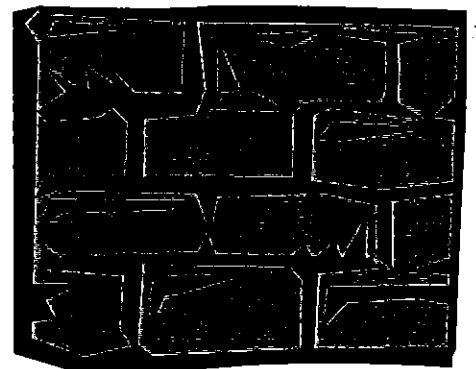
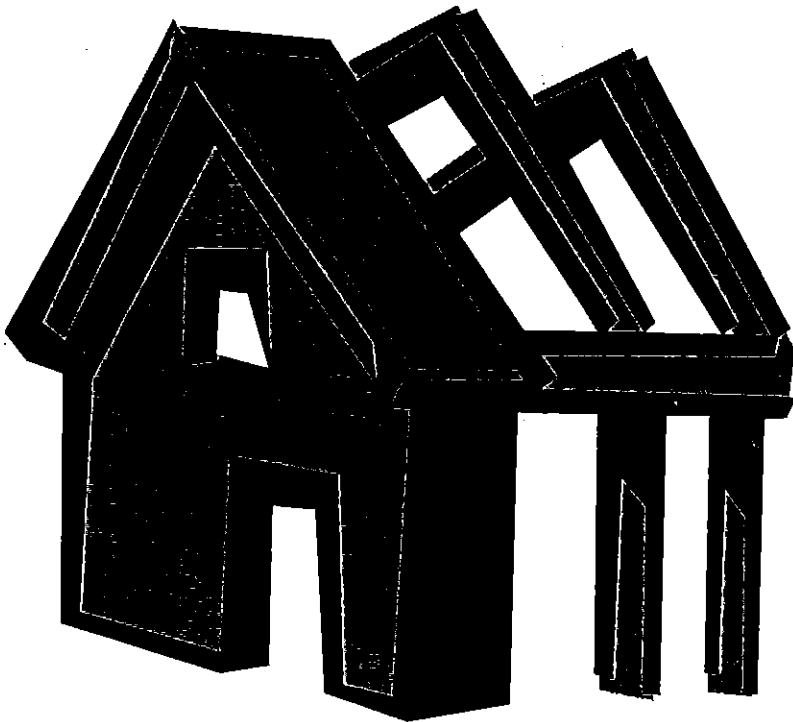




# **DEVELOPMENT CONTROL PLAN**

**NO. 22**

# **EXEMPT & COMPLYING DEVELOPMENT POLICY**



Adopted by Council 19 October 1999

Griffith Local Environmental Plan 1994  
(Amendment No. 9)

Gazetted 18 February 2000 (GG No 25, p 1195).



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## INTRODUCTION

The State Government in 1998 introduced into the Planning Legislation two new forms of development, namely, "Exempt" and "Complying" Development.

**Exempt development** is development having minimal environmental impact and as such does not require consent as long as predetermined requirements are satisfied by the proponent.

**Complying development** is small scale, low impact, routine development and capable of prompt certification by Accredited Certifiers as well as by Council. It is defined by reference to fixed development standards and governed by predetermined conditions of approval.

**Benefits  
of Complying  
Development**

- The Development Application gets determined in seven (7) days.
- The applicant/owner has the choice of using either a private Accredited Certifier or Council to obtain the approval.
- This will also allow competition, meaning a reduction in fee charges.

This document lists Exempt and Complying Development and the predetermined requirements that are to be met and predetermined conditions associated therewith.



# **PART A**

## **GENERAL ADVICE**





## **A. GENERAL ADVICE**

### **1. What is this plan called?**

Development Control Plan No. 22- Exempt and Complying Development

### **2. Where does this plan apply?**

This plan applies to the land covered by Griffith Local Environmental Plan 1994.

### **3. What planning instrument is this plan made under?**

Griffith Local Environmental Plan 1994, Amendment No 9.

### **4. When does this plan come into force?**

Council adopted this plan at its meeting of 19 October 1999.

The plan took effect on 19 February 2000.

Adopted GG No 25 18 February 2000.

Amendment took effect on 19 February 2000.

### **5. What are the aims and objectives of this plan?**

#### **Aim:**

- ♦ To provide for exempt and complying development in the local government area of Griffith.

#### **Objectives:**

- ♦ To allow certain developments with minimal impacts that are listed as exempt development in this plan to be carried out without development consent and without an assessment of the likely environmental impact of such development;
- ♦ To provide requirements and standards that are definitive and practical to allow small scale and low impact development listed as complying development to proceed in an efficient manner without causing any detrimental impact on the surrounding area;
- ♦ To ensure that the cumulative impact of development does not detrimentally effect the amenity of an area;

**6. What is the difference between a Complying Development Application and a "normal" Development Application?**

Complying Development is small scale, low impact development that complies with the preset standard requirements. The applicant/owner can obtain the consent from either a private Accredited Certifier or Council.

Standard requirements are pre-determined and are listed in this Development Control Plan. If the proposal meets these requirements then the applicant/owner can submit a Complying Development Application, but if the proposal does not comply with these requirements then either the applicant/owner has to redesign their proposal or submit a "local" Development Application.

A "local" Development Application can not be determined by a private Accredited Certifier, Council is the only consent authority.

*Note: Conditions of certification cannot be used to amend a proposal so that it qualifies as complying development.*

**7. What is the difference between "exempt development" and "development without consent"?**

"Exempt development" is development which is exempt from obtaining Council approval so long as pre-determined requirements listed in this Development Control Plan are complied with.

"Development without consent" is development that does not require Council approval but still requires environmental review under Part 5 of the Environmental Planning and Assessment Act, 1979. These types of development are specified in the Griffith Local Environmental Plan 1994, and also in the State Environmental Planning Policies for example State Environmental Planning Policy 52 allows small artificial water bodies (farm dams), routine maintenance of irrigation channels and emergency work on irrigation channels located within areas to which land and water management plans apply to be carried out without development consent.

## 8. How to use this Development Control Plan

The plan is designed to assist the public in determining whether or not their proposals are exempt from the need to gain consent from Council, or if consent is required is it classified as Complying Development which facilitates a quick approval or is it "local" development, designated or state development. By answering the following questions you can determine what category your development proposal will fit into.

**Step 1: Check if your proposal is an exempt development**  
To deal with this section you are referred to clause 9 of Part B of this Development Control Plan.

- a. Does your proposal meet the criteria listed in Part B, Subclause 2 & 3, Pages 16 –17.  
(**YES** go to Step 1b. **NO** go to Step 2).
- b. Is it listed in the exempt development schedule 1, Pages 19 – 34.  
(**YES** go to Step 1c, **NO** go to Step 2).
- c. Does the proposal meet the standard requirements, Pages 19 – 34.  
(**YES IT IS EXEMPT DEVELOPMENT**, **NO** go to Step 2).

**Step 2: Check if your proposal is complying development**  
To deal with this section you are referred to clause 9 of Part C of this Development Control Plan.

- a. Does your proposal meet the criteria listed in Part C, Subclause 2 & 3, Page 36 – 38.  
(**YES** go to 2b, **NO** go to 3).
- b. Is it listed in the complying development schedule 2, Pages 40 – 94.  
(**YES** go to 2c, **NO** go to 3).
- c. Does the proposal meet the standard requirements, as listed on Pages 40 – 94.  
**YES IT IS COMPLYING DEVELOPMENT**). Now go to clause 9 of this Development Control Plan as it provides the flow diagram on how to obtain the complying development certificate.  
(**NO** It is Local/Designated or State Development, Go to step 3).

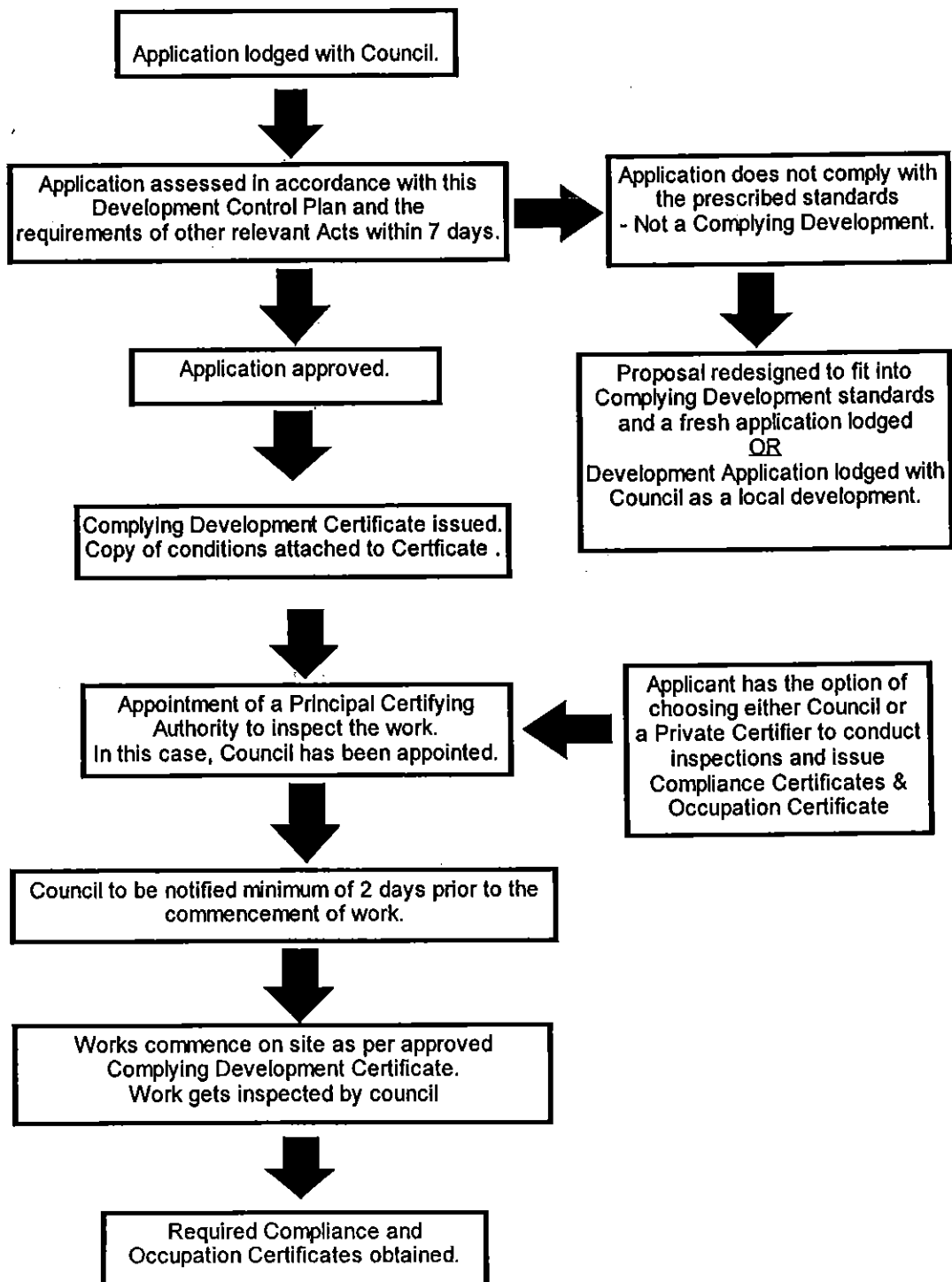
**Step 3: Your proposal is Local, Designated or State Development**

Contact Council for more details on the different categories of development.

## 9. What is required to obtain a Complying Development Certificate?

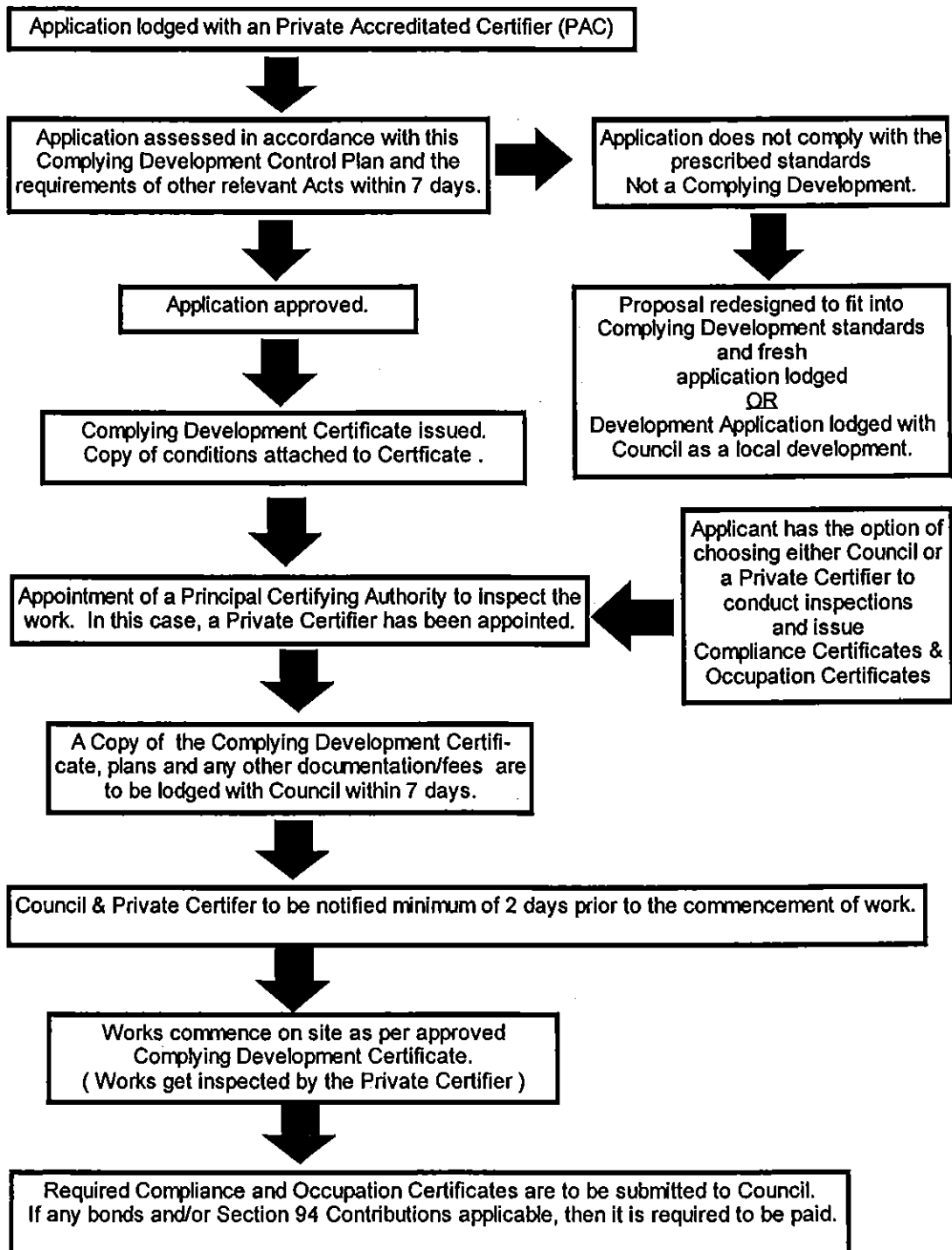
The procedures involved in obtaining a Complying Development Certificate and carrying out of work are outlined below.

### COMPLYING DEVELOPMENT PROCESS (COUNCIL)



*Advisory Note:* To speed up the obtaining of the Complying Development Certificate the applicant should ensure that all the standard requirements listed in this Development Control Plan are met prior to the lodgement of the application.

## COMPLYING DEVELOPMENT PROCESS (PRIVATE CERTIFIER)



*Advisory Note:* To speed up the obtaining of the Complying Development Certificate the applicant should ensure that all the standard requirements listed in this Development Control Plan are met prior to the lodgement to the application.

## **10. If I have a development that does not conform to the specified criteria what shall I do?**

Variations to the criteria specified within this Development Control Plan is not permitted.

If a development does not comply with any of the criteria within this Development Control Plan, a "local" Development Application is to be lodged with Council for the determination of the proposal prior to any works commencing. Failure to obtain such approval will result in legal prosecution.

## **11. I have obtained a Complying Development Certificate, can I start my development?**

As shown in the flow charts, if your development involves any construction work, then you are not permitted to commence any work until:

- a. An approved Complying Development Certificate is submitted to Council, along with the prescribed fee; and
- b. You have appointed a Principal Certifying Authority and notified Council of that appointment; and
- c. You have notified the adjoining owners that work will commence; and
- d. You or your builder in the case of building work have given at least 48 hours notice in writing or 24 hours by telephone to the nominated Principal Certifying Authority prior to the commencement of building work.

The nominated Principal Certifying Authority must carry out all the required inspections of the building work. The Principal Certifying Authority will then issue an Occupation Certificate authorising you to occupy the building. You will need to submit a copy of the Occupation Certificate, along with the prescribed fee to Council.

### Advisory Note:

1. If your development involves subdivision you are required to obtain a Subdivision Certificate. A Subdivision Certificate can only be obtained from Council.
2. It is not mandatory to obtain an Occupation Certificate for dwelling houses.

## **12. If my proposal fits into "exempt development" (no Council approval) or "complying development" and the relevant certificate has been obtained, do I still require any other approval?**

Although your proposal may qualify as exempt development or complying development, it is important that you are aware of the possibility that you may need to gain further consent from other Statutory Authorities and/or Council under Section 68 of the Local Government Act. This consent may consist of a simple referral to Murrumbidgee Irrigation or Council, for example;

- the erection of an accessway over Murrumbidgee Irrigation channels,
- installation of septic systems,
- connection to sewer or water mains, or

it may be more complex, and involve the issuing of licences from the Environment Protection Authority, Department of Land & Water Conservation etc.

It is the responsibility of the owner to ensure that all the required approvals are obtained prior to the commencement of any work.

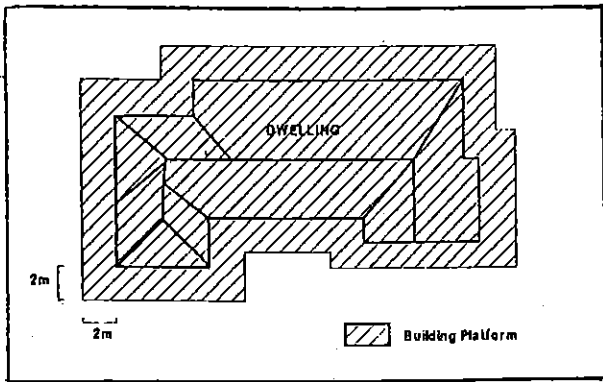
### 13. I am using a Private Certifier to assess my Complying Development Certificate, am I still required to notify Council about my proposal?

Yes, you or your Private Certifier is required to notify Council within 7 days of the issue of the Complying Development Certificate.

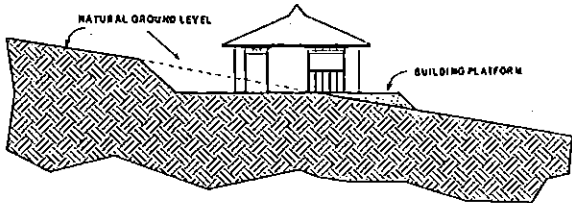
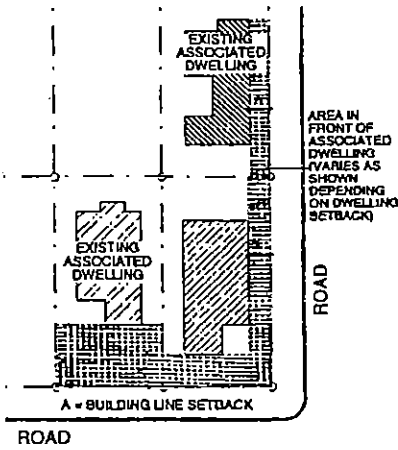
Further to this, Council is also to be notified in reference to who will be carrying out the work inspections (Compliance Certificates). On the completion of work a copy of the Occupation Certificate is also to be lodged with Council.

To cover Council's cost of maintaining the register and other associated work, a registration fee is charged for all certificates lodged by an Accredited Certifier or applicant.

