

**Randwick Local Environmental Plan 2008**

**Under the**

**Environmental Planning and Assessment Act 1979**

**I, the Minister for Planning, make the following Local Environmental Plan under the *Environmental Planning and Assessment Act 1979*. <insert date >**

**Minister for Planning**

**This copy printed 12 March 2008**

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## **Dictionary**

**Part 1**  
**Preliminary**

## **1 Name of plan**

This plan is *Randwick Local Environmental Plan 2008*.

## **2 Aims of plan**

The aims of this plan are:

- (a) to consolidate and review existing planning controls in the City of Randwick, and
- (b) to provide a framework of planning controls within which the Council may prepare development control plans to formulate more detailed policies and guidelines relating to matters of significance for local environmental planning, and
- (c) to ensure that development is carried out in such a way as to allow the economic and efficient provision of public services and amenities, and
- (d) to ensure the conservation of the environmental heritage and aesthetic character of the City, and
- (e) to facilitate and encourage community consultation and participation in the planning process, and
- (f) to promote, protect and improve the environmental qualities of the City, and
- (g) to recognise the importance of ecological sustainability in the planning and development processes, and
- (h) to recognise the importance of accountability in the planning processes, and
- (i) to improve individual and community economic well-being and welfare and safeguard the welfare of future generations, and
- (j) to encourage consideration of social consequences when decisions are made in the implementation of this plan, and
- (k) to encourage the provision of housing mix and tenure choice, including affordable housing, in the City, and
- (l) to encourage the retention of affordable housing in the City in a variety of types and tenures.

## **3 Land to which plan applies**

This plan applies to all land situated in the City of Randwick.

## **4 Definitions**

The Dictionary at the end of this Plan defines words and expressions for the purposes of this Plan.

## **5 Relationship to other environmental planning instruments**

- (1) This plan repeals:
  - (a) the *Randwick Local Environmental Plan 1998*, and
  - (b) all other local environmental plans, other environmental planning instruments and deemed environmental planning instruments which, immediately before the appointed day, applied to land to which this plan applies, but to the extent only to which those plans so applied to that land.
- (2) Despite subclause (1) (b), the following continue to apply to the land to which this plan applies:
  - (a) State Environmental Planning Policy No 1—Development Standards, and
  - (b) State Environmental Planning Policy No 8—Surplus Public Land, and
  - (c) State Environmental Planning Policy No 10—Retention of Low Cost Housing, and
  - (d) State Environmental Planning Policy No 11—Traffic Generating Development, and
  - (e) State Environmental Planning Policy No 19—Bushland in Urban Areas, and
  - (f) State Environmental Planning Policy No 27—Prison Sites, and
  - (g) State Environmental Planning Policy No 32—Urban Consolidation (Redevelopment of Urban Land), and
  - (h) State Environmental Planning Policy No 33—Offensive and Hazardous Development, and
  - (i) State Environmental Planning Policy No 51—Eastern Distributor, and
  - (j) State Environmental Planning Policy No 55—Remediation of Land, and
  - (k) State Environmental Planning Policy No 64—Advertising and Signage, and
  - (l) State Environmental Planning Policy No 65—Design Quality of Residential Flat Development, and
  - (m) State Environmental Planning Policy No 70—Affordable Housing, and
  - (n) State Environmental Planning Policy No 71—Coastal Protection, and
  - (o) State Environmental Planning Policy (Seniors Living) 2004

- (p) State Environmental Planning Policy (ARTC Rail Infrastructure) 2004, and
- (q) State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004, and
- (r) State Environmental Planning Policy (Major Projects) 2005, and
- (s) State Environmental Planning Policy (Sydney Metropolitan Water Supply) 2004, and
- (t) State Environmental Planning Policy (Temporary Structures and Places of Public Entertainment) 2007, and
- (u) State Environmental Planning Policy (Infrastructure) 2007
- (v) Sydney Regional Environmental Plan No 7—Multi-Unit Housing: Surplus Government Sites.

## **6 Suspension of certain covenants etc**

- (1) To enable development to be carried out in accordance with this plan or with a consent granted under the Act, the operation of any covenant, agreement or similar instrument imposing restrictions on development shall not apply to the development (to the extent necessary to serve that purpose).
- (2) Nothing in subclause (1) affects the rights or interests of any statutory authority under any registered instrument.
- (3) Pursuant to section 28 of the Act, before the making of this plan, the Governor approved of subclauses (1) and (2).

## **7 Consent authority**

The Council is the consent authority for the purposes of this plan.

## **8 Savings**

- (1) The objective of this clause is to provide savings protection for development applications lodged prior to the gazettal of this plan.
- (2) Any development application lodged but not finally determined prior to the appointed day will continue to be assessed and determined under the provisions of the environmental planning instruments that were in force immediately before the commencement of this plan.
- (3) While any consent granted on the determination of a staged development application for a site remains in force, nothing in this plan prevents Council from granting consent to any further development application in respect of that site.
- (4) When determining an application to which this clause applies, the Consent Authority must have regard to the provisions of

this plan as if it had been exhibited under the Act but had not been made.

**Part 2**

**Permitted or prohibited development**

## 9 Zones

The Table below specifies the zones that apply in the City of Randwick and how those zones are shown on the map.

**Table**

Zone No 2A (Residential A Zone)	coloured light pink
Zone No 2B (Residential B Zone)	coloured medium pink
Zone No 2C (Residential C Zone)	coloured dark pink
Zone No 2D (Residential D— Comprehensive Development Zone)	coloured medium pink with green vertical hatching
Zone No 3A (General Business Zone)	coloured light blue
Zone No 3B (Local Business Zone)	coloured dark blue
Zone No 4A (Industrial Zone)	coloured light purple
Zone No 4B (Port Botany Zone)	coloured dark purple
Zone No 5 (Special Uses Zone)	coloured yellow
Zone No 6A (Open Space Zone)	coloured dark green
Zone No 6B (Private Open Space Zone)	coloured light green
Zone No 7 (Environmental Protection – Natural Heritage Areas Zone)	coloured grey-green
Zone No 8 (National Parks Zone)	Uncoloured and edged dark green

## 10 Subdivision

Land to which this Plan applies may be subdivided, but only with consent.

## 11 Temporary use of land

- (1) The objective of this clause is to allow land to be used temporarily for any purpose but only where it does not compromise the future development of the land in accordance with this plan.
- (2) The Consent Authority may grant consent to development on land within any zone for any temporary use for a maximum period of 28 days, whether consecutive or not, in any one calendar year, but only where the Consent Authority is satisfied that:
  - (a) the temporary use is necessary and reasonable for the economic use of the land pending its subsequent development in accordance with this plan, and
  - (b) the temporary use will not prejudice the subsequent carrying out of development on the land in accordance with this plan, and

- (c) arrangements have been made for the reinstatement of the site so that it may be used in accordance with the objectives of this plan.

## **12 Provisional use of land**

- (1) The objective of this clause is to allow land to be used provisionally for any purpose pending development in accordance with the zone, but only where residential amenity is not affected.
- (2) The Consent Authority may grant consent to development on land within any zone for any provisional purpose for a maximum period of 5 years, but only where the Consent Authority is satisfied that:
  - (a) the provisional use is necessary and reasonable for the economic use of the land pending its subsequent development in accordance with this plan, and
  - (b) the provisional use will not prejudice the eventual development of the land in accordance with the objectives of this plan, and
  - (c) the provisional use will not adversely affect residential amenity in the locality, and
  - (d) arrangements have been made for the reinstatement of the site so that it may be used in accordance with the objectives of this plan.
- (3) Before granting consent for development as allowed by this clause, the Consent Authority must be satisfied that the development will cease within such time as is permitted by the Consent Authority.

## **13 Development of land for certain additional purposes**

- (1) The objective of this clause is to allow additional uses in certain specified circumstances where those uses are not permissible under the existing zoning of the land.
- (2) Development on particular land that is described or referred to in Schedule 1 may be carried out:
  - (a) with consent, or
  - (b) if the Schedule so provides—without consent, in accordance with the conditions (if any) specified in that Schedule in relation to that development.
- (3) This clause has effect despite anything to the contrary in any other provision of this Plan.

## **14 Unzoned land**

- (1) The objective of this is to establish consent requirements for the development of land shown as unzoned on the map and to

link those requirements to the land uses permissible in adjoining zones.

- (2) A person may, with the consent of the Consent Authority, carry out development on land shown unzoned on the map for the purpose of anything which is permissible on land adjoining that land.
- (3) Despite subclause (2), the consent of the Consent Authority is not required for development of unzoned land for the purpose of a public utility undertaking.

**15 Zone No 2A (Residential A Zone)**

- (1) The objectives of Zone No 2A are:
- (a) to provide a low density residential environment, and
  - (b) to maintain the desirable attributes of established residential areas, and
  - (c) to protect the amenity of existing residents, and
  - (d) to allow for a range of community uses to be provided to serve the needs of residents, workers and visitors, and
  - (e) to encourage housing affordability,
  - (f) to allow people to carry out a range of activities from their homes, where such activities are not likely to adversely affect the environment of the locality, and
- (2) Development for the purpose of the following does not require development consent: and
- |                              |             |
|------------------------------|-------------|
| Bushfire hazard reduction;   | Recreation. |
| Public utility undertakings; |             |
- (3) Development for the purpose of the following requires development consent:
- |                             |                           |
|-----------------------------|---------------------------|
| Attached dual occupancy;    | Excavation and filling of |
| Bed and breakfast           | land;                     |
| accommodation;              | Health consulting rooms;  |
| Boarding houses;            | Home activities;          |
| Child care centres;         | Outdoor advertising;      |
| Communication facilities;   | Places of worship;        |
| Community facilities;       | Public transport;         |
| Dwelling houses;            | Recreation facilities;    |
| Educational establishments; | Roads;                    |
|                             | Subdivision.              |
- (4) Any development not included in subclause (2) or (3) is prohibited.

## 16 Zone No 2B (Residential B Zone)

- (1) The objectives of Zone No 2B are:
- (a) to provide for a low to medium density residential environment, and
  - (b) to maintain the desirable attributes of established residential areas, and
  - (c) to protect the amenity of existing residents, and
  - (d) to allow for a range of community uses to be provided to serve the needs of residents, workers and visitors.
  - (e) to encourage housing affordability, and
  - (f) to allow people to carry out a range of activities from their homes, where such activities are not likely to adversely affect the environment of the locality.
- (2) Development for the purpose of the following does not require development consent:
- |                              |             |
|------------------------------|-------------|
| Bushfire hazard reduction;   | Recreation. |
| Public utility undertakings; |             |
- (3) Development for the purpose of the following requires development consent:
- |                                  |                          |
|----------------------------------|--------------------------|
| Bed and breakfast accommodation; | Health consulting rooms; |
| Boarding houses;                 | Home activities;         |
| Child care centres;              | Multi-unit housing;      |
| Communication facilities;        | Outdoor advertising;     |
| Community facilities;            | Places of worship;       |
| Dwelling houses;                 | Public transport;        |
| Educational establishments;      | Recreation facilities;   |
| Excavation and filling of land;  | Roads;                   |
|                                  | Serviced apartments;     |
|                                  | Subdivision              |
- (4) Any development not included in subclause (2) or (3) is prohibited.

## **17 Zone No 2C (Residential C Zone)**

- (1) The objectives of Zone No 2C are:
- (a) to provide for a medium density residential environment, and
  - (b) to maintain the desirable attributes of established residential areas, and
  - (c) to protect the amenity of existing residents, and
  - (d) to allow for a range of community uses to be provided to serve the needs of residents, workers and visitors.
  - (e) to encourage housing affordability, and
  - (f) to allow people to carry out a range of activities from their homes, where such activities are not likely to adversely affect the environment of the locality.
- (2) Development for the purpose of the following does not require development consent:
- |                              |             |
|------------------------------|-------------|
| Bushfire hazard reduction;   | Recreation. |
| Public utility undertakings; |             |
- (3) Development for the purpose of the following requires development consent:
- |                                  |                        |
|----------------------------------|------------------------|
| Bed and breakfast accommodation; | Home activities;       |
| Boarding houses;                 | Hospitals;             |
| Car parks;                       | Motels;                |
| Child care centres;              | Multi-unit housing;    |
| Communication facilities;        | Outdoor advertising;   |
| Community facilities;            | Places of worship;     |
| Dwelling houses;                 | Public transport;      |
| Educational establishments;      | Recreation facilities; |
| Excavation and filling of land;  | Roads;                 |
| Health consulting rooms;         | Serviced apartments;   |
|                                  | Subdivision.           |
- (4) Any development not included in subclause (2) or (3) is prohibited.

**18 Zone No 2D (Residential D—Comprehensive Development Zone)**

- (1) The objectives of Zone No 2D are:
- (a) to allow the comprehensive redevelopment of land for primarily residential and open space purposes, and
  - (b) to enable development that is consistent with a development control plan adopted under clause 54, and
  - (c) to enable residential development in a variety of density and housing forms, where such development does not adversely affect the amenity and function of surrounding areas, and
  - (d) to allow people to carry out a range of activities from their homes, where such activities are not likely to adversely affect the environment of the locality, and
  - (e) to allow a limited range and scale of non-residential uses, that are compatible with residential amenity on land identified for those uses within a development control plan adopted under clause 54, and
  - (f) to encourage housing affordability, and
  - (g) to allow a range of community uses to be provided to serve the needs of residents, workers and visitors.
- (2) Development for the purpose of the following does not require development consent:
- |                              |             |
|------------------------------|-------------|
| Bushfire hazard reduction;   | Recreation. |
| Public utility undertakings; |             |
- (3) Development for the purpose of the following requires development consent:
- |  |                              |
|--|------------------------------|
| Bed and breakfast accommodation;           | Health consulting rooms;     |
| Boarding houses;                           | Home activities;             |
| Car parks (ancillary to primary land use); | Multi-unit housing;          |
| Child care facilities;                     | Outdoor advertising;         |
| Communication facilities;                  | Places of worship;           |
| Community facilities;                      | Public transport;            |
| Dwelling houses;                           | Recreation facilities;       |
| Educational establishments;                | Residential care facilities; |
| Excavation and filling of land;            | Restaurants;                 |
|  | Roads;                       |
|  | Serviced apartments;         |
|  | Subdivision.                 |
- (4) Any development not included in subclause (2) or (3) is prohibited.

## 19 Zone No 3A (General Business Zone)

- (1) The objectives of Zone No 3A are:
- (a) to maintain the viability of existing business centres, and
  - (b) to facilitate the orderly and economic development of land as business centres, for commercial, retail, residential and community purposes by:
    - (i) introducing controls for the bulk and scale of buildings, and
    - (ii) encouraging economically viable retail cores which are centrally located and in close proximity to public transport, and
    - (iii) improving employment opportunities, and
    - (iv) servicing the needs of the local and regional community, and
    - (iv) encouraging the provision and use of public transport, and
    - (v) providing and improving pedestrian and public open space areas for shoppers and workers, and
    - (vi) maintaining and improving the environmental and aesthetic qualities of the City of Randwick, and
  - (c) to minimise the impact of development on adjoining and nearby residential zones, and
  - (d) to encourage housing affordability.
- (2) Development for the purpose of the following does not require development consent:
- |                              |             |
|------------------------------|-------------|
| Bushfire hazard reduction;   | Recreation. |
| Public utility undertakings; |             |
- (3) Any development not included in subclause (2) or (4) requires development consent.
- (4) Development for the purpose of the following is prohibited:
- |                                   |                                   |
|-----------------------------------|-----------------------------------|
| Animal establishments;            | Offensive industries;             |
| Bulk stores;                      | Offensive storage establishments; |
| Caravan parks;                    | Panel beating workshops;          |
| Container depots;                 | Potentially hazardous industries; |
| Generating works;                 | Potentially offensive industries; |
| Hazardous industries;             | Transport depots;                 |
| Hazardous storage establishments; | Warehouses;                       |
| Heliports;                        | Waste management facilities.      |
| Industries;                       |                                   |
| Landscape and garden supplies;    |                                   |

**20 Zone No 3B (Local Business Zone)**

- (1) The objectives of Zone No 3B are:
  - (a) to provide opportunities for local retail and business development in the City of Randwick, and
  - (b) to provide opportunities for associated development such as car parking and service industries, and
  - (c) to provide opportunities for residential accommodation in local business centres where it does not interfere with the primary business function of the zone, and
  - (d) to minimise the impact of development on adjoining and nearby residential zones, and
  - (e) to encourage housing affordability, and
  - (f) to encourage the provision and use of public transport.

- (2) Development for the purpose of the following does not require development consent:

Bushfire hazard reduction;                      Recreation.  
Public utility undertakings;

- (3) Any development not included in subclause (2) or (4) requires development consent.

- (4) Development for the purpose of the following is prohibited:

Amusement centres;	Light industries;
Animal establishments;	Multi-unit housing (other than dwellings attached to buildings involved in other uses which are permissible in this zone);
Automotive uses;	Offensive industries;
Backpacker accommodation;	Offensive storage establishments;
Brothels;	Panel beating workshops;
Bulk stores;	Plant and equipment hire;
Bulky goods premises;	Potentially hazardous industries;
Caravan parks;	Potentially offensive industries;
Container depots;	Restricted premises;
Dwellings (other than those attached to buildings involved in other uses which are permissible in this zone);	Serviced apartments;
Generating works;	Transport depots;
Hazardous industries;	Warehouses;
Hazardous storage establishments;	Waste management facilities.
Helicopter landing sites;	
Heliports;	
Industries;	

**21 Zone No 4A (Industrial Zone)**

- (1) The objectives of Zone No 4A are:
- (a) to accommodate both traditional and modern forms of industrial development, and
  - (b) to ensure industrial development creates areas which are pleasant to work in, and
  - (c) To ensure safe and efficient transportation, land utilisation and service distribution, and
  - (d) to encourage innovation and development in industries, and
  - (e) to improve the physical environment of the City of Randwick, and
  - (f) to enable development for the purpose of retailing and commercial offices only where it is associated with and ancillary to industrial use of the same land.
- (2) Development for the purpose of the following does not require development consent:

Bushfire hazard reduction;                      Recreation.  
Public utility undertakings;

- (3) Any development not included in subclause (2) or (4) requires development consent.

- (4) Development for the purpose of the following is prohibited:

Backpacker accommodation;	Hazardous storage establishments;
Bed and breakfast accommodation;	Heliports;
Boarding houses;	Hospitals;
Bulky goods premises;	Markets
Business premises;	Medical centres;
Caravan parks;	Motel;
Child care centres;	Multi-unit housing;
Dwellings;	Offensive industries;
Educational establishments;	Offensive storage establishments;
Generating works;	Restaurants;
Hazardous industries;	Serviced apartments;

## 22 Zone No 4B (Port Botany Zone)

- (1) The objectives of Zone No 4B are:
  - (a) to facilitate the development and operation of Port Botany as a major cargo handling and distribution centre, and
  - (b) to allow a range of activities which complement the continued and effective operation of the port, and
  - (c) to encourage development of, and accommodate innovation in, the sources of economic growth, and
  - (d) to improve the physical environment, and
  - (e) to enable development for the purposes of retailing or commercial offices only where it is associated with and ancillary to port activities.
- (2) Development for the purpose of the following does not require development consent:

Bushfire hazard reduction;	Public utility undertakings.
	Recreation
- (3) Development for the purpose of the following requires development consent:

Bulk stores;	Potentially offensive industries;
Communication facilities;	Roads;
Container depots;	Transport depots;
Excavation and filling of land;	Warehouses;
Generating works;	Waste management Facilities.
Outdoor advertising;	
Port facilities;	
Potentially hazardous industries;	
- (4) Any development not included in subclause (2) or (3) is prohibited.

### **23 Zone No 5 (Special Uses Zone)**

- (1) The objectives of Zone No 5 are:
- (a) to accommodate development by public authorities on publicly owned land, and
  - (b) to accommodate development for educational, religious, public transport or similar purposes on both publicly and privately owned land, and
  - (c) to enable associated and ancillary development, and
  - (d) to allow for a range of community uses to be provided to serve the needs of residents, workers and visitors, and
  - (e) to allow for the redevelopment of land no longer required for a special use.
- (2) Development for the purpose of the following does not require development consent:
- |                              |             |
|------------------------------|-------------|
| Bushfire hazard reduction;   | Recreation; |
| Public utility undertakings; | Roads.      |
- (3) Development for the purpose of the following requires development consent:
- |                                  |                           |
|----------------------------------|---------------------------|
| Animal establishments;           | Health consulting rooms;  |
| Bed and breakfast accommodation; | Helicopter landing sites; |
| Boarding houses;                 | Home activities;          |
| Car parks;                       | Hospitals;                |
| Cemeteries;                      | Markets;                  |
| Child care centres;              | Multi-unit housing;       |
| Clubs;                           | Outdoor advertising;      |
| Communication facilities;        | Penitentiaries;           |
| Community facilities;            | Places of worship;        |
| Dwellings;                       | Plant nurseries;          |
| Dwelling houses;                 | Public transport;         |
| Educational establishments;      | Recreation facilities;    |
| Excavation and filling of land;  | Restaurants;              |
|                                  | Subdivision               |
- (4) Any development not included in subclause (2) or (3) is prohibited.

## 24 Zone No 6A (Open Space Zone)

- (1) The objectives of Zone No 6A are:
- (a) to identify publicly owned land used or capable of being used for public recreational purposes, and
  - (b) to allow development that promotes, or is related to, the use and enjoyment of open space, and
  - (c) to identify and protect land intended to be acquired for public open space, and
  - (d) to identify and protect natural features that contribute to the character of the land, and
  - (e) to enable the sustainable management of the land.
- (2) Development for the purpose of the following does not require development consent:
- |  |  |
|--|--|
| Works (but not buildings) involved in landscaping, gardening or bushfire hazard reduction; | Public utility undertakings; Recreation. |
|--|--|
- (3) Development for the purpose of the following requires development consent:
- |  |                                 |
|--|---------------------------------|
| Buildings ordinarily incidental or ancillary to landscaping, gardening or bushfire hazard reduction; | Excavation and filling of land; |
| Car parks;   | Helicopter landing sites;       |
| Child care centres;  | Markets;                        |
| Clubs;   | Outdoor advertising;            |
| Communication facilities;  | Public transport;               |
| Community facilities;  | Recreation facilities;          |
|  | Restaurants;                    |
|  | Roads;                          |
|  | Subdivision                     |
- (4) Any development not included in subclause (2) or (3) is prohibited.

**25 Zone No 6B (Private Open Space Zone)**

- (1) The objective of Zone No 6B is to enable private recreation facilities to be provided on privately owned land.
- (2) Development for the purpose of the following does not require development consent:

Works (but not buildings) involved in landscaping, gardening or bushfire hazard reduction;	Public utility undertakings; Recreation.
--	--

- (3) Development for the purpose of the following requires development consent:

Buildings ordinarily incidental or ancillary to landscaping, gardening or bushfire hazard reduction;	Excavation and filling of land;
Car parks;	Helicopter landing sites;
Child care centres;	Markets;
Clubs;	Outdoor advertising;
Communication facilities;	Public transport;
Community facilities;	Recreation facilities;
	Restaurants;
	Roads;
	Subdivision

- (4) Any development not included in subclause (2) or (3) is prohibited.

**26 Zone No 7 (Environmental Protection—Natural Heritage Areas Zone)**

- (1) The objectives of Zone No 7 are:
- (a) to identify, protect, conserve and improve land of natural heritage value, and
  - (b) to enable the sustainable management of land with natural heritage value, and
  - (c) to prohibit development that could adversely affect natural heritage values, and
  - (d) to enable public access and passive recreation, and
  - (e) to provide for buffer areas, and
  - (f) to identify, protect, conserve and improve land that is a habitat corridor.
- (2) Development for the purpose of the following does not require development consent:
- |                                 |                              |
|---------------------------------|------------------------------|
| Bushfire hazard reduction;      | Public utility undertakings; |
| Environmental management works; | Recreation.                  |
- (3) Development that, in the opinion of the consent authority, is consistent with the objectives of this Zone and is described in an adopted management plan for the land requires development consent;
- (4) Development for the purposes of the following requires development consent:
- |                                 |             |
|---------------------------------|-------------|
| Excavation and filling of land. | Subdivision |
|---------------------------------|-------------|
- (5) Any development not included in subclause (2), (3) or (4) is prohibited.

