not exempt development under 6.1 and 6.2**

**Industrial Uses**

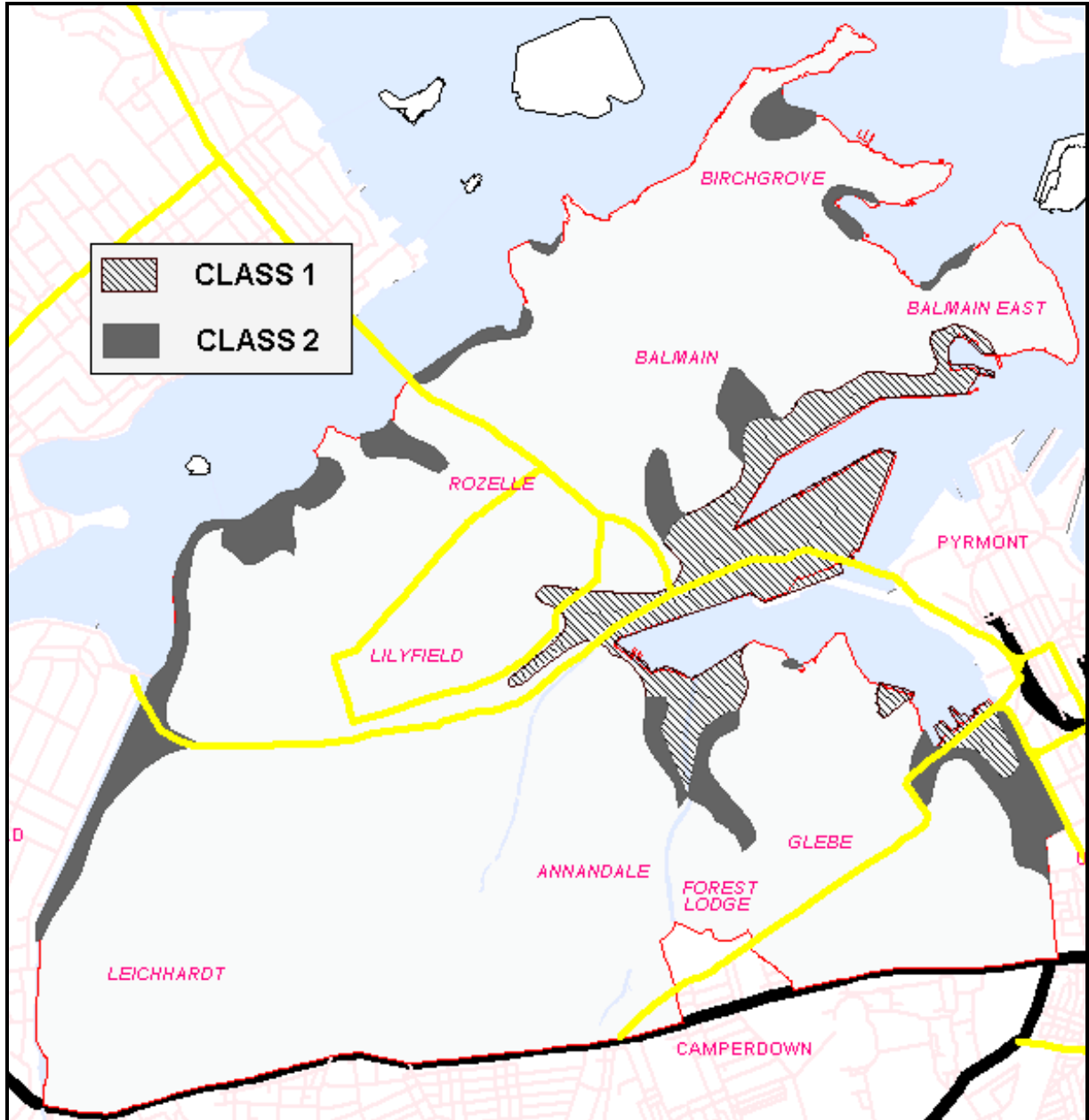
- Tobacco manufacturing
- Textile & leather manufacturing
- Printing
- Petroleum & chemical manufacturing & wholesaling
- Ceramic, cement & plaster product manufacturing
- Industrial & transport equipment manufacturing
- Motor vehicle wholesaling, retailing, dismantling & services

**Shops/commercial premise**

- Commercial car washes
- Dry cleaners
- Medical centres
- Photographic processing

# APPENDIX 3

## ACID SULPHATE SOIL RISK MAP



**Note:**

Development on properties subject to Classes 1 & 2 as shown can not be assessed as Complying Development and will need to be lodged as a Development Application. A comprehensive Acid Sulphate Soil Risk Map is available for viewing at Council's Customer Service Centre.

# APPENDIX 4

## RAINWATER TANK INSTALLATION FORM

*The information on this form will only be used by Council to inform education materials for the general public on rainwater tanks and to track changes in water use in our local area.*

Please provide the following details relating to your rainwater tank:

**Total capacity of tank/s (litres):** \_\_\_\_\_

**Dimensions of tank/s:** \_\_\_\_\_

**What is the collected water used for?**

Garden and outdoor uses     Toilet flushing     Laundry

Other (please specify): \_\_\_\_\_

**Has a pump been installed?**

Yes     No

**Is the tank installed on a stand?**

Yes (please specify height): \_\_\_\_\_     No

**Approximate cost of tank, accessories and installation:** \_\_\_\_\_

**What prompted you to install the rainwater tank?** \_\_\_\_\_

**From where did you get information and assistance in planning for your tank?**

Sydney Water     Tank supplier     Council

Other (please specify): \_\_\_\_\_

Please provide the following details relating to your property:

**Size of the your block of land (m<sup>2</sup>):** \_\_\_\_\_

**Approximate (horizontal) area of roof draining into tank (m<sup>2</sup>):** \_\_\_\_\_

**Optional:**  I would be interested in having my tank used as a case study.  
My contact details are: \_\_\_\_\_

*You can return this form to Council by:*

**Post:** our address is printed overleaf (simply fold the form as indicated and post)

**Fax:** (02) 9367 9111

**Email:** to Council's Environmental Officer, c/o-: [leichhardt@lmc.nsw.gov.au](mailto:leichhardt@lmc.nsw.gov.au)

Fold  
down

Fold  
up

Leichhardt Council  
PO Box 45  
LEICHHARDT NSW 2040  
(Attn: Strategic Planning)

Affix  
stamp  
here