### 14. What definitions apply to this plan?

"accredited certifier"	in relation to matters of a particular kind means a person who is accredited under Section 109T of the Environmental Planning and Assessment Act in relation to those matters.
"building platform"	Means the area within a 2 metre radius of the building footprint.  The diagram shows a central building footprint labeled 'DWELLING'. This footprint is enclosed within a larger, shaded rectangular area labeled 'Building Platform'. A dimension line on the left indicates a height of 2m, and a dimension line at the bottom indicates a width of 2m. A legend at the bottom right shows a shaded box labeled 'Building Platform'.
"bushfire hazard"	Means the reduction or modification (by controlled burning or by mechanical, chemical or manual means) of material that constitutes a bush fire hazard.
"Council"	Means Griffith City Council.
"carriageway"	Means the area between the left kerb face and right kerb face, in which vehicles travel.
"configuration"	Means the external form of a structure.
"cumulative"	means the total by successive addition.
"flood liable land"	means land that is identified by the Council as being inundated by the 1% probability flood event for the catchment in which the land is situated and indicated as flood liable land on Griffith Local Environmental Plan and maps.
"floor space ratio"	means the ratio of the gross floor area of the building or buildings to the area of the allotment on which the building or buildings are erected.

PART A – General Advice

"food shops"	means premises used for the purposes of a bakeries, cake shops, butcher shops, cafeterias, canteens, bistros, cafes, delicatessens, fish shops, food factories, kiosks, fruit and vegetable shops, milkbars, restaurants, sandwich shops, smallgoods, takeaway, mixed businesses, convenience stores or the like.
"impervious area"	means surfaces which do not allow rainwater to penetrate into the underlying soil, for example concrete and paving.
"main living room"	means the room with high use including a lounge room, living room, kitchen, dining room, television room, sunroom and the like, but not bedrooms or bathrooms.
"natural ground level"	<p>means the ground level prior to any construction or any earthwork on site.</p> 
"not located forward of the associated dwelling"	<p>means area between the dwelling house and the street frontage boundary as specified by the diagram.</p> 
"poultry farms"	means the commercial production of birds (such as domestic fowls, turkeys, ducks, geese, game birds or emus), whether as meat birds, layers or breeders and whether as free range or in sheds.
"private open space"	means the portion of private land which serves as an extension of the dwelling to provide space for relaxation, dining, entertainment and recreation.



"reoccurring use"	means any activity which is held on more than one occasion within six calendar months.
"storm blinds"	means a retractable roof like shelter, located over a window or door for the protection from the weather.
"tree"	means a perennial plant more than 1 metre in height, having a permanent woody self-supporting main stem or trunk. For the purposes of this plan and Council's Tree Preservation Order, trees with the following characteristics will require approval prior to removal. Height: 3.5 metres, or Canopy Diameter: 1 metre, or Trunk Diameter: 200mm

## 15. When is the Long Service Levy to be paid?

In the case of a Council approving a Complying Development Certificate which would allow work to commence, the levy must be paid on lodgement, enabling the Complying Development Certificate to be forwarded or delivered to the person seeking such approval.

In the case of an Accredited Certifier approving a Complying Development Certificate which would allow work to commence, the levy must be paid before the Complying Development Certificate can be forwarded or delivered to the person seeking such approval.

For work not requiring approval by a Council or Accredited Certifier, the levy must be paid before work commences.

### Advisory Note:

For further information contact the Council or phone the Long Service Payment Corporation on 131 441.



# **PART B**

## **WHAT IS & IS NOT EXEMPT DEVELOPMENT**



## **B. WHAT IS & IS NOT EXEMPT DEVELOPMENT?**

**1. Development listed in Schedule 1 is exempt development if it meets the standard requirements, except as provided by the following subclauses (2) and (3).**

**2. Development is exempt development only if:**

- a) it does not cause interference with the amenity of the neighbourhood because of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil or otherwise, and
- b) it complies with any deemed-to-satisfy provisions of the Building Code of Australia relevant to the development, and
- c) it does not contravene any condition of a development consent applying to the land, and
- d) it does not obstruct drainage of the site on which it is carried out, and
- e) it does not restrict any vehicular or pedestrian access to or from the site, and
- f) it is carried out at least 1 metre from any easement or 2 metres from a public sewer main and/or water main.
- g) it does not require a tree to be removed, and
- h) it is carried out behind the building line and is not visible from a public area, where it is carried out in a heritage conservation area, and
- i) it does not encroach within building setback requirements, and
- j) the development does not change the classification of the building pursuant to the Building Code of Australia, and
- k) it is not Integrated Development as defined under Section 91 of the Environmental Planning and Assessment Act, 1979; and
- l) it does not contravene any restriction on the land imposed by Council and registered on the title, within the 88B instrument or restriction contained within any other Development Control Plan.

**3. Development is not exempt development if it is carried out on land that:**

- a) is the site of a heritage item under the Griffith Local Environmental Plan 1994, or is it located adjacent to or adjoining a site of heritage significance, or
- b) is an Aboriginal place under the National Parks and Wildlife Act 1974, or
- c) 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, or

- d) is flood liable, or
- e) is a drainage line, or
- f) is within 400 metres of the Murrumbidgee River, or
- g) is within a;
  - Zone No 7(v) Environmental Protection (Scenic Protection), or
  - Zone No 7(w) Environmental Protection (Wetland), or
  - Zone No 7 Environmental Protection (Flora & Fauna).

**Note:**

Section 76(3) of the Environmental Planning & Assessment Act 1979 says that exempt development cannot be carried out on land that is:

- (a) critical habitat (within the meaning of the *Threatened Species Conservation Act 1995*), or
- (b) within a wilderness area (within the meaning of the *Wilderness Act 1987*).

**SCHEDULE 1**

**EXEMPT  
DEVELOPMENT  
&  
STANDARD  
REQUIREMENTS**





## SCHEDULE 1

### EXEMPT DEVELOPMENT & STANDARD REQUIREMENTS

<i>Development Type</i>	<i>Circumstances under which Development is Exempt</i>
<b>Advertising structures &amp; displays</b>	<p><input type="checkbox"/> Meets the specification of what is and is not exempt development, as outlined in Part B.</p> <p><input type="checkbox"/> Erection of an advertising structure &amp; display of an advertisement on it, or the display of an advertisement that is not on an advertising structure (other than an illuminated sign in a residential zone) in any of the following cases;</p> <p>a) The advertisement and any structure are not visible from outside the site on which they are displayed, or</p> <p>b) The advertisement is behind the glass line of a shop window, or</p> <p>c) The advertisement is a temporary advertisement for a social, cultural or recreational event that is displayed no more than 28 days before the event and is removed within 14 days after the event, or</p> <p>d) The advertisement is a public notice displayed by a public authority giving information about a service, or</p> <p>e) The advertisement is a real estate sign advertising the premises on which it is displayed are for sale or lease, and the advertisement and any structure together have a maximum area of 2.5 square metres on residential or rural premises, or 4.5 square metres on commercial or industrial premises, or</p> <p>f) The advertisement replaces one lawfully displayed on the same structure, or</p> <p>g) The advertisement displays a message relating to the premises on which it is situated and the advertisement and any structure together have a maximum area of:</p> <p>i) 0.75 square metres in a residential or rural zone, or</p> <p>ii) 5 square metres with maximum of 1 metre in an industrial zone, or</p> <p>iii) fits within a rectangular figure 1.2 metres in length and 0.6 metres in height in a Commercial Zone, and a maximum height of either 4.6 metres above ground level or the height of a first floor window sill and, if suspended from an awning along a public road, no part of the advertisement structure is to be lower than 2.6 metres above ground level.</p> <p><input type="checkbox"/> At no time the erection of a new sign should exceed the total sign number by more than 3 for the subject premises.</p> <p><input type="checkbox"/> Sign should not obscure the architectural features of the building.</p> <p><input type="checkbox"/> The following types of signs are prohibited.</p> <p>i) Numerous small signs and advertisements carrying duplicate information.</p> <p>ii) Any free standing sign, sign on trees, electricity, telephone poles or other inappropriate structures and signs adversely affecting authorised traffic signs.</p> <p><input type="checkbox"/> Subject development is not exempt development if it is carried out on land that is within:</p> <p>Zone No. 1(f) – Rural (Forest) zone; or</p> <p>Zone No. 6(a) – Open Space zone; or</p> <p>Zone No. 6(b) – Open Space (Private) zone; and other zones listed in Part B.3</p>

<i>Development Type</i>	<i>Circumstances under which Development is Exempt</i>
<b>Airconditioning units for dwellings</b> <i>(attached to external wall or ground mounted)</i>	<input type="checkbox"/> Meets the specification of what is and is not exempt development, as outlined in Part B. <input type="checkbox"/> Located a minimum 3 metres off any property boundary. <input type="checkbox"/> Located at the side or rear of the dwelling. <input type="checkbox"/> The building work must not reduce the structural integrity of the building. <input type="checkbox"/> Any opening created is to be adequately weatherproofed. <input type="checkbox"/> Noise level is not to exceed 5dBA ambient background noise level measured at the property boundary.
<b>Aerials/Antennae</b> <i>(not including satellite dishes or microwave antennas – dealt with as separate provision)</i>	<input type="checkbox"/> Meets the specification of what is and is not exempt development, as outlined in Part B. <input type="checkbox"/> Domestic use only. <input type="checkbox"/> Maximum height of 2.5 metres above the roof line, for an aerial/antennae attached to a dwelling. <input type="checkbox"/> Colour matched to its background. <input type="checkbox"/> Complies with any relevant Australian Standard. <input type="checkbox"/> Maximum height of 6 metres above ground level if the aerial/antennae is not attached to a dwelling. <input type="checkbox"/> Located clear of any overhead wires. <input type="checkbox"/> Located wholly behind the front facade of the dwelling. <input type="checkbox"/> Not to penetrate the Obstacle Limitation Surface (OLS) of the Griffith Airport.
<b>Ancillary development associated with dwelling house</b> <i>Includes concreting/paving, clothes hoists/lines, and letterboxes. Playground equipment for domestic use, retaining walls (Max. height 600mm) storm blinds, water heaters &amp; water tank.</i>	<input type="checkbox"/> Meets the specifications of what is and is not exempt, as outlined in Part B. <input type="checkbox"/> Installed to manufacturer's specifications and Australian Standards where applicable. <input type="checkbox"/> Associate building work must not reduce the structural integrity of the building. <input type="checkbox"/> Located wholly within the property. <input type="checkbox"/> No work shall adversely effect the flow of stormwater onto adjoining properties. <input type="checkbox"/> In case of concreting driveways or footway in front of the building, decorative finish is required. <input type="checkbox"/> Playground equipment, including children's cubby house shall not exceed maximum height of 2.4 metres.
<b>Ancillary development associated with sporting fields &amp; community parks</b> <i>Including ancillary sporting structures (excluding grandstands, dressing shed or other sheds), goals posts, playground equipment, park furniture (ie seats, bins, picnic tables &amp; shelters).</i>	<input type="checkbox"/> Meets the specifications of what is and is not exempt development as outlined in Part B. <input type="checkbox"/> Constructed by or for the Council. <input type="checkbox"/> Designed and fabricated and installed in accordance with relevant Australian Standards and/or Building Code of Australia.

<i>Development Type</i>	<i>Circumstances under which Development is Exempt</i>
Ancillary developments associated with rural activities (including rural sheds, silos, stables, stockyards – fuel tanks & gas cylinders)	<p><u>General</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Meets the specification of what is and is not exempt development, as outlined in Part B.</li> <li><input type="checkbox"/> Ancillary to the agriculture use.</li> <li><input type="checkbox"/> Only permitted in land zoned as 1(a) Rural (General).</li> </ul> <p><u>Rural Sheds</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Not to be erected within 20 metres of the road boundary and 5 metres from side or rear boundary.</li> <li><input type="checkbox"/> If the property is adjoining a different zone, then no structure shall be erected within 20 metres of that zone boundary.</li> <li><input type="checkbox"/> Not exceeding 75 square metres in floor area and 5 metres in height.</li> <li><input type="checkbox"/> Installation in accordance with manufacturer's directions.</li> <li><input type="checkbox"/> To be constructed of pre-painted non-reflective materials.</li> <li><input type="checkbox"/> Buildings are to be designed and constructed in a structurally sound manner.</li> <li><input type="checkbox"/> The building must not be occupied or used for residential purposes.</li> <li><input type="checkbox"/> Appropriate measures shall be taken to collect and dispose of any stormwater, in a manner which does not adversely effect any adjoining property.</li> </ul> <p><u>Silos</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Maximum size (by capacity mass) – 120 tonnes.</li> <li><input type="checkbox"/> Constructed of prefabricated metal components, free standing and not relying on other structures for support and erected in accordance with manufacturer's specifications and/or engineer's certification.</li> <li><input type="checkbox"/> Not to be erected within 20 metres of the street boundary and within a distance equivalent to the height of the silo plus 1 metre from another property boundary.</li> <li><input type="checkbox"/> Located wholly within the boundaries of the allotment.</li> </ul> <p><u>Stables</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Maximum floor area of 15 square metres.</li> <li><input type="checkbox"/> Maximum height of 2.7 metres.</li> <li><input type="checkbox"/> To be adequately constructed.</li> <li><input type="checkbox"/> If second hand material is to be used, then unit must be painted.</li> <li><input type="checkbox"/> Not to be erected within 20 metres from the side or rear boundary. Not to be located within 50 metres of a dwelling on an adjoining property.</li> <li><input type="checkbox"/> Appropriate measure shall be taken to collect and dispose stormwater.</li> <li><input type="checkbox"/> Maximum number of animals to be stabled are four (4).</li> <li><input type="checkbox"/> Appropriate measures shall be taken for collection and disposal of any manure and free from odour.</li> </ul>

<i>Development Type</i>	<i>Circumstances under which Development is Exempt</i>
	<p><u>Stockyard</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Maximum floor area of 100 square metres.</li> <li><input type="checkbox"/> Not to be located within 20 metres of the road boundary and 5 metres from the side and rear boundaries.</li> </ul> <p><u>Fuel tanks &amp; gas cylinders</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Meets the specification of what is and is not exempt development, as outlined in Part B.</li> <li><input type="checkbox"/> For use in conjunction with agricultural activities on rural properties with a minimum allotment size of 2 hectares.</li> <li><input type="checkbox"/> Maximum size 5000 litres.</li> <li><input type="checkbox"/> Constructed of prefabricated metal, freestanding and not relying on other structures for support and erected in accordance with manufacturer's specification.</li> <li><input type="checkbox"/> Kept in accordance with AS1940 - The Flammable and Combustible Liquid Code.</li> <li><input type="checkbox"/> Not to be erected within 20 metres of the road boundary or within 5 metres of the side or rear boundary.</li> </ul>
<b>Awnings &amp; pergolas</b>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Meets the specification of what is and is not exempt development, as outlined in Part B.</li> <li><input type="checkbox"/> Maximum area of 20 square metres.</li> <li><input type="checkbox"/> The maximum cumulative area of all awnings, carports, canopies, cabanas, gazebos, greenhouses and pergolas on the site shall not exceed 50 square metres.</li> <li><input type="checkbox"/> Where not associated with a decking a maximum post height of 2.7 metres above natural ground level, a total height of 3 metres and no closer than 500mm from an adjoining property boundary.</li> <li><input type="checkbox"/> Where associated with a decking a maximum combined height of 3 metres above natural ground level, and no closer than 900mm from an adjoining property boundary.</li> <li><input type="checkbox"/> A minimum of 50% of the perimeter must be open.</li> <li><input type="checkbox"/> No roller doors or panel lift doors are to be installed on the structure.</li> <li><input type="checkbox"/> Located no closer to the street than the associated dwelling.</li> <li><input type="checkbox"/> Not to be attached or over any property dividing fence.</li> <li><input type="checkbox"/> Structurally adequate construction. For steel structures it must be designed by a qualified structural engineer, timber structures must be designed in accordance with AS 1684-1992.</li> <li><input type="checkbox"/> Must be constructed of non-reflective finishes.</li> <li><input type="checkbox"/> Appropriate measures (ie the installation of guttering and down piping) shall be taken to collect and dispose of any stormwater, in a manner which does not adversely effect any adjoining property. For example to a drainage structure or easement under the control of the Council.</li> </ul>

<i>Development Type</i>	<i>Circumstances under which Development is Exempt</i>
<b>Barbecues</b>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Meets the specification of what is and is not exempt development, as outlined in Part B.</li> <li><input type="checkbox"/> Maximum area of 2 square metres.</li> <li><input type="checkbox"/> Maximum chimney height of 2 metres above natural ground level.</li> <li><input type="checkbox"/> Located in rear yard area or, behind a courtyard wall, with no greater than 200mm of the chimney above the wall.</li> <li><input type="checkbox"/> Structurally adequate construction.</li> <li><input type="checkbox"/> No closer than 1200mm to any pool safety fence.</li> </ul>
<b>Bird aviaries in residential zone</b> <i>An enclosure in which birds other than poultry or pigeons are kept.</i>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Meets the specification of what is and is not exempt development, as outlined in Part B.</li> <li><input type="checkbox"/> Maximum cumulative area 5 square metres.</li> <li><input type="checkbox"/> Maximum height 1.8 metres above natural ground level.</li> <li><input type="checkbox"/> Non-reflective finishes.</li> <li><input type="checkbox"/> Located in rear yard and not closer than 1 metre from an adjoining property boundary or dwelling.</li> <li><input type="checkbox"/> Not used for the housing of fowl (chickens), pheasant, partridge, quail, peafowl or pigeons.</li> <li><input type="checkbox"/> Structurally adequate construction.</li> <li><input type="checkbox"/> Have a concrete floor graded to a waste collection point.</li> <li><input type="checkbox"/> Adequate arrangements to be made to keep the site clean and free from odour emission.</li> </ul>
<b>Bird aviaries in rural zone</b> <i>An enclosure in which birds other than poultry or pigeons are kept</i>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Meets the specification of what is and is not exempt development, as outlined in Part B.</li> <li><input type="checkbox"/> Maximum cumulative area 15 square metres.</li> <li><input type="checkbox"/> Maximum height 2.4 metres above natural ground level.</li> <li><input type="checkbox"/> Non-reflective finishes.</li> <li><input type="checkbox"/> Located in rear yard and not closer than 5 metres from an adjoining property boundary or any adjoining dwelling.</li> <li><input type="checkbox"/> Structurally adequate construction.</li> <li><input type="checkbox"/> Adequate arrangements to be made to keep the site clean and free from odour emission.</li> </ul>
<b>Bridges and staircases Installed in public parks and recreation spaces.</b>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Meet specification of what is and is not exempt development, as outlined in Part B.</li> <li><input type="checkbox"/> Must be constructed by or for Council.</li> <li><input type="checkbox"/> Must be in accordance with Plan of Management.</li> <li><input type="checkbox"/> Bridges to a maximum span of 5 metres.</li> <li><input type="checkbox"/> Designed, fabricated and installed in accordance with the BCA (Section B) and AS4100 (for steel structures) as AS1720 (for timber structures) and AS3600 for concrete structures;</li> <li><input type="checkbox"/> Australian National Parks and Wildlife Service Walking Track Management Manual Standards must be complied with, where appropriate.</li> </ul>

<i>Development Type</i>	<i>Circumstances under which Development is Exempt</i>
<b>Bus shelters (excluding advertising)</b>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Meets the specification of what is and is not exempt development, as outlined in Part B.</li> <li><input type="checkbox"/> Must be constructed by or for Council.</li> <li><input type="checkbox"/> A maximum height of 2.7 metres above the footpath.</li> <li><input type="checkbox"/> Maximum area of 10 square metres.</li> <li><input type="checkbox"/> Non-reflective finishes.</li> <li><input type="checkbox"/> Structurally adequate construction.</li> <li><input type="checkbox"/> The line of site of vehicular traffic is not to be compromised.</li> </ul>
<b>Cabanas and gazebos</b>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Meets the specification of what is and is not exempt development, as outlined in Part B.</li> <li><input type="checkbox"/> A maximum floor area of 10 square metres.</li> <li><input type="checkbox"/> The maximum cumulative area of all awnings, carports, canopies, cabanas, gazebos greenhouses and pergolas on the site shall not exceed 50 square metres.</li> <li><input type="checkbox"/> A maximum post height of 2.7 metres above natural ground level.</li> <li><input type="checkbox"/> A maximum height of 3 metres</li> <li><input type="checkbox"/> Located no closer to the street than the associated dwelling.</li> <li><input type="checkbox"/> Located a minimum of 900mm of any boundary or structure.</li> <li><input type="checkbox"/> Not for habitable use.</li> <li><input type="checkbox"/> Structure is to be adequately constructed, and to satisfy the Building Code of Australia, Section B.</li> <li><input type="checkbox"/> Non-reflective finishes.</li> <li><input type="checkbox"/> Appropriate measures shall be taken to collect and dispose of any stormwater, in a manner which does not diversely effect any adjoining property. For example to a drainage structure or easement under the control of the Council.</li> </ul>
<b>Carports &amp; canopies</b>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Meets the specification of what is and is not exempt development, as outlined in Part B.</li> <li><input type="checkbox"/> Maximum area 20 square metres.</li> <li><input type="checkbox"/> The maximum cumulative area of all awnings, carports, canopies, cabanas, gazebos greenhouses and pergolas on the site shall not exceed 50 square metres.</li> <li><input type="checkbox"/> A maximum post height 2.7 metres above natural ground level.</li> <li><input type="checkbox"/> A maximum height of 3 metres above natural ground level.</li> <li><input type="checkbox"/> No closer than 900mm from the side and rear property boundaries.</li> <li><input type="checkbox"/> A minimum of 50% of the perimeter must be open.</li> <li><input type="checkbox"/> No roller doors or panel lift doors are to be installed on the structure.</li> <li><input type="checkbox"/> Located in the rear and side yard.</li> <li><input type="checkbox"/> Located no closer to the street than the associated dwelling.</li> <li><input type="checkbox"/> Structure is to be adequately constructed, and to satisfy the Building Code of Australia, Section B.</li> </ul>

<i>Development Type</i>	<i>Circumstances under which Development is Exempt</i>
	<input type="checkbox"/> Non-reflective finishes. <input type="checkbox"/> Appropriate measures shall be taken to collect and dispose of any stormwater, in a manner which does not adversely effect any adjoining property. For example to a drainage structure or easement under the control of the Council.
<b>Decks &amp; patio – ground floor only.</b> <i>(horizontal platform)</i>	<input type="checkbox"/> Meets the specification of what is and is not exempt development, as outlined in Part B. <input type="checkbox"/> Maximum area 10 square metres, with maximum width of 1 metre. <input type="checkbox"/> The maximum cumulative area of all decks and patios on the site shall not exceed 50 square metres. <input type="checkbox"/> Not forward of the associated dwelling unless located behind an existing Council approved fence. <input type="checkbox"/> Finished surface level to be not greater than 1m above the natural ground level. <input type="checkbox"/> No closer than 900mm from an adjoining property. <input type="checkbox"/> Located no closer to the street than the associated dwelling. <input type="checkbox"/> Structurally adequate construction. <input type="checkbox"/> Must comply with the Building Code of Australia. <input type="checkbox"/> Any handrail associated with the deck shall have a maximum height of 1metre.
<b>Fences</b> <i>(other than fences covered by the Swimming Pools Act 1992)</i>	<p><u>General</u></p> <input type="checkbox"/> Meets the specification of what is and is not exempt development, as outlined in Part B. <input type="checkbox"/> All fences are to be constructed so that they do not prevent the natural flow or stormwater drainage/runoff. <input type="checkbox"/> Structurally adequate construction and in accordance with the Building Code of Australia. <input type="checkbox"/> Brickwork joint is to be raked or smooth. <input type="checkbox"/> All brickwork is to be cleaned on completion.