**27 Zone No 8 (National Parks Zone)**

- (1) The objectives of Zone No 8 are:
  - (a) to identify land dedicated or reserved under the *National Parks and Wildlife Act 1974*, and
  - (b) to allow for the management and use of that land.
- (2) Development for the purpose of the following does not require development consent:

Any building, work, place or land use authorised by or under the *National Parks and Wildlife Act 1974*, including any incidental or ancillary building, work, place or land use.
- (3) Any development not included in subclause (2) is prohibited.

**Part 3**

**Exempt and complying development**

## 28 Exempt development

**Note:** Under section 76 of the Act, exempt development may be carried out without the need for development consent under Part 4 of the Act or for assessment under Part 5 of the Act.

The section states that exempt development:

- (a) must be of minimal environmental impact, and
- (b) cannot be carried out in critical habitat of an endangered species, population or ecological community (identified under the *Threatened Species Conservation Act 1995* or the *Fisheries Management Act 1994*), and
- (c) cannot be carried out in a wilderness area (identified under the *Wilderness Act 1987*).

- (1) The objective of this clause is to identify development of minimal environmental impact as exempt development.
- (2) Development specified in Schedule 5 that meets the standards for the development contained in that Schedule and that complies with the requirements of this Part is exempt development.
- (3) To be exempt development:
  - (a) the development must:
    - (i) meet the relevant deemed-to-satisfy provisions of the Building Code of Australia, and
    - (ii) if it relates to an existing building that is classified under the Building Code of Australia as class 1b or class 2–9, the building must have a current fire safety certificate or fire safety statement or the building must be a building for which no fire safety measures are currently implemented, required or proposed, and
    - (iii) be a permissible land use in the zone, and
    - (iv) achieve the requirements identified in Schedule 5;
  - (b) the development must not:
    - (i) if it relates to an existing building, cause the building to contravene the *Building Code of Australia*, or
    - (ii) create interference with the neighbourhood because it is noisy, causes vibrations, creates smells, fumes, smoke, vapour, steam, soot, ash, dust, waste water, grit or oil, or
    - (iii) be designated development, or
    - (iv) obstruct or have a detrimental effect on stormwater drainage, or
    - (v) be located over an easement or within the zone of influence of a sewer main or a public drainage pipe,

unless the written approval of the relevant authority and the person benefiting from the easement is obtained before commencing any excavation or building works, or

- (vi) restrict any vehicle or pedestrian access to or from the site, or
- (vii) be inconsistent or in contravention of previous development consent or construction certificate condition of consent, or
- (viii) be within the foreshore building line, or
- (ix) be development that is excluded because of specifications or limits identified in Schedule 5, or
- (x) involve removing or damaging any tree included in Council's Tree Preservation Order, or
- (xi) be development upon land which is identified as contaminated land, except if the land is subject to and complies with a relevant Site Audit Statement issued by an Accredited Site Auditor (as defined in the Contaminated Land Management Act 1979); or
- (xii) be an Aboriginal place under the *National Parks and Wildlife Act 1974*, or
- (xiii) be development on land that has previously been used:
  - as a service station, or
  - for mining or extractive industry, or
  - for waste storage or treatment, or for the manufacture of chemicals, asbestos or asbestos products, or
- (xiv) be any work or development upon land which is identified within Council's Policy "*Former Incinerator Land - Matraville*" that involves any excavation or work below the existing ground surface (unless the written approval of Council has been obtained beforehand).

## 29 Complying development

**Note.** Under section 76A of the Act, development consent for the carrying out of complying development may be obtained by the issue of a complying development certificate.

The section states that development cannot be complying development if:

- (a) it is on land that is critical habitat of an endangered species, population or ecological community (identified under the *Threatened Species Conservation Act 1995* or the *Fisheries Management Act 1994*), or
  - (b) it is on land within a wilderness area (identified under the *Wilderness Act 1987*), or
  - (c) the development is designated development, or
  - (d) the development is on land that comprises, or on which there is, an item of environmental heritage (that is listed on the State Heritage Register or in Schedule 2 to this Plan or that is subject to an interim heritage order under the *Heritage Act 1977*), or
  - (e) the development requires concurrence (except a concurrence of the Director-General of the Department of Environment and Conservation in respect of development that is likely to significantly affect a threatened species, population, or ecological community, or its habitat (identified under the *Threatened Species Conservation Act 1995*).
- (1) The objective of this clause is to identify development as complying development.
  - (2) Development specified in Schedule 6 that is carried out in compliance with the applicable development standards listed in that Schedule and that complies with the requirements of section 76A (6) of the Act and the requirements of this Part is complying development.
  - (3) To be complying development, the development must:
    - (a) be permissible, with consent, in the zone in which it is carried out, and
    - (b) meet the relevant deemed-to-satisfy provisions of the Building Code of Australia unless otherwise specifically detailed in Table C, and
    - (c) have an approval, if required by the Local Government Act 1993, from the Council for an on-site effluent disposal system if the development is undertaken on unsewered land, and
    - (d) where a structure is located over an easement or within the zone of influence of a sewer main or a public drainage pipe, the written approval of the relevant authority, or the person benefiting from the easement, as the case may be, must be obtained prior to commencing any excavation or building works, and
    - (e) be conducted in accordance with the NSW Department of Housing (1999) "Managing Urban Storm Water – Soils

- and Construction" where any development involves soils disturbance, and
- (f) be carried out in accordance with Council's Asbestos Policy (2005), and
  - (g) not contravene any development consent applying to the land, and
  - (h) not be development that is within a building foreshore line, and
  - (i) not involve removing or damaging any tree included in Council's Tree Preservation Order, and
  - (j) not be an Aboriginal place under the national Parks and Wildlife Act 1974, and
  - (k) not be development upon land which is identified as contaminated land, except if the land is subject to and complies with a relevant Site Audit Statement issued by an Accredited Site Auditor (as defined in the Contaminated Land Management Act 1979); or
  - (l) not be development which affects and is located on land which is identified as Class 1-4 on acid sulphate soils planning maps (prepared by the Department of Planning) and for which there is no provision in an environmental planning instrument applying to the land that requires an acid sulphate soils management plan to be prepared, and
  - (m) not require excavation or work below the existing ground surface on land that has previously been used:
    - as a service station, or
    - for mining or extractive industry, or
    - for waste storage or treatment, or for the manufacture of chemicals, asbestos or asbestos products, and
  - (n) not be any work or development upon land which is identified within Council's Policy "Former Incinerator Land - Matraville" that involves any excavation or work below the existing ground surface (unless the written approval of Council has been obtained beforehand).

### **30 Complying development conditions**

A complying development certificate for development on land to which this plan applies is subject to the conditions set out in Part 2 of Schedule 6 to this plan.

### **31 Environmentally sensitive areas excluded**

- (1) Exempt or complying development must not be carried out on any environmentally sensitive area for exempt or complying development.

- (2) For the purposes of this clause: environmentally sensitive area for exempt or complying development means:
- (a) coastal waters of the State, or
  - (b) land to which State Environmental Planning Policy No 14— Coastal Wetlands or State Environmental Planning Policy No 26—Littoral Rainforests applies, or
  - (c) land reserved as an aquatic reserve under the Fisheries Management Act 1994 or as a marine park under the Marine Parks Act 1997, or
  - (d) land within a wetland of international significance declared under the Ramsar Convention on Wetlands or within a World heritage area declared under the World Heritage Convention, or
  - (e) land identified in this or any other environmental planning instrument as being of high Aboriginal cultural significance or high biodiversity significance, or
  - (f) land reserved as a state conservation area under the National Parks and Wildlife Act 1974, or
  - (g) land reserved or dedicated under the Crown Lands Act 1989 for the preservation of flora, fauna, geological formations or for other environmental protection purposes, or
  - (h) land identified as being critical habitat under the Threatened Species Conservation Act 1995 or Part 7A of the Fisheries Management Act 1994.

**Part 4**

**Principle development standards**

### **32 Minimum allotment sizes**

- (1) The objective of this clause is to establish minimum requirements for the subdivision of land within residential zones in order to protect and improve local amenity.
- (2) The minimum allotment size for allotments resulting from the subdivision of land, other than for the purpose of public utility undertakings or roads, within Zone No 2A is 400 square metres and each allotment must have a frontage of at least 12 metres.
- (3) The minimum allotment size for allotments resulting from the subdivision of land, other than for the purpose of public utility undertakings or roads, within Zone No 2B or 2C is 325 square metres and each allotment must have a frontage of at least 9 metres. This requirement does not apply to development for the purposes of multi-unit housing.
- (4) The minimum allotment size for the erection of a dwelling house within Zone No 2A is 400 square metres and the allotment must have a frontage of at least 12 metres.
- (5) The minimum allotment size for the erection of an attached dual occupancy within Zone No 2A is 450 square metres and the allotment must have a frontage of at least 15 metres.
- (6) This clause does not prohibit the erection of a dwelling house within Zone No 2A, 2B or 2C on an allotment of land that existed as a separate allotment on the appointed day.

### **33 Floor space ratios**

- (1) The objective of this clause is operate together with controls for building height and landscaped area to limit the size, scale and site coverage of a building having regard to the environmental amenity and aesthetic character of the area.
- (2) The maximum floor space ratios for buildings, other than buildings erected for the purpose of a dwelling house, within Zones Nos 2A, 2B and 2C is 0.5: 1, 0.65: 1 and 0.9: 1, respectively.
- (3) Despite subclause (1), the maximum floor space ratio for buildings, other than buildings erected for the purpose of a dwelling house, within Zone No 2C is 0.65: 1 where the site area is less than 700 square metres.
- (4) The maximum floor space ratios for buildings within Zones Nos 3A and 3B are shown by distinctive shading on the map.
- (5) The maximum floor space ratio for buildings within Zone No 4A or 4B is 1: 1.
- (6) The maximum floor space ratio for buildings within Zone No 5 to be used for the purpose of boarding houses, dwellings, group homes or multi-unit housing (or any two or more of them) is 0.5: 1.

- (7) The area of the access corridor for a battleaxe allotment is not to be included in the calculation of the floor space ratio of any building on the allotment.

### **34 Building heights**

- (1) The objective of this clause is operate together with controls for floor space ratio and building height to limit the size, scale and site coverage of a building having regard to the environmental amenity and aesthetic character of the area.
- (2) The maximum height for a building, other than a dwelling house, within Zone No 2A or 2B is 9.5 metres measured vertically from any point on ground level.
- (3) The maximum height for a building, other than a dwelling house, within Zone No 2C is 12 metres measured vertically from any point on ground level.
- (4) The maximum height for any external wall of a building, other than a dwelling house, within Zone No 2A or 2B is 7 metres measured vertically from any point on ground level.
- (5) The maximum height for any external wall of a building, other than a dwelling house, within Zone No 2C is 10 metres measured vertically from any point on ground level.
- (6) The maximum height for buildings within Zone No 3A or 3B are shown by distinctive shading on the map.
- (7) For the purposes of this clause, chimneys, vents and other service installations may exceed the specified height limits, but only where the Consent Authority is satisfied that it will not adversely affect the amenity of adjoining or nearby land.

### **35 Landscaped area**

- (1) The objective of this clause is operate together with controls for floor space ratio and building height to limit the size, scale and site coverage of a building having regard to the environmental amenity and aesthetic character of the area.
- (2) Development, otherwise than for the purpose of a dwelling house, within Zone No 2A must provide a minimum of 40% of the total site area as landscaped area.
- (3) Development, otherwise than for the purpose of a dwelling house, within Zone No 2B or 2C must provide a minimum of 50% of the total site area as landscaped area.
- (4) Landscaped areas over podiums or excavated basement areas must not exceed 50% of the landscaped area requirements specified in subclauses (1) and (2).

### **36 Site specific development controls**

- (1) This clause applies to land subject to a built form control map.
- (2) The maximum floor space ratio for development of land subject to this clause is shown on the built form control map.

- (3) The minimum landscaped area for development of land subject to this clause is shown on the built form control map.
- (4) The maximum building and wall height for development of land subject to this clause is shown on the built form control map.

**Part 5**

**Miscellaneous provisions**

### **37 Objectives**

- (1) The objective of this clause is to require the general aims of this plan and the specific objectives of the zone to be taken into account in the assessment and determination of a development application.
- (2) The Consent Authority may grant consent to the carrying out of development on land to which this plan applies only after it has considered the extent to which the proposed development is consistent with the general aims of this plan and the specific objectives of the zone within which the development is proposed.

### **38 Services**

- (1) The objective of this clause is to ensure that provision is made for the supply of water, and for sewage and drainage services.
- (2) The Consent Authority may grant consent to the carrying out of development on any land only where it is satisfied that, when relevant to the proposed development, adequate facilities for the supply of water and for the removal or disposal of sewage and drainage are available to that land.

### **39 Aircraft noise**

- (1) The objective of this clause is to ensure that development for the purposes of residential accommodation, places of public worship, hospitals, educational establishments or other noise sensitive buildings is not adversely affected by aircraft noise.
- (2) This clause applies to all land within the area bounded by the 20 Australian Noise Exposure Forecast (ANEF) contour, as advised from time to time by the airport owner, and endorsed by Airservices Australia.
- (3) Development consent must not be granted to development on land where the ANEF exceeds 20 unless the consent authority is satisfied that the proposed development meets the AS 2021 requirements regarding interior noise levels relevant to the particular type of development.

### **40 Tree preservation orders**

- (1) The objective of this clause is to protect trees and establish procedures for the management of trees in order to minimise unnecessary loss.
- (2) Where a tree preservation order is in force, a person must not, on land to which it applies, ringbark, cut down, top, lop, remove, injure or destroy any tree covered by the order without the consent of the Council.
- (3) Subclause (2) does not apply where it can be demonstrated to the satisfaction of the Council that the tree is dying, dead or has become dangerous or where the tree is dealt with in accordance with a permit granted by the Council.

- (4) Before granting a consent or permit referred to in subclause (2) or (3), the Council must make an assessment of the importance of the tree or trees concerned in relation to:
  - (a) soil stability and prevention of land degradation,
  - (b) scenic or environmental amenity,
  - (c) vegetation systems and natural wildlife habitats.
- (5) This clause does not apply to work carried out under section 48 of the *Electricity Supply Act 1995*.

#### **41 Foreshore scenic protection area**

- (1) The objective of this clause is to protect and improve the visual qualities of visually prominent areas along the coast.
- (2) The foreshore scenic protection area is shown on the map.
- (3) The Consent Authority may only grant consent to a building within the foreshore scenic protection area after it has considered the probable aesthetic appearance of the proposed building in relation to the foreshore.

#### **42 Boarding houses**

- (1) The objective of this clause is to make provision for the assessment of the cumulative loss of boarding house accommodation.
- (2) This clause applies to a building or place that is used for the purpose of a boarding house and includes any vacant building or part of a building that, when last used or occupied, was used or occupied as a boarding house.
- (3) The consent of the Consent Authority is required in respect of a building or place to which this clause applies:
  - (a) to a different use of the building or place resulting from a change of the use of the building or place to another use not being a boarding house, or
  - (b) to demolish the building or place, or
  - (c) to make any alterations or additions to the building or place.
- (4) When determining an application required by this clause, the Consent Authority may grant its consent only where it has made an assessment of and considered the implications of:
  - (a) the need to retain the particular type of housing in relation to any identified needs of the local area, and
  - (b) the accumulated impact that the loss of the building or place for use as a boarding house will have on the supply of that type of housing in the local area, and
  - (c) any building and fire safety requirements, and

- (d) the financial viability of the continued use of the building or place as a boarding house, and
- (e) whether arrangements have been made or will be made to assist residents who may be displaced by the development, and
- (f) the availability of other buildings suitable for use as affordable housing, having regard to their location, type, size, rent levels and available services, and
- (g) any adverse social and economic effects caused by the development on affordable housing stocks and on households in the local community on very low, low or moderate incomes who are spending 30% or greater of gross incomes on rent or home purchase expenses.

#### **43 Business premises in residential zones**

- (1) The objective of this clause is to provide for the establishment and continued operation of small scale business development in residential zones.
- (2) Despite clauses 15, 16 and 17, the Consent Authority may grant consent to the development of land within Zone No 2A, 2B or 2C for the purpose of business premises, but only if the Consent Authority is satisfied that the proposed use:
  - (a) is to be situated in a building, or part of a building, that was originally designed or constructed (or both) for use as business premises, and
  - (b) does not occupy more than 100 square metres of gross floor area.

#### **44 Certain non-residential uses in Zone No 2D**

- (1) The objective of this clause is to provide for the establishment of small scale businesses and services with active street frontages in locations identified in a development control plan.
- (2) Despite clause 18, the Consent Authority may grant consent to development for the purpose of business premises, neighbourhood shops, medical centres or restaurants on land within Zone No 2D if it is satisfied that the development:
  - (a) is located on land identified as an activity strip in the Development Control Plan, and
  - (b) is limited to ground floor non-residential uses, and
  - (c) is consistent with residential amenity, and
  - (d) primarily serves the local community, and
  - (e) in relation to land covered by the Prince Henry Site Development Control Plan, is limited to ground floor and first floor non-residential uses.

#### **45 Traffic and transport measures for Zone No 2D**

- (1) This clause applies to land within Zone No 2D (Residential D—Comprehensive Development Zone).
- (2) Despite any other provision of this plan, the Consent Authority must not grant consent to development of land within Zone No 2D unless it is satisfied that adequate measures for the management of traffic and provision of transport are provided for the development.

#### **46 Additional development in industrial zones**

- (1) The objective of this clause is to establish criteria for the assessment of applications for certain types of development in industrial zones, particularly having regard to the impact of those activities on nearby residential areas.
- (2) The Consent Authority may grant consent to the carrying out of development on land within Zone No 4A for the purpose of a panel beating workshop, but only if:
  - (a) the land in question does not adjoin land within a residential zone, and
  - (b) it is satisfied that arrangements are made to store on the site of the proposed development, and either within a building or within a screened area, all vehicles awaiting or undergoing repair, awaiting collection or otherwise involved with the proposed workshop.
- (3) Despite clause 21, the Consent Authority must not grant consent to the development of land within Zone No 4A for the purpose of a container depot or transport depot on land shown by distinctive shading on the map.
- (4) The Consent Authority may grant consent to the development of land within Zone No 4A or 4B only where it has considered the *Port Botany Landuse Safety Study 2001*, prepared by the Department of Urban Affairs and Planning, a copy of which is deposited in the office of the Council.

#### **47 Development in the Port Botany industrial area**

- (1) The objective of this clause is to reinforce the importance of the role and function of the land within Zone No 4B to the continued operation of Port Botany as a major shipping and cargo handling facility.
- (2) The Consent Authority may grant consent to the development of land within Zone No 4B only if it is satisfied that the proposed development is, by virtue of the nature of the activity or activities involved, suited to being in close proximity to Port Botany and will not adversely affect the continued operation of the port.

#### **48 Development in Special uses Zone No 5**

- (1) The objective of this clause is to ensure that consideration is given to the impact of development proposals within the Special Uses Zone on other development and uses in the locality.
- (2) The Consent Authority may grant consent to the development of land within Zone No 5 only if it is satisfied that the proposed development is compatible with the character of the locality and will not adversely affect the amenity of nearby and adjoining development.

#### **49 Development in open space zones**

- (1) The objectives of this clause are to:
  - (a) establish criteria for the assessment of applications for development in open space zones, and
  - (b) provide for greater flexibility in the development of open space areas for recreation and leisure activities where there is an adopted plan of management.
- (2) When determining an application for consent to carry out development on land within Zone No 6A or 6B, the Consent Authority must consider:
  - (a) the need for the proposed development on that land, and
  - (b) whether the proposed development promotes or is related to the use and enjoyment of open space, and
  - (c) the impact of the proposed development on the existing or likely future use and character of the land, and
  - (d) the need to retain the land for its existing or likely future use.
- (3) The owner of any land within Zone No 6A, not being Crown land or land owned by the Council, may, by notice in writing, require the Council to acquire the land.
- (4) Despite clause 24, the Consent Authority may grant consent to the development of land within Zone No 6A for purposes (including business premises) permitted by a plan of management adopted by the Council and prepared in accordance with the requirements of the Local Government Act 1993 for the land in question, provided it is satisfied that the proposed development is suited to a location in that zone.
- (5) Despite clause 25, the Consent Authority may grant consent to the development of land within Zone No 6B for the purpose of business premises, but only if it is satisfied that the proposed development is, having regard to the requirements of subclause (2), suited to a location in that zone.
- (6) Nothing in this plan requires the Centennial Park and Moore Park Trust (or any person authorised by the Trust) to obtain

the consent of the Consent Authority to carry out development on Trust lands (within the meaning of the Centennial Park and Moore Park Trust Act 1983) for the purpose of anything authorised by section 9 (1) of that Act.

## **50 Development in, on, or adjacent to a watercourse or wetland**

- (1) Despite any other provisions of this plan, the Consent Authority must not grant consent to development in, on, or adjacent to a watercourse or wetland identified on the map unless the Consent Authority is satisfied that:
  - (a) appropriate measures have been identified for ongoing protection, conservation and management of the watercourse or wetland and its riparian land over time, and
  - (b) the width of the riparian land maximises its potential to serve as a habitat corridor, and
  - (c) the riparian land retains and incorporates within it, wherever possible, existing areas of remnant native vegetation, and
  - (d) the provision of public access is located and designed to minimise disturbance to the habitat corridor and existing remnant native vegetation.
- (2) For a watercourse or wetland that is shown on the map:
  - (a) as a category 2 watercourse or a category 2 wetland—land is taken to be part of the riparian land for that watercourse or wetland if it satisfies one or both of the following:
    - (i) the land is within 20 metres of the top of the bank of the watercourse or wetland,
    - (ii) the land contains remnant native vegetation that adjoins the watercourse or wetland, or
  - (b) as a category 3 watercourse or a category 3 wetland—land is taken to be part of the riparian land for that watercourse or wetland if the land is within 10 metres of the top of the bank of the watercourse or wetland.

## **51 Excavation and filling of land**

- (1) The objective of this clause is to ensure consideration is given to drainage and soil stability issues when determining a development application for excavation and filling of land.
- (2) When determining an application for consent to carry out excavation and filling of land the Consent Authority must consider:
  - (a) the likely disruption of, or detrimental effect on, existing drainage patterns and soil stability in the locality, and

- (b) the effect of the proposed works on the likely future use or redevelopment of the land.

## **52 Contaminated land**

- (1) The objective of this clause is to ensure contaminated land will be suitable for the purpose for which the development is proposed or that the land will be remediated before it is used.
- (2) Despite any other provisions of this plan, the Consent Authority must not grant consent to the development of contaminated land within any zone unless the Consent Authority is satisfied:
  - (a) that the contaminated land will, after being remediated, be suitable for the purpose for which development is proposed to be carried out, and
  - (b) that the contaminated land will be remediated before the land is used for that purpose.

## **53 Site specific Development Control Plans**

- (1) The objective of this clause is to require the development of large sites to be in the context of a site-specific development control plan.
- (2) The Consent Authority may grant consent to a development application made in respect of a site area consisting of more than 10,000 square metres of land only if a site specific development control plan for the development of that land has been adopted in accordance with this clause.
- (3) The consent authority may waive the requirement for a development control plan, but only if it is satisfied:
  - (a) that the proposed development is of a minor nature only or is ancillary to the current use of the land, or
  - (b) that adequate guidelines and controls applying to the land are already in place.
- (4) A site specific development control plan or deemed development control plan may be revoked by resolution of the Council only if the Council has:
  - (a) advertised its intention to do so in a newspaper circulating in the locality for not less than 14 days, and
  - (b) considered any submissions made during the 14 day period referred to in subclause (a).
- (5) A site specific development control plan is a document (consisting of written information, maps and diagrams) that makes more detailed provisions relating to development of the land for which a site specific development control plan is required than this plan. A Site specific Development Control Plan:

- (a) outlines long-term proposals for development of the entire site for which the Development Control Plan is required, and
- (b) explains how those proposals address the range of matters outlined in subclause (7).

The proposals must conform to the requirements for development of the site made by this plan and any other environmental planning instrument.