**Notes:**

You are advised to talk to your neighbour at an early stage and consult the Dividing Fences Act.

These requirements do not set aside the provisions of the Dividing Fences Act 1991.

<i>Development Type</i>	<i>Circumstances under which Development is Exempt</i>
	<p><u>Fences, located between the building line &amp; street or any other public place, &amp; the front fence</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Maximum height 1.2 metres, above natural ground level, if constructed of timber, or metal (wrought iron or the like) or a combination of any of these materials.</li> <li><input type="checkbox"/> Maximum height 900mm above natural ground level, if constructed of masonry or a combination and other materials.</li> </ul> <p><u>Fences, side fences &amp; rear boundary fences</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Maximum height 1.8 metres, above natural ground level, if constructed of timber, metal or lightweight materials.</li> <li><input type="checkbox"/> Maximum height 1.0 metres, above natural ground level, if constructed of masonry or a combination and other material.</li> <li><input type="checkbox"/> Maximum 2.1 metres, if adjoining an industrial property or railway line or premises; and constructed of timber, metal or light weight material.</li> </ul> <div data-bbox="711 1104 1201 1485" data-label="Diagram"> </div>
<p><b>Flagpoles</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Meets the specification of what is and is not exempt development, as outlined in Part B.</li> <li><input type="checkbox"/> Maximum height of the flagpole shall not exceed 6 metres above natural ground level and the diameter shall not exceed 250mm.</li> <li><input type="checkbox"/> Maximum area of the flag shall fit into a rectangle of 2 metres x 1 metre.</li> <li><input type="checkbox"/> Structurally adequate and installed to manufacturers specifications.</li> <li><input type="checkbox"/> One per site.</li> <li><input type="checkbox"/> Not to overhang any property boundary; and</li> <li><input type="checkbox"/> Located clear of any overhead wires.</li> </ul>



<i>Development Type</i>	<i>Circumstances under which Development is Exempt</i>
<p><b>Fowl house in rural zones</b></p> <p><i>An enclosure for the keeping of chickens, hens &amp; roosters, does not include "poultry farm".</i></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Meets the specification of what is and is not exempt development, as outlined in Part B.</li> <li><input type="checkbox"/> Maximum cumulative area of 15 square metres.</li> <li><input type="checkbox"/> Located no closer than 10 metres from any adjoining property boundary and not less than 10 metres from a dwelling on the same property.</li> <li><input type="checkbox"/> Maximum height of 3 metres above natural ground level.</li> <li><input type="checkbox"/> Maximum of one per premises.</li> <li><input type="checkbox"/> Materials used must blend with the environment and be non-reflective.</li> <li><input type="checkbox"/> Must not adversely impact upon adjoining properties and adequate buffer zone to be provided.</li> <li><input type="checkbox"/> When constructed the pens must be regularly cleaned and maintained.</li> <li><input type="checkbox"/> Adequate drainage must be provided.</li> <li><input type="checkbox"/> Must be structurally adequate.</li> <li><input type="checkbox"/> Must comply with the standards contained in Schedule 5 of the Local Government (orders) Regulation 1993.</li> </ul>
<p><b>Garden sheds &amp; green houses</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Meets the specification of what is and is not exempt development, as outlined in Part B.</li> <li><input type="checkbox"/> Maximum floor area of 20 square metres.</li> <li><input type="checkbox"/> The maximum cumulative area of all garden sheds and greenhouses on the site shall not exceed 30 square metres.</li> <li><input type="checkbox"/> Maximum height of 2.4 metres, above natural ground level.</li> <li><input type="checkbox"/> Located no closer to the street than the associated dwelling.</li> <li><input type="checkbox"/> Located a minimum of 500mm off any property boundary and a minimum of 450mm from any other structure.</li> <li><input type="checkbox"/> Not to be used for habitable or commercial purposes.</li> <li><input type="checkbox"/> Non-reflective finishes.</li> <li><input type="checkbox"/> Must be structurally adequate.</li> <li><input type="checkbox"/> Must be freestanding.</li> <li><input type="checkbox"/> Appropriate measures shall be taken to collect and dispose of any stormwater in a manner which does not adversely effect the adjoining property. For example to a drainage structure or easement under the control of Council.</li> <li><input type="checkbox"/> Maximum of one per premises.</li> </ul>

<i>Development Type</i>	<i>Circumstances under which Development is Exempt</i>
<b>Minor Alterations – Residential Premises</b>  <i>(Applies to the replacement of doors, walls, ceiling linings, floor linings, windows, frame members or roofing materials, with equivalent or improved quality materials, &amp; renovations of bathrooms, kitchens, inclusion of built-in fixtures such as vanities, cupboards, wardrobes &amp; the like).</i>	<input type="checkbox"/> Meets the specification of what is and is not exempt development, as outlined in Part B. <input type="checkbox"/> The external configuration of the building shall not be altered. For example there shall be no increases in window, door, wall and roof sizes. <input type="checkbox"/> Must be structurally adequate. <input type="checkbox"/> There shall be no increase in the total floor area of the building. <input type="checkbox"/> Does not involve the removal/replacement of a load-bearing member. <input type="checkbox"/> The WorkCover Authority's guidelines for the removal of asbestos cement and lead paint shall be referred to, where applicable. <input type="checkbox"/> The use of the room shall not be altered from non-habitable to habitable.
<b>Ornamental water features</b>	<input type="checkbox"/> Meets the specification of what is and is not exempt development, as outlined in Part B. <input type="checkbox"/> Maximum depth 300mm. <input type="checkbox"/> Maximum total water surface area 3 square metres; and <input type="checkbox"/> A suitable physical barrier is provided between the water feature and any public road, footpath or places, to prevent direct access by small children.
<b>Re-cladding of roof and walls</b>	<input type="checkbox"/> Meets the specification of what is and is not exempt development, as outlined in Part B. <input type="checkbox"/> Must only involve replacing existing materials with similar materials which are compatible with the existing building and finish. <input type="checkbox"/> Re-cladding must not involve structural alterations or change to the external configuration of a building. <input type="checkbox"/> The WorkCover Authority's guidelines for the removal of asbestos cement and lead paint shall be referred to where applicable. <input type="checkbox"/> Non-reflective finishes. <input type="checkbox"/> Does not apply to heritage listed items.
<b>Satellite dishes/microwave antennas</b>	<input type="checkbox"/> Meets the specification of what is and is not exempt development, as outlined in Part B. <input type="checkbox"/> For domestic use only. <input type="checkbox"/> Maximum diameter of 1.2 metres, if the dish is freestanding, located in the rear yard only and does not exceed 1.8 metres above natural ground level. <input type="checkbox"/> Maximum diameter of 900mm for ground mounted, 600mm for roof mounted, if the dish is attached to the dwelling with no part exceeding 1 metre in height above the roof of the building upon which it is attached. <input type="checkbox"/> The dish is not located on the street elevation of the dwelling and roof; and <input type="checkbox"/> The nearest part of the dish is located at least 900mm from the boundary. <input type="checkbox"/> Must be structurally sound.

<i>Development Type</i>	<i>Circumstances under which Development is Exempt</i>
<b>Skylights roof windows (including solartube or similar type installations)</b>	<input type="checkbox"/> Meets the specification of what is and is not exempt development, as outlined in Part B. <input type="checkbox"/> Maximum area of skylight not to exceed 1 square metre. <input type="checkbox"/> The total cumulative light or skylights shall not exceed more than 5% of the total roof area per dwelling. <input type="checkbox"/> Located not less than 900mm from a property boundary and not less than 900mm from a wall separating attached dwellings. <input type="checkbox"/> To be installed a minimum of 2.4 metres above the floor level of the room of which it serves. <input type="checkbox"/> The building work must not reduce the structural integrity of the building. <input type="checkbox"/> Any opening created by the installation must be adequately weatherproofed. <input type="checkbox"/> Installation must be to manufacturer's specifications.
<b>Telecommunications development</b>	<input type="checkbox"/> Meets the specification of what is and is not exempt development, as outlined in Part B. <p><i>Microcells</i></p> <input type="checkbox"/> Cabinet not more than 1 cubic metre in volume. <input type="checkbox"/> Separate antenna not more than 1.2 metres long. <input type="checkbox"/> Complies with the Standard. <p><i>Underground conduit or cable deployed by narrow trench or direct burial.</i></p> <input type="checkbox"/> Trench not more than 450mm wide. <input type="checkbox"/> If the land is located in or adjacent to a residential zone, not more than 100 metres of excavation may be left open at any time. <input type="checkbox"/> The land in which the cable or duct is laid must be reinstated in accordance with a reinstatement plan agreed, prior to construction, with the owner or if on public land then the Council. The reinstatement plan must include (as appropriate): <ul style="list-style-type: none"> <li>• Management and protection measures;</li> <li>• Relaying of existing road or pavement;</li> <li>• Replanting of grass, trees or foliage;</li> <li>• Replacement or removal of material removed;</li> <li>• Reinstatement of existing contours.</li> </ul> <input type="checkbox"/> Should not interfere with the trenches or cross any existing utilities without prior approval of the relevant authority. <p><i>Subject development is not exempt development if it is carried out on land that is within:</i></p> <input type="checkbox"/> Zone No. 6(a) – Open Space zone; <input type="checkbox"/> Zone No. 6(b) – Open Space (Private) zone; and other zones listed in part B 3.

<i>Development Type</i>	<i>Circumstances under which Development is Exempt</i>
<b>Temporary buildings &amp; usage</b>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Meets the specification of what is and is not exempt development, as outlined in Part B.</li> <li><input type="checkbox"/> Located within the property boundaries.</li> <li><input type="checkbox"/> Not to be located closer than 10 metres to any street.</li> <li><input type="checkbox"/> Not to be erected for more than 72 hours usage.</li> <li><input type="checkbox"/> To be structurally sound.</li> <li><input type="checkbox"/> An approved Occupation Certificate, in reference to the Fire Safety Schedule, is to be submitted to Council prior to occupation.</li> <li><input type="checkbox"/> Not to be a reoccurring use.</li> <li><input type="checkbox"/> Not to be utilised for a use which requires consent under the LEP.</li> </ul>
<b>The Different Use of a Shop Premises (ie shop to shop)</b>  <i>(A shop is a building or place used for the selling of items, whether by retail or auction, or for hiring or displaying items for the purpose of selling or hiring them (whether the items are goods or material)).</i>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Meets the specification of what is and is not exempt development, as outlined in Part B.</li> <li><input type="checkbox"/> The premise is not to be used as a new food shop.</li> <li><input type="checkbox"/> The use is consistent with the current classification under the Building Code of Australia.</li> <li><input type="checkbox"/> The building must have a previous approval for the use of the premises for a shop.</li> <li><input type="checkbox"/> The building is lawfully constructed to be used for the purposes of a shop of a particular kind.</li> <li><input type="checkbox"/> A written notice of the change of use is to be supplied to the Council fourteen (14) days prior to undertaking work or beginning operations.</li> <li><input type="checkbox"/> The curtilage of the shop is not used for storage or display.</li> <li><input type="checkbox"/> The premises are not open outside the existing approved hours of operation.</li> <li><input type="checkbox"/> Not to involve the carrying out of any alterations other than those exempted by this DCP.</li> <li><input type="checkbox"/> All conditions that have previously been imposed on the use of the building or the use of the land are to be complied with at all times especially relating to the following: <ul style="list-style-type: none"> <li>a) the maintenance of landscaping,</li> <li>b) the parking of vehicles,</li> <li>c) the provision of space for the loading and unloading of goods or vehicles, and</li> <li>d) environmental protection</li> </ul> are adhered to. </li> </ul> <p>But not where:</p> <p>The commercial premises in which:</p> <ul style="list-style-type: none"> <li>a) The use does not include the display, exhibition or sale of publications classified Category 1 restrict, Category 2 restricted or RC under the Classification (Publications, Films and Computer Games) Act 1995 of the Commonwealth, and</li> <li>b) the building is not used for the purpose of a business to which section 578E of the Crimes Act 1900 applies, and</li> <li>c) the use does not include a business which is primarily concerned with the display or exhibition of any article that is primarily concerned with sexual behaviour.</li> </ul>

<i>Development Type</i>	<i>Circumstances under which Development is Exempt</i>
<p><b>The Different Use of An Office Premises (ie from office to office)</b></p> <p><i>(An office is a building or place used for the purposes of administration, clerical, technical, professional or like activities, where dealings with members of the public are not on a direct and regular basis or otherwise than by appointment).</i></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Meets the specification of what is and is not exempt development, as outlined in Part B.</li> <li><input type="checkbox"/> The use is consistent with the current classification under the Building Code of Australia.</li> <li><input type="checkbox"/> The use is to be for office premises only.</li> <li><input type="checkbox"/> The building is lawfully constructed to be used for the purposes of office premises.</li> <li><input type="checkbox"/> The use does not involve formation of any additional consultation rooms/sections.</li> <li><input type="checkbox"/> A written notice of the change of use, see is to be supplied to the Council fourteen (14) days prior to undertaking work or beginning operations.</li> <li><input type="checkbox"/> The curtilage of the premises is not used for the storage or display purposes.</li> <li><input type="checkbox"/> The premises are not open outside the existing approved hours of operation.</li> <li><input type="checkbox"/> Not to involve the carrying out of any alterations other than those exempted by this DCP.</li> <li><input type="checkbox"/> All conditions that have previously been imposed on the use of the building or the use of the land are to be complied with at all times, especially relating to the following: <ul style="list-style-type: none"> <li>a) the maintenance of landscaping,</li> <li>b) the parking of vehicles,</li> <li>c) the provision of space for loading and unloading of goods or vehicles, and</li> <li>d) environmental protection are adhered to.</li> </ul> </li> </ul> <p>But not where:</p> <p>The commercial premises in which:</p> <ul style="list-style-type: none"> <li>a) the use does not include the display, exhibition or sale of publications classified Category 1 restricted, Category 2 restricted or RC under the Classification (Publications, Films and Computer Games) Act 1995 of the Commonwealth, and</li> <li>b) the building is not used for the purpose of a business to which section 578E of the Crimes Act 1900 applies, and</li> <li>c) the use does not include a business which is primarily concerned with the display or exhibition of any article that is primarily concerned with sexual behaviour.</li> </ul>

<i>Development Type</i>	<i>Circumstances under which Development is Exempt</i>
<p><b>The Different Use of a Light Industrial Premises</b></p> <p><i>(Light industry means an industry in which the processes carried out, or the transportation involved or the machinery or materials used, do not interfere unreasonably with the amenity of the neighbourhood).</i></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Meets the specification of what is and is not exempt development, as outlined in Part B.</li> <li><input type="checkbox"/> The use is consistent with the current classification under the Building Code of Australia.</li> <li><input type="checkbox"/> The use of the premises is to be for light industrial only.</li> <li><input type="checkbox"/> The building must have a previous approval for the use of the premises.</li> <li><input type="checkbox"/> The building is lawfully constructed to be used for the purposes of a light industry of a particular kind.</li> <li><input type="checkbox"/> A written notice of the change of use is to be supplied to the Council fourteen (14) days prior to undertaking work or beginning operations. The written notice shall include copies of approvals from any other approval body (such as the Trade Waste Authority).</li> <li><input type="checkbox"/> The building has a maximum floor area of 300 square metres.</li> <li><input type="checkbox"/> There is adequate space available for loading and unloading on the site.</li> <li><input type="checkbox"/> The curtilage of the building is not used for the storage or display purposes.</li> <li><input type="checkbox"/> There is not extension of hours outside the existing hours of operation, and not outside the hours of 6.00 am to 6.00 pm.</li> <li><input type="checkbox"/> The use will not create any greater, different or additional potential hazard to the environment or the occupants of the building.</li> <li><input type="checkbox"/> The use will not compromise the amenity of the locality in any greater, different or additional way, than the existing use.</li> <li><input type="checkbox"/> The use will not require the upgrade of any fire safety, health, environmental or other standards.</li> <li><input type="checkbox"/> Not to involve the carrying out of any alterations either than those exempted by the DCP.</li> <li><input type="checkbox"/> All conditions that have previously been imposed on the use of the building or the use of the land are to be complied with at all times, especially in reference to the following; <ul style="list-style-type: none"> <li>i) the maintenance of landscaping</li> <li>ii) the parking of vehicles</li> <li>iii) the provision of space for the loading and unloading of goods or vehicles and</li> <li>iv) environmental protection</li> </ul> are adhered to. </li> </ul>

<i>Development Type</i>	<i>Circumstances under which Development is Exempt</i>
<p><b>Home Occupation</b> (the use of a residential building for home business)</p> <p>(Home Occupation is the use of a dwelling or the land on which a dwelling is located, or another building on any such land, for the purpose of an office or business, but only if);</p> <ul style="list-style-type: none"> <li>i) that use does not involve employment of any other person other than the permanent residents of the dwelling, and</li> <li>ii) the use does not involve the registration of the premises under the Factories, Shops and Industries Act 2962, and</li> <li>iii) the use does not interfere unreasonably in any way with the amenity of adjoining properties or the locality in which the dwelling is situated, and</li> <li>iv) the use does not involve public display or retail sale of any goods from the premises, and</li> <li>v) the use does not involve the exhibition of any notice, advertisement or sign (other than a notice advertisement or sign exhibited on that dwelling to indicate the name and occupation of the resident).</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Meets the specification of what is and is not exempt development, as outlined in Part B.</li> <li><input type="checkbox"/> The use is consistent with the current classification under the Building Code of Australia.</li> <li><input type="checkbox"/> Must be carried out by permanent residents of the dwelling only.</li> <li><input type="checkbox"/> Must be either in the dwelling or in a building on the same site as the dwelling with a floor area not exceeding 30 square metres.</li> <li><input type="checkbox"/> The business will not: <ul style="list-style-type: none"> <li>• Interfere with the amenity of the neighbourhood by reason of traffic generation, noise or otherwise;</li> <li>• Involve the parking of heavy vehicles either on or adjacent to the property; and</li> <li>• At no time more than one work related light vehicle is to be garaged at or adjacent the premises; and</li> <li>• Involve the employment of persons other than the permanent residents of the home at the base or office; and</li> <li>• The use does not involve a brothel.</li> </ul> </li> <li><input type="checkbox"/> Advertising is limited to a single advertising structure indicating the name and occupation of the residents (see the advertising schedule).</li> <li><input type="checkbox"/> Must not have any unsightly matter visible from any adjacent premises or public place.</li> <li><input type="checkbox"/> Must not involve the provision of any essential service main, for example water and electricity, of greater capacity than that available in the locality.</li> <li><input type="checkbox"/> All conditions that have previously been imposed on the use of the building or the use of the land are to be complied with at all times, especially that which relates to the following: <ul style="list-style-type: none"> <li>i) the maintenance of landscaping,</li> <li>ii) the parking of vehicles, and</li> <li>iii) environmental protection</li> </ul> are adhered to.</li> <li><input type="checkbox"/> A written notice of the change of use is to be supplied to the Council fourteen (14) days prior to undertaking work or beginning operations.</li> </ul>
<p><b>The Use of Class 9b Building for Public Meetings</b></p> <p>(A class 9b building as defined in the Building Code of Australia, is an assembly building, including a trade workshop, laboratory or the like in a primary or secondary school, but excluding any other parts of the building that is of another class under the building classification of Australia).</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Meets the specification of what is and is not exempt development, as outlined in Part B.</li> <li><input type="checkbox"/> The building has been approved for use as a Class 9b building.</li> <li><input type="checkbox"/> Must not contravene any conditions of consent imposed by a previous consent.</li> <li><input type="checkbox"/> Not to be a reoccurring use.</li> <li><input type="checkbox"/> The noise levels are not to exceed the requirements of The Protection of the Environment Operations Act, 1997 (NSW).</li> </ul>

<i>Development Type</i>	<i>Circumstances under which Development is Exempt</i>
	<ul style="list-style-type: none"> <li><input type="checkbox"/> The portion of the building used for public meeting shall; <ul style="list-style-type: none"> <li>i) have a minimum of two exit doors,</li> <li>ii) have adequate ventilation and lighting,</li> <li>iii) accommodate no more than 250 persons, including guests and staff, and</li> <li>iv) a minimum floor area of 250 square metres.</li> </ul> </li> <li><input type="checkbox"/> During any event, a person shall be nominated to manage the event, to ensure the safety of the patrons.</li> <li><input type="checkbox"/> The existing building or portion to be used for public entertainment shall not include any residential portions.</li> </ul>
<p><b>Work Sheds</b></p> <p><i>(A temporary structure erected or installed for the purpose of storing building materials that is to be used in association with the construction of another structure).</i></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Meets the specification of what is and is not exempt development as outlined in Part B.</li> <li><input type="checkbox"/> To be associated with works being carried out in accordance with an approved Construction Certificate.</li> <li><input type="checkbox"/> Where a property is located at an intersection, the location of the shed is not to obstruct the line of sight of traffic.</li> <li><input type="checkbox"/> To be removed upon completion of the building works. However, in residential 2(a) and 2(v) zones, where the structure is visible from any street, it is to be removed after a period of 3 months even if the building work has not been completed.</li> <li><input type="checkbox"/> Not to cause a drainage nuisance or other nuisance to any adjoining property.</li> <li><input type="checkbox"/> Not to be used for residential purposes or for the storage of or handling of inflammable materials.</li> <li><input type="checkbox"/> To be located within the property boundaries.</li> <li><input type="checkbox"/> To be structurally adequate.</li> </ul>



# **PART C**

## **WHAT IS & IS NOT COMPLYING DEVELOPMENT**



## **C. WHAT IS & IS NOT COMPLYING DEVELOPMENT?**

### **1. Development listed in Schedule 2 is complying development if:**

- (i) it is "local" development of a kind that can be carried out with consent on the land on which it is proposed, and
- (ii) it is not an existing use, as defined in section 106 of the Act,
- (iii) meets the requirements outlined for complying development in this plan and complies with following subclauses (2) & (3).

### **2. Development is complying development only if:**

- (i) it complies with any deemed-to-satisfy provisions of the Building Code of Australia relevant to the development, and
- (ii) it complies with the relevant Development Control Plans and outcomes set for the development by this Development Control Plan No 22, and
- (iii) approval has been obtained from Council for the removal of any tree, and
- (iv) the structural design of the footings are outside the zone of influence for the sewer main (*Advisory Note: the depth of the sewer main can be obtained from Council's Engineering Services Department*), and
- (v) it does not contravene any restriction on the land, imposed by Council, and registered on the Title, and
- (vi) it does not contravene any condition of a development consent applying to the land (*Advisory Note: check any existing consents for such conditions*).

**Note:**

Section 76A(6) of the Environmental Planning & Assessment Act 1979 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).

**3. Development is not complying development if it is carried out on land that:**

- (i) is identified in this or any other environmental planning instrument, or in any other Development Control Plan as bushfire prone, flood liable, or
  - land subject to slip, erosion, or
  - land within 400 metres of the Murrumbidgee River, or
- (ii) is a site that has previously been used as a service station, or
  - a sheep or cattle dip, or
  - for intensive agriculture, or mining, extractive industry, or
  - waste storage, waste treatment, or
  - \*for the manufacture of chemicals, asbestos or asbestos products, and a notice of completion of remediation work for the proposed use has not been given to the local council in accordance with State Environmental Planning Policy No. 55 – Remediation of Land, or
- (iii)
  - is an Aboriginal place under the National Parks and Wildlife Act 1974, or
  - is the site of heritage item or within a Heritage Conservation Area under Griffith Local Environmental Plan 1994, or
  - is it located adjacent or adjoining a site of heritage significance, or
- (iv) is within a
  - Zone No 1(f) – Rural (Forest) Zone;
  - Zone No 1(d) – Investigation Zone;
  - Zone No 6(a) – Open Space Zone;
  - Zone No 6(b) – Open Space (Private) Zone;
  - Zone No 7(v) – Environmental Protection (Scenic Protection) Zone; Zone No 7(w) – Environmental Protection (Wetlands) Zone, or
  - Zone No 7 – Environmental Protection (Flora & Fauna)
- (v) 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, or
- (vi) is an aquatic reserve declared under the Fisheries Management Act 1994

**Note:**

Section 76A(6) of the EP&A Act says 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 providing for the complying development.

#### **4. Complying Development Certificate conditions**

A Complying Development Certificate issued for any such development is to be subject to the conditions specified in this Development Control Plan No. 22.

The standard prescribed conditions must be applied in all circumstances, there is no discretion to add, change or omit conditions for particular applications.

Advisory Note: No further conditions can be imposed to amend the proposal so that it qualifies as Complying Development.



**SCHEDULE 2**

**COMPLYING  
DEVELOPMENT,  
STANDARD  
REQUIREMENTS  
&  
CONDITIONS**





## **SCHEDULE 2**

### **COMPLYING DEVELOPMENT, STANDARD REQUIREMENTS & CONDITIONS**

#### **1. BED & BREAKFAST ACCOMMODATION**

##### **Definition**

*Bed and Breakfast is the use of an existing lawful dwelling by its permanent residents for the temporary accommodation of visitors for commercial purposes.*

##### **General**

- ☐ Meets the specification of what is and is not complying development, as outlined in Part C.
- ☐ Within a previously approved dwelling house in 1(a), 2(a), 2(v) and 1(c) zone under Griffith Local Environment Plan 1994.
- ☐ Approval has been obtained from the owners corporation, or the community, precinct or neighbourhood association, where a dwelling is subject to the Strata Schemes Management Act 1996 or the Community Land Management Act 1989.
- ☐ Does not involve any alterations to the building other than exempt under this Development Control Plan No. 22.

##### **Bulk & Scale**

- ☐ A maximum of 3 guest bedrooms.
- ☐ A minimum of 2 bathrooms in the residence.

##### **Carparking/Driveways**

- ☐ A minimum of 1 space per guest bedroom plus 1 space for the residence.
- ☐ The maximum driveway width shall not exceed 6 metres.
- ☐ All carparking and vehicle manoeuvring areas being sealed.
- ☐ In rural and rural residential zones gravel compacted driveways are acceptable, but in the case of urban and village residential zones the driveway and associate area are to be either paved or sealed with concrete and to be treated with a decorative finish.

##### **Statutory Requirements**

- ☐ A smoke detection system installed in the dwelling that complies with AS 3786-1993 – Smoke Alarms and AS 3000-1991 – Electrical Installation for Buildings, Structures and Premises.
- ☐ A fire extinguisher and fire blanket are in the kitchen.
- ☐ Compliance with Council's Food Premises Code.

### **Signage**

- ☐ Maximum 1 per dwelling house.
- ☐ Maximum area of the signage is to be no greater 0.6 m<sup>2</sup>.



### **Before you begin work**

1. Two (2) days prior to any work commencing on the site the applicant/builder must:-
  - a) Forward Form 7 of the Regulation to notify Council of the commencement of work and appointment of the Principal Certifying Authority (if the Principal Certifying Authority is not the Council the accredited certifier's registration number must be included, and
  - b) Notify the adjoining owners that work will commence, and
  - c) Notify the Principal Certifying Authority of the name, address, phone number and licence number of the builder.

### **Advertising Signage**

2. Any outside display lighting is to be located or shielded so that no additional light is cast into the adjoining land or distract traffic.
3. Display lighting, other than that required for reasonable security, shall not be used between the hours of 9.00 pm and 6.00 am on any day.
4. The sign must be maintained in good condition at all times.
5. If the business ceases operations from the subject property the advertising structure is to be removed of prior to the ceasing the business.
6. All other vehicles connected with the premises to be parked or garaged within the premises.
7. The premises to be used so as not to interfere with the amenity.

### **Payment of Fees**

8. Evidence of the relevant payments shall be included in the submission of the Complying Development Certificate to Council;
  - a) Registration fee for Complying Development Certificate or/and for any other approvals that are to be obtained from Council.

### **Certificates**

9. On completion of the building, the following certificates shall be submitted to Council;
  - a) A Fire Safety Certificate shall be submitted for all fire safety measures installed in the building as per the Building Code of Australia.
  - b) Occupation Certificate.

## **2. COMMERCIAL PREMISES**

### **2.1 COMMERCIAL PREMISES – ALTERATIONS (OTHER THAN FOOD SHOPS)**

#### **General**

- ☐ Applies to the replacement of doors, walls, ceiling linings, floor linings, windows, frame members, or roofing materials with equivalent or improved quality materials. Also the renovation of bathrooms, kitchens, inclusion of built-in fixtures such as vanities, cupboards, erecting/installation of shelving, displays, benches and partitions.
- ☐ Meets the specifications of what is and is not complying development, as outlined in Part C.
- ☐ The external configuration of building shall not be altered. For example there shall be no increase in window, door, wall and roof sizes.
- ☐ No increase in the total floor area of the building.
- ☐ Must be structurally adequate.
- ☐ Shall be consistent with the conditions of the development consent.

#### **Building Code of Australia**

- ☐ All aspects of the structure shall comply with the applicable requirement outlined in the Building Code of Australia.

#### **Compliance with Relevant Authorities**

- ☐ Where applicable the WorkCover Authority's guidelines for the removal of asbestos cement and lead paint shall be complied with.

#### **Miscellaneous**

- ☐ Not to involve the carrying out of any alterations other than those exempted by the Development Control Plan.
- ☐ The building floor area is to be no greater than 200 square metres.
- ☐ All conditions that have previously been imposed on the use of the building or the use of the land that relates to;
  - i) the maintenance of landscaping,
  - ii) the parking of vehicles,
  - iii) the provision of space for the loading and unloading of goods or vehicles, and
  - iv) environmental protection,are adhered to.

## 2.2 COMMERCIAL PREMISES – ALTERATIONS/FITOUTS FOR FOOD PREMISES

### General

- ☐ Meets the specification of what is and is not complying development as outlined in Part C.
- ☐ The building is lawfully constructed to be used for the purposes of a shop.
- ☐ All works are carried out in accordance with Council's Food Premises Code.
- ☐ Not to involve the carrying out of any alterations other than those exempted by this Development Control Plan.
- ☐ All conditions that have previously been imposed on the use of the building or the use of the land that relate to;
  - i) the maintenance of landscaping,
  - ii) the parking of vehicles,
  - iii) the total number of patrons,
  - iv) the provision of space for the loading and unloading of goods or vehicles, and
  - v) environmental protection,are adhered to.
- ☐ Must comply with the Building Code of Australia.

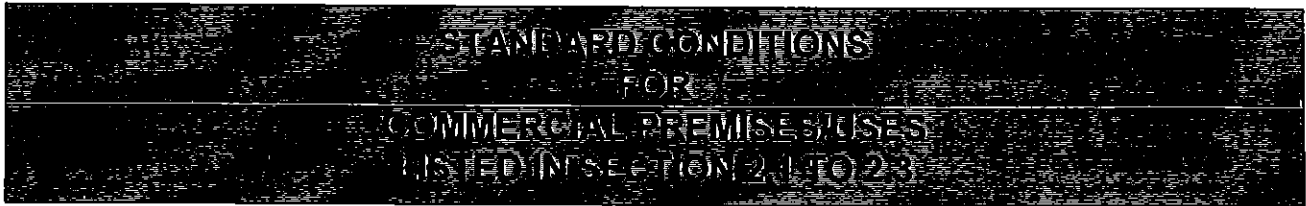
## 2.3 COMMERCIAL USES – A CHANGE IN BUILDING USE FROM A SHOP TO AN OFFICE

### General

- ☐ Meets the specification of what is and is not complying development as outlined in Part C.
- ☐ The external configuration of the building shall not be altered. For example there shall be no increases in window, door, wall and roof sizes.
- ☐ No increase in the total floor area of the building.
- ☐ Must comply with the Building Code of Australia.
- ☐ Not to involve the carrying out of any alterations other than those exempted by this Development Control Plan.
- ☐ No greater than 200 square metres of floor area.
- ☐ The new use must replace a previous use approved in a development consent.
- ☐ All conditions that have previously been imposed on the use of the building or the use of the land that relate to;
  - i) the maintenance of landscaping,
  - ii) the parking of vehicles,
  - iii) the provision of space for the loading and unloading of goods or vehicles, and
  - iv) environmental protection,are adhered to.
- ☐ Adequate number of carparking spaces are to be provided, as required in Development Control Plan No. 20 – Offstreet Parking Policy for a particular proposed use.

**Note:**

If unable to provide the adequate number of on-site parking, then a carparking contribution payment is to be paid to Council in accordance with Council's Revenue Policy on carparking contribution payments. The rate will be assessed at the time payment is made which will be the adopted rate of the applicable financial year.



## **General**

1. The development must be carried out in accordance with the plans, standards & specifications submitted to obtain the Complying Development Certificate.

## **Compliance with the Building Code of Australia**

2. All building work must be carried out in accordance deemed to satisfy provisions of the Building Code of Australia (subject to NSW variations).

## **Prior to Commencement of any Work**

***Advisory Note:** The applicant must appoint a Principal Certifying Authority to carry out the inspections required by this consent and issue certificates of compliance. The Principal Certifying Authority may be either an accredited certifier or Griffith City Council.*

3. Two (2) days prior to any work commencing on the site the applicant/builder must:-
  - a) Forward Form 7 of the Regulation to notify Council of the commencement of work and appointment of the Principal Certifying Authority (if the Principal Certifying Authority is not the Council the accredited certifier's registration number must be included), and
  - b) Notify the adjoining owners that work will commence, and
  - c) Notify the Principal Certifying Authority of the name, address, phone number and licence number of the builder.
4. Prior to any work commencing on the site the applicant/builder must:-
  - a) Erect a sign at the front of the property with the builder's name, licence number, site address and development consent number, and
  - b) Provide a temporary on-site toilet, and
  - c) Protect and support any neighbourhood buildings, and
  - d) Protect any public place from obstruction or inconvenience in the carrying out of the development, and
  - e) Prevent any substance from falling onto a public place, and
  - f) Follow any other conditions prescribed in the *Environmental Planning and Assessment Regulation, 1994*.

## Site Management

5. Demolition material and/or building and associated waste shall not be burned off on the site but shall be:-
  - (a) recycled; and/or
  - (b) disposed of in a manner approved by Council's Waste Management Officer.
6. The builder is to remove all builders' debris and litter on a weekly basis, and at the completion of all work.

## Inspections

*Advisory Note: The below mentioned inspections are required to be carried out by the appointed Principal Certifying Authority and a Compliance Certificate is to be issued in respect of each inspection carried out. All Compliance Certificates and the Occupation Certificate(s) are required to be submitted to Council prior to occupation, along with the registration fees.*

7. The applicant must notify the appointed Principal Certifying Authority in advance (at least 48 hours in writing or 24 hours by phone) to inspect the following: -
  - a) Erosion controls, site works and site set before building starts;
  - b) Pier holes, pads or bulk piers before concrete is poured;
  - c) Footing trenches with reinforcement steel in position before concrete is poured;
  - d) Concrete slabs, with reinforcement steel in position before concrete is poured;
  - e) Framework – including damp-proofing, water plumbing "rough-in" and floor, wall and roof construction before fixing of lining or cladding;
  - f) Roofwater drainage before backfilling.
  - g) Internal/external drains (including stackwork) before they are covered in.  
Note: If the Council is the Certifier drainage lines and stackwork are required to be under water test prior to arrival of the inspecting Council Officer;
  - h) Wet area flashing before laying tiles (or other finish);
  - i) Driveway crossovers and vehicular entrances as per the approved plans.
  - j) Final inspection before the structure is occupied or used. (If a certificate of occupancy is issued then a compliance certificate is not required).
8. The following inspections are required to be carried out by Council. Inspections may be arranged by contacting Council's Environmental Services Department. Where Council is not the Principal Certifying Authority an additional fee for each inspection will apply.
  - a) Sanitary drainage under hydrostatic test and prior to backfilling trenches or covering;



## Hours of Work

9. Work on the project to be limited to the following hours:-

Monday to Friday - 7.00am to 6.00pm (7.00 pm during daylight saving),  
Saturday - 8.00am to 1.00pm (if audible on residential premises) otherwise 7.00am to 5.00pm;  
No work to be carried out on a Sunday or on a Public Holiday.

*Advisory Notes: The builder shall be responsible to instruct and control his sub-contractors regarding the hours of work. Council will exercise its powers under The Protection of the Environment Operations Act, 1997 (NSW), in the event that the building operations cause noise to emanate from the property on Sundays or Public Holidays or otherwise than between the hours detailed above.*

## Use of Council Property

10. The footpath and/or road reserve is not to be used for construction purposes or the placing of building materials without the prior consent of Council.

Where the circumstances of demolition or construction requires a temporary use of the public road or footpath reserve, written application must be made at least seven (7) days beforehand.

Such approval will only be granted where conditions warrant and in instances where public thoroughfare will not be adversely affected.

Where approval is granted, the applicant being responsible for the placement of barriers, pedestrian access way, signs and night lighting in accordance with Australian Standard 1742.3 and the proposals including diagrams are to be submitted with the written application.

## Damage to Council Property

11. Bond monies for kerb and gutter, and footpath damage is to be paid to Council prior to the commencement of work.
12. Any damage caused to the kerb and guttering and/or footpath during building operations shall be rectified by the owner to the Council's standard.

## Drainage & Water Supply

13. Prior to the commencement of work of the water supply and/or sanitary plumbing and drainage, the licensed plumber and/or drainer must obtain a plumber's permit from Council.
14. Prior to the commencement of work the owner/applicant of the premises shall apply to Council for an approval to carry out water supply work, sewer work, stormwater work and connect such works to Council's services.
15. All water supply, sanitary plumbing and drainage works are to comply with the relevant provisions of the Local Government (Water, Sewerage and Drainage) Regulation 1993 and to Australian Standard AS 3500.
16. Water closets are required to have dual volume flush cisterns installed.  
*(Note: A range of shower roses can also achieve water conservation and reduce water costs to the owner.)*
17. Where required, kerb outlets for storm water to be saw cut and suitably approved kerb adaptors to be installed using 20 MPa concrete.

### **Vehicle Access**

18. There being no alteration to the grades without the prior approval of Council.
19. All existing vehicular crossings adjacent to the subject property that have become redundant are to be reinstated with kerb and guttering at the applicant's expense.