- (6) A site specific development control plan may be prepared by, or on behalf of, the owner of the land concerned following consultation with the Council.
- (7) A site specific development control plan is to address, illustrate and explain, where appropriate, proposals covering the following range of matters (but is not limited to them):
  - (a) design principles drawn from an analysis of the site and its context,
  - (b) phasing of development,
  - (c) distribution of land uses, including public open space and environmental protection areas,
  - (d) subdivision pattern,
  - (e) building envelopes and built form controls,
  - (f) heritage conservation, including both Aboriginal and European heritage,
  - (g) infrastructure provision,
  - (h) remediation of the site,
  - (i) pedestrian, cycle and road access and circulation network, with particular regard to public transport servicing,
  - (j) parking provision,
  - (k) provision of public facilities,
  - (l) impact on, and improvements to, the public domain,
  - (m) provision of open space, its function and landscaping,
  - (n) identification and conservation of native flora and fauna habitat on the site, including any threatened species, populations or ecological communities, and
  - (o) the principles of ecologically sustainable development,
  - (p) identification, extent and management of buffer areas,
  - (q) identification, extent and management of water courses, wetlands and riparian lands, whether identified on the map or not,

- (r) identification, extent and management of habitat corridor,
- (s) identification, extent and constraints of acid sulfate soils,
- (t) opportunities to apply integrated natural water cycle design,
- (u) opportunities to apply integrated renewable energy design,
- (v) provision of housing mix and tenure choice, including affordable housing.

#### **54 Classification and reclassification of public land as operational**

The public land described in Schedule 4 is classified, or reclassified, as operational land for the purposes of the Local Government Act 1993.

#### **55 Kensington Town Centre**

- (1) This clause applies to land comprising the Kensington Town Centre, as shown edged heavy black on the map.
- (2) The Consent Authority must not grant consent to the carrying out of development on land within the Kensington Town Centre unless it is satisfied that the proposed development is consistent with the following objectives for the Kensington Town Centre:
  - (a) to achieve high quality design in all new development and improvements undertaken in the public domain,
  - (b) to encourage a vibrant and active town centre that provides a range of facilities and services that benefit the locality,
  - (c) to provide opportunities for residential development in the town centre that compliment the primary business function of the town centre,
  - (d) to encourage a variety of medium density housing forms that compliment the development within the town centre and that do not have an adverse impact on surrounding residential areas,
  - (e) to encourage the amalgamation of land to facilitate redevelopment within the town centre,
  - (f) to facilitate development within the town centre that supports the regional entertainment industry,
  - (g) to ensure that social and cultural needs are considered with any development proposals in the town centre,
  - (h) to encourage and facilitate the provision of vehicular access and off-street parking to support the local businesses,

- (i) to ensure that public transport and associated facility needs are considered and promoted with any development proposals and public domain improvements in the town centre,
  - (j) to ensure appropriate conservation of the environmental heritage and recognition of the characteristics of buildings with architectural merit,
  - (k) to require and encourage environmentally sustainable approaches to future land use and development,
  - (l) to improve the overall environmental quality of the Kensington Town Centre.
- (3) Clauses 33, 34, 35 and 44 do not apply to the land within the Kensington Town Centre.
- (4) The following requirements of the *Kensington Town Centre Development Control Plan 2002* adopted by the Council on 26 November 2002 apply to the development of land within the Kensington Town Centre as if they were incorporated into this plan:
- (a) maximum number of storeys,
  - (b) maximum height of development,
  - (c) minimum frontage for development,
  - (d) minimum allotment size for development.
- (5) For the purpose of subclause (4):
- (a) ground level is to be calculated as an average of levels across the allotment frontage, and
  - (b) height is to be calculated as the height measured vertically from ground level to the underside of the ceiling of the topmost floor.

## **56 Maroubra Junction Town Centre**

- (1) This clause applies to the land comprising the Maroubra Junction Town Centre, as shown edged heavy black on the map.
- (2) The Consent Authority must not grant consent to the carrying out of development on land within the Maroubra Junction Town Centre unless it is satisfied that the proposed development is consistent with the zone objectives for the land and the following objectives for the Maroubra Junction Town Centre:
- (a) to achieve high quality design in all new developments and improvements undertaken in the public domain,
  - (b) to encourage a vibrant and active town centre that provides a range of facilities and services that benefit the locality and local government area,

- (c) to provide opportunities for residential development in the town centre that complement the primary business function of the town centre,
  - (d) to encourage a variety of housing forms that complements development within the town centre and do not impact adversely upon the amenity of surrounding residential areas,
  - (e) to ensure that social and cultural needs are considered with any development proposals in the town centre,
  - (f) to encourage and facilitate the provision of vehicular access and off-street parking to support businesses in the town centre,
  - (g) to ensure that public transport and associated facility needs are considered and promoted with any development proposals and public domain improvements in town centre,
  - (h) to require and encourage environmentally sustainable approaches to future land use and development, and
  - (i) to improve the overall environmental quality of the Maroubra Junction Town Centre.
- (3) Clauses 33, 34 and 35 do not apply to the land within the Maroubra Junction Town Centre.
- (4) The maximum number of storeys requirement of the Maroubra Junction Town Centre Development Control Plan adopted by the Council on 18 November 2003 applies to the development of land within the Maroubra Junction Town Centre as if it were incorporated into this plan.
- (5) For the purpose of subclause (4), the maximum number of storeys must correspond with the building height as set out in the Table to subclause (6).
- (6) For the purpose of this clause the maximum height of development is as follows:

**Table**

<b>No of storeys</b>	<b>Maximum building height to underside of ceiling (m)</b>
1	4.5
2	9.0
3	12.0
4	15.0
5	18.0
6	21.0
7	24.0
8	26.7

- (7) For the purpose of this clause, building height is to be calculated as the distance measured vertically from ground

level taken from each point on the boundary of the site to the underside of the ceiling of the topmost floor.

- (8) For the purpose of this clause, "**storeys**" means habitable floors, excluding underground car parking.

## **57 Matraville Town Centre**

- (1) This clause applies to land comprising the Matraville Town Centre, as shown edged heavy black on the map.
- (2) The Consent Authority must not grant consent to the carrying out of development on land within the Matraville Town Centre unless it is satisfied that the proposed development is consistent with the zone objectives for the land and the following objectives for the Centre:
- (a) to achieve high quality design in all new development and improvements undertaken in the public domain,
  - (b) to encourage a vibrant and active town centre that provides a range of core neighbourhood facilities and services that benefit the locality and community,
  - (c) to provide opportunities for residential development in the town centre that complement the primary business function of the town centre,
  - (d) to encourage a variety of housing that complements development within the town centre and does not impact adversely upon the amenity of surrounding residential areas,
  - (e) to ensure that social and cultural needs are considered with any development proposals in the town centre,
  - (f) to encourage and facilitate the provision of appropriate vehicular access and off-street parking to support businesses in the town centre,
  - (g) to ensure that public transport and associated facility needs are considered and promoted with any development proposals and public domain improvements in the town centre,
  - (h) to require and encourage environmentally sustainable approaches to future land use and development,
  - (i) to improve the overall environmental quality of the Matraville Town Centre.
- (3) Clauses 33, 34 and 35 do not apply to the land within the Matraville Town Centre.
- (4) The following requirements of the *Matraville Town Centre Development Control Plan*, as approved by Council on 11 April 2006, apply to the development of land within the Matraville Town Centre as if they were incorporated into this plan:
- (a) maximum number of storeys,

- (b) maximum height of development.
- (5) Subject to subclause (7), the maximum number of storeys must correspond with the building height as set out in the Table to subclause (6).
- (6) For the purposes of this clause, the maximum height of development is as follows:

**Table**

No of storeys	Maximum building height to underside of ceiling (m)
1	3.5
2	7.0
3	9.9
4	12.8
5	15.7

- (7) If a supermarket or pedestrian connection is provided within the specifically identified Opportunity Locations in the *Matrville Town Centre Development Control Plan*, as approved by Council on 11 April 2006:
- (a) the maximum number of storeys may be 6 storeys, and
- (b) the maximum building height may be 20.1 metres.
- (8) For the purposes of this clause, building height is to be calculated as the height measured vertically from ground level to the underside of the ceiling of the topmost floor.
- (9) For the purposes of this clause, "**storeys**" means habitable floors, excluding underground car parking.

**Part 5**  
**Heritage provisions**

## **58 Heritage conservation**

### **(1) Objectives**

The objectives of this clause are:

- (a) to conserve the environmental heritage of Randwick City, and
- (b) to conserve the heritage significance of heritage items and heritage conservation areas including associated fabric, settings and views, and
- (c) to conserve archaeological sites, and
- (d) to conserve places of Aboriginal heritage significance.

### **(2) Requirement for consent**

Development consent is required for any of the following:

- (a) demolishing or moving a heritage item or a building, work, relic or tree within a heritage conservation area,
- (b) altering a heritage item or a building, work, relic, tree or place within a heritage conservation area, including (in the case of a building) making changes to the detail, fabric, finish or appearance of its exterior,
- (c) altering a heritage item that is a building, by making structural changes to its interior,
- (d) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
- (e) disturbing or excavating a heritage conservation area that is a place of Aboriginal heritage significance,
- (f) erecting a building on land on which a heritage item is located or that is within a heritage conservation area,.
- (g) subdividing land on which a heritage item is located or that is within a heritage conservation area.

### **(3) When consent not required**

However, consent under this clause is not required if:

- (a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is

carried out that it is satisfied that the proposed development:

- (i) is of a minor nature, or is for the maintenance of the heritage item, archaeological site, or a building, work, relic, tree or place within a heritage conservation area, or
  - (ii) would not adversely affect the significance of the heritage item, archaeological site or heritage conservation area, or
- (b) the development is in a cemetery or burial ground and the proposed development:
- (i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and
  - (ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to a place of Aboriginal heritage significance, or
- (c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or
- (d) the development is exempt development

(4) Effect on heritage significance

The consent authority must, before granting consent under this clause, consider the effect of the proposed development on the heritage significance of the heritage item or heritage conservation area concerned. This subclause applies regardless of whether a heritage impact statement is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).

(5) Heritage impact assessment

The consent authority may, before granting consent to any development on land:

- (a) on which a heritage item is situated, or
- (b) within a heritage conservation area, or
- (c) within the vicinity of land referred to in paragraph (a) or (b),

require a heritage impact statement to be prepared that assesses the extent to which the carrying out of the proposed

development would affect the heritage significance of the heritage item or heritage conservation area concerned.

(6) Heritage conservation management plans

The consent authority may require, after considering the significance of the heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.

(7) Archaeological sites

The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order applies):

- (a) notify the Heritage Office of its intentions to grant consent, and
- (b) take into consideration any response received from the heritage Council within 28 days after the notice is sent.

(8) Places of Aboriginal heritage significance

The consent authority must, before granting consent under this clause to the carrying out of development in a place of Aboriginal heritage significance:

- (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place, and
- (b) notify the local Aboriginal communities (in such a way as it thinks appropriate) about the application and take into consideration any response received within 28 days after the notice is sent.

(9) Demolition of item of State significance

The consent authority must, before granting consent for the demolition of a heritage item identified in Schedule 2 as being of State heritage significance (other than an item listed on the State heritage Register or to which an interim heritage order under the *Heritage Act 1977* applies):

- (a) notify the Heritage Council about the application, and
- (b) take into consideration any response received within 28 days after the notice is sent.

(10) Conservation incentives

The consent authority may grant consent to the development for any purpose of a building that is a heritage item, or of the land on which such a building is erected, even though development for that purpose would otherwise not be allowed by this Plan if the consent authority is satisfied that:

- (a) the conservation of the heritage item is facilitated by the granting of consent, and
- (b) the proposed development is in accordance with a heritage conservation management plan that has been approved by the consent authority, and
- (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage conservation management plan is carried out, and
- (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, and
- (e) the proposed development would not have any significant adverse impact on the amenity of the surrounding area.

(11) Matters for consideration

When determining a development application required by this clause, the Council must take into consideration the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area, including an assessment of:

- (a) the pitch and form of the roof, if any, and
- (b) the style, size, proportion and position of the openings for windows or doors, if any, and
- (c) the colour, texture, style, size and type of finish of the materials to be used on the exterior of the building.

**Part 6**  
**Natural heritage provisions**

**59 A Management Plan for land in Zone No 7  
(Environmental Protection—Natural Heritage Areas  
Zone)**

- (1) The objectives of this clause are to ensure that natural heritage is managed sustainably and that management practices are consistent with the objectives of Zone No 7.
- (2) The Consent Authority must not determine an application for consent to carry out development of land within Zone No 7 unless the Consent Authority has approved a management plan for the land that complies with this clause.
- (3) For the purposes of this clause, a management plan is a document (consisting of written information, maps and diagrams), prepared by a suitably qualified person. Where appropriate and applicable, a management plan for land within Zone No 7 must address (but need not be limited to) the following:
  - (a) any natural heritage studies that include the land,
  - (b) the natural heritage significance of the land,
  - (d) consistency of the management plan with relevant Commonwealth, State or local plans and policies,
  - (f) the management of threatening processes,
  - (g) the management of buffer areas,
  - (i) the provision and management of any public utility undertakings,
  - (j) any funding arrangements,
  - (k) any restrictive covenants on the land,
  - (l) performance monitoring and review criteria.

**Schedule 1**

**Development of land for certain additional purposes  
(Clause 13)**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Land</b>	<b>Development</b>	<b>Conditions</b>
Nos 1,3,5,7,9 &11 Adams Avenue, Malabar.	Development for the purpose of multi-unit housing.	Involving only buildings that existed at the appointed day. Where no additional floor space is provided.
158-162 Barker St	Development for the purpose of an animal establishment; veterinary establishment; the occasional use of the site for exhibition, sale, promotion and reception purposes subsidiary to the primary use of the site.	The gross floor area of the building used as a veterinary establishment must not exceed 700 square metres.
164-174 Barker St		
29-39 Young St		
181 Botany St		
28-30 Young St		
14-20 Young St		
8-12 Young St		
32-42 Young St		
1-7 Jane Street		
Randwick		
That part of Lot 2, DP 822283, Wride Street, Maroubra within Zone No 2B.	Development for the purpose of multi-unit housing.	Where no more than 100 dwellings are provided.
Part of 69R Military Road, Matraville	Development for the purpose of a stonemason's yard for use in conjunction with the Eastern Suburbs Memorial Park	Nil
Lots A and B, DP 408949, 211 and 213 Anzac Parade, Kensington.	Development for the purpose of a service station and associated car wash facility.	Nil.
Land comprising the Maroubra Beach Town Centre zoned 3B Local Business	Development for the purposes of serviced apartments.	Only where attached to buildings used for other purposes which are permissible in the zone.

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Land</b>	<b>Development</b>	<b>Conditions</b>
Wylie's Baths, Lots 1798 and 1789, DP 822244	Development for the purpose of functions within the meaning of the <i>Liquor Act 1982</i> .	Such functions are to be conducted in accordance with: <ul style="list-style-type: none"> <li>(a) the sub-lease agreement between the Council and the Wylie's Baths Trust Inc., and</li> <li>(b) the provisions of an Operational Management Plan, which has been submitted to and approved by the Council and which addresses: <ul style="list-style-type: none"> <li>• the scale, type and frequency of the functions proposed for the land, and</li> <li>• details relating to the provision of parking and traffic management, and</li> <li>• provisions establishing environmental parameters proposed to ensure that any adverse impacts from the carrying out of development on the land is minimised.</li> </ul> </li> </ul>
Land between Beach and Flood Streets, Clovelly being Lots 2A Sec 2 DP 5790 and 19A Sec 2 DP 5790.	Access way	Only where the access way is to provide access to 25 Beach Street and 16 Flood Street, Clovelly
Land between Oberon Street and Rainbow Street, Coogee comprising part of Blenheim Park, Lot 6 DP 1109484	Access way	Only where the access way is to provide access to 10, 12, 14, 16 and 18 Dundas Street, South Coogee
Lot 7, DP 1829 and Lot 1, DP 100108 (No 11 Cuthill Street, Randwick).	Development for the purpose of hotel accommodation.	That the heritage item listed as a Victorian house in Schedule 2 be conserved to the satisfaction of the Council.

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Land</b>	<b>Development</b>	<b>Conditions</b>
Land edged heavy black, being Kensington Town Centre that is in Zone No 2C (Residential C Zone).	All development that is permissible within Zone No 3B (Local Business Zone).	Only if it is located at the ground floor, or the ground floor and first storey of motels, multi-unit housing and serviced apartments. Any proposed retail development must be subject to an economic assessment of its impact on existing retail development in the town centre. The development must be in accordance with the <i>Kensington Town Centre Development Control Plan 2002</i> adopted by the Council on 26 November 2002.
Land edged heavy black, being Kensington Town Centre that is in Zone No 3B (Local Business Zone).	Serviced apartments	The development must be in accordance with the <i>Kensington Town Centre Development Control Plan 2002</i> adopted by the Council on 26 November 2002.
Lot 13 DP 1042814 Argyle Crescent, Randwick.	Defence purposes and public use and access	Public use of the oval for active recreation subject to the operational needs of the army and as identified in a plan of management for the oval.
Lot 21 DP 1068292 known as 9 Bumborah Point Road, Matraville.	Development for the purpose of a Council recycling facility.	Nil.
Lot 202, DP 879576, and known as Nos 100–120 King Street, Randwick.	Development for the purpose of local shops on part of the site at the corner of King and Dangar Streets.	The combined gross floor area of all the local shops must not exceed 350 square metres.
Lot 2 DP 776899 and known as 49-55 St Pauls Street, Randwick	Business premises (which includes retail)	The combined gross floor area of the business premises must not exceed 215 square metres, and Each business premises must have frontage to St Pauls Street, and Each business premises must be at ground level.

**Schedule 2**  
**Heritage items (Clause 58)**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Location</b>	<b>Description</b>	<b>Inventory No</b>	<b>Significance</b>
12 Abbey Street, Randwick	Presbyterian Church, c 1889	1	State
5 Abbotford Street, Kensington	"Parkside", Federation style dwelling, c 1916	2	Local
46 Adina Avenue, La Perouse	Mission Church	3	Local
1 Alfreda Street (also known as 101 Brook Street), Coogee	Inter-war three-storey flats, late 1920s	5	Local
Cnr Alison Road and Church Street, Randwick	St Jude's Well/early stone fountain	6	Local
29 Alison Road, Kensington	"The Legers", Federation style dwelling	7	Local
31 Alison Road, Kensington	Two-storey Federation duplex, c early 1900s	8	Local
Royal Randwick Racecourse, 77 Alison Road, Randwick	Members' Stand (Official Stand), c 1910	9	Local
114 Alison Road, Randwick	"Shahzada", c 1890	10	Local
122 Alison Road, Randwick	"Carlton", c 1890	11	Local
126-130 Alison Road, Randwick	"Verona", "Amphion" and "Donacis", c 1905	12	Local
132 Alison Road, Randwick	"Rothsay" Art Deco flats, c 1940	13	Local
143 Alison Road, Randwick	"Rexmere", Victorian boom style terrace, 1884	432	Local
145-147 Alison Road, Randwick	"Hillcrest", Victorian terrace	433	Local
191 Alison Road, Randwick	"Seabird", pre 1890	14	Local
193 Alison Road, Randwick	"Glanmire", c 1896	15	Local
200 Alison Road, Randwick	Stone commercial building, c 1915	16	Local
206A Alison Road, Randwick	<i>see 124 Avoca Street, Randwick</i>		
212 & 214 Alison Road, Randwick	Residential flat building, c 1940s	17	Local
238 Alison Road, Randwick	Freestanding Victorian residence	18	Local
296 Alison Road, Coogee	Bungalow style dwelling, late 1930s	19	Local

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Location</b>	<b>Description</b>	<b>Inventory No</b>	<b>Significance</b>
370 Alison Road, Coogee	"Ocean View", Edwardian style mansion, c 1916	20	Local
6 Amiens Ave, Matraville	Soldiers Settlement House, c 1920	21	Local
Cnr Anzac Parade and Alison Road, Kensington	Tay Reserve	22	Local
Cnr Anzac Parade and Doncaster Avenue, Kensington (Cor. Lot 102, DP 1005785)	Doncaster Hotel	434	Local
Anzac Parade, La Perouse	Jessie Stuart Broomfield Fountain, 1941	23	Local
Anzac Parade, La Perouse	<i>see also La Perouse Peninsula</i>		
1430 Anzac Parade, Little Bay	Prince Henry Site and Coast Hospital Heritage Conservation Area and their settings, significant built and landscape components, including:	24	State
	Historic precinct (comprising significant buildings, structures and landscape features such as ornamental plantings, retaining walls, kerbs and significant road alignments)	24A	State
	Coast Golf and Recreation Club clubhouse (former Coast Hospital steam laundry), 1900	24B	State
	Former Coast Hospital water tower, late 1920s	24C	State
	Entrance gates to the former CEO's residence	24D	State
	The Dam	24E	State
	Former Male Lazaret site	24F	State
	Significant retaining walls associated with the former services area of the Coast Hospital	24G	State
	Significant road alignments (Lister Avenue, Coast Hospital Road and the Cemetery Road)	24H	State
199–201 Anzac Parade, Kensington	Masonic Temple, c 1930	25	Local

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Location</b>	<b>Description</b>	<b>Inventory No</b>	<b>Significance</b>
424–434 Anzac Parade, Kingsford	"O'Dea's Corner", c 1912	26	Local
487 Anzac Parade, Kingsford	Edwardian bungalow, c 1925	27	Local
653 Anzac Parade (cnr Storey Street), Maroubra	"Yarrum", Edwardian style bungalow, c 1930	28	Local
730 Anzac Parade (cnr Holmes Street), Kingsford	Residential/commercial building, c 1930s	29	Local
817 Anzac Parade, Maroubra	Art Deco style flat building, c late 1930s	30	Local
829 Anzac Parade, (cnr Wise Street), Maroubra	"Corio House", unusual Edwardian style house, pre 1915	31	Local
892–906 Anzac Parade and 156–164 Maroubra Road, Maroubra	"Dudleys Emporium", Edwardian style commercial building, pre 1915	32	Local
953 Anzac Parade, Maroubra	Edwardian style house, c 1930s	33	Local
1250 Anzac Parade (Lot 5291 DP 824057), Malabar	Long Bay Gaol complex, begun 1898	34	State
1250 Anzac Parade (Lot 5291 DP 824057), Malabar	Long Bay Gaol Gatehouses	35	State
1212 Anzac Parade (cnr Franklin Street), Malabar	"C Levitt", commercial building, c 1910	36	Local
1234 Anzac Parade, Malabar	Edwardian style brick cottage, c 1930	37	Local
Anzac Parade, La Perouse	La Perouse Museum old Cable Station, two-storey Victorian building, c 1882	38	Local
29 Arcadia Street, Coogee	"Roslyn", Victorian residence, c 1886	39	Local
39 Arcadia Street, Coogee	"Ballamac", c 1862	40	Local
Arden Street, Coogee	Sandstone Drinking Fountain, Goldstein Reserve	41	Local
Arden Street, Coogee (Sandstone wall, Coogee Beach)	<i>see Coogee Beach</i>		
26 Arden Street, Clovelly	"St Lukes" Anglican Church, dedicated 1923	42	Local

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Location</b>	<b>Description</b>	<b>Inventory No</b>	<b>Significance</b>
58–60 Arden Street (cnr Greville Street), Clovelly	St Anthony's Catholic Church, school and presbytery, c late 1930s	43	Local
109 Arden Street, Coogee	Spanish Mission style flats, c 1940	44	Local
143 Arden Street, Coogee	Spanish Mission style flats, c 1930	45	Local
182 Arden Street (also known as 82 Bream Street), Coogee	"Jovina" Inter-war Art Deco Flats, c 1937	46	Local
184 Arden Street, Coogee	<i>see 131–133 Dolphin Street, Coogee</i>		
212 Arden Street, Coogee (also known as 253 Coogee Bay Road)	Hotel facade—colonial and neo-classical style with verandah	47	Local
286–290 Arden Street, Coogee	Three-storey neo-classical block of flats, c early 1900s	48	Local
291 Arden Street, Coogee	"Tudor Hall", neo-romanesque style flats, c 1940	49	Local
321 Arden Street, Coogee	Art Deco flats, c 1937	50	Local
340 Arden Street, Coogee	Federation Queen Anne corner house, c 1915	51	Local
18 Austral Street, Malabar	Weatherboard cottage, c 1910	52	Local
20–26 Austral Street, Malabar	Edwardian style cottages, semi-detached pair, c 1930	53	Local
Cnr Avoca Street and Belmore Road, Randwick (Statue of Cpt James Cook)	<i>see Cnr Belmore Road and Avoca Street, Randwick</i>		
Cnr Avoca Street and Frenchmans Road, Randwick	Federation bus shelter	54	Local
90M Avoca Street, Randwick (near Town Hall)	Post box	55	Local
North-west cnr Avoca Street and Alison Road, Randwick	Jubilee fountain	56	State
Cnr Avoca Street, Cuthill Street and Belmore Road, Randwick	High Cross Reserve	57	Local