### **Miscellaneous**

20. The property description/street number(s) shall be displayed in a position clearly visible from the street.
21. Precaution shall be taken to preserve and protect street trees adjacent to the site during construction and during the erection of hoardings.

### **Payment of Fees**

22. Evidence of the relevant payments shall be included in the submission of the Complying Development Certificate to Council;
  - a) Footpath, kerb and gutter damage maintenance deposit and inspections.
  - b) Registrations fee for Complying Development Certificate or/and for any other approvals that are to be obtained from Council.
  - c) Section 94 Contribution fees.

### **Certificates**

23. On completion of the building, the following certificates shall be submitted to Council;
  - a) A Fire Safety Certificate shall be submitted for all fire safety measures installed in the building as per the Building Code of Australia;
  - b) An Occupation Certificate.
  - c) Sanitary drainage diagram, where applicable (drawn to scale, minimum A4 size sheet).

### **3. DEMOLITION WORK**

#### **General**

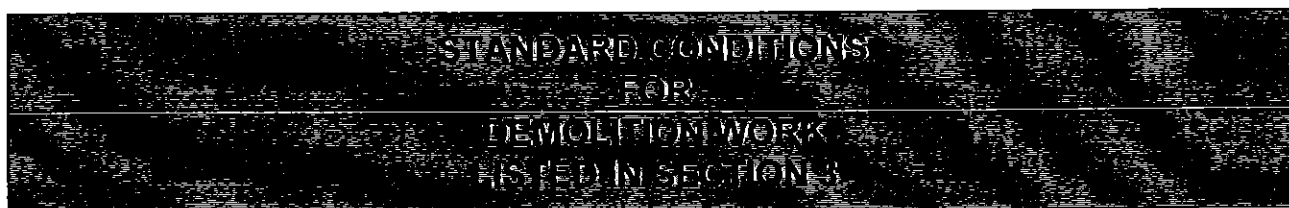
- ☐ Meets the specifications of what is and is not complying development as outlined in Part C.
- ☐ The activity is confined within the property boundary.
- ☐ Any structure subject to demolition is not attached to any adjoining property walls.
- ☐ If disconnection of any services is required, ie sewer, water, electricity and gas connections, then such approvals are to be obtained from the relevant authorities.
- ☐ Activity is not to be carried out by means of using explosives, or the implosion method of demolition.

#### **Impact Minimisation**

- ☐ To be carried out in accordance with WorkCover requirements for the demolition of structures and Australian Standard 2601-1991.
- ☐ Appropriate measures have been put in place to ensure that the adjoining properties will not be adversely effected by dust, noise, traffic, falling objects or underpinning.
- ☐ If a street closure or hoarding is required, an application has been approved by the Council.
- ☐ Hoardings shall be provided in accordance with WorkCover requirements.
- ☐ Does not involve the lifting or craning of materials over a public footway or roadway, unless prior approval of Council has been given.

#### **Building Code of Australia**

- ☐ Where the demolition is for part of a structure or building the structural adequacy and egress from the building will not be adversely effected. For this reason the works shall comply with the provisions of the Building Code of Australia.



### **Prior to the Commencement of any Work**

1. Two (2) days prior to any work commencing on the site, the applicant must:
  - Forward the Notice of Commencement of Work and Appointment of Principal Certifying Authority (Form 7 of the Regulation) to the Council.
2. Prior to any work commencing on the site or demolition begins, the applicant must:
  - Notify the Council of the name, address, phone number and licence number of the Contractor,
  - Erect a sign at the front of the property with the contractor's name, licence number, site address and consent number,
  - Provide a temporary on-site toilet,
  - Protect and support any neighbouring buildings,
  - Protect any public place from obstruction or inconvenience due to the carrying out of the development,
  - Prevent any substance from falling on a public place, and
  - Follow any other conditions prescribed by the Regulation.
3. All utility services must be disconnected prior to demolition work commencing.

### **During Demolition**

4. Materials must not be burnt or buried on the site.
5. The footpath is to be kept free of all debris. All containers for building debris are to be stored within the confines of the site.
6. The WorkCover Authority's guidelines for the removal of asbestos cement (fibro) and lead paint shall be adhered to, where applicable.
7. All truck transport debris from the site must be covered.

### **Waste Disposal**

8. All demolition material is to be disposed to an appropriate waste facility that is licensed by the Environment Protection Authority, and/or recycled but shall not be burnt on the site.
9. All debris and litter is to be removed on a weekly basis and on the completion of all works.

### **Builder's Licensing Act**

10. In accordance with the Builder's Licensing Act, 1971, builders and owner builders are required to display a sign at all times on each site where building work is being carried out.
11. The sign shall indicate the name of the builder, licence number or owner builder's permit number and the lot number of the land.

### **Demolition Times**

12. Demolition and/or stripping shall not be carried out, unless prior approval is obtained from Council beforehand between the hours of;

6.00 pm to 7.00 am, Monday to Friday inclusive.

6.00 pm Friday to 8.00 am Saturday.

1.00 pm Saturday to 7.00 am Monday.

or

during any proclaimed Public Holiday.

### **Materials**

13. There is to be no storage of materials or spoil on the public reserve adjoining this property.

### **Payment of Fees**

14. Evidence of the relevant payments shall be included in the submission of the Complying Development Certificate to Council;
  - a) Footpath, kerb and gutter damage maintenance deposit and inspections.
  - b) Registration fee for Complying Development Certificate or/and for any other approvals that are to be obtained from Council.

## **4. DWELLINGS**

### **4.1 SINGLE STOREY DWELLING HOUSES IN URBAN & VILLAGE ZONES (including Alterations/Additions & Single/Double Garages)**

#### **General**

- ☐ On urban or village zone residential lots not less than 750 square metres.
- ☐ Meets the specification of what is and is not complying development, as outlined in Part C.
- ☐ The property must have existing full frontal improvements, including kerb and gutter and road services.

#### **Building Design**

- ☐ Erection of the new dwelling or any work will not create any dual occupancy on the subject allotment.
- ☐ Garages and carparking that face the street are to be designed to be compatible with the dwelling design and with a maximum width of the garage opening of 6 metres or 50% of the facade on which the entry is located, whichever is the least.
- ☐ Any additions to a dwelling, which are visible from a public place, shall have external finishes and a colour scheme that is compatible to those of the existing dwelling.

#### **Siting/Setbacks**

- ☐ Front setbacks shall be generally consistent with existing street setbacks. In areas where existing setbacks are generally 6 metres or greater, there shall be no encroachment of the 6 metre setback.
- ☐ In areas where garages or carports are not located at the front facade, entry setback shall be a minimum of 5.5 metres, to allow a car to be parked in front of the garage within the property boundary.
- ☐ The secondary corner setback is to be a minimum of 4.5 metres.
- ☐ The walls of the dwelling are to be at least 900mm from the side boundaries and 4 metres from the rear property boundary.
- ☐ The eaves and gutter of the dwelling shall be a minimum of 675mm from the side property boundaries.
- ☐ Front facade, visible to the street shall not exceed 5 metres in length without a physical change, ie windows, verandahs or a directional change.
- ☐ The floor level of the dwelling at any point shall be no greater than 650mm above the natural ground level.

- ☐ The maximum distance between the floor level and the underside of the eave is to be no greater than 2.7 metres.
- ☐ The maximum roof pitch shall be 24 degrees.
- ☐ Openable or translucent skylights must be a minimum of 1.8 metres above the floor level of the room of which it serves.
- ☐ No basement areas are permitted.
- ☐ Floor levels are subject to Council's Flood Plan Management Policy. Such levels are to be obtained from either Council or a qualified hydrological engineer based upon the Griffith Hydrology Study, November 1988 and Griffith Flood Study, June 1992.

*Advisory Notes: In certain areas floor levels have been already predetermined, contact Council's Environmental Services Health and Building Section for details.*

### **Energy Efficiency**

- ☐ The dwelling shall achieve a minimum rating of 3.5 stars when assessed in accordance with the National House Energy Rating Scheme.
- ☐ Windows should be located and shaded so to reduce summer heat load and permit entry of winter sunlight.
- ☐ Window shading devices are to be provided. Shading devices are to take the form of overhanging balconies, wide eaves, verandahs, pergolas, window shutters or adjustable louvres.
- ☐ Living areas are to be located on the north side of dwellings and at least one living room window is to receive at least 3 hours sunlight between 9.00 am and 3.00 pm on June 21.
- ☐ New development shall not result in less than 3 hours of sunlight to the living rooms and entire main private open space of any adjoining property as measured between 9.00 am and 3.00 pm on June 21, or shall not create any additional overshadowing if it is already less.

*Advisory Note: See Figures 1 to 8 at the end of this section for more details.*

### **Acoustics**

- ☐ Where a dwelling adjoins a railway line, busy roads or industry it is to be designed and constructed in a manner which minimises adverse noise and vibration effects. Noise sensitive areas, such as living and sleeping areas should be located away from the rail line, busy road and noise source. A planted acoustic mound is also to be provided.
- ☐ Noise tolerant areas should be located closer to the external and internal noise sources and noise sensitive areas located further from the external and internal noise source areas such as kitchen, laundries etc.

### Private Open Space

- ☐ The minimum floor space ratio is 0.5:1.
- ☐ Private open space for each dwelling at ground level is to contain a "principal area" directly connected to a living room consisting of a rectangle of 4m x 8m and being not steeper than 1 in 16 gradient. On steeper sites open space is to be terraced to provide useable space. Land less than 2.5m in width does not qualify as private open space.
- ☐ The main living area is to open onto private open space which is a minimum of 50 square metres for one or two bedroom dwellings, and 80 square metres for three or more bedroom dwellings. For three or more bedroom dwelling, private open space may be provided in two separate areas, the smallest of which is to be a minimum of 40 square metres.
- ☐ Private open space may be located adjacent to the street frontage provided that the area is clearly defined by walls, or fencing in conjunction with landscaping. A separate fencing application must be made to and approved by Council for any fencing located within the building line prior to the approval of the Complying Development Certificate.

### Landscaping

- ☐ The entire front setback area shall be of pervious landscape. The only areas, which are not required to be pervious, are the driveway and pathways to and around the dwelling. Pathways are not to exceed 900mm in width.
- ☐ One mature tree is to be planted for every 4 metres of frontage width with at least one mature tree in the front setback.
- ☐ Trees must be located at an appropriate distance from building and building utility services as follows:-

Tree Size (Mature Height)	Min. Distance from building
Over 15 metres	5 – 7 metres
9 – 15 metres	4 metres
Less than 9 metres	2.5 metres

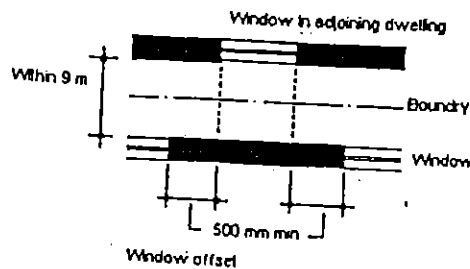
### Drainage

- ☐ All impervious and roof area are capable of being connected to Council's stormwater disposal system.
- ☐ The proposed development will not prevent or impede the natural flow of stormwater drainage/runoff from adjoining sites.
- ☐ The proposed development will not increase or concentrate existing stormwater flows over adjoining properties.



### Privacy & Security

- ☐ Windows in a habitable room that allow an outlook to a window to a habitable room in an adjoining dwelling and are within 9 metres:
  - are to be offset from the edge of one window to the edge of the other by a distance of at least 0.5 metres, or



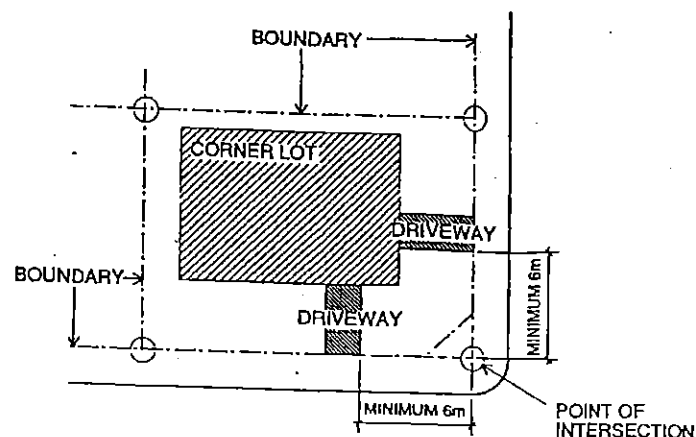
- have sill heights of at least 1.7 metres above the floor, or
- have fixed obscure glazing in any part of the window below 1.7 metres above floor level.

### Utility Services

- ☐ Provisions are to be made to provide the following reticulated services – water, sewerage, gas, telephone and electricity.
- ☐ Relevant authorities approvals to be obtained.

### Driveways/Carparking

- ☐ Driveways are to be a minimum of 500mm clear of all drainage structures on the kerb and gutter. They are not to interfere with the existing public utility infrastructure including Council's drainage structures, unless prior approval is obtained from the relevant authority.
- ☐ Or corner lots driveways are to be a minimum of 6 metres from the point of intersection of the two property boundaries.



- ☐ Driveways are to be in accordance with Australian Standard 2890. The maximum gradient shall be 1:5 within the property, with the transition zones of 1:12.
- ☐ A minimum of one (1) car parking space is to be provided for dwellings consisting of 2 or less bedrooms and two (2) carparking spaces is to be provided for dwellings with 3 or more bedrooms.
- ☐ There shall be at least one (1) undercover private parking space.
- ☐ Carparking space or spaces shall be provided behind the building line.
- ☐ Carparking space or spaces shall measure a minimum of 5.5 metres in length by 2.5 metres in width except where a single space is provided within a garage, whereby such space shall measure a minimum of 5.5 metres in length by 3 metres in width.
- ☐ Open parking spaces, accessways and driveways are to be surfaced to prevent erosion and be directed to the street gutter or interallotment drainage system (where provided). The hardstanding areas are to be treated with a decorative finish.
- ☐ The driveway shall be a minimum of 3 metres wide and a maximum of 6 metres wide within the property and must comply with Council's standard light duty driveway design for residential construction.

### **Cut & Fill**

- ☐ The maximum cut permitted on a building platform is 900mm. Where the amount of the cut is greater than 600mm, the wall of the dwelling shall be a minimum of 1.5 metres off the side and rear boundaries.
- ☐ The maximum fill permitted on a building platform is 600mm.
- ☐ The extent of cut and fill is to be in equal proportions.

### **The Building Code of Australia**

- ☐ All aspects of the structure shall comply with the applicable requirements outlined in the Building Code of Australia, including site preparation, footings and slabs, masonry construction, framing, roof and wall cladding, glazing, fire safety, health and amenity, safe movement and access.

## **4.2 DWELLING HOUSES IN A 1(C) RURAL RESIDENTIAL ZONE (including Alterations/Additions & Single/Double Garages)**

### **General**

- ☐ The lot must have a minimum area of 4,000 square metres (excluding access handle of battleaxe lots).
- ☐ Meets the specification of what is and is not complying development, as outlined in Part C.
- ☐ Erection of the new dwelling or any work will not create any dual occupancy on the subject lot.
- ☐ The subject lot must have been created in the last 2 years.

### **Building Design**

- ☐ The dwelling is to be designed with regard to the site conditions, so as to minimise the impact on the landform.
- ☐ Materials and colours shall blend in with the natural surroundings.
- ☐ Any additions to a dwelling, which are visible from a public place, shall have external finishes and a colour scheme which is compatible to those of the existing dwelling.
- ☐ Front facade visible to the street shall not exceed 5 metres in length without a physical change, ie windows, verandahs or a directional change.
- ☐ The floor level of the dwelling at any point shall be no greater than 650mm above the natural ground level.
- ☐ The maximum roof pitch shall be 24 degrees.
- ☐ Openable or translucent skylights must be a minimum of 1.8 metres above the floor level of the room of which it serves.
- ☐ No basement areas are permitted.

### **Siting/Setbacks**

- ☐ No part of any building shall encroach within 10 metres of the front, side or rear boundaries.
- ☐ Floor levels are subject to Council's Flood Plan Management Policy. Such levels are to be obtained from either Council or a qualified hydrological engineer based upon the Griffith Hydrology Study, November 1988 and Griffith Flood Study, June 1992.

*Advisory Notes: In certain areas floor levels have been already predetermined, contact Council's Environmental Services Health and Building Section for details.*

## Energy Efficiency

- ☐ The dwelling shall achieve a minimum rating of 3.5 stars when assessed in accordance with the National House Energy Rating Scheme.
- ☐ Windows should be located and shaded so to reduce summer heat load and permit entry of winter sunlight. Shading devices are to take the form of overhanging balconies, wide eaves, verandahs, pergolas, window shutters, adjustable louvres, or landscaping.
- ☐ Living areas are to be located on the north side of dwelling and at least one living room window is to receive at least 3 hours sunlight between 9.00 am and 3.00 pm on June 21.

*Advisory Note: See Figures 1 to 8 at the end of this section for more details.*

## Acoustics

- ☐ Where a dwelling adjoins a railway line, busy roads or industry it is to be designed and constructed in a manner which minimises adverse noise and vibration effects. Noise sensitive areas, such as living and sleeping areas should be located away from the rail line, busy road and noise source. A planted acoustic mound is also to be provided.
- ☐ Noise tolerant areas should be located closer to the external and internal noise sources and noise sensitive areas located further from the external and internal noise source areas such as kitchen, laundries etc.

## Landscaping

- ☐ A 10 metre buffer is to be planted/landscaped with predominantly native vegetation prior to the issue of the Occupation Certificate.
- ☐ Trees must be located at an appropriate distance from buildings and building utility services as follows:-

Tree Size (Mature Height)	Min. Distance from building
Over 15 metres	5 – 7 metres
9 – 15 metres	4 metres
Less than 9 metres	2.5 metres

## Site Access

- ☐ A safe all-weather access is to be provided at least to gravel standard between the property boundary and the road carriageway. Notwithstanding the above, it is required the subject accessway be sealed where there is bitumen sealed road at the front boundary.
- ☐ A concrete pipe culvert with standard headwalls is to be constructed at a suitable location relative to the table drain and clear of the edge of the road carriageway. Design and construction is to be to Council's standard. Council's advice will be available as required.
- ☐ An existing channel crossing is to be used where possible, otherwise consent is to be obtained from Murrumbidgee Irrigation and Council for the construction of a new channel crossing.
- ☐ The driveway shall be a minimum of 3 metres wide and a maximum of 6 metres wide within the property.

### **Drainage**

- ☐ Adequate arrangements are to be made for the dispose of stormwater.
- ☐ The proposed development will not prevent or impede the natural flow of stormwater drainage/runoff from adjoining sites.
- ☐ The proposed development will not increase or concentrate existing stormwater flows over adjoining properties.

### **Cut & Fill**

- ☐ The maximum cut permitted on a building platform is 900mm.
- ☐ The maximum fill permitted on a building platform is 600mm.
- ☐ The extent of cut and fill is to be in equal proportions.

### **Utility Services**

- ☐ Provision is to be made to provide the following reticulated services – water, electricity and telephone.
- ☐ Approval under Section 68 of the Local Government Act is to be obtained from Council to operate an on-site effluent treatment system.

### **The Building Code of Australia**

- ☐ All aspects of the structure shall comply with the applicable requirements outlined in the Building Code of Australia, including site preparation, footings and slabs, masonry construction, framing, roof and wall cladding, glazing, fire safety, health and amenity, safe movement and access.

#### **4.3 DWELLING HOUSES IN A GENERAL RURAL ZONE (1(a) Zone) (including Alterations/Additions & Single/Double Garages)**

##### **General**

- ☐ A Dwelling Entitlement Permit is to be obtained from Council prior to obtaining a Complying Development Certificate, except in a case where the proposed dwelling is to wholly replace the existing dwelling.
- ☐ Meets the specification of what is and is not complying development, as outlined in Part C.
- ☐ Erection of the new dwelling or any work will not create any dual occupancy on the subject land.

##### **Building Design**

- ☐ The dwelling is to be designed with regard to site conditions, to minimise the impact on the landform.
- ☐ Materials and colours shall blend in with the natural surroundings.
- ☐ Any additions to a dwelling, which are visible from a public place, shall have external finishes and a colour scheme that is compatible to those of the existing dwelling.
- ☐ Front facade visible to the street shall not exceed 5 metres in length without a physical change, ie windows, verandahs or a directional change.
- ☐ The floor level of the dwelling at any point shall be no greater than 650 mm above the natural ground level.
- ☐ The maximum roof pitch shall be 24 degrees.
- ☐ Openable or translucent skylights must be a minimum of 1.8 metres above the floor level of the room of which it serves.
- ☐ No basement areas are permitted.

##### **Siting/Setbacks**

- ☐ No part of any building shall encroach within 10 metres of the front, side or rear boundaries.
- ☐ Floor levels are subject to Council's Flood Plan Management Policy. Such levels are to be obtained from either Council or a qualified hydrological engineer based upon the Griffith Hydrology Study, November 1988 and Griffith Flood Study, June 1992.

*Advisory Notes: In certain areas floor levels have been already predetermined, contact Council's Environmental Services Health and Building Section for details.*

### **Energy Efficiency**

- ☐ The dwelling shall achieve a minimum rating of 3.5 stars when assessed in accordance with National House Energy Rating Scheme.
- ☐ Windows should be located and shaded so to reduce summer heat load and permit entry of winter sunlight. Shading devices are to take the form of overhanging balconies, wide eaves, verandahs, pergolas, window shutters, adjustable louvres, or landscaping.
- ☐ Living areas are to be located on the north side of the dwelling and at least one living room window is to receive at least 3 hours sunlight between 9.00 am and 3.00 pm on June 21.

*Advisory Note: See Figures 1 to 8 at the end of this section for more details.*

### **Acoustics**

- ☐ Where a dwelling adjoins a railway line, busy roads or industry it is to be designed and constructed in a manner which minimises adverse noise and vibration effects. Noise sensitive areas, such as living and sleeping areas should be located away from the rail line, busy road and noise source. A planted acoustic mound is also to be provided.
- ☐ Noise tolerant areas should be located closer to the external and internal noise sources and noise sensitive areas located further from the external and internal noise source areas such as kitchen, laundries etc.

### **Site Access**

- ☐ A safe all-weather access is to be provided at least to gravel standard between the property boundary and the road carriageway. Notwithstanding the above, it is a requirement that the subject accessway be sealed where there is bitumen sealed road at the front boundary.
- ☐ A concrete pipe culvert with standard headwalls is to be constructed at a suitable location relative to the table drain and clear of the edge of the road carriageway. Design and construction is to be to Council's standard. Council's advice will be available as required.
- ☐ An existing channel crossing is to be used where possible, otherwise consent is to be obtained from Murrumbidgee Irrigation and Council prior to the construction of a new channel crossing.
- ☐ The driveway shall be a minimum of 3 metres wide and a maximum of 6 metres wide within the property.

### **Drainage**

- ☐ Adequate arrangements are to be made to dispose of stormwater.
- ☐ The proposed development will not prevent or impede the natural flow of stormwater drainage/runoff from adjoining sites.
- ☐ The proposed development will not increase or concentrate existing stormwater flows over adjoining properties.

### **Cut & Fill**

- ☐ The maximum cut permitted on a building platform is 900mm. Where the amount of the cut is in excess of 600mm, the wall of the dwelling shall be a minimum of 1.5 metres off the boundary.
- ☐ The maximum fill permitted on a building platform is 600mm.
- ☐ The extent of cut and fill is to be in equal proportions.

### **Utility Services**

- ☐ Provision is to be made to provide the following reticulated services – water, electricity and telephone.
- ☐ Approval under Section 68 of the Local Government Act is to be obtained from Council to operate an on-site effluent treatment system.

### **The Building Code of Australia**

- ☐ All aspects of the structure shall comply with the applicable requirements outlined in the Building Code of Australia, including site preparation, footings and slabs, masonry construction, framing, roof and wall cladding, glazing, fire safety, health and amenity, safe movement and access.



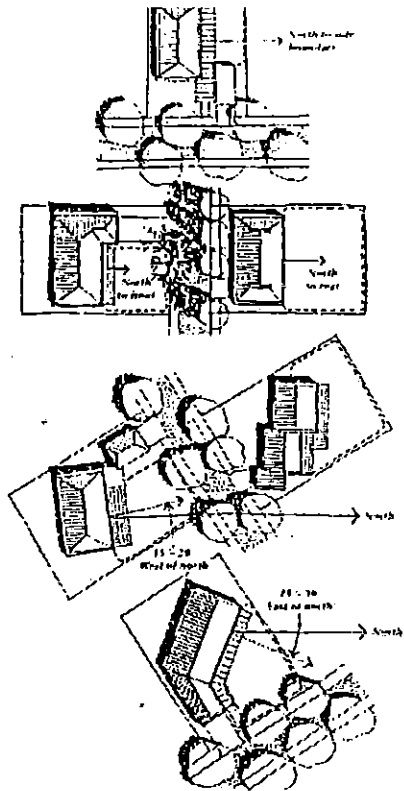


FIGURE 1 Examples of how to orientate and site dwellings on different blocks to maintain a northerly aspect to the living areas and to the private open space. Also dwellings are designed to have wider proportion of the dwelling facing north for maximum solar access. (Source: Warm House Cool House.)

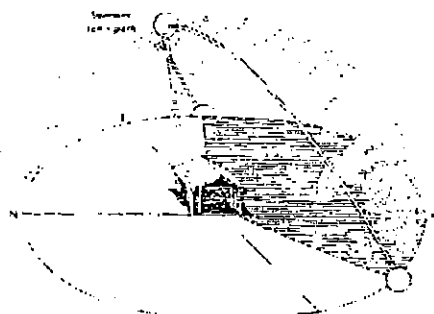


FIGURE 3 The apparent movement of the sun and solar control in mid-summer. (Source: Warm House Cool House.)

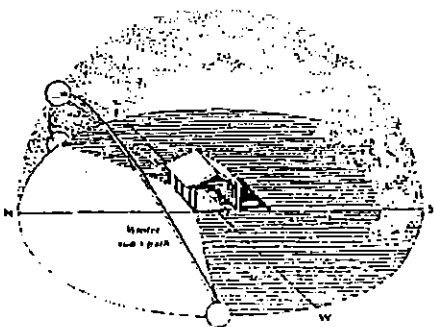


FIGURE 4 The apparent movement of the sun and solar access in mid-winter. (Source: Warm House Cool House.)

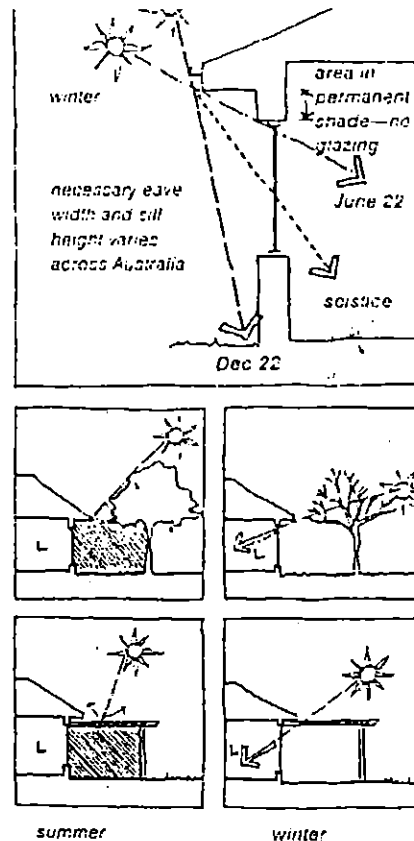


FIGURE 2 Sketch of solar angles in summer, winter and at the winter solstice against a northern wall. Correct eave overhang can stop high angled hot summer sun penetrating glazing but low allows low angled warming winter sun penetrating glazing in the cold winter months. Deciduous trees and vines and solar pergolas can achieve the same result. (Source: Amcord.)

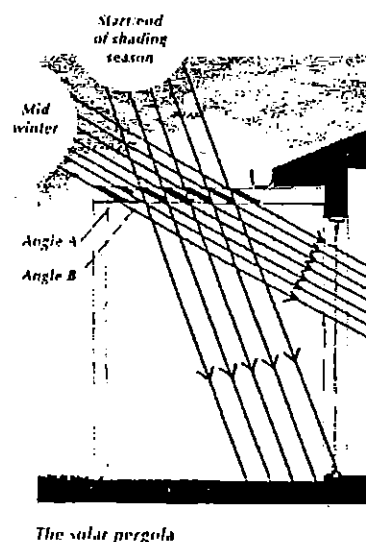
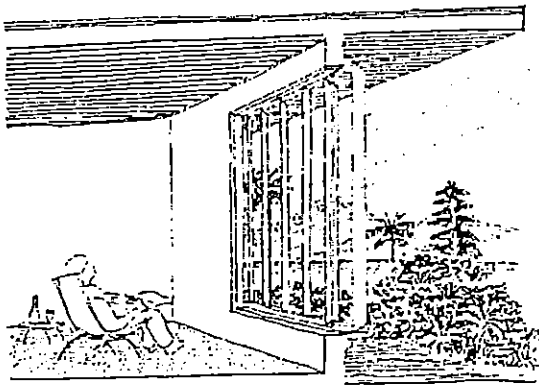
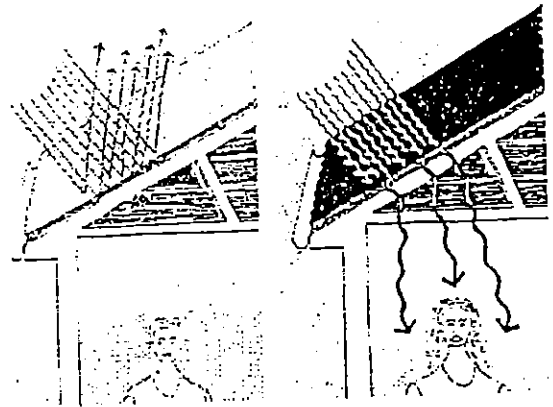


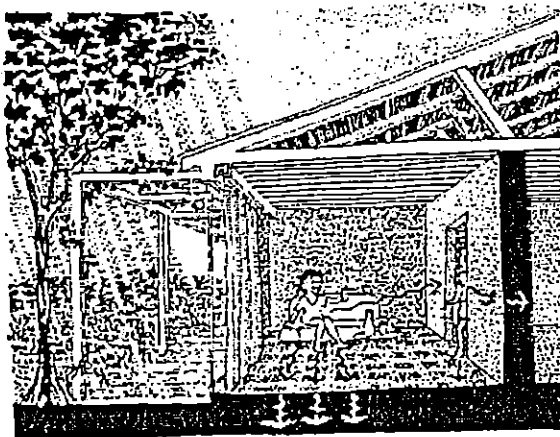
FIGURE 5 How a solar pergola uses the changing angle of the sun to control solar access. (Source: Warm House Cool House.)



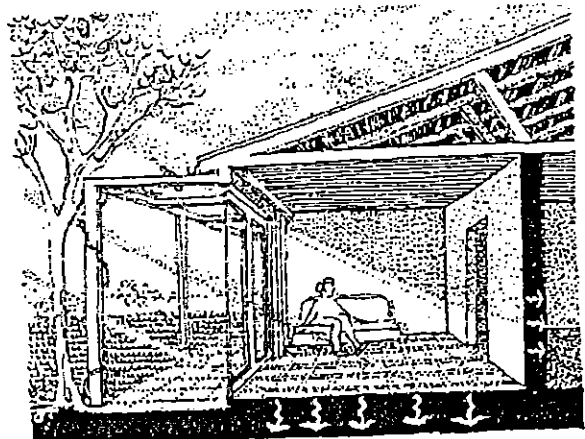
**FIGURE 6** Vertical louvres can be used to control low angle eastern and western sun while retaining views. (Source: Warm House Cool House.)



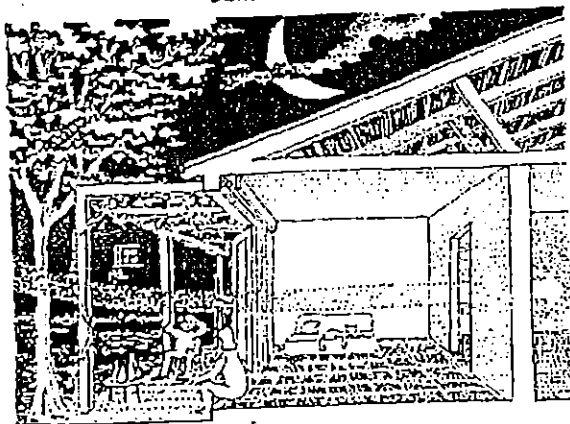
**FIGURE 7** Light materials reflect more heat than dark materials, leading to a hotter house. (Source: Warm House Cool House.)



SUMMER: DAY



WINTER: DAY

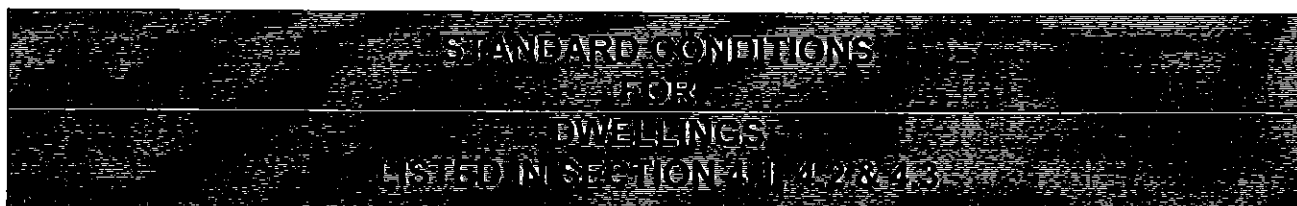


SUMMER: NIGHT



WINTER: NIGHT

**FIGURE 8** Heavy mass materials in appropriate locations can control house temperature. In summer heat can be removed by day, while sunlight penetration is controlled and be cooled by convection breezes by night. In winter low angled sunlight can penetrate glazing to warm heavy mass materials by day and at night be re-radiated, while heavy curtains and pelmets stop heat escaping back out through glazing. (Source: Warm House Cool House.)



### **General**

1. The development must be carried out in accordance with the plans, standards & specifications submitted to obtain the Complying Development Certificate.
2. Floor levels are subject to Council's Floodplain Management Policy. Habitable areas are to built at the obtained level.

### **Compliance with the Building Code of Australia**

3. All building work must be carried out in accordance deemed to satisfy provisions of the Building Code of Australia (subject to NSW variations).

### **Prior to the Commencement of any Work**

*Advisory Note: The applicant must appoint a Principal Certifying Authority to carry out the inspections required by this consent and issue Certificates of Compliance. The Principal Certifying Authority may be either an accredited certifier or Griffith City Council.*

4. Two (2) days prior to any work commencing on the site the applicant/builder must:-
  - a) Forward Form 7 of the Regulation to notify Council of the commencement of work and appointment of the Principal Certifying Authority (if the Principal Certifying Authority is not the Council the accredited certifier's registration number must be included); and
  - b) Notify the adjoining owners that work will commence, and
  - c) Notify the Principal Certifying Authority of the name, address, phone number and licence number of the builder.
5. Before any work commencing on site the applicant/builder must:-
  - a) Erect a sign at the front of the property with the builder's name, licence number, site address and development consent number, and
  - b) Provide a temporary on-site toilet, and
  - c) Protect and support any neighbourhood buildings, and
  - d) Protect any public place from obstruction or inconvenience in the carrying out of the development, and
  - e) Prevent any substance from falling onto a public place, and
  - f) Follow any other conditions prescribed in the *Environmental Planning and Assessment Regulation, 1994*.

## Site Management

6. Run-off and erosion controls must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on the surrounding land, as follows:
  - a) divert uncontaminated run-off around cleared or disturbed areas, and
  - b) erect a silt fence to prevent debris escaping into drainage systems or waterways, and
  - c) prevent tracking of sediment by vehicles onto roads, and
  - d) stockpile topsoil, excavated material, construction and landscaping supplies and debris within the site.
7. Removal or disturbance of vegetation and topsoil must be confined to within 3 metres of the proposed building.
8. Demolition material and/or building and associated waste shall not be burned off on the site but shall be:-
  - (a) recycled; and/or
  - (b) disposed of in a manner approved by Council's Waste Management Officer.
9. The builder is to remove all builders' debris and litter on a weekly basis, and at the completion of all work.

*Advisory Note: Warning is given that excessive cut and fill and other general building site operations which subsequently leads to soil erosion during inclement weather can lead to a maximum fine to the Builder of \$4,000 under The Protection of the Environment Operations Act, 1997 (NSW).*

*Steep sites, where extensive earthworks are planned, should have prior consultation with the Department of Land and Water Conservation, your designer or Council officers as to the measures that should be taken to stop soil erosion.*

## Inspections

*Advisory Note: The belowmentioned inspections are required to be carried out by the appointed Principal Certifying Authority and a Compliance Certificate is to be issued in respect of each inspection carried out. All Compliance Certificates and the Occupation Certificate(s) are required to be submitted to Council prior to occupation, along with the registration fees.*

10. The applicant must notify the appointed Principal Certifying Authority in advance (at least 48 hours in writing or 24 hours by phone) to inspect the following: -
  - a) Erosion controls, site works and site set before building starts;
  - b) Pier holes, pads or bulk piers before concrete is poured;
  - c) Footing trenches with reinforcement steel in position before concrete is poured;
  - d) Concrete slabs, with reinforcement steel in position before concrete is poured;
  - e) Framework – including damp-proofing, water plumbing "rough-in" and floor, wall and roof construction before fixing of linings or cladding;
  - f) Roofwater drainage before backfilling;

- g) Internal/external drains (including stackwork) before they are covered in;

Note: If Council is the certifier drainage lines and stackwork are required to be under water test prior to arrival of the inspecting Council Officer;

- h) Wet area flashing before laying tiles (or other finish);
- i) Driveway crossovers and vehicular entrances as per the approved plans & Council's standards;
- j) Final inspection before the structure is occupied or used. (If a Certificate of Occupancy is issued then a Compliance Certificate is not required).

- 11. The following inspections are required to be carried out by Council. Inspections may be arranged by contacting Council's Environmental Services Department. Where Council is not the Principal Certifying Authority an additional fee for each inspection will apply.

- a) Sanitary drainage under hydrostatic test and prior to backfilling trenches or covering;
- b) Where applicable, the installation of the septic tank and any sullage trenches prior to backfilling or covering.

### Hours of Work

- 12. Work on the project is to be limited to the following hours:-

Monday to Friday - 7.00am to 6.00pm; (7.00 pm during daylight saving)

Saturday - 8.00am to 1.00pm (if audible on residential premises) otherwise 7.00am to 5.00pm;

No work to be carried out on a Sunday or on a Public Holiday.

*Advisory Notes: The builder shall be responsible to instruct and control his sub-contractors regarding the hours of work. Council will exercise its powers under The Protection of the Environment Operations Act, 1997, (NSW), in the event that the building operations cause noise to emanate from the property on a Sunday or on a Public Holiday or otherwise than between the hours detailed above.*

### Use of Council Property

- 13. The footpath and/or road reserve is not to be used for construction purposes or the placing of building materials without the prior consent of Council. Where necessary, arrangements may be made by contacting Council's Development Engineer.

### Damage to Council Property

- 14. Any damage caused to the kerb, guttering and/or footpath during building operations shall be rectified by the owner to the Council's standard.

### Termite Control

- 15. The structural members of the building being protected from termites by an approved method as prescribed by Australia Standard AS 3660.1. After placement, a certificate is to be submitted from the installer, which advises compliance with the Australian Standard and the relevant manufacturer's installation requirements. (BCA B1.3).

**Reason:** To restrict entry of termites to the timber structure of the building.

## **Drainage & Water Supply**

16. Prior to the commencement of work of the water supply and/or sanitary plumbing and drainage the licensed plumber and/or drainer must obtain a plumber's permit from Council.
17. Prior to the commencement of work the owner/applicant of the premises shall apply to Council for an approval to carry out water supply work, sewer work/installation of a on-site treatment system, stormwater work and connect such works to Council's services.
18. In areas where there is an unavailability of a reticulated water system, provisions are to be made to provide water storage tanks to a minimum capacity of 20,000 litres. If the site is within a bushfire hazard area, the water storage capacity is to be increased to 80,000 litres.
19. All water supply, sanitary plumbing and drainage works are to comply with the relevant provisions of the Local Government (Water, Sewerage and Drainage) Regulation 1993 and to Australian Standard AS 3500.
20. Water closets are required to have dual volume flush cisterns installed.  
(Note: A range of shower roses can also achieve water conservation and reduce water costs to the owner.)
21. The land surrounding any structure must be graded to divert surface water to the street or to an approved private drainage easement and must be clear of the existing and proposed structures and adjoining premises.
22. Where required, kerb outlets for storm water are to be saw cut and suitably approved kerb adaptors are to be installed using 20 MPa concrete.