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Location</b>	<b>Description</b>	<b>Inventory No</b>	<b>Significance</b>
Avoca Street, Randwick (opposite Prince of Wales Hospital)	Post box	58	Local
Avoca Street, Randwick	Prince of Wales Hospital gates and fence	59	Local
44–46 Avoca Street, Randwick	Two-storey semi-detached cottages, c 1910	60	Local
49 Avoca Street, Randwick	"Archina", Federation style two-storey residence	61	Local
49–51 Avoca Street, Randwick	Logistics Support Group complex of timber and iron buildings	62	Local
78 Avoca Street, Randwick	<i>see Cowper Street, Randwick</i>		
87, 89 & 91 Avoca Street, Randwick	Group of Federation style houses, pre 1915	63	Local
90 Avoca Street (cnr Frances Street), Randwick	Randwick Town Hall, c 1882	64	Local
100 -108 Avoca Street, Randwick	St Jude's group of buildings, including church, rectory, old borough chambers and hall	65	State
110–116 Avoca Street, Randwick	"Hetta Building", Edwardian style commercial/residential building	66	Local
115–139 Avoca Street, Randwick	Victorian shopfronts with residences above, c 1880s	67	Local
124 Avoca Street (also known as 206A Alison Road), Randwick	Randwick Post Office, c 1897	68	State
126–138 Avoca Street, Randwick	Two three-storey Victorian style commercial buildings	69	Local
146–150 Avoca Street, Randwick	"Clovelly", "Ilfracombe", "Torquay", Italianate houses, c 1906	70	Local
147 Avoca Street (cnr Alison Road), Randwick	"Coach and Horses Hotel", c 1859	71	Local
152–154 Avoca Street, Randwick	Two three-storey terraces, c 1885	72	Local
156–158 Avoca Street, Randwick	Two late Victorian terraces, c 1890	73	Local
160–162 Avoca Street, Randwick	"Somerset" and "Glastonbury"	74	Local

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Location</b>	<b>Description</b>	<b>Inventory No</b>	<b>Significance</b>
193 Avoca Street, Randwick	Our Lady of the Sacred Heart Church, c 1888, and "Ventnor", sandstone house, c 1870	75	Local
194 Avoca Street (cnr Short Street), Randwick	Late Victorian shop and residence	76	Local
203–209 Avoca Street, Randwick	"Goldring House", c 1886	77	Local
211–215 Avoca Street, Randwick	"Corana" and "Hygeia"	78	State
200 - 202 Avoca Street / 127-129 Belmore Road, Randwick	Early Georgian stone building, c 1859	79	Local
303 Avoca Street, Randwick	Late Edwardian style building, c 1925	80	Local
311 Avoca Street, Randwick	Edwardian house	81	Local
27–31 Baird Avenue, Matraville	Three bungalows, c 1935	82	Local
6 Balfour Road (cnr Sherwood Street), Kensington	Late Federation house	83	Local
25 Balfour Road, Kensington	Cottage, c 1895	84	Local
31 Balfour Road, Kensington	Cottage, c 1895	85	Local
Bare Island Fort, La Perouse Peninsula	<i>see La Perouse Peninsula</i>		
6 Barrett Place (formerly 107 Frenchmans Road), Randwick	Single-storey cottage, c 1920s	86	Local
6 Barry Street, Clovelly	"Boherbue", 1930s bungalow	87	Local
16 Barry Street, Clovelly	Federation style house, c 1910	88	Local
18 Barry Street, Clovelly	Federation style house, c 1910	89	Local
45 Beach Street, Coogee	"Cliffbrook", Edwardian free classical style house, c 1921, sandstone wall and stables	90	State
69 Beach Street, Coogee	"Warimoo", c 1940	91	Local
75 Beach Street, Coogee	"San Antonio" Federation house, late 1920s	92	Local
154 Beach Street, Coogee	"The Warwick", c 1930	93	Local

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Location</b>	<b>Description</b>	<b>Inventory No</b>	<b>Significance</b>
224 Beauchamp Road, Matraville	Electricity Substation No 25, c 1930	94	Local
Cnr Belmore Road and Avoca Street, Randwick	Statue of Captain James Cook RN	95	Local
35–43 Belmore Road, Randwick	Three-storey Art Deco commercial building	96	Local
48–60 Belmore Road, Randwick	Residential/commercial building, c 1940	97	Local
70–82 Belmore Road, Randwick	Three-storey commercial building	98	Local
84–90 Belmore Road, Randwick	“Koowori Flats”, three-storey commercial/residential building	99	Local
119 Belmore Road, Randwick	“Cooks Lodge”, two-storey commercial building, c 1878	100	Local
120–126 Belmore Road, Randwick	Commercial building, c 1920s	101	Local
127–129 Belmore Road, Randwick	Federation commercial building, c 1895	102	Local
128 Belmore Road, Randwick	“Sandgate”, mid-Victorian sandstone house, c 1870	103	State
2–4 Bishops Avenue (cnr Douglas Street), Randwick	Victorian house, c 1885	104	Local
8 Bishops Avenue, Randwick	Two-storey house, c 1895	105	Local
14 Bishops Avenue, Randwick	“Artney”, c 1885	106	Local
17 Blenheim Street, Randwick	“Blenheim House”, c 1848	107	Local
17 Blenheim Street (rear No 19), Randwick	Old stone building, associated with Blenheim House	108	Local
49–51 Boronia Street, Kensington	Symmetrical semi, c 1930	109	Local
24 Borrodale Road, Kingsford	Edwardian timber cottage	110	Local
1891 Botany Road, Matraville	APM building, c 1902	111	Local
Entrance to Botany Bay	Henry Head Fort	112	Local
139 Botany Street, Randwick	Georgian house, c 1860s	113	Local
71 Boundary Street, Clovelly	Weatherboard cottage, c 1900	114	Local

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Location</b>	<b>Description</b>	<b>Inventory No</b>	<b>Significance</b>
2a Bradley Street, Randwick	"Redlands" Art Deco flats, c 1940	115	Local
26 Bream Street, Coogee	Weatherboard cottage, c 1900	116	Local
82 Bream Street, Coogee	<i>see 182 Arden Street, Coogee</i>		
3 Bridges Street, Maroubra	Post-war cottage	117	Local
88 Brook Street, Coogee	Victorian Italianate mansion	118	Local
90–100 Brook Street, Coogee	Two-storey Edwardian style semis, c 1915	119	Local
101 Brook Street, Coogee	<i>see 1 Alfreda Street, Coogee</i>		
108 Brook Street, Coogee	Federation flats, c early 1900s	120	Local
113 Brook Street, Coogee	Federation style house, c 1920	121	Local
123 Brook Street, Coogee	St Nicolas Rectory, Federation residence c 1907	122	Local
125 Brook Street (cnr Carr Street), Coogee	St Nicolas Anglican Church, c 1887	123	Local
135 Brook Street (cnr Waltham Street), Coogee	St Brigids Catholic Church, c 1921	124	Local
142a Brook Street, Coogee	Three-storey Art Deco flats, late 1930s	125	Local
152 Brook Street, Coogee	"Brooklyn Flats", c 1930	126	Local
Bundock Street (also known as 0 Bundock Street), Randwick	Randwick Barracks School of Musketry and Officers' Mess/Convention Centre	127	Local
770 -1000 Bunnerong Road (also known as 51 – 61 Military Road), Matraville	Pioneers Park, Botany Cemetery	128	Local
379 Bunnerong Road, Maroubra	Inter-war Ocean Liner style house	129	Local
465W Bunnerong Road, Matraville	<i>see Lot C DP 18047 Jersey Lane, Matraville</i>		
1-39 Koorooerae Ave 1002-1100 Bunnerong Road, Phillip Bay	Chinese Market Garden	436	State
Burrows Park (Shark Point), Clovelly	<i>see Ocean Street, Clovelly</i>		Local

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Location</b>	<b>Description</b>	<b>Inventory No</b>	<b>Significance</b>
Byron Street (also known as 101 Coogee Bay Road), Coogee	Coogee Public School, c 1920 and old stone building	131	Local
25 Byron Street, Coogee	"Byron Lodge", c 1886	132	Local
23 Campbell Street (cnr Warner Avenue), Clovelly	Late Victorian stone cottage, c 1880	133	Local
61 Canberra Street, Randwick	Electricity Substation No 341, c 1930	134	State
Cantrill Avenue (also known as 10R Cantrill Avenue), Maroubra	Quarry Reserve, c 1916	135	Local
4 Carlton Street (Elsmere Street), Kensington	"T'olle Goes", Federation house, c 1900	136	Local
15 Carr Street (cnr Carr Lane), Coogee	Federation style dwelling, c 1920	137	Local
21 Carr Street (cnr Mount Street), Coogee	Late Victorian house, c 1890	138	Local
64 Carr Street, Coogee	Grand Pacific Hotel, c 1920s	139	Local
53–59 Carrington Road, Randwick	"Nolan Terrace"	140	Local
61–63 Carrington Road, Randwick	Unusual semi, c 1900	141	Local
81a Carrington Road/160 Clovelly Road, Clovelly	Art Deco flat building, c 1935–6	435	Local
117 Carrington Road, Randwick	Spanish Mission style flats, c 1940	142	Local
120 Carrington Road, Randwick	Federation arts & crafts style house, c 1920s	143	Local
127 Carrington Road, Randwick	Spanish Mission style flats, c 1930	144	Local
256–262 Carrington Road, Randwick	Row of Victorian attached houses, c 1870	145	Local
Centennial Park, Randwick	Federation Monument	146	State
Centennial Park, Randwick	Gates to Centennial Park (Centennial Square)	147	State
9 Challis Street, Randwick	Weatherboard house, c1910	148	Local
Centennial Park, Randwick	<i>see also Oxford Street, Randwick</i>		
23 Chichester Street, Maroubra	Californian bungalow	149	Local

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Location</b>	<b>Description</b>	<b>Inventory No</b>	<b>Significance</b>
17–19 Clara Street, Randwick	Edwardian semis, c 1910	150	Local
4 Clifton Road, Clovelly	Old timber cottage, well preserved, c 1860s	151	Local
55 Clifton Road, Clovelly	Bungalow style residence, c 1920	152	Local
Clovelly Bay	Clovelly Bay enclosure, including baths, c 1930	153	Local
225M Avoca Street, Randwick	Post box	154	Local
49–53 Clovelly Road (cnr Gilderthorpe Avenue), Randwick	Edwardian style commercial building, c 1920	155	Local
105 Clovelly Road, Clovelly	Central European style house	156	Local
107 Clovelly Road, Clovelly	Victorian house, c late 1800s	157	Local
221–223 Clovelly Road, Clovelly	Shopfront and residence, c 1930	158	Local
222–226 Clovelly Road, Clovelly	<i>see 1a Mount Street, Coogee</i>		
263–269 Clovelly Road, Clovelly	Clovelly RSL & Air Force Club (formerly Kings Theatre), 1939	159	Local
298 Clovelly Road, Clovelly	“Warrah Flats”, c 1920	160	Local
317 Clovelly Road, Clovelly	“Pohills Corner” Inter-war period commercial/residential building, 1926	161	Local
319 Clovelly Road, Clovelly	“Walders Corner” Federation style commercial/residential building, c 1915	162	Local
379 Clovelly Road, Clovelly	Clovelly Hotel, c 1859	163	Local
12 Cobham Street, Maroubra	Brick bungalow, c 1930s	164	Local
21 Cobham Street, Maroubra	Neo-romanesque house	165	Local
28 Coldstream Street, Coogee	“Santa Fe” bungalow, c 1929	166	Local
6 & 8 Conway Avenue, Clovelly	Pair of bungalows, c 1920s	167	Local
Coogee Bay	Giles Baths pool, c 1902	168	Local
Coogee Beach, Coogee	Sandstone wall	169	Local

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<b>Location</b>	<b>Description</b>	<b>Inventory No</b>	<b>Significance</b>
Coogee Beach (end of Carr Street)	Ross Jones Memorial Pool, c 1947	170	Local
Coogee Beach (adjacent to Grant Reserve)	Women's Baths, c 1876	171	Local
8–10 Coogee Bay Road, Randwick	"Gower-Galtees", Art Deco residential flat building, including fence and gate	172	Local
12 Coogee Bay Road, Randwick	Edwardian residence	173	Local
24 Coogee Bay Road, Randwick	"Glen Mervyn", 1924	174	Local
28 Coogee Bay Road, Randwick	Police station, 1892	175	Local
7–39 Coogee Bay Road, Randwick	"Aeolia", Brigidine Convent and Chapel	176	Local
81–83 Coogee Bay Road, Coogee	Late Victorian semi-detached houses	177	Local
86 Coogee Bay Road, Coogee	Victorian Gothic house	178	Local
87 Coogee Bay Road, Coogee	Federation residence	179	Local
92–94 Coogee Bay Road, Coogee	Inter-war Art Deco Ocean Liner style flats	180	Local
101 Coogee Bay Road (cnr Byron Street), Coogee	<i>see Byron Street, Coogee</i>		
165–167 Coogee Bay Road, Coogee	Federation style semi	181	Local
201 Coogee Bay Road, Coogee	Art Deco flats, c 1937	182	Local
253 Coogee Bay Road, Coogee	<i>see 212 Arden Street, Coogee</i>		
3 Cook Street, Randwick	"Woodville", Edwardian house, c 1915	183	Local
14 Cook Street, Randwick	Federation house, c 1900	184	Local
26 Cook Street (cnr Francis Street), Randwick	Federation house, c 1916	185	Local
50 Cook Street, Randwick	"Juverna", Art Deco three-storey flats, c 1940	186	Local
25 Cottenham Avenue, Kensington	Bungalow, c 1920s	187	Local
69 Cottenham Avenue, Kensington	Bungalow, c 1920s	188	Local

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<b>Location</b>	<b>Description</b>	<b>Inventory No</b>	<b>Significance</b>
5 Courland Street, Randwick	Bungalow, c 1920s	189	Local
Cowper Street, Randwick	Brickwork of Flemish bond, (adjacent to tramway reservation), c 1887	190	Local
29 Cowper Street, Randwick	"Pepadeniya", Federation bungalow, c 1915	191	Local
33-35 Cowper Street, Randwick	Edwardian semi, c 1915	192	Local
90 – 96 Cowper Street / 78 Cowper Street (also known as 62 -88 Avoca Street), Randwick	Randwick Public School, c 1924 and Randwick North High School, 1886	193	Local
81 Cowper Street, Randwick	"Peckham", Victorian mansion, c 1886	194	Local
7 Cuthill Street, Randwick	Victorian house, c 1890	195	Local
11 Cuthill Street, Randwick	Victorian house	196	Local
Dacre Street (cnr Fishermans Road), Malabar	Cromwell Park sandstone monument, c 1909	197	Local
37 Darley Road, Randwick	"Monte Carlo", Edwardian house, c 1920s	198	Local
71 Darley Road, Randwick	Federation house, c 1915	199	Local
73 Darley Road, Randwick	Bungalow style dwelling, c 1920s	200	Local
85 Darley Road, Randwick	"Shaldon", Queen Anne residence, c 1905	201	Local
87 Darley Road, Randwick	"Swan Isle", two-storey mansion, c 1910	202	Local
115 Darley Road, Randwick	"Wollungra", corner bungalow	203	Local
127 Darley Road, Randwick	"Alhawa", Federation house, c 1920	204	Local
135 Darley Road, Randwick	Unusual symmetrical style house, c 1915	205	Local
143 Darley Road, Randwick	Late Edwardian house, c 1919	206	Local
147 Darley Road, Randwick	Edwardian style bungalow, c 1920	207	Local
169-177 Darley Road, Randwick	Row of attached cottages, c 1905	208	Local
195 Darley Road, Randwick	Triple-gabled bungalow	209	Local

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<b>Location</b>	<b>Description</b>	<b>Inventory No</b>	<b>Significance</b>
199–201 Darley Road (cnr Market Street), Randwick	Federation style semi	210	Local
1–27 Darling Street, Kensington	Row of Edwardian houses, c 1905	211	Local
1–5 Day Avenue, Kensington	Group of three bungalows, c 1930	212	Local
6–10 Day Avenue, Kensington	Group of three bungalows, c 1930	213	Local
24 Day Avenue (cnr Cottenham Avenue), Kensington	Bungalow style dwelling, c 1930	214	Local
1 Dick Street (cnr Glebe Street), Randwick	Federation residence	215	Local
78 Dolphin Street (cnr Glenwood Avenue), Coogee	1920s style dwelling	216	Local
131–133 Dolphin Street (also known as 184 Arden Street), Coogee	Neo-classical residential building, c 1920s	217	Local
169–181 Dolphin Street (cnr Beach Street), Coogee	Coogee Palace, c 1887	218	Local
10–12 Doncaster Avenue, Kensington	Two-storey pair of terraces, c 1880	219	Local
25 Doncaster Avenue, Kensington	“Walsworth”, Victorian cottage, c 1894	220	Local
58 Doncaster Avenue, Kensington	“Creswell”, Victorian terrace, c 1890s	221	Local
68–82 Doncaster Avenue, Kensington	Federation Queen Anne single-storey row house	222	Local
77 Doncaster Avenue, Kensington	Kensington Public School buildings, c 1900	223	Local
88 Doncaster Avenue, Kensington	Victorian mansion	224	Local
127 Doncaster Avenue, Kensington	Edwardian style house, c 1915	225	Local
167 Doncaster Avenue (cnr Day Avenue), Kensington	Corner design bungalow, c 1920s	226	Local
202 Doncaster Avenue, Kensington	Bungalow style dwelling, c 1920s	227	Local
12 Douglas Street (cnr Carey Street), Randwick	Federation style corner house	228	Local
16 Douglas Street, Randwick	Old timber cottage	229	Local

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<b>Location</b>	<b>Description</b>	<b>Inventory No</b>	<b>Significance</b>
19 Douglas Street, Randwick	Turn of the century house, c 1895	230	Local
57 Dowling Street, Kensington	Edwardian style house, c 1915	231	Local
67 Dowling Street (cnr Baker Street), Kensington	Corner design bungalow	232	Local
16, 18, 20 & 22 Dudley Street, Randwick	4 large freestanding bungalow style residences	233	Local
32–34 & 36 Dudley Street, Randwick	2 large freestanding bungalow style residences	234	Local
23 Duke Street, Kensington	1920s style dwelling	235	Local
6 Duncan Street, Maroubra	1930s bungalow	236	Local
1 Elaroo Avenue, La Perouse	"Yarra Bay House", c 1903	237	Local
4 Dutruc Street, Randwick	Victorian residence, c 1886	238	Local
9 Dutruc Street (Lot 10 DP 864725), Randwick	Electricity Substation No 287, c 1929	239	Local
11A & 15 Dutruc Street, Randwick	Freestanding Victorian residences	240	Local
21 Dutruc Street, Randwick	Victorian Italianate villa	241	Local
54 Dutruc Street, Randwick	Victorian Italianate residence, c 1890	242	Local
60B & 62–64 Dutruc Street, Randwick	Sandstone cottage and Victorian duplex	243	Local
55–57 Earl Street, Randwick	Timber semi, c 1910	244	Local
59 & 61 Earl Street, Randwick	Timber cottages, c 1910	245	Local
Eastbourne Avenue, Clovelly	Sandstone pillar fountain, 1899	246	Local
28 Everett Street, Maroubra	Californian bungalow, c 1930	247	Local
3 Farnham Avenue (also known as 75A St Marks Road), Randwick	"Farnham House", c 1860	248	Local
16 Fern Street, Randwick	Victorian cottage	249	Local
65 Fern Street, Clovelly	Victorian Italianate style two-storey house, c 1880 (pair to 67)	250	Local

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<b>Location</b>	<b>Description</b>	<b>Inventory No</b>	<b>Significance</b>
67 Fern Street, Clovelly	Victorian Italianate style two-storey house, c 1880 (pair to 65)	251	Local
21s Flood Street, Clovelly	Electricity Substation No 300, c 1929	252	Local
Lot 1 DP 840568, Frances Street (cnr The Avenue), Randwick	St Jude's Cemetery	253	Local
2s Frances Street, Randwick	Electricity Substation No 349, c 1929	254	Local
2 Frances Street, Randwick	Federation arts and crafts two-storey dwelling, c 1920	255	Local
4 Frances Street, Randwick	Federation arts and crafts two-storey dwelling, c 1920	256	Local
11 Frances Street, Randwick	Federation arts and crafts single-storey dwelling, c 1900	257	Local
11A Frances Street, Randwick	Federation arts and crafts single-storey dwelling, c 1900	258	Local
14,16 &18 Frances Street, Randwick	"The Centre", "Wirringulla" and "Ballarat House", Federation mansions	259	Local
231 - 239 Franklin Street, Malabar	Malabar Public School, c 1909	260	Local
29 Frenchmans Road, Randwick	Two-storey residence, c 1895	261	Local
38 Frenchmans Road (also known as 2 St Marks Road), Randwick	Duke of Gloucester Hotel, c 1934	262	Local
41 Frenchmans Road, Randwick	"Glendu", Federation Queen Anne cottage, c 1908	263	Local
49-55 Frenchmans Road, Randwick	Two-storey commercial/residential building	264	Local
66 Frenchmans Road, Randwick	Victorian residence, c 1890	265	State
107 Frenchmans Road, Randwick	<i>see 6 Barrett Place, Randwick</i>		
152 Gale Road, Maroubra	Stone bungalow, c 1930	266	Local
78 Gardeners Road, Kingsford	St Spyridon Church (1973)	267	Local
6 & 8 George Street, Randwick	Two-storey stone cottages, c 1860	268	Local

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<b>Location</b>	<b>Description</b>	<b>Inventory No</b>	<b>Significance</b>
17 Gilderthorpe Avenue (cnr Figtree Avenue), Randwick	"Hooper Cottage", c 1848	269	State
63 Gilderthorpe Avenue, Randwick	Federation symmetrical house, c 1910	270	Local
65–67 Gilderthorpe Avenue, Randwick	Federation symmetrical semi-detached houses, c 1910	271	Local
83 Gilderthorpe Avenue, Randwick	Victorian Gothic house, c 1885	272	Local
Giles Baths pool, Coogee Bay	<i>see Coogee Bay</i>		
27 Goorawahl Avenue, La Perouse	1920s style bungalow	273	Local
2 Gordon Avenue, Coogee	English country house, c 1930s	274	Local
2–26 Gordon Street, Randwick	"Gordon Terrace", c 1885	275	Local
5 & 7 Greville Street, Clovelly	Terrace/maisonettes	276	Local
6 Greville Street, Clovelly	"Clara", mid-Victorian style dwelling	277	Local
20 Greville Street (cnr Barry Street), Clovelly	Symmetrical bungalow, c 1930	278	Local
16 Grosvenor Street, Kensington	Edwardian style cottage, c 1920	279	Local
4 Hay Street, Randwick	"Cotswold", late Victorian cottage, c 1885	280	Local
Henry Head Fort	<i>see Entrance to Botany Bay</i>		
8–14 Hereward Street, Maroubra	Row of Art Deco style flat buildings, c 1930s	281	Local
15s Higgs Street, Coogee	Electricity Substation No 280, c 1929	282	Local
High Cross Reserve	<i>see North-west cnr Avoca Street and Alison Road, Randwick</i>		
61 High Street, Randwick	Prince of Wales Hospital group of buildings (former Main Building, Outpatients' Building and Superintendent's Residence)	283	Local
1 Hill Street (cnr Arcadia Street), Coogee	Spanish Mission style residence	284	Local