## **Change of Builders**

23. Council is to be immediately informed in writing if:-
  - a) A contract is entered into for the work to be done by a different licensee (builder); or
  - b) Arrangements for doing the work are changed.

## **Survey Certificate**

24. The following Survey Certificate must be given to the Principal Certifying Authority, at the following stages:
  - a) On completion of the floor slab framework, prior to the concrete being poured, detailing the location of the structure to the boundaries;
  - b) On completion of the lowest floor, confirming that levels are in accordance with the approval - levels must relate to the datum approved under the Complying Development Certificate.

## **Fire Safety**

25. A smoke detection system shall be installed in the new building in accordance with Section E 1.7 of the Building Code of Australia.

## Vehicle Access

26. Driveway levels are to be obtained by making an application to the Council's Engineering Department before any works of a permanent nature are carried out. Failure to construct to given levels will render the owner liable for any necessary reconstruction costs to alter work not in conformity with such levels.
27. There being no alteration to the grades without the prior approval of Council.
28. Where kerb and gutter is provided:
  - a) A new layback crossing being installed in the existing kerb and gutter to the frontage of the property to Council's standard design. The whole of the existing section of kerb and gutter (inclusive of the kerb and gutter components) is to be removed so the new crossing, including the tapers, can be poured as an integral unit over a prepared sub-base of 100mm thickness of compacted road building gravel or fine crushed rock. Expansion jointing material is to be placed to each side of the crossing. The existing kerb and gutter is to be clean cut by a concrete saw;
  - b) The existing layback crossing being restored to kerb and guttering;
  - c) The driveway crossing of Council's footway being of a hard surface material, constructed to approved levels applied for at Council's Engineering Department before commencing construction;
  - d) All hard stand areas are to be treated with a decorative finish;
  - e) The driveway crossing not interfering with services or the street drainage system.
29. Where there is no kerb and gutter (*only applicable to the Dwelling houses in 1(c) Rural Residential Zone and 1 (a) General Rural Zone*):
  - a) A safe all-weather access is to be constructed between the road carriageway and the property boundary to prevent deterioration/erosion and to minimise Council's future maintenance liability. If the property is fronting a bitumen sealed road then the access is to be sealed with bitumen or an equivalent hard surface. In the case of an unsealed road frontage the subject area is to be at least to gravel road standard. The accessway should incorporate a concrete dish crossing in line and grade of the existing table drain, and if the table drain dictates a cross fall greater than 1 in 10 (10%) a 375 millimetre diameter stormwater pipe along with concrete headwalls is to be provided as per Council's standards.
  - b) Where an accessway is over an existing water supply or drainage channel approval must be obtained from Murrumbidgee Irrigation.
  - c) There being no interference or alteration of the table drain without the prior approval of Council's Director of Engineering Services;
30. The driveway access is to be at least one (1) metre from the side boundary where electricity or other service pole/s are located.

### **Miscellaneous**

31. The applicant shall be aware that the land is subject to a Tree Preservation Order and the requirements of that Order are to be strictly adhered to. Should the applicant/owner require advice in this regard they are to contact Council's Environmental Services Department.
32. The property description/street number(s) shall be displayed in a position clearly visible from the street.
33. The landscaping shall be installed according to the approved plan and maintained to the life/approved use of the development. (Q3)
34. The nature strip on Council's footway is to be incorporated in the overall landscape plan and is to be maintained at the applicant's expense at all times.

### **Payment of Fees**

35. Evidence of the relevant payments shall be included in the submission of the Complying Development Certificate to Council.
  - a) Registration fee for the Complying Development Certificate or/and for any other approvals that are to be obtained from Council.
  - b) Section 94 Contributions fees for open space.
  - c) Footpath, kerb and gutter damage maintenance deposit and inspection, where applicable.

### **Certificate**

36. On completion of the building, the following shall be submitted to Council.
  - a) Sanitary drainage diagram where applicable (drawn to scale, minimum A4 size sheet).



## **5. INDUSTRIAL OR WAREHOUSE BUILDINGS (SMALL SCALE)**

### **General**

- ☐ Development is to be carried out on land zoned as 4(a) Industrial in Griffith Local Environmental Plan 1994.
- ☐ Meets the specification of what is and is not Complying Development.
- ☐ The erection of buildings are to be carried out on one legally created lot.
- ☐ Not adjoining any residential lot.
- ☐ The property shall have existing full frontal improvements, including kerb and gutter and road services.

### **Siting/Setback**

- ☐ Buildings are to be setback a minimum of 10 metres from the front boundary.
- ☐ The secondary corner setback is to be a minimum of 5.5 metres, of which 2 metres is to be landscaped.
- ☐ No solid fences are to be erected in the front building alignment without the prior consent of Council. Front fences must be as per Council's standards.
- ☐ Areas outside splay corners are to be clear of any obstructions.

### **Building Design**

- ☐ The maximum floor area of the building/or buildings shall not exceed more than 500 square metres.
- ☐ The height of any wall is not greater than 7.2 metres, excluding any parapet.
- ☐ Parapet may extend a maximum of 1.2 metres above the intersection of any wall and the roof.
- ☐ Each roof pitch is no more than 10 degrees.
- ☐ The design of the building is to be functional for its intended purpose.
- ☐ The facade of the building when viewed from the street shall be stepped back or designed so as to provide architectural relief and reduce the impact of the building from the streetscape, include elements of wall articulation and roof variation.
- ☐ Side and rear walls where not brick or the like are to be of precoloured metal cladding and should provide a satisfactory appearance when viewed from the street.
- ☐ Adequate garbage and storage areas shall be provided on site and shall be located behind the building line of the property.

### **Landscaping**

- ☐ A minimum of 25% of the area in front of the building within the property is to be landscaped.
- ☐ A landscape strip of at least 3 metres to each street frontage is to be provided.
- ☐ Mounds are to be provided at street fronting garden plots to screen parking areas, building facades and security fences.
- ☐ One mature tree is to be planted for every 5 metres frontage width.
- ☐ One mature shade tree is to be provided for every 4-5 car spaces. The landscaping is to promote shade and visual impact to parked cars.
- ☐ The nature strip on Council's footway is to be incorporated in the overall landscape plan.
- ☐ All landscaping of the site shall be designed and certified by a qualified Landscape Architect or Council's Manager of Parks and Gardens to provide a balance and visual enhancement to the industrial area.

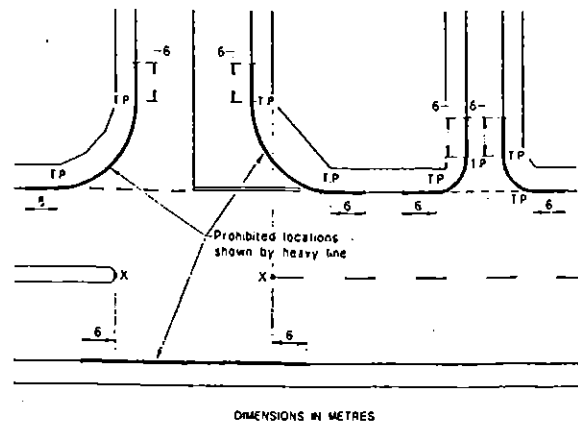
### **Drainage**

- ☐ All roof and surface water is to be drained to the street and discharged into the Council's nearest stormwater drainage system or alternatively to a private drainage easements to which the allotment has the benefit of.
- ☐ The system is to be designed for a 1 in 20 year storm event, so as any excess will be contained within the pit and be piped to the street system. A stormwater drainage hydraulics plan shall be designed by a qualified Hydraulics Engineer.
- ☐ On site detention system is not permitted under this plan.
- ☐ No trade waste is permitted to enter into Council's drainage system.
- ☐ Where the internal driveway falls towards the street, provisions shall be made for the constructions of grade drain across the driveway entrance at the boundary line of the property.
- ☐ All hard stand areas are to be adequately graded and installed with appropriate pits and piped to the drainage system.
- ☐ Control measures are to be utilised to prevent soil erosion and silt entering the drainage system.

### **Driveway/Car Parking/Circulation**

- ☐ Driveways are to be a minimum of 500 mm clear of all drainage structures on the kerb and gutter and are to be at least 1 metre from an electricity or other service poles. They are not to interfere with the existing public utility infrastructure including Council's drainage structure.
- ☐ On corner lots driveways are to be a minimum of 6 metres from the tangent point.

**SCHEDULE 2 – Complying Development – Standard Requirements – INDUSTRIAL OR WAREHOUSE BUILDINGS (SMALL SCALE)**



NOTE: The points marked "X" are either at the median end on a divided road, or at the intersection of the main road centre line and the prolongation of the side road property line on an undivided road.

**PROHIBITED LOCATIONS OF DRIVEWAYS**

- ☐ On site parking is to be provided at the ratio of 1 space for each 100 square metres of building plus 1 space per 37 square metres of retail floor space. Customer parking is to be provided at the front of the building. A minimum of 2 spaces is to be provided at the front. Shade trees are to be provided to all external carparking areas, minimum one (1) tree per 4 spaces.

**Advisory Notes:**

1. *In the case where the applicant is unsure of the actual retail space, a minimum of three (3) spaces is to be provided.*
  2. *Additional parking may be required on applications for the use of the building.*
- ☐ Vehicular access with a minimum of 3.5 metres for one way movement and 6.5 metres for two way movement is to be provided and must comply with Council's standard heavy duty driveway design for industrial commercial construction.
  - ☐ Adequate space (loading zone) is to be provided for loading and unloading of vehicles within the premises.
  - ☐ All internal driveways, access to the site, parking areas and vehicular circulation areas are to be sealed with concrete or other similar approved material.
  - ☐ All turning circles on the site shall comply with standards specified by the Roads and Traffic Authority. No encroachments are permitted.
  - ☐ Vehicles shall enter and leave the premises in a forward direction.

**Provision for disabled persons**

- ☐ Access and facilities for disabled persons being provided in accordance with part D3 of the Building Code of Australia. Details are to be submitted.
- ☐ One disabled car parking space 3.5 metres x 5.5 metres for every 50 spaces is to be provided.

### Utility Services

- ☐ The following reticulated services are to be provided to the premises:-
  - Water
  - Sewer
  - Gas
  - Telephone
  - Electricity
- ☐ Approval is to be obtained from Council and/or other authorities prior to this application.

### Cut and fill

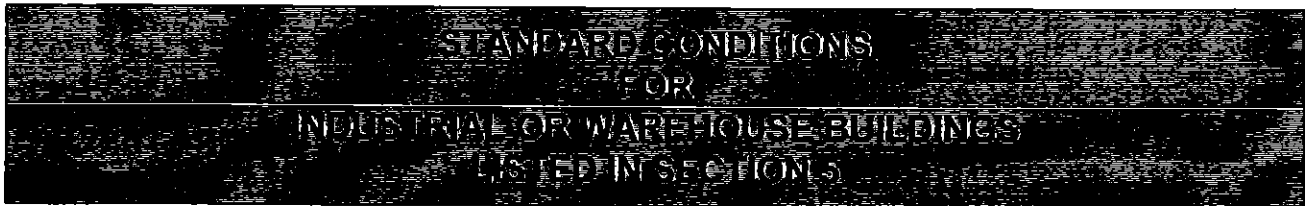
- ☐ No filling or variation to natural ground levels is permitted except other than that necessary to bring surface undulations to an even gradient consistent with the gradients of the adjoining land.
- ☐ A Geotechnical Engineer's report being submitted certifying the suitability of the land for the proposed development and detailing any special building practices required for construction on land subject to fill.

### The Building Code of Australia

The following information is to be complied with as part of the Building Code of Australia's requirements.

- ☐ All aspects of the structure shall comply with the applicable requirements outlined in the Building Code of Australia, including site preparation, footings and slabs, masonry construction, framing, roof and wall cladding, glazing, fire safety, health and amenity, safe movement and access.
- ☐ Plans and specifications prepared and endorsed by a suitably qualified and experienced practising professional structural engineer be submitted detailing the structural framing for the proposed building.
- ☐ Plans detailing the location of all essential services for the proposed development are to be submitted. These details shall include the location of exit signs, exit doors, emergency lighting, fire extinguishers, fire hose reels and hydrants.
- ☐ Dimensional plans detailing the disabled toilet facilities and disabled access into the proposed development are to be submitted.

***Advisory Note:** A separate application is required for the use of the premises and placement of an advertisement structure on the premises, other than the one exempt under this Development Control Plan.*



## **General**

1. The development must be carried out in accordance with the plans, standards and specifications submitted to obtain the Complying Development Certificate.

## **Compliance with the Building Code of Australia**

2. All building work must be carried out in accordance deemed to satisfy provisions of the Building Code of Australia (subject to NSW variations).

## **Prior to the Commencement of any Work**

***Advisory Note:** The applicant must appoint a Principal Certifying Authority to carry out the inspections required by this consent and issue Certificates of Compliance. The Principal Certifying Authority may be either an accredited certifier or Griffith City Council.*

3. Two (2) days prior to any work commencing on the site the applicant/builder must:-
  - a) Forward Form 7 of the Regulation to notify Council of the commencement of work and the appointment of the Principal Certifying Authority (if the Principal Certifying Authority is not the Council the accredited certifier's registration number must be included), and
  - b) Notify the adjoining owners that work will commence, and
  - c) Notify the Principal Certifying Authority of the name, address, phone number and licence number of the builder.
4. Prior to any work commencing on the site the applicant/builder must:-
  - a) Erect a sign at the front of the property with the builder's name, licence number, site address and consent number, and
  - b) Provide a temporary on-site toilet, and
  - c) Protect and support any neighbourhood buildings, and
  - d) Protect any public place from obstruction or inconvenience in the carrying out of the development, and
  - e) Prevent any substance from falling onto a public place, and
  - f) Follow any other conditions prescribed in the *Environmental Planning and Assessment Regulation, 1994*.

## Site Management

5. Run-off and erosion controls must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on the surrounding land, as follows:
  - a) divert uncontaminated run-off around cleared or disturbed areas, and
  - b) erect a silt fence to prevent debris escaping into drainage systems or waterways, and
  - c) prevent tracking of sediment by vehicles onto roads, and
  - d) stockpile topsoil, excavated material, construction and landscaping supplies and debris within the site.
6. Removal or disturbance of vegetation and topsoil must be confined to within 3 metres of the proposed building.
7. The development site being seeded or otherwise grassed to prevent the loss of soil during and after completion of the development.
8. Demolition material and/or building and associated waste shall not be burned off on the site but shall be:-
  - a) recycled; and/or
  - b) disposed of in a manner approved by Council's Waste Management Officer.
9. The builder is to remove all builders' debris and litter on a weekly basis, and at the completion of all work.

***Advisory Note:** Warning is given that excessive cut and fill and other general building site operations which subsequently leads to soil erosion during inclement weather may lead to a maximum fine to the Builder of \$4,000 under The Protection of the Environment Operations Act, 1997 NSW.*

*Steep sites, where extensive earthworks are planned, should have prior consultation with the Department of Land and Water Conservation (DLWC), your designer, or Council officers as to the measures that should be taken to stop soil erosion.*

## Inspections

***Advisory Note:** The belowmentioned inspections are required to be carried out by the appointed Principal Certifying Authority and a Compliance Certificate is to be issued in respect of each inspection carried out. All Compliance Certificates and the Occupation Certificate(s) are required to be submitted to Council prior to the occupation of the building, along with the registration fees.*

10. The applicant must notify the appointed Principal Certifying Authority in advance (at least 48 hours in writing or 24 hours by phone) to inspect the following: -
  - a) Erosion controls, site works and site set before building starts;
  - b) Pier holes, pads or bulk piers before concrete is poured;
  - c) Footing trenches with reinforcement steel in position before concrete is poured;
  - d) Concrete slabs, with reinforcement steel in position before concrete is poured;
  - e) Framework – including damp-proofing, water plumbing “rough-in” and floor, wall and roof construction before fixing of linings or cladding;

- f) Roofwater drainage before backfilling;
- g) Internal/external drains (including stackwork) before they are covered in;  

Note: If Council is the certifier drainage lines and stackwork are required to be under water test prior to arrival of the inspecting Council Officer;
- h) Wet area flashing before laying tiles (or other finish);
- i) Driveway crossovers and vehicular entrances as per the approved plans and Council's standards.
- j) Final inspection before the structure is occupied or used. (If a Certificate of Occupancy is issued then a Compliance Certificate is not required).

11. The following inspections are required to be carried out by Council. Inspections may be arranged by contacting Council's Environmental Services Department. Where Council is not the Principal Certifying Authority an additional fee for each inspection will apply.

- a) Sanitary drainage under hydrostatic test and prior to backfilling trenches or covering;

### Hours of Work

12. Work on the project is to be limited to the following hours:-

Monday to Friday - 7.00am to 6.00pm (7.00 pm during daylight saving),  
Saturday - 8.00am to 1.00pm (if audible on residential premises) otherwise 7.00am to 5.00pm;  
No work to be carried out on a Sunday or on a Public Holiday.

*Advisory Notes: The builder shall be responsible to instruct and control his sub-contractors regarding the hours of work. Council will exercise its powers under The Protection of the Environment Operations Act, 1997 (NSW), in the event that the building operations cause noise to emanate from the property on a Sunday or on a Public Holiday or otherwise than between the hours detailed above.*

### Use of Council Property

13. The footpath and/or road reserve is not to be used for construction purposes or the placing of building materials without the prior consent of Council.

Where the circumstances of demolition or construction requires a temporary use of the public road or footpath reserve, written application must be made at least seven (7) days beforehand.

Such approval will only be granted where conditions warrant and in instances where the public thoroughfare will not be adversely affected.

Where approval is granted, the applicant being responsible for the placement of barriers, pedestrian access way, signs and night lighting in accordance with Australian Standard 1742.3 and the proposals including diagrams are to be submitted with the written application.

### Damage to Council Property

14. Bond monies for kerb and gutter, and footpath damage is to be paid prior to any work commencing.
15. Any damage caused to kerb, guttering and/or footpath during building operations shall be rectified by the owner to the Council's standard.

### Termite Control

16. The structural members of the building being protected from termites by an approved method as prescribed by Australia Standard AS 3660.1. After placement, a certificate is to be submitted from the installer, which advises compliance with the Australian Standard and the relevant manufacturer's installation requirements. (BCA B1.3).  
**Reason:** To restrict entry of termites to the timber structure of the building.

### Drainage & Water Supply

17. Prior to the commencement of work of the water supply and/or sanitary plumbing and drainage, the licensed plumber and/or drainer must obtain a plumber's permit from Council.
18. Prior to the commencement of work the owner/applicant of the premises shall apply to Council for an approval to carry out water supply work, sewer work/installation of a on-site treatment system, stormwater work and connect such works to Council's services.

The applicant shall submit a drawing at a scale of 1:100 showing the location of the buildings, fittings and all pipelines, junctions, inspection openings and the like.

Where the connection to Council's water main is 25mm or greater to serve the needs for domestic and fire services, the application shall be supported with hydraulic calculations prepared by an appropriate consultant, including reference to a water pressure flow test of the adjacent mains.

19. Council's approval is to be obtained for the discharge of any trade waste material into Council's sewerage system to prevent any unauthorised use of the system.
20. All water supply, sanitary plumbing and drainage works are to comply with the relevant provisions of the Local Government (Water, Sewerage and Drainage) Regulation 1993 and to Australian Standard AS 3500.
21. Water closets are required to have dual volume flush cisterns installed.  
(Note: A range of shower roses can also achieve water conservation and reduce water costs to the owner.)
22. The land surrounding any structure must be graded to divert surface water to the street, and must be clear of existing and proposed structures and adjoining premises.
23. Where the water falls to the rear of the property, it must be collected and drained via a gravity system to a Council stormwater system or via a private approved drainage easement.
24. Where required, kerb outlets for storm water to be saw cut and suitably approved kerb adaptors to be installed using 20 MPa concrete.



### **Change of Builders**

25. Council is to be immediately informed in writing if:-

- a) A contract is entered into for the work to be done by a different licensee (builder); or
- b) Arrangements for doing the work are changed.

**Reason:** To enable Council to maintain an accurate record of approvals granted.

### **Survey Certificate**

26. The following survey certificates must be given to the Principal Certifying Authority, at the following stages:

- a) On completion of the floor slab framework prior to the concrete being poured, detailing the location of the structure to the boundaries;
- b) On completion of the lowest floor, confirming that levels are in accordance with the approval - levels must relate to the datum approved under the Complying Development Certificate.