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<b>Location</b>	<b>Description</b>	<b>Inventory No</b>	<b>Significance</b>
57–59 Hooper Street (cnr Carrington Road), Randwick	Federation style semi, c 1890	285	Local
11 Jane Street, Randwick	Worker's cottage, c 1865	286	Local
15 Jane Street, Randwick	Two-storey sandstone cottage, c 1860s	287	Local
17 Jennings Street, Matraville	"Alice Villa", bungalow, c 1930s	288	Local
Lot C DP 180474, Jersey Lane (also known as 465W Bunnerong Road), Matraville	Brick sewer vent, c 1917	289	Local
23 Judge Street (cnr Judge Lane), Randwick	Two-storey Federation house, c 1900	290	Local
1–13 Kemmis Street, Randwick	Late 1800s Victorian terrace row	291	Local
15 & 17 Kemmis Street, Randwick	Wide-fronted pair of late Victorian semi-detached dwellings, c 1890	292	Local
23, 25 & 27 Kemmis Street, Randwick	Grand Victorian houses	293	Local
1 Kensington Road (also known as 2 Roma Avenue), Kensington	Our Lady of the Rosary Church	294	Local
2 Kensington Road, Kensington	Our Lady of the Sacred Heart Convent	294	Local
3 King Street, Randwick	Federation cottage, c 1915	295	Local
90 - 98 King Street (Lot 201 DP 879576), Randwick	Brick chimney stack, c 1917	296	Local
Koorungal Avenue, Phillip Bay	<i>see Yarra Bay and Yarra Bay Beach and Reserve</i>		
La Perouse Peninsula	Bare Island Fort and Causeway	298	State
La Perouse Peninsula	Macquarie Watchtower	299	Local
La Perouse Peninsula	La Perouse Memorial	300	Local
La Perouse Peninsula	Tomb of Pere le Receveur	301	Local
La Perouse Peninsula (Old Cable Station)	<i>see Anzac Parade, La Perouse</i>		
17 Lee Street, Randwick	Transitional Victorian/Edwardian style residence, c 1910	302	Local
25 Lenthall Street, Kensington	"Hastings", Federation style dwelling, c 1915	303	Local

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<b>Location</b>	<b>Description</b>	<b>Inventory No</b>	<b>Significance</b>
30 Lenthall Street, Kensington	Classical revival style dwelling, c 1920s	304	Local
42 Lenthall Street, Kensington	Late Federation style dwelling, c 1915	305	Local
84 Loch Maree Street, Maroubra	Post-war bungalow	306	Local
Mahon Pool, off Marine Parade, Maroubra	<i>see Jack Vanny Reserve, Maroubra</i>		
Malabar Road, Coogee	Randwick Cemetery	307	Local
85 Malabar Road, Coogee	Timber cottage	308	Local
23 Marcel Avenue, Randwick	"Romona Hall", Spanish Mission influence flat building, c 1940	309	Local
31 Marcel Avenue, Randwick	Residential flat building with neo-classical entry and shingled bay windows, c 1920s	310	Local
47A Market Street, Randwick	Literary Institute, Inter-war period building	311	Local
Jack Vanny Reserve, Maroubra	Mahon Pool, off Marine Parade, c 1930	312	Local
182 Marine Parade, Maroubra	"Maroubra Beach Hotel", c 1920	313	Local
139 Maroubra Road, Maroubra	Art Deco style flat building, c 1930s	314	Local
156–164 Maroubra Road, Maroubra	<i>see 892–906 Anzac Parade, Maroubra</i>		
197–199 Maroubra Road, Maroubra	Maroubra Junction Hotel, c 1920s	315	Local
214 Maroubra Road (cnr Gale Road), Maroubra	Holy Family Church, neo-romanesque style, c 1940	316	Local
306 Maroubra Road, Maroubra	"Eden Monaro", brick mansion, c 1927	317	Local
325 Maroubra Road, Maroubra	Maroubra Fire Station, c 1920s	318	Local
7 McDougall Street, Kensington	Federation style house	319	Local
10 McDougall Street, Kensington	Federation style house	320	Local
12 McLennan Avenue, Randwick	Californian bungalow, c 1930	321	Local
23 McLennan Avenue, Randwick	Californian bungalow, c 1930	322	Local

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<b>Location</b>	<b>Description</b>	<b>Inventory No</b>	<b>Significance</b>
25 McLennan Avenue, Randwick	Californian bungalow, c 1930	323	Local
2–20 Mears Avenue, Randwick	Brighton Terrace, c 1886	324	Local
69 Meeks Street, Kingsford	1950s brick house	325	Local
31 Melody Street, Coogee	Bungalow, c 1930s	326	Local
2-6 Menin Road (Lot 5239 DP 729855), Matraville	Soldiers Settlement Public School, c 1929	327	Local
9 Middle Street, Kingsford	"Lanor", Edwardian style house, c 1920	328	Local
79 Middle Street (cnr Kennedy Street), Kingsford	Late 1920s style house	329	Local
84 Middle Street (cnr Jane Street), Randwick	St Jude's Mission Church, c 1885	330	Local
88 Middle Street, Randwick	Old stone cottage, c 1865	331	Local
90 Middle Street, Randwick	Edwardian timber cottage, c 1905	332	Local
2–4 Milford Street, Randwick	Victorian mansion	333	Local
10 Milford Street, Randwick	Californian bungalow	334	Local
16–18 Milford Street, Randwick	Gothic Revival sandstone mansion, c 1853	335	State
45 Military Road (part), Matraville	Eastern Suburbs Crematorium	336	Local
51 Military Road (part), Matraville (Pioneers Park, Botany Cemetery)	<i>see Bunnerong Road, Matraville</i>		
55 Milroy Avenue, Kensington	"Marathon", Federation style dwelling, c 1915	337	Local
45 – 59 Mirrabooka Crescent, Little Bay	Complex of townhouses, 1980	338	Local
2 Monmouth Street, Randwick	Federation residence, c 1905	339	Local
19 Monmouth Street, Randwick	Bungalow, c 1931	340	Local
18 Moorina Avenue, Matraville	Post-war brick house	341	Local
1a Mount Street (also known as 222–226 Clovelly Road), Coogee	Art Deco flats, c 1940	342	Local

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<b>Location</b>	<b>Description</b>	<b>Inventory No</b>	<b>Significance</b>
14 Mount Street, Coogee	Bungalow, c 1940	343	Local
3 Mulwaree Avenue, Randwick	Spanish Mission flats, c 1940	344	Local
34 Murrabin Avenue, Matraville	Late modern style dwelling	345	Local
39 Napier Street, Malabar	Turn-of-the-century house	346	Local
Neptune Street, Coogee	Wyllies Baths, c 1907	347	State
2 Nolan Avenue, Clovelly	Sandstone Georgian cottage, c 1870	348	Local
3–7 Nolan Avenue, Clovelly	Three attached Federation style cottages, c 1900	349	Local
153 Oberon Street, Coogee	Edwardian style bungalow, c 1925	350	Local
245 Oberon Street, Coogee	Electricity Substation No 362, c 1930	351	Local
Ocean Street (also known as 13R Ocean Street), Clovelly	Shark Point, Burrows Park	352	Local
41– 45 O'Sullivan Street, Maroubra	Row of semis, c 1940s	353	Local
1–19 Oswald Street, Coogee	Victorian attached houses, c 1880s	354	Local
Oxford Street, Randwick	Superintendent's residence, Centennial Park, c 1888	355	State
Oxford Street (Lot 1729 DP 45644), Randwick	Reservoir fence and steps Centennial Park	356	State
7 Pacific Street, Clovelly	Victorian cottage, c 1870	357	Local
11A Park Avenue, Randwick	"The Pines", boom style house, c 1885	358	Local
18 Percival Street, Maroubra	"Palmyra", late Victorian cottage	359	Local
2 - 4 Perouse Road, Randwick	Royal Hotel, 1887	360	Local
15–19 Perouse Road, Randwick	Matching pairs of Edwardian cottages and fences	361	Local
84 Perouse Road, Randwick	Grand Edwardian mansion	362	Local
85 Perouse Road, Randwick	Federation house, c 1915	363	Local
98–100 Perouse Road, Randwick	Edwardian style adaptation to irregular blocks, c 1915–1920	364	Local

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Location</b>	<b>Description</b>	<b>Inventory No</b>	<b>Significance</b>
106 Perouse Road, Randwick	Federation Queen Anne house	365	Local
108 & 110 Perouse Road, Randwick	Federation Queen Anne houses	366	Local
144 Perry Street, Matraville	Matraville Hotel, c 1920s	367	Local
30 Pine Street, Randwick	Transitional style Victorian two-storey house	368	Local
71 Pine Street, Randwick	Edwardian style cottage, c 1900	369	Local
81–83 Pine Street, Randwick	Two-storey Federation semi, c 1905	370	Local
28 Powell Street, Coogee	"Belle", Federation house	371	Local
2 Prince Street (cnr King Street), Randwick	Three-storey 1930s style block of flats	372	Local
2 - 14 Prince Edward Street, Malabar	Stella Maris Convent and St Andrew's Church, c 1930s	373	Local
3 Quail Street, Coogee	Edwardian cottage, c 1910	374	Local
Quarry Reserve, Maroubra	<i>see Cantrill Avenue, Maroubra</i>		
1 Rae Street, Randwick	Small Gothic church, c 1883	375	Local
3, 5, 7 & 9–11 Rae Street, Randwick	Part of historic streetscape, c 1900	376	Local
11A–23 Rae Street, Randwick	Part of historic residential streetscape, c 1887	377	Local
37 Rae Street (cnr St Marks Road), Randwick	Victorian residence, c 1889	378	Local
90 – 98 Rainbow Street, Coogee	Rainbow Street Public School, c 1920s	380	Local
9 Ritchard Avenue, Coogee	1950s style house	381	Local
2 Robey Street, Maroubra	Post-war style residence	382	Local
37 Robey Street, Maroubra	"Elwi Ento", late modern style dwelling, c 1930s	383	Local
1 Roma Avenue, Kensington	Sacred Heart Monastery and Chapel, c 1895	384	Local
Ross Jones Memorial Pool, Coogee Beach	<i>see Coogee Beach</i>		
43 Sackville Street, Maroubra	Spanish Mission style residence	385	Local
2 St Marks Road, Randwick	<i>see 38 Frenchmans Road, Randwick</i>		

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Location</b>	<b>Description</b>	<b>Inventory No</b>	<b>Significance</b>
4–10 St Marks Road, Randwick	Federation Queen Anne semi-detached single-storey houses	386	Local
43 St Marks Road, Randwick	"Rathven", large Italianate house, c 1887	387	State
48–50, 52–56, 58, 60, 62, 64 & 66 St Marks Road, Randwick	Single-storey and two-storey Italianate residences, part of a large and consistent group, c 1884	388	Local
15 St Pauls Street, Randwick	Victorian terrace	389	Local
17 St Pauls Street, Randwick	Federation single-storey cottage	390	Local
19 St Pauls Street, Randwick	Victorian Italianate boom style two-storey house	391	Local
25–27 St Pauls Street, Randwick	Federation single-storey cottage	392	Local
39 - 47 St Pauls Street, Randwick	Ritz Theatre	393	State
44 St Pauls Street, Randwick	Masonic Temple, classic Revival style, c 1920s	394	Local
32 Shackel Avenue, Clovelly	Bungalow style residence, c 1920s	395	Local
22 Shaw Avenue, Kingsford	1930s style bungalow	396	Local
4–8 Silver Street, Randwick	Three late Victorian houses, c 1885	397	Local
18–20 Stanley Street (cnr Avoca Street), Randwick	Former Little Sisters of the Poor Chapel, Novitiate and "Aston Lodge"	398	State
10–14 Stephen Street (cnr Monmouth Street), Randwick	Pair of late Victorian terraces and Edwardian style corner house	399	Local
1 & 1A Sully Street, Randwick	Late version, Spanish Mission style flats, c 1950	400	Local
Tay Reserve, Kensington	<i>see Cnr Anzac Parade and Alison Road, Kensington</i>		
1 The Avenue, Randwick	"Tayar", Italianate house, c 1900	401	Local
6 The Avenue, Randwick	Randwick Fire Station, c 1908	402	Local
26–42 The Avenue, Randwick	"Avonmore Terrace", boom style Victorian terraces, c 1888	403	State

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Location</b>	<b>Description</b>	<b>Inventory No</b>	<b>Significance</b>
7 Thomas Street, Randwick	Large bungalow	404	Local
1–21 Todman Avenue, Kensington	Row of Art Deco flat buildings	405	Local
12 Todman Avenue, Kensington	Former Administration building for WD & HO Wills, Raleigh Park	406	Local
85 Todman Avenue, Kensington	"Carthona", Edwardian house	407	State
101–103 Todman Avenue, Kensington	St Martin's Church	408	Local
117–119 Todman Avenue, Kensington	Edwardian style semis	409	Local
161 Todman Avenue, Kensington	"Cooma", Edwardian mansion, c 1894	410	Local
47 Tunstall Avenue, Kensington	Spanish Mission style dwelling, c 1930s	411	Local
8–10 Victoria Street, Randwick	Two-storey semi-detached houses, c 1860	412	Local
66 Victoria Street, Malabar	"Sunnyside", Edwardian cottage	413	Local
3 Villiers Street, Kensington	"Bradford", Edwardian cottage	414	Local
4 Villiers Street, Kensington	"Avalon", bungalow, c 1920s	415	Local
14–16 Villiers Street, Kensington	Edwardian semi, c 1920	416	Local
42 Wallace Street, Kingsford	Late modern style house	417	Local
44 Wallace Street, Kingsford	Late 1920s style flat building	418	Local
7–9 Walsh Avenue, Maroubra	Semi, c 1930s	419	Local
23–25 Walsh Avenue, Maroubra	Post-war semi	420	Local
1A Waltham Street (cnr Asher Street), Coogee	"Maidstone", late Victorian mansion, c 1860	421	Local
5 Wentworth Street, Randwick	"Keletera", symmetrical cottage, c 1920	422	Local
53 Willis Street, Kingsford	Early 1950s mansion	423	Local
65 Willis Street, Kingsford	Innovative 1930s building	424	Local
39 Winchester Road, Clovelly	"Peace", early bungalow, c 1920	425	Local

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Location</b>	<b>Description</b>	<b>Inventory No</b>	<b>Significance</b>
11–13 Wise Street, Maroubra	Edwardian style semi	426	Local
Wylie's Baths, Coogee	<i>see Neptune Street, Coogee</i>		
Yarra Bay (eastern side of Koorinal Avenue)	Phillip Monument	427	Local
Yarra Bay Beach and Reserve (also known as O Koorinal Avenue), Phillip Bay	—	428	Local
11 Yarra Road, La Perouse	Our Lady of the Good Counsel Church, c 1940s	429	Local
22 Young Street, Randwick	Weatherboard cottage, c 1870	430	Local
Young Street (cnr Barker Street), Randwick	Newmarket sale ring, big stable and Newmarket house	431	State

**Schedule 3**

**Known or potential archaeological sites (Clause 58)**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Location</b>	<b>Description</b>	<b>Inventory No</b>
Prince Henry Site, 1430 Anzac Parade, Little Bay	Aboriginal and non-Aboriginal sites	1

**Schedule 4**

**Classification and reclassification of public land as  
operational (Clause 54)**

<b>Column 1</b>	<b>Column 2</b>
<b>Location</b>	<b>Identification</b>
<b>Clovelly</b>	
Clovelly Road	Land between Beach and Flood Streets, Clovelly being Lots 19A and 2A, Volume 7836, Folio's 102 and 101
<b>Matraville</b>	
Baird Avenue	Land within Baird Avenue car park, 37–39R Baird Avenue, being Lot 11, DP 236131.
<b>South Coogee</b>	
Blenheim Park	Land between Oberon Street and Rainbow Street, Coogee comprising part of Blenheim Park, Lot 6 DP 1109484

**Schedule 5**

**Exempt development (Clause 28)**

## **General Requirements for Exempt Development**

All of the requirements in Tables A or B must be met for a proposal to be Exempt Development. Only *one* or the *first* of any kind of structure can be exempt development unless otherwise specified in the tables.

The following conditions apply to all building work that is Exempt Development:

- Building and demolition work must only be carried out between the hours of 7.00 am to 5.00 pm, Monday to Friday and 8.00 am to 5.00 pm on Saturdays. Work is not permitted on any public holidays or Sundays.
- Internal works may be carried out outside of the abovementioned restricted hours, subject to the works and associated use of tools and equipment, not being audible within any other residential premises.
- Sediment control measures must be implemented in accordance with the publication entitled *Managing Urban Stormwater, Soils and Construction*, published by the NSW Department of Housing.
- Soil, sand, excavated material, construction and landscaping supplies and other debris are to be located wholly within the site.
- No articles, materials, sand, soil, debris, equipment, containers, bulk bins or site amenities are to be stored or placed on the road, footpath or any other public place at any time without the required written approval of council
- Structures must not encroach into adjoining properties unless the structure is a dividing fence and is constructed centrally over the boundary and structures must not encroach onto the road, footpath or any public space.
- Relevant approvals must be obtained from Sydney Water or other service authorities, as applicable.
- Building work must be carried out in accordance with relevant professional standards, quality and in accordance with the Building Code of Australia.
- The relevant requirements of Workcover must be complied with at all times, including carrying out of work involving materials containing asbestos or lead.
- The work must be carried out in accordance with Randwick City Council's Asbestos Policy.

### **Advisory Notes:**

*If your proposal falls outside any of the definitions or criteria in Table A and B or if you want more than just one of the proposed items, the proposal may require a Complying Development Certificate (Schedule 6) or Development Consent.*

*A number of the types of exempt and complying development are limited to specified building classifications, as detailed in the Building Code of Australia. Therefore, it is important to be aware of the correct building classification of the proposed building, prior to commencing any work.*

**Table A – Exempt Development - General**

Column 1	Column 2
Exempt Development (A)	Limits and Requirements - General
<p><b>1. Aerials, antennae, microwave facilities</b></p> <p>Does not apply to satellite dishes or other types of communication facilities .</p>	<ul style="list-style-type: none"> <li>• Structurally adequate construction that is attached to a building</li> <li>• Maximum height, length or projection of aerial / antennae is 4m from where it is attached to the building.</li> <li>• Located wholly behind the front of the building and not located on the roof area facing the street.</li> <li>• If situated on a Heritage Item, must not be visible from any street or roadway.</li> <li>• Limit of one (1) external aerial, antennae, or microwave facility per building.</li> <li>• Must not encroach onto any adjoining property or over any public space or road.</li> </ul>
<p><b>2. Air conditioning units</b></p> <p>Applies to residential dwellings / buildings only.</p> <p>Does not apply to a building identified as a Heritage Item.</p>	<ul style="list-style-type: none"> <li>• Located a minimum of 900mm from the property boundary in residential zones.</li> <li>• Located at ground floor level, at the side or rear of the building and be adequately screened if visible from a public place.</li> <li>• Building work must not reduce the structural integrity of the building.</li> <li>• Any opening created is to be adequately weatherproofed.</li> <li>• Noise level when operating not to exceed 5dBA above ambient background noise level measured at the property boundary.</li> <li>• Domestic air conditioning units should be located away from windows of habitable rooms on neighbouring properties.</li> <li>• Domestic air conditioning units, if audible from within any room of adjoining premises, must not be used from 10 pm to 7am on weekdays and 10 pm to 8 am on weekends or public holidays.</li> <li>• The operation of any units or equipment must not make an 'offensive noise', as defined by the <i>Protection of the Environment (Operations) Act, 1997</i>.</li> </ul>
<p><b>3. Alterations - Internal</b></p> <p>▶ <b>Dwelling houses (Class 1a buildings)</b></p> <p>Does not apply to works that affect original or significant fabric and features of buildings identified as heritage</p>	<ul style="list-style-type: none"> <li>• Applies to non-structural and non-load bearing works only, such as replacing doors; wall, ceiling or floor linings and frames; renovating bathrooms and kitchens, including installing built-in fixtures such as vanities, cupboards wardrobes and sanitary fixtures. Includes removal of non-load bearing partition walls.</li> <li>• Where kitchens, laundries and bathrooms are renovated, triple A rated water efficient taps and shower roses and water efficient dual-flush toilets are to be installed.</li> </ul> <p>Work must not:</p> <ul style="list-style-type: none"> <li>• Reduce window or door sizes less than BCA requirements</li> </ul>

**Table A – Exempt Development - General**

Column 1	Column 2
<p><b>Exempt Development (A)</b></p>	<p><b>Limits and Requirements - General</b></p>
<p>items.</p>	<p>or enclose open areas.</p> <ul style="list-style-type: none"> <li>• Increase the size of window or door openings.</li> <li>• Increase the number of kitchens provided within the dwelling or premises.</li> <li>• Involve the removal, replacement or installation of any structural or load-bearing members or components of construction.</li> <li>• Involve the removal or installation of structural beams, columns or lintels.</li> <li>• Affect the structural or lateral stability of the building.</li> </ul> <p><b>Advisory Note:</b></p> <ul style="list-style-type: none"> <li>• <i>Advice should be obtained from a qualified building consultant or engineer prior to removal of any partition walls, to ensure that the removal of walls does not affect the bracing of the external walls and lateral stability of the building.</i></li> </ul>
<p><b>4. Alterations - Internal</b></p> <p>▶ <b>Multi-unit Housing (Class 2 &amp; 4 buildings)</b></p> <p>Does not apply to:</p> <ul style="list-style-type: none"> <li>• Works that affect original or significant fabric and features of buildings identified as heritage items.</li> <li>• The renovation and upgrading of all or most of the units within a multi unit development may trigger SEPP No. 10 and require development consent. SEPP 10 is triggered if the development will cause significant social and economic impacts and reduces the availability of low rental accommodation.</li> </ul>	<ul style="list-style-type: none"> <li>• Applies to non-structural and non-load bearing works only, such as replacing internal doors and frames, replacing certain wall and ceiling linings, renovating bathrooms and kitchens, and installing fixtures such as vanities, cupboards and wardrobes, within a single residential unit only.</li> <li>• Where kitchens, laundries and bathrooms are renovated, triple A rated water efficient taps and shower roses and water efficient dual-flush toilets are to be installed.</li> </ul> <p>Work must not:</p> <ul style="list-style-type: none"> <li>• Reduce window or door sizes less than BCA requirements or enclose open areas, balconies or the like.</li> <li>• Increase the size of window or door openings.</li> <li>• Change room configurations by removing existing walls, installing or removing partitions or by other means.</li> <li>• Affect or involve work to wall, floor and ceiling linings located between or adjoining different units, the roof space or any common areas, corridor, hallway, stairway or exit.</li> <li>• Include plumbing or other services which penetrate walls, floors or ceilings located between or adjoining different units, the roof space or any common areas, corridor, hallway, stairway or exit.</li> <li>• Reduce or impede any access or facilities that have been provided for people with a disability.</li> <li>• Affect or involve work to doors and doorways of individual units, which open to stairways/corridors or other common</li> </ul>

**Table A – Exempt Development - General**

Column 1	Column 2
<p><b>Exempt Development (A)</b></p>	<p><b>Limits and Requirements - General</b></p> <p>area or exit.</p> <ul style="list-style-type: none"> <li>• Reduce existing levels of fire safety, remove or affect fire resistant construction or linings.</li> <li>• Increase the number of kitchens or bathrooms within the building.</li> <li>• Involve the installation of floor boards, without body corporate approval.</li> <li>• Involve the removal or installation of structural beams, columns or lintels.</li> <li>• Affect the structural or lateral stability of the building.</li> <li>• Involve the removal of any brick or masonry walls or form openings in brick or masonry walls.</li> </ul> <p><b>Advisory Notes:</b></p> <ul style="list-style-type: none"> <li>• <i>Approval may also be required from the owners corporation or strata body prior to commencing any building work or renovations.</i></li> </ul>
<p><b>5. Alterations - Internal</b></p> <p>▶ <b>Commercial and industrial premises (Class 5, 6, 7 &amp; 8 buildings)</b></p> <p>Does not apply to:</p> <ul style="list-style-type: none"> <li>• Works that affect original or significant fabric and features of buildings identified as heritage items.</li> <li>• premises used for preparing, storing, manufacturing or selling food, including cafes, restaurants or any food business.</li> <li>• Premises required to be licensed or registered with Council (including:             <ul style="list-style-type: none"> <li>○ hairdressing salons,</li> <li>○ skin penetration business,</li> <li>○ beauty salons, and</li> <li>○ businesses providing</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Applies to non-structural work only; such as shelves, displays, benches and internal partitions that do not provide structural or lateral support to any part of the building.</li> <li>• Premises/tenancy must be less than 500m<sup>2</sup>.</li> <li>• Must comply with the deemed to satisfy provisions of the BCA.</li> <li>• Must be carried out/installed to manufacturer's requirements.</li> <li>• Where kitchens, bathrooms and other wet areas are renovated, triple A rated water efficient taps and shower roses and water efficient dual-flush toilets are to be installed.</li> </ul> <p>Work must not:</p> <ul style="list-style-type: none"> <li>• Increase the size of any external door or window openings.</li> <li>• Reduce window or door sizes less than BCA requirements.</li> <li>• Reduce door arrangements in any exits or within any paths of travel to any exit or enclose open areas.</li> <li>• Affect or reduce levels of fire safety or accessibility to a fire exit or required exit or, remove or affect fire resistant construction or linings.</li> <li>• Reduce or impede any access or facilities that have been provided for people with a disability.</li> <li>• Involve any structural work or encompass work required to have a fire resistance level under the BCA.</li> <li>• Affect the structural or lateral stability of the building.</li> </ul>

**Table A – Exempt Development - General**

Column 1	Column 2
<p><b>Exempt Development (A)</b></p>	<p><b>Limits and Requirements - General</b></p>
<ul style="list-style-type: none"> <li>sexual services,</li> <li>o Installation of cooling towers.</li> </ul>	<ul style="list-style-type: none"> <li>• Involve the removal of any brick or masonry walls or form openings in brick or masonry walls.</li> </ul> <p><b>Advisory Note:</b></p> <ul style="list-style-type: none"> <li>• <i>Alterations, additions or fit-outs to any food premises or food business require a DA, CC or CDC if the requirements for complying development in this schedule are fully satisfied.</i></li> </ul>
<p><b>4. Awnings, canopies and other similar sun and weather protection devices</b></p> <p>Applies to dwelling houses and semi-detached dwellings only.</p> <p>Does not apply to:</p> <ul style="list-style-type: none"> <li>• multi-unit housing of more than 2 dwellings and vertically attached dual occupancies;</li> <li>• awnings over a public road/footway</li> <li>• pergolas (refer to Item 31 in Table A1 - Exempt Development).</li> </ul>	<ul style="list-style-type: none"> <li>• Structurally adequate construction.</li> <li>• If located between the dwelling and the side or rear boundary, the structure must be setback 900mm from the boundary.</li> <li>• Located in the rear yard only if the building is identified as a Heritage Item.</li> <li>• Attached to the dwelling.</li> <li>• Design and materials to be compatible with the existing dwelling.</li> <li>• Roller shutters are not permitted on the front or street elevation of the building.</li> </ul> <p><b>Detached dwellings</b></p> <ul style="list-style-type: none"> <li>• Maximum area 16m<sup>2</sup> if located at ground level</li> <li>• Located at the side or rear of detached dwellings, not less than 900mm from the site boundaries</li> <li>• Maximum height above ground level 2.4m if located between 900mm and 2m from boundaries; or</li> <li>• Maximum height above ground level of 2.7m if located greater than 2m from the boundary.</li> <li>• Maximum area 3m<sup>2</sup> if located at the front of the dwelling, or if located above the lowest floor level of the building.</li> </ul> <p><b>Semi Detached Dwellings</b></p> <ul style="list-style-type: none"> <li>• Located 900mm from boundaries of the property, other than the boundary of the adjoining semi for a maximum length of 3m, subject to compliance with the requirements of the Building Code of Australia.</li> <li>• Maximum height above ground level 2.4m if located less than 2m from boundaries and maximum height above ground level of 2.7m where located greater than 2m from the boundary.</li> <li>• Maximum area 16m<sup>2</sup> if located at ground level at the rear.</li> <li>• Maximum area of 3m<sup>2</sup> for each window if located at the front of the dwelling or if located above the lowest floor level of the building.</li> </ul>

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**Table A – Exempt Development - General**

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Column 1	Column 2
<b>Exempt Development (A)</b>	<b>Limits and Requirements - General</b>
<p><b>5. Aviaries</b></p> <p>Applies to residential zones only</p> <p>Does not apply to birds kept for commercial breeding or racing or to keeping poultry, fowl or roosters.</p>	<ul style="list-style-type: none"> <li>• Maximum area 10m<sup>2</sup>.</li> <li>• Must not be more than 2.2m high above ground level.</li> <li>• Must be at least 1m from any property boundary.</li> <li>• Must be in the rear yard only.</li> <li>• Only one aviary per site.</li> </ul> <p><b>Advisory Note:</b></p> <ul style="list-style-type: none"> <li>• <i>Bird aviaries must be kept clean, free of offensive odours and not cause a health nuisance.</i></li> </ul>
<p><b>6. Barbeques</b></p>	<ul style="list-style-type: none"> <li>• Applies only to barbeques for domestic, residential and recreational uses.</li> <li>• Fixed barbeque structures to be a maximum height 1.5m above ground level including any flues or chimneys.</li> <li>• The barbeque must be located to minimise the risk of spread of fire.</li> <li>• Fixed barbeque structures must be located to the side or rear of the premises, behind the building line.</li> </ul>
<p><b>7. Bus shelters</b></p> <p>Does not apply to advertising material on the shelter unless it is on panels or areas provided for advertising material.</p>	<ul style="list-style-type: none"> <li>• Must be suitably designed and constructed by or for Council or the University of New South Wales.</li> <li>• Structurally adequate construction.</li> <li>• Not obstruct the line of sight of vehicular traffic.</li> <li>• A maximum height of 3m above the footpath.</li> <li>• Have an area of less than 12m<sup>2</sup></li> <li>• Non-reflective surface finishes.</li> <li>• Must not obstruct pedestrian traffic.</li> <li>• If required, more than one structure is permissible.</li> </ul> <p><b>Advisory Note:</b></p> <ul style="list-style-type: none"> <li>• <i>The design of the shelter must be consistent with character and amenity of the area.</i></li> </ul>
<p><b>8. Bridges, stairways, and retaining walls, and repair, replacement or upgrading of public facilities, infrastructure, services, monuments and recreation facilities.</b></p>	<ul style="list-style-type: none"> <li>• Construction must be by or for Council.</li> <li>• Bridges to a maximum span of 8 metres and designed, fabricated and installed in accordance with the BCA (Section B) and AS 4100 (for steel structures) and AS 1720 (for timber structures) and AS 3600 (for concrete structures).</li> <li>• Masonry walls must comply with: AS 3700 – Masonry Code, AS 3600 – Concrete Structures, and AS 1170 – Loading Code.</li> <li>• Timber walls must comply with: AS 1720 – Timber Structures and AS 1170 – Loading Code.</li> </ul>

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**Table A – Exempt Development - General**

Column 1	Column 2
<b>Exempt Development (A)</b>	<b>Limits and Requirements - General</b>
	<ul style="list-style-type: none"> <li>• Must comply with the Australian National Parks and Wildlife Service Walking Track Management Manual Standards.</li> <li>• Must be in accordance with any Plan of Management, which may apply.</li> <li>• Applies in relation to class 10 structures (under the BCA) only.</li> <li>• May apply to one or more such structures on the same site.</li> </ul>
<p><b>9. Cabanas, gazebos, greenhouses and the like</b></p> <p>Applies to premises comprising single dwelling houses (Class 1a buildings) only.</p> <p>Does not apply to the area within a Foreshore Building Line.</p>	<ul style="list-style-type: none"> <li>• Maximum floor area 16m<sup>2</sup>.</li> <li>• Maximum wall height of 2.1m where located 900 mm or less from the boundary, or</li> <li>• Maximum wall height of 2.4 metres where located greater than 900 mm but less than 2m from the boundary, or</li> <li>• Maximum height of 2.7m where located greater than 2m from the boundary.</li> <li>• Subject to maximum overall height of 2.7m above ground level at any point.</li> <li>• If located between the dwelling and the side or rear boundary, the structure must be set back 900mm from the dwelling or boundary.</li> <li>• Not to be used for habitable purposes.</li> <li>• Stormwater to be connected to existing stormwater systems or suitable stormwater disposal system.</li> <li>• Structurally adequate and quality construction.</li> <li>• Cannot be a masonry structure.</li> <li>• Non-reflective surface finishes.</li> <li>• Located in the rear yard only.</li> <li>• Must not impede or prevent overland stormwater flow.</li> <li>• Must not obstruct or have a detrimental effect on flooding and drainage.</li> </ul> <p><b>Advisory note:</b></p> <ul style="list-style-type: none"> <li>• <i>Owners should contact Council's development engineer to determine if the proposed development is located in an area where flooding may occur.</i></li> </ul>
<p><b>10. Change of use</b></p> <p><b>(Changing one type of business premises to another type of business premises)</b></p>	<ul style="list-style-type: none"> <li>• Where the previously approved use was not subject to any development consent condition specifying hours of trading, the use and operation of the premises is limited to 7.00 am-9.00 pm maximum.</li> <li>• The current use must be the subject of a valid consent or must have been previously established as an exempt development or encompassed within a previous building approval, other approval or licence/registration issued by</li> </ul>

**Table A – Exempt Development - General**

Column 1	Column 2
<b>Exempt Development (A)</b>	<b>Limits and Requirements - General</b>
<p>Applies only to Business Zones 3A and 3B.</p> <p>Does not apply:</p> <ul style="list-style-type: none"> <li>• to restaurants, cafes, takeaway food shops, other premises used for the storage, preparation or sale of food or any food business;</li> <li>• licensed premises (ie hotels and bars);</li> <li>• any premises required to be licensed or registered with Council (including: hairdressers, beauty salons and skin penetration businesses);</li> <li>• where other works that would require consent are proposed;</li> <li>• to any building or place to be used as a brothel, restricted premises or business providing any sexual services;</li> <li>• to the storage of dangerous or offensive, or potentially offensive or hazardous or potentially hazardous goods or materials.</li> </ul>	<p>Council.</p> <ul style="list-style-type: none"> <li>• Applies only to a class 5 or class 6 building as defined in the BCA</li> </ul> <p>The proposed use must not:</p> <ul style="list-style-type: none"> <li>• Result in a change to the classification of the building, as defined in the EP&amp;A Act 1979 and the Building Code of Australia.</li> <li>• Be inconsistent with or contravene any condition of consent or approval (including hours of operation) that may apply to any previously approved use or exempt development.</li> <li>• Occupy more floor space than the current use.</li> <li>• Result in an intensification of the use or alter any existing parking or loading provisions or facilities.</li> </ul> <p><b>Advisory note:</b></p> <ul style="list-style-type: none"> <li>• <i>Refer to LEP 2008 for definitions of a business premises, brothel and restricted premises. Refer to the Building Code of Australia to determine the classification of the building (ie. offices being class 5 buildings and shops being class 6 buildings). The change of use must not result in a change in the classification of the building ie. From an office to a shop or vice versa. This exemption only relates to the change of one type of class 5 building with another class 5 building or, one type of class 6 building with another class 6 building. Refer to Item 3 regarding any proposed internal or shop fit out works.</i></li> <li>• <i>All food premises, brothels, hair dressing salons, beauty salons and premises providing skin penetration services must be registered with Council prior to operation.</i></li> </ul>
<p><b>11. Clothes hoists/lines</b></p> <p>Applies to residential premises only.</p>	<ul style="list-style-type: none"> <li>• Installed to Manufacturer's specifications.</li> <li>• Located to the side or rear of the premises, behind the building line and at ground level only.</li> <li>• In premises identified as a Heritage Item or within a Heritage Conservation Area, the structure must be located in the rear yard only or must not be visible from a public place.</li> </ul>
<p><b>12. Cubby houses</b></p> <p>Must be associated with residential, child care, child recreation or educational</p>	<ul style="list-style-type: none"> <li>• Maximum height from ground level to the top of the structure 2.1m if less than 900mm from the boundary or 2.7m where located greater than 900mm from the boundary.</li> <li>• Maximum area of cubby house 10m<sup>2</sup>.</li> <li>• Located at the side or rear of the premises, behind the</li> </ul>

**Table A – Exempt Development - General**

Column 1	Column 2
Exempt Development (A)	Limits and Requirements - General
<p>uses.</p>	<p>building line.</p> <ul style="list-style-type: none"> <li>• Located in the rear yard area only if building is located within a Heritage Conservation Area or must not be visible from a public place.</li> <li>• Installed to manufacturers specifications.</li> <li>• Structurally adequate construction.</li> </ul>
<p><b>13. Decks</b></p> <p>Applies to single dwelling houses and semi detached dwellings only (class 1a buildings)</p> <p>Does not apply to a building listed as a Heritage Item.</p>	<ul style="list-style-type: none"> <li>• Single structure only.</li> <li>• Maximum area of 15m<sup>2</sup> with a maximum width of 3m.</li> <li>• Finished surface level must not be greater than 600mm above existing ground level.</li> <li>• Structurally adequate construction.</li> <li>• Must not include roofs or walls or any enclosure around the deck.</li> <li>• Located at the side or rear of the dwelling only.</li> <li>• Setback a minimum 900mm from the rear boundary and side boundary (other than the common side boundary in relation to semis, as specified below).</li> <li>• Can extend to the common side boundary of the adjoining semi, for a maximum distance of 3m, subject to the installation of a 1.6m high privacy screen on the side common boundary and subject to compliance with the Building Code of Australia.</li> </ul>
<p><b>14. Demolition</b></p> <p>▶ <b>Demolishing a structure which is exempt development in this schedule (whether erected before or after this schedule took effect)</b></p> <p>Does not apply to retaining walls or fences on heritage listed premises and conservation areas if located within the building line.</p> <p>Does not apply to retaining walls or fences on heritage listed premises and conservation areas if located within the building line.</p>	<ul style="list-style-type: none"> <li>• Public safety must be maintained at all times and public access to the works is to be restricted via the provision of adequate temporary safety fences, where necessary.</li> <li>• The demolition material should be recycled were possible.</li> <li>• All material leaving the site by vehicle must be enclosed with in the vehicle or suitably covered and secured.</li> <li>• Vehicle tyres are not to track soil or waste off the site.</li> <li>• Any noise and dust generated should be minimised.</li> <li>• Demolition must be carried out to Australian Standard AS 2601-2001 Demolition Code.</li> <li>• Public access to works is restricted via adequate temporary safety fencing.</li> <li>• All work involving demolition of asbestos products and materials removal must be carried out in accordance with Council's Asbestos Policy.</li> <li>• Must comply with the code of Practice for the safe removal of Asbestos (NOHSC: 2002 (1988)) contained in the Work Safe Australia Code Asbestos prepared by the National Occupational Health and Safety Commission.</li> <li>• Waste including all lead and asbestos contaminated material must be disposed of in accordance with the requirements of the protection of the Environment</li> </ul>

**Table A – Exempt Development - General**

Column 1	Column 2
<p><b>Exempt Development (A)</b></p>	<p><b>Limits and Requirements - General</b></p>
	<p>Operations Act 1997 and associated regulations.</p> <p><b>Advisory note:</b></p> <ul style="list-style-type: none"> <li><i>The WorkCover Authority has advised that care should be taken in work involving the removal of lead paint to avoid lead contamination. Any work involving asbestos must comply with the Authority's 'A short guide to working with Asbestos.'. WorkCover must be notified 7 days prior to commencing work involving asbestos as required under the Occupational Health and Safety Act 1983.</i></li> </ul>
<p><b>15. Demolition (continued)</b></p> <p><b>▶ Demolishing other buildings and structures when Council has approved a development that requires their demolition</b></p> <p>(unless the consent contains specific conditions otherwise).</p>	<ul style="list-style-type: none"> <li>Demolition must be carried out to Australian Standard AS 2601-2001 Demolition Code.</li> <li>All work providing demolition of asbestos products and materials removal must be carried out in accordance with Council's Asbestos Policy.</li> <li>The demolisher must have current Public Risk insurance to an amount not less than \$10 million.</li> <li>The demolition material should be recycled where possible.</li> <li>All material leaving the site by vehicle must be enclosed within the vehicle or suitably covered and secured.</li> <li>Vehicle tyres are not to track soil or waste off the site.</li> <li>Any noise and dust generated should be minimised.</li> <li>Public safety must be maintained at all times and public access to the works is to be restricted via the provision of adequate temporary fences, where necessary.</li> <li>All relevant conditions of building and development consent must be complied with.</li> <li>Public safety and site management requirements &amp; conditions contained in the Exempt and Complying Guidelines must be complied with at all times.</li> <li>Relevant Conditions of Consent must be complied with at all times.</li> <li>Filling-in or dismantling of disused swimming pools (not including physical demolition (breaking up) of in-ground pools) subject to:             <ul style="list-style-type: none"> <li>The in-ground swimming pool being filled and compacted with clean fill</li> <li>Council being provided with written notification of the filling-in/removal of the pool (consistent with the Swimming Pools Act 1992)</li> <li>Removal of any hydro-static relief valve</li> </ul> </li> </ul> <p><b>Advisory note:</b></p> <ul style="list-style-type: none"> <li><i>The WorkCover Authority has advised that care should</i></li> </ul>

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**Table A – Exempt Development - General**

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**Exempt Development (A)**

**Limits and Requirements - General**

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*be taken in work involving the removal of lead paint to avoid lead contamination and that the Authority's 'A short guide to working with Asbestos' should be referred to for any work involving asbestos cement. Pursuant to the Occupational Health and Safety Act 1983, WorkCover must be notified 7 days prior to commencing work involving asbestos.*

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**16. Driveways or sealed areas at ground level**

Applies to residential premises or associated with a residence (i.e. where residence attached to a business).

Does not apply to:

- heritage places unless it is in the rear of the property;
- removing driveways or paved areas or overlaying existing driveways or paved areas in Conservation Areas.

**General requirements:**

- The total amount of uncovered (open to the sky) paved area on the property must not exceed 60m<sup>2</sup>. The maximum area may exceed 60m<sup>2</sup> if permeable paving is provided, at least to the area that exceeds 60m<sup>2</sup> to a total maximum area of 100m<sup>2</sup>.
- Despite the above clause, any new paving undertaken must not reduce the mandatory 20% soft landscaping required on the property, as required by the DCP for Dwelling Houses and Attached Dual Occupancies.
- Sufficient step down is to be provided to prevent the entry of water into the dwelling.
- Structurally adequate construction.
- Finished surface level of paved areas must not be more than 250mm above existing ground levels.
- Stormwater is to be drained to the existing stormwater disposal system or suitable landscaped area within the premises.
- Stormwater from paved surface not to be redirected onto any adjoining property or result in any nuisance to any adjoining premises.

**Specific additional requirements for driveways and parking areas:**

- Only applies in relation to existing approved driveways and parking areas.
- There must be an existing approved vehicular crossing over the footpath to the property, unless the written consent from Council is obtained to install a new or modified vehicular crossing.
- The driveway or paved area must match the Council issued alignment levels at the property boundary and must not have a gradient in excess of 1 in 8.
- Driveways have a maximum width of 3 metres at the front property boundary.

**Driveways or sealed areas must not:**

- Result in any additional off street parking provision.
  - Encroach over property boundaries;
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**Table A – Exempt Development - General**

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**Column 1**

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**Exempt Development (A)**

**Limits and Requirements - General**

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- Be used for commercial business or retail purposes i.e.: outdoor eating area courtyard or for commercial purposes;

**Advisory note:**

- *You should consult with Council's City Services Division for specific requirements regarding construction, gradients and transition zones.*
- 

**17. Disabled Access Facilities (including signs, tactile indicators and directional information)**

- Must comply with Australian Standard 1428.1.
- Maximum height of ramp 1.5m.
- Maximum grade of ramp 1:14 or, 1:8 if is less than 1.52m long.
- Ramps located between the boundary and the dwelling are to be made of non combustible construction, if more than 1m high.
- In heritage listed premises, ramps must be located to the rear of the premises or must not affect the architectural and heritage significance of the building.

**Advisory note:**

- *Owners, applicants and builders are advised that compliance with the provisions of the Building Code of Australia may not ensure compliance with the requirements of the Disability Discrimination Act 1992 and are therefore advised to consider their liability under this Act.*
- 

**18. Emergency works and repairs**

Does not apply to changes to the configuration of the building or to increases in floor space.

- Applies only when a disaster or State of Emergency has been declared by Council or State or Commonwealth Government or, the Council has given written authority permitting the use of this emergency / urgent provision, and
  - The works and/or repairs are required to be carried out as a result of damage to the building caused by storm, flood, fire, accident, other similar event or to maintain public or occupant safety, and
  - The works and/or repairs are principally provided to weatherproof the building or to make it fit to live in or make the building or land safe.
  - If the building is listed as a Heritage Item or is within a Heritage Conservation Area, the works and/or repairs must match the existing or original external finishes of the building or, be of a temporary nature (maximum 6 months from the date of the emergency incident or event) pending consent for permanent work.
  - All new work must comply with the provisions of the
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**Table A – Exempt Development - General**

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**Exempt Development (A)**

**Limits and Requirements - General**

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Building Code of Australia and relevant standards of construction.

- Any specific requirements of Council must be complied with.
- May apply to one or more buildings or structures

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**19. Erection of tents or marquees for purposes of filming**

- the filming at the location must be exempt development under this Plan, and
  - the total floor area of all tents or marquees erected at the location at the same time must not be more than 200 square metres, and
  - the tent or marquee must be located at least 3 metres from any boundary of the location concerned adjoining a public road and at least 1 metre from any other boundary of the location, and
  - the tent or marquee must have at least the following number of exits arranged so as to afford a ready means of egress from all parts of the tent or marquee to open space or a road:
    - (i) 1 exit if the floor area of the tent or marquee is not more than 25 square metres,
    - (ii) 2 exits in any other case, and
  - the width of each exit referred to in paragraph (d) must be at least:
    - (i) 800 millimetres if the floor area of the tent or marquee is less than 150 square metres, or
    - (ii) 1 metre in any other case, and
  - the height of the walls of the tent or marquee must not be more than:
    - in the case of a tent or marquee erected on private land—4 metres, and
    - in any other case—5 metres, and
  - the height of the tent or marquee, as measured from the surface on which the tent or marquee is erected to the highest point of the tent or marquee, must not be more than 6 metres, and
  - the tent or marquee must resist loads determined in accordance with the Australian and New Zealand Standards entitled:
    - (i) AS/NZS 1170.0:2002, Structural design actions—
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**Table A – Exempt Development - General**

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**Exempt Development (A)**

**Limits and Requirements - General**

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General principles, and

(ii) AS/NZS 1170.1:2002, Structural design actions—Permanent, imposed and other actions, and

(iii) AS/NZS 1170.2:2002, Structural design actions—Wind actions, and

- the tent or marquee must not remain at the location more than 2 days after the completion of filming at the location.
- 

**20. Excavation and filling of land**

Applies to all zones and locations.

Limited to landscaping purposes.

This exemption does not apply to the raising of ground levels throughout the site by more than an average of 300mm and a maximum at any point of 450mm.

- Ground level must not be raised or lowered by more than 450mm at any point.
  - Must not prevent the natural flow of stormwater drainage/runoff.
- 

**21. External Lighting and Security Systems**

Does not apply to external lighting to sports fields, tennis courts or other sporting facilities.

Does not apply to detached external lighting other than low level garden type lighting.