### **Vehicle Access**

- 27. Driveway levels are to be obtained by making an application to the Council's Engineering Department before any works of a permanent nature are carried out. Failure to construct to given levels will render the owner liable for any necessary reconstruction costs to alter work not in conformity with such levels.
- 28. There being no alteration to the grades without the prior approval of Council.
- 29. A new layback crossing being installed in the existing kerb and gutter to the frontage of the property to Council's standard design. The whole of the existing section of kerb and gutter (inclusive of the kerb and gutter components) is to be removed so the new crossing, including the tapers, can be poured as an integral unit over a prepared sub-base of 100mm thickness of compacted road building gravel or fine crushed rock. Expansion jointing material is to be placed to each side of the crossing. The existing kerb and gutter is to be clean cut by a concrete saw.
- 30. Where an accessway is over an existing water supply or drainage channel, approval must be obtained from the Department of Land and Water Conservation and Murrumbidgee Irrigation.
- 31. Entry and exit signs shall be erected at the applicant's expense within the property in positions which are clearly visible from the access street.
- 32. All existing vehicular crossings adjacent to the subject property that have become redundant are to be reinstated with kerb and guttering at the applicant's expense.

### **Removal of Temporary Building**

- 33. Any building erected for use for a specified period of not more than 12 months, must be completely demolished or removed from the site no later than 60 days after the specified period ends.

### **Driveways**

- ☐ Existing accessway is to be used, no new accessway is permitted.

### **Building Code of Australia**

- ☐ All aspects of the structure shall comply with the applicable requirements outlined in the Building Code of Australia, including site preparation, footings and slabs, masonry construction, framing, roof and wall cladding, glazing, fire safety, health and amenity, safe movement and access.

### **Miscellaneous**

34. The applicant shall be aware that the land is subject to a Tree Preservation Order and the requirements of that Order are to be strictly adhered to. Should the applicant/owner require advice in this regard they are to contact Council's Environmental Services Department.
35. The property description/street number(s) shall be displayed in a position clearly visible from the street.
36. Adequate arrangements are to be made to screen any future trade waste enclosure from the view from the street.
37. The landscaping shall be installed according to the approved plan and maintained to the life/approved use of the development.
38. All precaution shall be taken to preserve and protect street trees adjacent to the site during construction and during the erection of hoardings.
39. A retaining edge, such as timber coping or other approved barriers, shall be erected around all landscaped areas. Garden beds are to contain soil and mulch finishes.  
  
An underground sprinkler system to all lawns and a micro-irrigation system to shrubs, trees, etc, shall be installed at the applicant's expense. Details of the type, method of installation and location being submitted and approved by Council before commencing work.
40. The areas outside splay corners shall be kept clear of any obstructions at all times.

### **Payment of Fees**

41. The evidence of the relevant payments shall be included in the submission of the Complying Development Certificate to Council;
  - a) Footpath, kerb and gutter damage maintenance deposit and inspections.
  - b) Registration fees for the Complying Development Certificate or/and for any other approvals that are to be obtained from Council.
  - c) Section 94 Contribution fees.

### **Certificates**

42. On completion of the building, the following certificates shall be submitted to Council:
  - a) A Fire Safety Certificate shall be submitted for all fire safety measures installed in the building as per the Building Code of Australia.
  - b) Occupation Certificate.
  - c) Sanitary drainage diagram, where applicable (drawn to scale, minimum A4 size sheet).

## **6. RURAL SHEDS**

### **General**

- ☐ On lots in rural 1(a) zones.
- ☐ Meets the specification of what is and is not complying development as outlined in Part C.
- ☐ The building is to be classed as a non-habitable building under the Building Code of Australia.
- ☐ Must not be used at any time for residential, industrial or commercial purposes, or used for the storage of goods associated with industrial or commercial undertakings.

### **Siting**

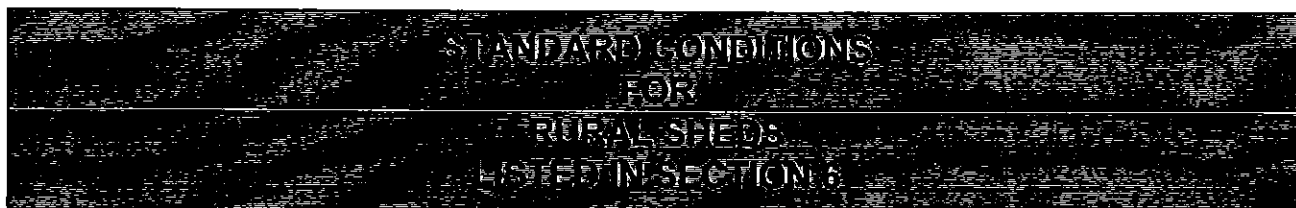
- ☐ Located a minimum of 5 metres off the side and rear boundaries.
- ☐ The front facade of the structure is to be a minimum of 20 metres from the front boundary.
- ☐ The secondary corner setback is to be a minimum of 20 metres.

### **Building, Design, Height & Form**

- ☐ The floor level of the structure at any point shall be no greater than 600mm above the natural ground level.
- ☐ A single storey structure, with a maximum external wall height of 6 metres measured above the natural ground level.
- ☐ The maximum floor area of the building shall not exceed 300 square metres.
- ☐ The maximum roof pitch shall be 24 degrees.
- ☐ Not to include in the design a granny flat, a dual occupancy or any commercial activity.
- ☐ The outer wall is to be of pre-painted non-reflective finish only.

### **Drainage**

- ☐ All drainage systems shall be gravity disposal systems. Eg pumpouts are not permitted.
- ☐ Roof water is not to be discharged onto adjoining properties.
- ☐ Appropriate measures shall be taken to collect and dispose of any stormwater, in a manner which does not adversely effect any adjoining property, ie to a drainage structure or easement under the control of the Council.



### **Prior to the Commencement of any Work**

1. Two (2) days prior to any works commencing on the site the applicant must:

Forward the Notice of Commencement of Work and the Appointment of the Principal Certifying Authority (Form 7 of the Regulation) to the Council.

2. Prior to the commencement of any site work, building or demolition, the applicant must:

- notify the Council of the name, address, phone number and licence number of the builder;
- erect a sign at the front of the property with the builder's name, licence number, site address and consent number;
- provide a temporary on-site toilet;
- protect and support any neighbouring buildings;
- protect any public place from obstruction or inconvenience due to the carrying out of the development;
- prevent any substance from falling on a public place; and
- follow any other conditions prescribed by the Regulation.

### **Inspections during Construction**

3. The applicant must notify either the Council or an accredited certifier in advance (at least 48 hours in writing or 24 hours by phone) to inspect the following

- erosion controls, site works and site set out before building starts;
- placement of piers or foundation before placing footings;
- steel reinforcing before pouring the concrete
- framework of the structure before lining or cladding is fixed;
- stormwater drainage and on-site detention before backfilling;
- wet areas treated before lining or tiling; and
- on completion of the building.

### **Hours of Work**

4. Work on the project to be limited to the following hours:-

Monday to Friday - 7.00am to 6.00pm (7.00 pm during daylight saving),  
Saturday - 8.00am to 1.00pm (if audible on residential premises) otherwise 7.00am to 5.00pm;  
No work to be carried out on a Sunday or on a Public Holiday.

*Advisory Notes: The builder shall be responsible to instruct and control his sub-contractors regarding the hours of work. Council will exercise its powers under The Protection of the Environment Operations Act, 1997 (NSW), in the event that the building operations cause noise to emanate from the property on a Sunday or on a Public Holiday or otherwise than between the hours detailed above.*

### **Survey Certificate**

5. The following survey certificates, for dwellings and dwelling additions must be given to the Principal Certifying Authority, at the following stages:
  - On completion of the floor slab formwork before the concrete is poured, detailing the location of the structure to the boundaries; and
  - On completion of the ground floor, confirming that the levels are in accordance with the certificate (levels must relate to the datum shown on the certificate).

### **Payment of Fees**

6. The evidence of the relevant payments shall be included in the submission of the Complying Development Certificate to Council:
  - a) Registration fee for the Complying Development Certificate or/and for any other approvals that are to be obtained from Council.

### **Approval of Relevant Authorities**

7. The approval of any relevant service provider shall be obtained prior to the commencement of work, ie Council, Murrumbidgee Irrigation.

## **7. SUBDIVISIONAL WORKS**

### **7.1 BOUNDARY ADJUSTMENTS**

#### **General**

- ☐ Meets the specification of what is and is not complying development, as outlined in Part C.
- ☐ Will not reduce/increase the total area of the allotment by 10%.
- ☐ Shall not result in the creation of an additional allotment or a new dwelling entitlement.
- ☐ Does not result in any lot having an area or street frontage less than prescribed for that zone in the relevant Development Control Plan No. 21 and Griffith Local Environmental Plan 1994.
- ☐ Shall not result in an alteration to the physical or legal access to the allotment.
- ☐ Does not result in the requirement to alter infrastructure, such as services or drainage, on the allotment.
- ☐ The setbacks and site requirements will comply with the relevant Council control.
- ☐ Boundary adjustments shall not adversely effect any existing structures in reference to compliance with the Building Code of Australia, ie egress, fire rating, fire fighting facilities.

### **7.2 RECTIFYING AN ENCROACHMENT**

#### **General**

- ☐ Meets the specification of what is and is not complying development, as outlined in Part C.
- ☐ Shall not result in the creation of an additional allotment or the consolidation of a number of allotments.
- ☐ No more than 10% variation in any lot size.
- ☐ Does not result in having an area or street frontage less than prescribed for that zone in the Griffith Local Environmental Plan 1994.
- ☐ Shall not result in an alteration to the physical or legal access to the allotment.
- ☐ Does not result in the requirement to alter infrastructure, such as services or drainage, on the allotment.
- ☐ The setbacks and site requirements will comply with the relevant Council control.
- ☐ Boundary adjustments shall not adversely effect any existing structures in reference to compliance with the Building Code of Australia, ie egress, fire rating, fire fighting facilities.

- ☐ Must comply with the requirements of the Conveyancing Act.
- ☐ The rectification must be for the purposes of correcting an encroachment of an approved structure.

### **7.3 CREATING A PUBLIC RESERVE**

#### **General**

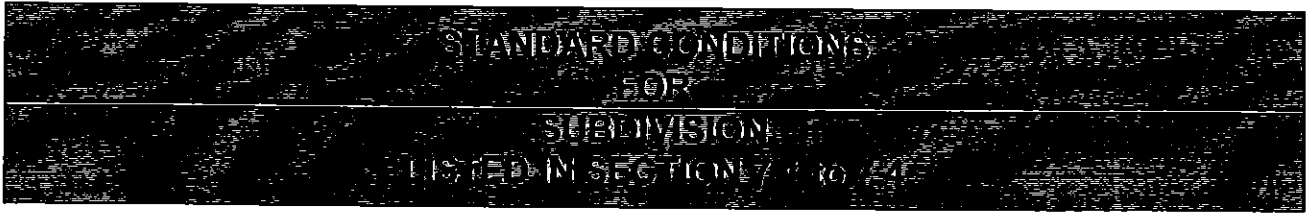
- ☐ Meets the specification of what is and is not complying development, as outlined in Part C.
- ☐ Must by virtue of the dedication, already be part of an approved development consent.

### **7.4 STRATA SUBDIVISIONS**

#### **General**

- ☐ Meets the specification of what is and is not complying development, as outlined in Part C.
- ☐ The subdivision must be of approved structures, which have been erected in accordance with the approved plan. All conditions relating to the approval of the structures must be complied with.
- ☐ Cannot involve the subdivision of land.
- ☐ All services within the property are the responsibility of the Body Corporate.
- ☐ Must comply with all the requirements of the Strata Titles Act.





1. Prior to the registration of the final survey plan of subdivision, a Subdivision Certificate shall be obtained from Council.

Along with the Subdivision Certificate the applicant shall submit a final survey plan of subdivision along with six (6) helio copies to the be released from Council and to be subsequently registered by the applicant, at the Land Titles Office.

2. All services within the property are the responsibility of the Body Corporate in the Case Strata Scheme.

### **Payment of Fees**

3. The evidence of the relevant payments shall be included in the submission of the Complying Development Certificate to Council;
  - a) Registrations fee for Complying Development Certificate or/and for any other approvals that are to be obtained from Council.
  - b) Section 95 Contribution fees, where applicable.

## **8. SWIMMING POOLS**

### **General**

- ☐ Meets the specifications of what is and is not complying development as outlined in Part C.
- ☐ Ancillary to a dwelling house and on a lot over 450 square metres in area.
- ☐ The pool shall not be used for commercial purposes.

### **Siting**

- ☐ The pool structure shall be at least 1.5 metres from the nearest side and rear boundaries.
- ☐ It is not to be located within the dwelling and the front boundary.
- ☐ All coping and decking around the pool is to be no greater 500mm above the natural ground level.
- ☐ The pool structure shall be a minimum of 5 metres from any septic disposal area.

### **Installation & Construction**

- ☐ The installation and construction of the pool complies, where relevant, with:  
  
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  
AS 2783 – 1992 – Use of reinforced concrete for small swimming pools.
- ☐ Construction and installation must be undertaken in accordance with a certificate prepared by a practising structural engineer.

### **The Pool & Surround Structures, ie. Fence**

- ☐ The pool and surround structures must comply with Australian Standard 1926.2 – 1995 – Swimming Pool Safety – location of fencing for private swimming pools. Fully enclosed and separated from the dwelling and adjoining properties by an approved fence, having a minimum height of 1.2 metres provided with a child proof self closing and self locking gate.

### **Privacy & Security**

- ☐ The noise level of any filtration equipment or pumps does not exceed 5dBA above the ambient background level measured at the property boundary.

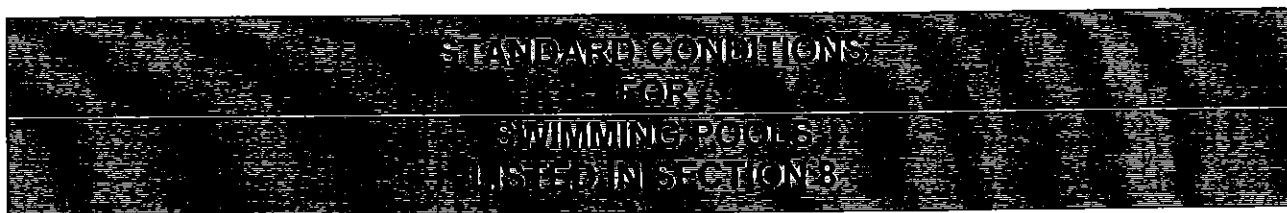
*Advisory Note: Sound insulation may be required to minimise the noise to adjoining owners.*

### **Drainage**

- ☐ The areas surrounding the structure shall be graded to divert surface water to a surface water collection point and clear of the proposed structures and adjoining premises.
- ☐ All drainage of the swimming pool must be directed to the sewer line or on-site sewer management facility.

### **The Building Code of Australia**

- ☐ All aspects of the structure shall comply with the applicable requirements outlined in the Building Code of Australia
- ☐ The Swimming Pools Act 1992 and the Swimming Pools Regulation 1998 must also be complied with.



## General

1. The development must be carried out in accordance with the plans, standards & specifications submitted to obtain the Complying Development Certificate.

## Compliance with the Building Code of Australia

2. All building work must be carried out in accordance deemed to satisfy provisions of the Swimming Pools Act 1992.

## Prior to Commencement of any Work

*Advisory Note: The applicant must appoint a Principal Certifying Authority to carry out the inspections required by this consent and Issue Certificates of Compliance. The Principal Certifying Authority may be either an accredited certifier or Griffith City Council.*

3. Two (2) days prior to any work commencing on the site the applicant/builder must:-
  - a) Forward Form 7 of the Regulation to notify Council of the commencement of work and appointment of the Principal Certifying Authority (if the Principal Certifying Authority is not the Council the accredited certifier registration number must be included); and
  - b) Notify the adjoining owners that work will commence, and
  - c) Notify the Principal Certifying Authority of the name, address, phone number and licence number of the builder.
4. Prior to any work commencing on the site the applicant/builder must:-
  - a) Erect a sign at the front of the property with the builder's name, licence number, site address and development consent number, and
  - b) Provide a temporary on-site toilet, and
  - c) Protect and support any neighbourhood buildings, and
  - d) Protect any public place from obstruction or inconvenience in the carrying out of the development, and
  - e) Prevent any substance from falling onto a public place, and
  - f) Follow any other conditions prescribed in the *Environmental Planning and Assessment Regulation, 1994*.

## Site Management

5. Run-off and erosion controls must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on the surrounding land, as follows:
  - a) divert uncontaminated run-off around cleared or disturbed areas, and
  - b) erect a silt fence to prevent debris escaping into drainage systems or waterways, and
  - c) prevent tracking of sediment by vehicles onto roads, and
  - d) stockpile topsoil, excavated material, construction and landscaping supplies and debris within the site.
6. Removal or disturbance of vegetation and topsoil must be confined to within 3 metres of the proposed development.
7. The development site being seeded or otherwise grassed to prevent the loss of soil during and after completion of the development excluding the area intended to be paved within 2 months of the pool installation.
8. Demolition material and/or building and associated waste shall not be burned off on the site but shall be:-
  - a) recycled; and/or
  - b) disposed of in a manner approved by Council's Waste Management Officer.
9. The builder is to remove all builders' debris and litter on a weekly basis, and at the completion of all work.

*Advisory Note: Warning is given that excessive cut and fill and other general building site operations which subsequently lead to soil erosion during inclement weather may lead to a maximum fine to the Builder of \$4,000 under The Protection of the Environment Operations Act, 1997 (NSW).*

*Steep sites, where extensive earthworks are planned, should have prior consultation with the Department of Land and Water Conservation, your designer, or Council officers as to the measures that should be taken to stop soil erosion.*
10. All drainage of the swimming pool must be directed to the sewer line or on-site sewer management facility.

## Inspections

*Advisory Note: The belowmentioned inspections are required to be carried out by the appointed Principal Certifying Authority and a Compliance Certificate is to be issued in respect of each inspection carried out. All Compliance Certificates and the Occupation Certificate(s) are required to be submitted to Council prior to the occupation, along with the registration fees.*

11. The applicant must notify the appointed Principal Certifying Authority in advance (at least 48 hours in writing or 24 hours by phone) to inspect the followings: -
  - a) Erosion controls, site works and site set before building starts;
  - b) Foundation before the installation of the pool;
  - c) Steel reinforcing and coping before the pouring of the concrete;
  - d) Pool fencing, prior to the pool being filled with water;
  - e) Final inspection on completion of the pool.

## Hours of Work

12. Work on the project to be limited to the following hours:-

Monday to Friday - 7.00am to 6.00pm, (7.00 pm during daylight saving);  
Saturday - 8.00am to 1.00pm (if audible on residential premises) otherwise 7.00am to 5.00pm;  
No work to be carried out on a Sunday or on a Public Holiday.

*Advisory Notes: The builder shall be responsible to instruct and control his sub-contractors regarding the hours of work. Council will exercise its powers under The Protection of the Environment Operations Act, 1997 (NSW), in the event that the building operations cause noise to emanate from the property on a Sunday or on a Public Holiday or otherwise than between the hours detailed above.*

## Damage to Council Property

13. Bond monies for kerb and gutter, and footpath damage is to be paid prior to any work commencing.
14. Any damage caused to the kerb, guttering and/or footpath during building operations shall be rectified by the owner to the Council's standard.

## Miscellaneous

15. The waste water discharged from the pool during backwashing or emptying must not be discharged to the street gutter or discharged upon the site in such a way that it may cause a nuisance to the adjoining properties.
16. All wastewater from the pool filtration system is to be discharged into Council's sewer where available or into private absorption trench. Council's approval is to be obtained for the discharge into Council's sewerage system to prevent any unauthorised use of the system.

*Advisory Notes: The pipework from the filter can be positioned over an existing overflow gully (or yard sink). A 100mm air gap is to be provided between the filter pipe work and the rim of the overflow gully.*

17. All water supply, sanitary plumbing and drainage works are to comply with the relevant provisions of the Local Government (Water, Sewerage and Drainage) Regulation 1993 and to Australian Standard AS 3500.
18. A resuscitation chart being permanently displayed so that it is within view of the swimming pool area.
19. All gates shall be mounted to swing open away from the pool.

## Payment of Fees

20. The evidence of the relevant payments shall be included in the submission of the Complying Development Certificate to Council;
- a) Footpath, kerb and gutter damage maintenance deposit and inspections.
  - b) Registration fees for Complying Development Certificate or/and for any other approvals that are to be obtained from Council.

## **Certificates**

21. On completion of the building, the following certificate shall be submitted to Council;
  - a) Occupation Certificate.

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