- External lighting must not be specifically directed to any adjoining premises, land or occupancy.
  - External lighting must not result in a nuisance to the nearby residents or the amenity of the environment.
  - External lighting must comply with the relevant requirements of *AS 4282 – Control of the Obtrusive Effects of Outdoor Lighting*.
  - External lighting is used for normal recreational or security purposes only and must not be used for any advertising purposes or the floodlighting or substantial illumination of buildings or premises.
  - External lighting must not be obtrusive or comprise bright coloured fluorescent or neon type lighting.
  - Noise from security systems must comply with the relevant requirements of the *POEO Act 1997* and *Noise Control Regulations 2000*.
  - Work must not have a detrimental impact upon the amenity of the nearby residents of environment.
-

**Table A – Exempt Development - General**

Column 1	Column 2
<p><b>Exempt Development (A)</b></p>	<p><b>Limits and Requirements - General</b></p>
<p><b>22. Family Day Care</b></p> <p>Applies to Residential Zones only</p> <p>All necessary licenses and approvals are obtained from the relevant authorities.</p>	<ul style="list-style-type: none"> <li>• Work must not be inconsistent with any requirements of a previous development consent or Council approval.</li> <li>• Work must not detract from the heritage significance of a heritage item or a building in a heritage conservation area.</li> <li>• Any glazed doors or windows must have 'safety glass' within them.</li> <li>• Security cameras must not be directed within any adjoining or other premises or upon public land, unless the approval of the owner has been obtained accordingly.</li> </ul> <ul style="list-style-type: none"> <li>• The operator of the Family Day Care Centre must be a permanent resident of the premises.</li> <li>• A maximum of 5 children are to be cared for at any one time.</li> <li>• Smoke detectors must be provided and be 'hard-wired' to the mains electrical system and must be installed in accordance with Australian Standard 3786 by a qualified electrician.</li> <li>• Any swimming pool on the property must be fenced in accordance with the <i>Swimming Pools Act 1992</i>.</li> <li>• At least one portable fire extinguisher and a fire blanket must be provided in the premises.</li> </ul>
<p><b>23. Fences</b></p> <p>▶ <b>Front fences and front side fences (within the 'building line')</b></p> <p>Does not:</p> <ul style="list-style-type: none"> <li>• apply to fences required under the <i>Swimming Pools Act, 1992</i>; or</li> <li>• apply to a building or place identified within a Heritage Conservation Area.</li> <li>• set aside the provisions of the <i>Dividing Fences Act 1991</i>;</li> </ul>	<ul style="list-style-type: none"> <li>• Fence construction must not prevent or impede stormwater flow or drainage/runoff.</li> <li>• Fences are constructed in a good and professional manner on all sides.</li> <li>• The design must be sympathetic with the dwelling and streetscape.</li> <li>• Maximum height of 900mm above ground level if the fence is constructed of timber, metal or lightweight materials.</li> <li>• Maximum height of 600mm above ground level if the fence is constructed of masonry or brick.</li> <li>• If a combination of materials is proposed then the masonry component must not exceed 600 mm in height with an additional 300mm of lightweight materials.</li> <li>• Masonry fences must comply with AS 3700.</li> </ul> <p><b>Advisory note:</b></p> <ul style="list-style-type: none"> <li>• <i>You are advised to talk to your neighbour at an early stage and satisfy the relevant provisions of the Dividing Fences Act.</i></li> <li>• <i>In relation to front fences, the height of the fence is to be measured from the ground level of the roadway, footpath, nature strip or other public place (as</i></li> </ul>

**Table A – Exempt Development - General**

Column 1	Column 2
<b>Exempt Development (A)</b>	<b>Limits and Requirements - General</b>
	<i>applicable).</i>
<p><b>24. Fences (continued)</b></p> <p>▶ <b>Side and rear boundary (behind the 'building line')</b></p> <p>Does not apply:</p> <ul style="list-style-type: none"> <li>• to fences required under the <i>Swimming Pools Act, 1992</i>;</li> <li>• or set aside the provisions of the <i>Dividing Fences Act 1991</i>.</li> </ul> <p>Applies only to timber paling or timber lapped and capped fences if the building within a Heritage Conservation Area.</p>	<ul style="list-style-type: none"> <li>• Fence construction must not prevent or impede stormwater flow or drainage/runoff.</li> <li>• Fences to be constructed in a quality and professional manner on all sides.</li> <li>• Design must be sympathetic with the dwelling and streetscape.</li> <li>• Maximum height of 1.8m (measured above the ground level), if the fence is constructed of timber, metal or lightweight materials.</li> <li>• Maximum height of 600mm (measured above the lowest adjacent ground level), if the fence is constructed of masonry or brick.</li> <li>• If a combination of materials is proposed then the masonry component must not exceed 600mm in height with an additional 1200mm of lightweight materials.</li> <li>• Masonry fences must comply with AS 3700.</li> </ul> <p>Allowance:</p> <ul style="list-style-type: none"> <li>• If ground levels are different within the adjoining property, the maximum height of the side and rear boundary fence measured from the lowest adjoining ground level (including the height of any associated or adjacent retaining walls) may exceed the 1.8m height limit by a maximum height of 400mm, at any point, subject to written approval of the owners of the adjoining premises and the fence being constructed out of light weight materials.</li> <li>• A 100mm height allowance is permissible adjacent to step-downs or changes in ground level.</li> </ul> <p><b>Advisory note:</b></p> <ul style="list-style-type: none"> <li>• <i>You are advised to talk to your neighbour at an early stage and satisfy the relevant requirements of the Dividing Fences Act.</i></li> </ul>
<p><b>25. Filming</b></p> <p>Applies only to private land and iconic sites</p>	<ul style="list-style-type: none"> <li>• Must not significantly interfere with the public or involve changes to any structure, building, heritage item, heritage conservation area, vegetation, natural ground level or other physical item.</li> <li>• A film management plan must be lodged with Council at least 5 days before the filming is to commence.</li> <li>• The person carrying out the filming must obtain public liability insurance of not less than \$10,000,000.</li> <li>• Filming on private land must not be carried out for more than 30 days within a 12 month period.</li> </ul>

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**Table A – Exempt Development - General**

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**Column 1**

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**Exempt Development (A)**

**Limits and Requirements - General**

- 5 days before commencement of filming, written notification of the filming must be provided to any residents within a 50 metre radius of the filming site.
- All other relevant approvals (such as approval for a road closure or installation of any temporary structures or articles in a public place, from Council or the Roads and Traffic Authority, as applicable) must be obtained prior to the commencement of filming.
- Noise from any plant and equipment must not exceed 5dBA above the background noise level (measured within any residential premises) at any time and noise from plant and equipment must not be audible between 10.00pm and 8.00am in any residential dwelling.

**Advisory note:**

- *Reference should be made to the Exempt and Complying Guidelines for detail on how to prepare a Film Management Plan.*

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**26. Flagpoles**

- Maximum height 6m above ground level.
- Must be structurally adequate.
- Must be installed to Manufacturer's specifications.
- Must be located behind the building line and not less than 900mm from the site boundaries.
- Must be located so that the flagpole or flag will not encroach over the road or footway.
- The area of the flag must not exceed 2m<sup>2</sup>.
- The flag or flagpole must not be used for advertising purposes.
- No more than one flagpole per property.
- Must be in the rear yard area only if the building or place is listed as a Heritage Item or within a Heritage Conservation Area.

**Advisory note:**

- *Care should be taken to minimise noise from the flapping of flag ropes or like equipment.*

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**27. Garden sheds**

Applies to residential use only.

Does not apply to

- masonry or brick structures.

- Free standing and pre fabricated with a maximum floor area of 16m<sup>2</sup>.
- Maximum wall height of 2.1m if 900mm or less from the boundary, or
- 2.4 metres if greater than 900mm from the boundary, or
- 2.7m if greater than 1.5m from the boundary.
- Maximum overall height of any shed is 2.7m.
- If located between the dwelling and boundary, an access

**Table A – Exempt Development - General**

Column 1	Column 2
<p><b>Exempt Development (A)</b></p>	<p><b>Limits and Requirements - General</b></p>
<ul style="list-style-type: none"> <li>the area within a Foreshore Building Line.</li> </ul>	<p>way of at least 900mm should be provided.</p> <ul style="list-style-type: none"> <li>Must be located in the rear or side yard of the premises and only in the rear yard of a heritage item or a property in a heritage conservation area.</li> <li>Installed to Manufacturer's specifications.</li> <li>Non-reflective, lightweight materials only, (ie. Pre-fabricated colourbond metal garden shed). Not masonry or brick structures.</li> <li>Stormwater must not be directed onto adjoining premises and must not impede stormwater run-off / drainage.</li> <li>Must not be located in an area that may be subject to stormwater inundation / flooding.</li> </ul> <p><b>Advisory note:</b></p> <ul style="list-style-type: none"> <li><i>Owners should contact Council's development engineer to determine if the proposed development is located in an area where flooding may occur.</i></li> </ul>
<p><b>28. Goal posts, sight screens, and other similar ancillary sporting fixtures, structures and associated works</b></p> <p>Applies to UNSW Kensington campus, open space and special uses zones only.</p> <p>Does not apply to buildings or structures to accommodate people, such as dressing rooms, amenity buildings and kiosks.</p>	<ul style="list-style-type: none"> <li>Must be installed by or for Council or the University of New South Wales in accordance with any relevant Australian Standards and/or Building Code of Australia.</li> <li>Structurally adequate construction.</li> <li>No advertising or signs are to be attached to the fixture or structure (temporary cloth/vinyl banners are permitted for the duration of a single event).</li> <li>More than one structure permitted.</li> </ul>
<p><b>29. Hoardings and building site safety fences</b></p> <p>Written consent and payment of relevant fees to council is required to install any hoarding or safety fence on a public place, footway, road or</p>	<ul style="list-style-type: none"> <li>Only relates to "A" Class hoardings, safety fences or fenced enclosures or other articles erected in conjunction with carrying out building works, maintenance or repairs, subject to any required approvals.</li> <li>Approval under section 68 of the Local Government Act 1993 must be obtained from Council to install a hoarding, safety fence or any other article located over or on a road, footpath, nature strip or other public place.</li> <li>The hoarding or fence must be immediately removed and any damage to public land rehabilitated when construction</li> </ul>

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**Table A – Exempt Development - General**

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**Column 1**

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**Exempt Development (A)**

**Limits and Requirements - General**

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nature strip.

works completed.

- Hoardings or safety fences to be a minimum height of 2.0m above ground level.
- The hoarding or fence may be erected for a maximum of 6 months without approval.
- Construction is to be cyclone wire fencing (with geotextile fabric attached to the inside to control dust) or solid plywood sheeting painted white.
- Must not include steel reinforcement mesh.
- Must be maintained in good and safe condition at all times.
- Must be structurally adequate and constructed in a professional manner and be of a quality construction.
- Public safety must be maintained at all times.
- The hoarding must not be used to place or display advertising or promotional material.
- Where hoardings or fences are located in a public place, the applicant or builder is required to hold Public Liability Insurance with a minimum liability of \$10 million.
- Payment of Council fees and charges for fences or hoardings located in a public place.

**Advisory Note:**

- *Must comply with WorkCover NSW requirements.*
- 

**30. Home activities**

*Applies to residential and business zones only.*

- Must be situated within the dwelling only and not in the garage, carport or any out-building or ancillary structure or yard area.
- The dwelling or part thereof may only be used as an office.
- The use as an office does not involve visiting clients.
- The home activity may not exceed 15% of the area of the dwelling.

**Advisory Note:**

- *Refer to Randwick LEP 2008 for the definition of "home activity".*
- 

**31. Landscaping works**

- Includes installing trees, shrubs, plants and turf and includes planter boxes up to 1m in height above ground level and up to 1m in width.
  - Does not include paving or concreting or the like (refer to item 29) or retaining walls (refer to item 36).
  - Not to include any "noxious weeds" or "environmental weeds".
  - Must not be inconsistent with or contravene any
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**Table A – Exempt Development - General**

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**Column 1**

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**Exempt Development (A)**

**Limits and Requirements - General**

applicable development consent conditions, requirements or Council approved landscaping plans.

- Adequate drainage to be provided and must not result in any nuisance to adjoining premises or restrict natural overland drainage.
- Landscaping not to result in increase of land levels by more than 450mm at any one point and an average of 250mm overall, except for the filling of swimming pools.
- Must not affect the architectural or heritage significance of the building or land.

**Advisory Note:**

- *Refer to Randwick web site for information on noxious and environmental weeds.*

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**32. Letter boxes**

- Maximum height of 1.5m above ground level.
- One box for each dwelling or unit
- Appropriate numbering of each box.
- Structurally stable with adequate footings.
- Located wholly within the property boundaries.
- Must meet the design requirements of Australia Post.
- Materials of construction are to be in keeping with the design and character of the building.
- Street numbering of premises is to be as allocated by Council.

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**33. Pathways, patios and other paved or sealed areas at ground level**

Applies to residential premises or associated with a residence i.e. where residence attached to a business.

Does not apply to: driveways or car parking areas.

**General requirements:**

- The total amount of uncovered (open to the sky) paved area on the property must not exceed 60m<sup>2</sup>. The maximum area may exceed 60m<sup>2</sup> if permeable paving is provided, at least to the area that exceeds 60m<sup>2</sup> to a total maximum area of 100m<sup>2</sup>.
  - Despite the above clause, any new paving undertaken must not reduce the mandatory 20% soft landscaping required on the property, as required by the DCP for Dwelling Houses and Attached Dual Occupancies.
  - Sufficient step down is to be provided to prevent the entry of water into the dwelling.
  - Structurally adequate construction.
  - Finished surface level of paved areas must not be more than 250mm above existing ground levels.
  - Stormwater is to be drained to the existing stormwater disposal system or suitable landscaped area within the premises.
  - Stormwater from paved surface not to be redirected onto adjoining property or result in any nuisance to any
-

**Table A – Exempt Development - General**

Column 1	Column 2
<b>Exempt Development (A)</b>	<b>Limits and Requirements - General</b>
	<p>adjoining premises.</p> <p><b>Pathways, etc must not:</b></p> <ul style="list-style-type: none"> <li>• Be used for commercial, business or retail purposes i.e.: outdoor eating area courtyard;</li> <li>• Encroach over property boundaries;</li> <li>• Result in any additional off street parking provision.</li> </ul> <p><b>Advisory Note:</b></p> <ul style="list-style-type: none"> <li>• <i>You should consult with Council's City Services Department for specific requirements regarding driveway construction, gradients and transition zones.</i></li> </ul>
<p><b>34. Pet cages &amp; kennels</b></p> <p>Does not include Aviaries (refer to Item 5).</p>	<ul style="list-style-type: none"> <li>• Must only be used for family pets and not for business, commercial or breeding purposes</li> <li>• Maximum height 1.8m and maximum floor area 10 m2</li> <li>• Must not result in an environmental or public nuisance</li> <li>• Not to be used for the keeping of poultry, roosters, fowl, pigeons, vermin or, other animals or birds which may cause a health nuisance.</li> </ul>
<p><b>35. Pergola</b></p> <p>Applies to single dwelling houses and attached dual occupancies only.</p>	<ul style="list-style-type: none"> <li>• Maximum floor area 20m2.</li> <li>• Unroofed and open sided structures only.</li> <li>• Maximum height above ground level of 2.1m if 900mm or less from the boundary, or</li> <li>• 2.4m if greater than 900mm from the boundary, or</li> <li>• 2.7m if greater than 1.5m from the boundary.</li> <li>• Not to be used for habitable purposes</li> <li>• Structurally adequate and quality construction</li> <li>• Cannot be a masonry structure.</li> <li>• Located in the rear or side yard only and not within the building line.</li> <li>• Colours and materials must be in keeping with the existing building and locality.</li> </ul>
<p><b>36. Playground equipment</b></p> <p>excludes cubby houses (refer to Item 12)</p> <p>► <b>All locations and zones</b> (excluding Open Space zones)</p>	<ul style="list-style-type: none"> <li>• Must be installed in accordance with manufacturer's instructions and comply with relevant AS 4685-2004 (Parts 106).</li> <li>• In residential zones they must be located in the rear yard only.</li> <li>• Maximum height of 2.7m.</li> <li>• Maximum ground coverage a total of 15m2.</li> <li>• Adequate safety arrangements, including soft landing surfaces, provided.</li> <li>• Structure must be at least 1.2m away from a pool safety</li> </ul>

**Table A – Exempt Development - General**

Column 1	Column 2
<b>Exempt Development (A)</b>	<b>Limits and Requirements - General</b>
<p>▶ <b>Open Space zones</b></p>	<p>fence measured in accordance with AS 1926-1986.</p> <ul style="list-style-type: none"> <li>• May apply to more than one items of play ground equipment, subject to compliance with the maximum area of 15m<sup>2</sup>.</li> </ul> <hr/> <ul style="list-style-type: none"> <li>• Construction by or for Council and designed, fabricated and installed in accordance with the relevant AS 4685-2004 (Parts 106).</li> <li>• Carried out in accordance with any Plan of Management that applies to the land.</li> <li>• May apply to more than one item on the same site</li> </ul>
<p><b>37. Recreation facilities</b></p> <p>Applies to Open Space zones only, or are on land under the care and control of Council.</p>	<ul style="list-style-type: none"> <li>• Must be provided by or on behalf of Council and the recreation facilities must be in accordance with any Plan of Management that applies to that area.</li> <li>• New structures must not be more than one storey in height.</li> <li>• May apply to more than one item on the same site</li> </ul>
<p><b>38. Repairs and maintenance work (external works)</b></p> <p>Applies to all zones and locations.</p> <p>In relation properties and places in Heritage Conservation Areas, the works must be consistent with Clause 59.</p>	<ul style="list-style-type: none"> <li>• Non-structural works only.</li> <li>• Materials and finishes must not detrimentally affect the architectural or heritage significance of the building or integrity or amenity of the streetscape.</li> <li>• Must not be inconsistent with any development consent, conditions or requirements including any specific approved colours, materials and external finishes.</li> <li>• Materials and finishes are to be similar with existing materials and finishes and must maintain the architectural integrity of the building.</li> </ul> <p>Includes:</p> <ul style="list-style-type: none"> <li>• Repairing and replacing defective or damaged surfaces and finishes with similar materials and finishes;</li> <li>• Painting and decorating with similar colours and materials;</li> <li>• Repairing and replacing external doors and windows to dwellings;</li> <li>• Repairing and replacing damaged or defective stormwater drainage systems.</li> </ul> <p>Does not include:</p> <ul style="list-style-type: none"> <li>• Replacement of reinforced concrete floors, walls, balconies or other elements</li> <li>• Replacement of structural beams, columns and lintels;</li> <li>• Removal or replacement of masonry walls;</li> <li>• Structural or load bearing work;</li> </ul>

**Table A – Exempt Development - General**

Column 1	Column 2
<p><b>Exempt Development (A)</b></p>	<p><b>Limits and Requirements - General</b></p> <ul style="list-style-type: none"> <li>• Advertising or painting in corporate colours;</li> <li>• Installing or replacing cladding or cement rendering existing face brick work (see Item 35 below in relation to dwellings);</li> <li>• Replacing walls or roofs. (see Item 35 below in relation to dwellings);</li> <li>• Replacement of any materials or assemblies, which are required to have a fire resistance level under the Building Code of Australia.</li> <li>• Must not include new or replacement structural members (i.e. roof or wall timbers) or variations to the design/configuration of the roof or building.</li> <li>• Replacement of external door or window frame assemblies (refer to item 67 of Table A) in any class 2 to class 9 buildings, as defined in the Building Code of Australia (unless the written approval of Council is obtained beforehand, in the case of the need for urgent repair works).</li> <li>• Replacement of door or window assemblies to the front or street elevation of a heritage item or dwellings in a heritage conservation area unless replacing with equivalent materials.</li> <li>• Works external to the development site.</li> </ul> <p><b>Advisory Note:</b></p> <ul style="list-style-type: none"> <li>• <i>The Workcover Authority has advised that care should be taken in removing lead paint to avoid lead contamination. Any work involving asbestos must be carried out in accordance with Council's Asbestos Policy and relevant WorkCover NSW requirements and guidelines. Asbestos removal work may need to be carried out by a Workcover licensed contractor.</i></li> <li>• <i>Does not apply to new or replacement buildings or structures (or parts thereof) (Refer to item 3 of Table A)</i></li> </ul>
<p><b>39. Recladding, roofs &amp; walls</b></p> <p><i>Continues over page</i></p> <p>Applies to residential buildings and associated ancillary buildings (class 1a or class 10a buildings only).</p> <p>Applies only to replacing</p>	<ul style="list-style-type: none"> <li>• Non-structural / non-load bearing works only.</li> <li>• Materials and finishes must not affect the architectural or heritage significance of the building or integrity or amenity of the streetscape.</li> <li>• Must not be inconsistent with any development consent, conditions or requirements including any specific approved colours, materials and external finishes.</li> <li>• Work must not detrimentally affect the architectural or heritage significance of heritage items or premises within a heritage conservation area.</li> <li>• Materials and finishes are to be similar with existing materials and finishes and must maintain the architectural</li> </ul>

**Table A – Exempt Development - General**

Column 1	Column 2
<b>Exempt Development (A)</b>	<b>Limits and Requirements - General</b>
<p>existing materials with similar materials and like finishes.</p> <p>Does not apply to a building or place identified as a Heritage Item</p> <p>Does not apply to a building within a Heritage Conservation Area (unless the work is not visible from a roadway or public place, other than a rear laneway or the like or is consistent with the existing roof).</p>	<p>integrity of the building.</p> <ul style="list-style-type: none"> <li>• Replacement materials, colours and finishes are to match as closely as possible the predominant existing materials, colours and finishes. This is of particular importance when replacing roofing materials or painting semi-detached dwellings and attached dual occupancies.</li> <li>• Re-cladding is not to involve structural alterations or change to the external configurations.</li> <li>• Materials are not to be highly reflective.</li> <li>• On semi-detached buildings and attached dual occupancies external materials and finishes must match the adjoining semi or dual occupancy.</li> <li>• May include cement rendering, bagging or other similar types of external finish, or painting face brickwork to single detached dwellings,</li> <li>• Must not include cement rendering, bagging or other similar types of external finish, or painting face brickwork to semi-detached dwellings or attached dual occupancies unless the adjoining semi-detached dwelling / dual occupancy dwelling is simultaneously identically treated and completed.</li> <li>• Must not include new or replacement structural members (i.e. roof or wall timbers) or variations to the design/configuration of the roof or building.</li> <li>• Integrity of weepholes, cavity ventilation and the like must be maintained.</li> <li>• Re-cladding not to involve masonry/brick veneer cladding, which requires the construction of footings.</li> <li>• Must not be inconsistent with any specific requirements included in the previous relevant development consent.</li> <li>• May apply to one or more buildings or works on the same property.</li> <li>• May apply to rendering or painting of fences, subject to compliance with the criteria regarding colours, materials, finishes and architectural integrity of the premises and streetscape.</li> <li>• Stormwater is to be drained to the existing stormwater disposal system or a suitably designed infiltration system.</li> </ul>
	<p><b>Advisory Notes:</b></p> <ul style="list-style-type: none"> <li>• <i>You are advised to contact Council officers to discuss the proposed works prior to proceeding with the works. The WorkCover Authority has advised that care should be taken in removing lead paint to avoid lead contamination.. Any work involving asbestos must be carried out in accordance with Council's Asbestos Policy and relevant WorkCover NSW requirements and</i></li> </ul>

**Table A – Exempt Development - General**

Column 1	Column 2
<b>Exempt Development (A)</b>	<b>Limits and Requirements - General</b>
	<p><i>guidelines. Asbestos removal work may need to be carried out by a Workcover licensed contractor.</i></p> <ul style="list-style-type: none"> <li>• <i>When replacing roof coverings, it is recommended that a wind powered ventilator be installed to ventilate the roof space. This should be placed at the rear of the house out of public view.</i></li> </ul>
<p><b>40. Retaining walls</b></p> <p>Applies to all zones and locations.</p> <p>Limited to small retaining walls for landscaping purposes or to stabilise existing sloping sites.</p> <p>This exception does not apply to the raising of ground levels throughout the site by more than an average of 300mm and a maximum at any point of 450mm.</p>	<ul style="list-style-type: none"> <li>• The structure must not encroach onto adjoining premises or the public footway/roadway.</li> <li>• Maximum height of 450mm if the wall is situated less than 2m off any property boundary, or 600mm if the wall is situated more than 2m from any property boundary.</li> <li>• Ground level must not be raised above the existing ground level by more than 450mm at any point.</li> <li>• Must not prevent the natural flow of stormwater drainage/runoff.</li> <li>• Masonry walls must comply with: AS 3700 - Masonry Code, AS 3600 - Concrete Structures, and AS 1170 - Loading Code.</li> <li>• Timber walls must comply with: AS 1720 - Timber Structures and AS 1170 – Loading Code.</li> </ul>
<p><b>41. Satellite dishes</b></p> <p>Applies to all zones and locations.</p> <p>Does not apply to:</p> <ul style="list-style-type: none"> <li>• Any building or place identified as a Heritage Item.</li> <li>• to any building in a Heritage Conservation Area unless not visible from a public place.</li> </ul>	<p>Must be:</p> <ul style="list-style-type: none"> <li>• Located behind the front alignment of the building and appropriately screened when viewed from a public place;</li> <li>• Installed in accordance with the manufacturer’s specifications;</li> </ul> <p>If the satellite TV dish is erected on or adjacent to a dwelling, it must comply with the following additional requirements:</p> <ul style="list-style-type: none"> <li>• For domestic residential use only.</li> <li>• Maximum diameter of 900mm.</li> <li>• Colour is to closely match the background roof or wall colour.</li> <li>• Not to be located on the front elevation of the dwelling/roof or on any street elevation of the dwelling/roof.</li> <li>• No part of the dish is to be located within 900mm of any property boundary.</li> <li>• Attached to the dwelling with no part of the dish exceeding 8m above natural ground level; or</li> <li>• Freestanding, located in the rear yard area only with no part exceeding 2.7m above natural ground level.</li> </ul>

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**Table A – Exempt Development - General**

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**Column 1**

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**Exempt Development (A)**

**Limits and Requirements - General**

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- One dish per site.

If the satellite TV dish is erected on land that is zoned commercial or industrial under an environmental planning instrument, it must comply with the following additional requirements,

- If the satellite TV dish is roof mounted:
  - It must have a diameter not exceeding 1.8 metres (excluding any projecting feed element), and
  - The height of the satellite TV dish at any point must not exceed 1.8 metres above the highest point of the roof structure,
- If the satellite TV dish is ground mounted, it must have a diameter not exceeding 1.8 metres (excluding and projecting feed element) and its height must not exceed 1.8 metres above the highest point of the roof of any building on which, or adjacent to which, it is erected.

***Advisory Notes:***

- *Development Consent is required for more than one dish on a multi unit complex.*
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**42. Scaffolding**

Applies to all zones and locations.

Must comply with the requirements of Workcover NSW.

- Scaffolding must be structurally adequate and be erected in accordance with any relevant Australian Standards
  - Must be erected in conjunction with erecting, demolishing, altering or adding to a building, where there is a valid consent or approval (if required) for the work, or for maintenance or repairs.
  - Must not encroach onto any public road, footway or verge without the written permission of Council including payment of the relevant Council fees and charges.
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**43. Security Doors, Screens and Grills**

Applies to dwellings, residential units and multi-unit housing, and includes insect screens.

Does not apply to buildings identified as a heritage item.

- Security screens must be open design, except for class 1a single residential dwellings.
- On semi-detached dwellings, security screens must be compatible with the adjoining semi.
- Colours, design and external finishes are to be compatible with the existing building and streetscape.

Works must not:

- Be inconsistent with or contravene any condition of development consent.
  - Affect compliance with the Building Code of Australia.
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**Table A – Exempt Development - General**

Column 1	Column 2
<b>Exempt Development (A)</b>	<b>Limits and Requirements - General</b>
	<p><b>Advisory Notes:</b></p> <ul style="list-style-type: none"> <li>Where works are proposed to a property, which is under company title or strata title, you are advised that permission must be obtained from the Owner's Corporation prior to the works taking place.</li> <li>Security grills, shutters or the like should be designed and installed so as not to unduly interfere with the safety of the occupants.</li> </ul>
<p><b>44. Shade Structures</b></p> <p>Applies to playground areas of schools, child care centres or parks only.</p>	<ul style="list-style-type: none"> <li>Structurally adequate construction.</li> <li>Maximum coverage of 100m<sup>2</sup>.</li> <li>Where provided for a school or child care centre, the structure must not be located between the front of the building and the street unless written permission has been obtained from the Council accordingly.</li> <li>Must be situated at least 2m from any boundary.</li> <li>Maximum overall height of 3m if located between 2m to 3m from a boundary.</li> <li>Maximum overall height of 4 metres if located between 3m to 4m from a boundary.</li> <li>Maximum height of 5m if located more than 4 m from a boundary.</li> <li>Where provided in a park, the structure must be designed, located and constructed in accordance with any Plan of Management that may apply.</li> <li>Must not be inconsistent with or contravene any relevant condition of development consent.</li> <li>Applies to lightweight shade structures only with open style roofing material (ie. shade cloth)</li> <li>Does not include roofed structures (ie. metal or polycarbonate roof sheeting) or enclosure of the sides of the structure.</li> <li>Design, colours and materials are to be compatible with the existing building and streetscape.</li> </ul>
<p><b>45. Signs, advertising and notices</b></p> <p>▶ <b>All signs (including those signs specified below)</b></p> <p>Applies to all zones and locations.</p> <p>Does not apply to:</p>	<p><b>General requirements for ALL signs specified in this schedule, detailed below:</b></p> <p>Must:</p> <ul style="list-style-type: none"> <li>Relate to the use of the associated building or place;</li> <li>Be located in accordance with the relevant requirements of Council's Outdoor Advertising Development Control Plan and DCP for Footpath Dining and Trading, as applicable.</li> <li>Be structurally adequate and comply with relevant requirements of the BCA, including Section B1 ('Structural</li> </ul>

**Table A – Exempt Development - General**

Column 1	Column 2
<p><b>Exempt Development (A)</b></p> <ul style="list-style-type: none"> <li>any building or place identified as a Heritage Item or within a Heritage Conservation Areas (except for real estate signs as provided below, approved A frame signs and where the sign is consistent with a specific DCP or Council endorsed conservation plan that may apply);</li> <li>painting buildings in corporate colours or logos.</li> </ul> <p>All signs and advertising must comply with the 'general requirements' and the specific requirements for the particular type of advertising/ sign specified below.</p>	<p>Provisions').</p> <ul style="list-style-type: none"> <li>Must satisfy the specific criteria relating to the particular type of sign or advertising as detailed below</li> </ul> <p>Must not:</p> <ul style="list-style-type: none"> <li>Cover mechanical ventilation inlet or outlet vents;</li> <li>Be inconsistent with any consent or approval relating to the use of the land;</li> <li>Be in a non-English language unless an English translation is provided on the sign. The non-English component may be no more than 50% of the sign;</li> <li>Be a flashing, brightly illuminated neon / fluorescent or animated sign;</li> <li>Contain offensive or sexually explicit material;</li> <li>Interfere with or confuse interpretation or reading of traffic signals.</li> <li>Contravene any relevant conditions of any previous development consent.</li> <li>Include bill posters or the like.</li> <li>Be located on or above any public place, footpath, road or nature strip without the specific written approval of council.</li> </ul> <p><b>Advisory Note:</b></p> <ul style="list-style-type: none"> <li><i>Before installing signs, you should contact Council officers who can advise you whether or not the advertising structure you propose requires development consent. The specific sign types listed below must comply with the general requirements for "All Signs" and the specific requirements as detailed below. May apply to one or more advertising signs or advertisements on the same property, subject to compliance with the criteria specified in relation to each item.</i></li> </ul>
<p><b>46. Signs, advertising and notices (continued)</b></p> <p>► <b>Real estate signs advertising premises/land for sale or rent</b></p> <p>Applies in all zones and locations.</p> <p>Does not apply to real</p>	<ul style="list-style-type: none"> <li>One sign per premises or per 30m of site frontage, whichever is the greater.</li> <li>Size limit 2.5m<sup>2</sup> in a residential zone; 4.5m<sup>2</sup> in a business, industrial or special uses zone.</li> <li>May be located on the ground floor only.</li> <li>Maximum duration of 6 months or removed within a period of two weeks of the sale settlement, whichever is the lesser.</li> <li>Must be located wholly within the property boundaries, or be located above an existing awning to the building.</li> <li>Signs affixed above awnings over a public road are permitted only in business, commercial and industrial zone locations and must be less than 1.5m<sup>2</sup> and for a</li> </ul>

**Table A – Exempt Development - General**

Column 1	Column 2
<b>Exempt Development (A)</b>	<b>Limits and Requirements - General</b>
estate signs projecting from the wall of the building over or on any public road or public space or nature strip area.	period of less than 3 months.
<b>47. Signs, advertising and notices (continued)</b>  <b>▶ Signs in Residential zones.</b>	<ul style="list-style-type: none"> <li>• One sign per premises.</li> <li>• Sign must not exceed 0.75m<sup>2</sup>.</li> <li>• Sign must not overhang a public road or footway.</li> <li>• Business or premise being advertised must have a current consent or approval to operate or be included as exempt development in this DCP.</li> <li>• Must relate to the use of the land on which it is erected. No third party advertising.</li> <li>• Must not be illuminated.</li> <li>• May be located on the ground floor only.</li> </ul>
<b>48. Signs, advertising and notices (continued)</b>  <b>▶ Road Banners</b>	<ul style="list-style-type: none"> <li>• Prior approval required from Council or the Roads and Traffic Authority, as relevant. Current public liability and indemnity insurance and annual fees and charges must be paid for prior to installation.</li> <li>• May only be installed for a temporary period.</li> </ul>
<b>49. Signs, advertising and notices (continued)</b>  <b>▶ Signs in Business zones and business premises in other zones</b>  Does not include signs located above awnings or projecting wall signs.	<p><b>Suspended under awning signs</b></p> <ul style="list-style-type: none"> <li>• One sign per shop or premises if less than 20m frontage, or one sign per 20m of frontage.</li> <li>• Securely fixed.</li> <li>• Size limit 1.2m<sup>2</sup> in area.</li> <li>• Must be not less than 2.6m above ground/pavement level.</li> <li>• Must not be less than 600mm from the edge of the road/kerb.</li> </ul> <p><b>Flush wall signs</b></p> <ul style="list-style-type: none"> <li>• One sign per premises.</li> <li>• Size limit 1.2m<sup>2</sup>.</li> <li>• Securely fixed.</li> <li>• Must not encroach over any public road or footway.</li> <li>• Must not project off the façade of the building by more</li> </ul>

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**Table A – Exempt Development - General**

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**Column 1**

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**Exempt Development (A)**

**Limits and Requirements - General**

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than 100mm.

- Must not be illuminated.
- Must not be located above the awning or above ground floor level.

**Top hamper signs**

- One sign per shop or premises if less than 30m frontage or one sign per 30m frontage.
- Size limit 10m<sup>2</sup> for non-illuminated, 5m<sup>2</sup> for illuminated.
- Securely fixed.
- Must not protrude more than 100mm from the face of the building.

**Signs on shop windows**

- Must be behind the glass shopfront or behind the front alignment of the shopfront.
- At least 30% of the shop window must be un-obstructed so that it allows indoor space to be viewed from the outside.
- If illuminated, ground floor only.

**Awning fascia signs**

- Must not protrude above, below or beyond the fascia of the awning by more than 50mm.
- Must not be illuminated.

**A - frame Signs**

- Not be located on a footpath adjacent to a classified road.
  - Prior approval required under section 68 of the Local Government Act 1993 must be obtained from Council. Public liability and indemnity insurance and annual licensing / inspection fees and charges must be paid for prior to installation and annually in accordance with Council's Pricing Policy.
  - Must not reduce the footpath width to less than 2m.
  - Dimensions of 900mm x 600mm (with 15% flexibility either way).
  - One sign per commercial business or multiple occupancy commercial tenancy.
  - Not affixed to any public utility or be mistaken as an official traffic sign.
  - Be safely anchored, secured and positioned so as not to pose a hazard or inconvenience to pedestrians especially those with a disability or to traffic safety and be set back 2m from any splayed corner or intersection.
  - Be of durable, fade proof materials of a high aesthetic and professional quality.
  - Content must relate directly to an activity carried out on or, associated with the related business premises. But not
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**Table A – Exempt Development - General**

Column 1	Column 2
<b>Exempt Development (A)</b>	<b>Limits and Requirements - General</b>
	<p>substantially duplicate advertising or signage elsewhere.</p> <ul style="list-style-type: none"> <li>• Must comply with the relevant provisions of <i>Randwick Footpath Dining and Trading DCP</i>.</li> <li>• Must not be located in residential zones.</li> <li>• Must be removed from the footpath outside of the approved operating hours of the related business premises.</li> </ul>
<p><b>50. Signs, advertising and notices (continued)</b></p> <p>▶ <b>Signs in Industrial Zones</b></p>	<ul style="list-style-type: none"> <li>• 1 sign per premises/occupancy if less than 30m frontage, or one sign per 30m frontage.</li> <li>• Securely fixed.</li> <li>• Size limit 4m<sup>2</sup>.</li> <li>• Must not hang over a public roadway or footpath.</li> <li>• Maximum height 3m above ground level.</li> </ul>
<p><b>51. Signs, advertising and notices (continued)</b></p> <p>▶ <b>Election signs</b></p>	<ul style="list-style-type: none"> <li>• 1 sign per premises or per 30m of site frontage.</li> <li>• Must not be attached to telegraph poles as per Energy Australia's <i>Telegraph Pole Policy</i>.</li> <li>• Must be removed within seven days after polling day.</li> <li>• Posters may be no larger than 8000cm<sup>2</sup>.</li> <li>• Posters may not be placed on Crown or Council owned land.</li> <li>• Posters must be safely anchored, secured and positioned so as to not pose a hazard or inconvenience to pedestrians, especially those with a disability, or to impact on traffic safety, sightlines or movements.</li> </ul>
<p><b>52. Signs, advertising and notices (continued)</b></p> <p>▶ <b>Street or place identification signs</b></p>	<ul style="list-style-type: none"> <li>• Must be structurally sound.</li> <li>• To be designed, fabricated and installed in accordance with relevant Australian Standards.</li> <li>• To provide identification and directional information only.</li> <li>• Must not to be used for advertising purposes.</li> </ul>
<p>Includes information and direction signs within premises.</p>	
<p><b>53. Signs, advertising and notices (continued)</b></p> <p>▶ <b>Temporary advertising signs</b></p>	<p><b>General Requirements:</b></p> <ul style="list-style-type: none"> <li>• Must be structurally adequate and attached to the building.</li> <li>• Must maintain public safety at all times.</li> <li>• Must not to result in a nuisance or inconvenience to the public.</li> <li>• Must not be located on or over any road, footpath or</li> </ul>

**Table A – Exempt Development - General**

Column 1	Column 2
<b>Exempt Development (A)</b>	<b>Limits and Requirements - General</b>
Includes balloons and banners etc	<p>public place unless the written approval of Council has been obtained accordingly.</p> <p><b>If located on private land:</b></p> <ul style="list-style-type: none"> <li>• Maximum period 72 hours.</li> <li>• Maximum of 4 signs per year.</li> </ul> <p><b>If located in public place (i.e. over road or footpath):</b></p> <ul style="list-style-type: none"> <li>• Must obtain written approval of relevant authority prior to installation and payment of any relevant fees and charges.</li> </ul>
<p><b>54. Signs, advertising and notices (continued)</b></p> <p>▶ <b>Changes to wording or content of approved signs</b></p>	<ul style="list-style-type: none"> <li>• The existing sign must have the relevant consent or approval of Council or be included as exempt development in this schedule.</li> <li>• Must satisfy the 'general requirements' for all signs as detailed in this schedule.</li> <li>• Must not result in any additional signage or increase in signage area, unless permitted otherwise in this schedule..</li> <li>• Must not involve painting of the building in bright or corporate colours, artwork or logos</li> <li>• Wording of advertising and signage must not be written in only non-English language. If non English language advertising is provided, a minimum of 50% of the sign must be in English.</li> </ul>
<p><b>55. Skylights</b></p> <p>Only applies to dwelling houses and attached dual occupancies</p> <p>Only applies to buildings in conservation areas if skylight is not visible from the street or any other public place (other than a rear laneway or the like).</p> <p>Does not apply to a building identified as a Heritage Item.</p>	<ul style="list-style-type: none"> <li>• Material, finish and colour should match or be sympathetic to the existing roof material.</li> <li>• Installed to manufacturer's specifications and requirements.</li> <li>• Maximum area of skylight is 1m<sup>2</sup>.</li> <li>• Installed by a licensed trades person.</li> <li>• The building work must not reduce the structural integrity of the building or involve structural alterations.</li> <li>• Any opening created by the installation to be adequately weatherproofed.</li> <li>• Located on the side or rear elevation of the dwelling/roof only, behind the building line.</li> <li>• Located not less than 900mm from site boundaries or from a wall separating dwellings (i.e. semi-detached dwelling).</li> <li>• Not located on any street elevation of the dwelling/roof.</li> <li>• Maximum total of 3 skylights per premises.</li> <li>•</li> </ul>

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**Table A – Exempt Development - General**

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Column 1	Column 2
Exempt Development (A)	Limits and Requirements - General
<p><b>56. Community events and associated temporary structures</b></p>	<ul style="list-style-type: none"> <li>• Temporary structures must be removed within two days of the event.</li> <li>• Maximum of 5000 patrons at any one time.</li> <li>• Noise generated must comply with the '<i>Noise Guide for Local Government</i>' by the Department of Environment and Conservation.</li> <li>• Temporary structures must incorporate adequate safety provisions in the event of fire (particularly egress) and for preventing and suppressing fire and its spread.</li> <li>• Temporary structures must be structurally sound and capable of withstanding the loadings likely to arise from the use.</li> <li>• Tents, marquees and temporary structures must be adequately secured.</li> <li>• Waste and recyclable materials generated, to be collected by an authorised trade waste contractor.</li> <li>• Temporary food premises, stalls and vendors must comply with the Food Act 2003, Food Standards Code, Council's code for temporary food vendors and be registered with Council prior to the event.</li> <li>• Sufficient sanitary facilities must be provided for patrons and staff.</li> <li>• Must be consistent with any Plan of Management that may apply to the land.</li> <li>• If the closure, partial or otherwise, of any public road is required, the written approval of all relevant authorities must be obtained.</li> <li>• For land owned or under the control of council, the written approval of council must be obtained (via a Notice of Intention) lodged at least 14 days before the event.</li> <li>• Any conditions or requirements of Council must be complied with.</li> <li>• Temporary structures must comply with relevant safety and structural standards and WorkCover NSW requirements.</li> <li>• If more than 1000 patrons attending the event or entertainment, NSW Police must be notified at least 7 days in advance and relevant requirements of NSW Police are to be met.</li> <li>• The event is covered by public liability insurance of an amount of at least \$10 million.</li> <li>• The event takes place only within the following times:               <ul style="list-style-type: none"> <li>• 7.30am to 11.00 pm on Monday, Tuesday, Wednesday or Thursday</li> <li>• 7.30am to midnight on Friday or Saturday,</li> <li>• 8.00am to 8.00pm on Sunday</li> </ul> </li> </ul>
<p>Applies to open space zones and unzoned land</p>	
<p>•</p>	

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**Table A – Exempt Development - General**

Column 1	Column 2
<p><b>Exempt Development (A)</b></p>	<p><b>Limits and Requirements - General</b></p>
	<ul style="list-style-type: none"> <li>• The stage or platform is located at least 3 metres from any boundary of the land.</li> <li>• The stage or platform resists loads determined in accordance with the Australian and New Zealand Standards entitled:               <ul style="list-style-type: none"> <li>• AS/NZS 1170.0:2002, Structural design actions – General principles</li> <li>• AS/NZS 1170.1:2002, Structural design actions – Permanent, imposed and other actions</li> <li>• AS/NZS 1170.2:2002, Structural design actions – Wind actions</li> </ul> </li> <li>• A notice indicating the actual distributed and concentrated load for which the stage or platform has been designed is conspicuously displayed on the stage or platform in relation to stages more than 500mm above ground level and more than 20m<sup>2</sup> in area.</li> </ul> <p>Allowances</p> <ul style="list-style-type: none"> <li>• The community event may extend over a fourteen day period, subject to the event only operating on up to 10 days and subject to the prior written consent of Council being obtained before hand.</li> </ul> <p><b>Advisory Note:</b></p> <ul style="list-style-type: none"> <li>• <i>Community events include community fetes, festivals, parades, carnivals and other community activities and associated entertainment (excluding circuses).</i></li> <li>• <i>The proposed event or temporary structure may require an approval under Section 68 of the Local Government Act 1993. Such activities include; food stalls, mobile food vendors, activities on community land, certain amusement devices, etc.</i></li> <li>• <i>You are advised to consult with Council to identify any other approval requirements prior to organising the activity.</i></li> </ul>
<p><b>57. Special events and associated temporary structures (ie. marquees and stages)</b></p> <p>► <b>Special Uses and Open Space zones and</b> includes fetes and functions at schools, churches and university,</p>	<ul style="list-style-type: none"> <li>• Temporary structures must be removed within two days of the event.</li> <li>• No public road will be closed partially or otherwise</li> <li>• The use/event will not affect public access to any public space.</li> <li>• Limited to single day events only, maximum duration 7.00am and 11.00pm</li> <li>• Maximum of 1500 patrons at any one time.</li> <li>• Noise from the activity or event must comply with the 'Noise Guide for Local Government' by the Department of</li> </ul>

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**Table A – Exempt Development - General**

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Column 1	Column 2
Exempt Development (A)	Limits and Requirements - General
Randwick racecourse, golf courses and Prince of Wales Hospital site	<p>Environment and Conservation.</p> <ul style="list-style-type: none"> <li>• If more than 500 patrons attending the event or entertainment, NSW Police must be notified at least 7 days in advance and relevant requirements of NSW Police are to be met.</li> <li>• Temporary structures must incorporate adequate safety provisions in the event of fire (particularly egress) and for preventing and suppressing fire and its spread.</li> <li>• Temporary structures must be structurally sound and capable of withstanding the loadings likely to arise from the use.</li> <li>• Waste and recyclable materials to be collected by an authorised trade waste contractor.</li> <li>• A building surveyor, engineer or other suitably qualified person must approve temporary structures</li> <li>• Temporary structures must comply with relevant safety standards and WorkCover NSW requirements.</li> <li>• Temporary food premises, stalls and vendors comply with the Food Act 2003, Food Standards Code, Council's code for temporary food vendors and must be registered with Council prior to the event.</li> <li>• Sufficient sanitary facilities being provided for patrons and staff.</li> <li>• Written details of the proposed event must be given to Council at least 14 days before the event detailing date, time, extent of the event, attendance estimates, and any catering proposed.</li> <li>• Must not be inconsistent with or contravene any relevant development consent.</li> <li>• Must maintain public safety and convenience at all times.</li> <li>• Maximum area of tent, marquees or the like 100m<sup>2</sup> each with a total of all tents, marquees or the like of 300m<sup>2</sup> on the site.</li> <li>• Maximum area of a stage (if more than 500mm above ground level) 50m<sup>2</sup>.</li> <li>• Maximum height of stage 1 metre above ground level if accessible to the public/audience or 1.8 metres if not accessible to the public/audience or provide adequate balustrading or other measures to prevent people from falling.</li> <li>• The event is covered by public liability insurance of an amount of at least \$10 million.</li> <li>• The event takes place only within the following times: <ul style="list-style-type: none"> <li>• 7.30am to 11.00 pm on Monday, Tuesday, Wednesday or Thursday</li> <li>• 7.30am to midnight on Friday or Saturday,</li> </ul> </li> </ul>

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**Table A – Exempt Development - General**

Column 1	Column 2
<p><b>Exempt Development (A)</b></p>	<p><b>Limits and Requirements - General</b></p> <ul style="list-style-type: none"> <li>• 8.00am to 8.00pm on Sunday</li> <li>• The stage or platform is located at least 3 metres from any boundary of the land.</li> <li>• The stage or platform resists loads determined in accordance with the Australian and New Zealand Standards entitled:               <ul style="list-style-type: none"> <li>• AS/NZS 1170.0:2002, Structural design actions – General principles</li> <li>• AS/NZS 1170.1:2002, Structural design actions – Permanent, imposed and other actions</li> <li>• AS/NZS 1170.2:2002, Structural design actions – Wind actions</li> </ul> </li> <li>• A notice indicating the actual distributed and concentrated load for which the stage or platform has been designed is conspicuously displayed on the stage or platform in relation to stages more than 500mm above ground level and more than 20m<sup>2</sup> in area.</li> </ul> <p><b>Advisory Note:</b></p> <ul style="list-style-type: none"> <li>• <i>The proposed event or temporary structure may require an approval under Section 68 of the Local Government Act 1993 prior to commencing the activity. These include, food stalls, mobile food vendors, activities on community land, certain amusement devices, etc.</i></li> <li>• <i>You are advised to consult with Council to identify any other approval requirements prior to organising the activity.</i></li> </ul>
<p><b>58. Solar Panels</b></p> <p>Does not apply to a building identified as a Heritage Item</p> <p>Only applies to buildings in conservation areas if it is not readily visible from the street or any other public place.</p> <p>Only applies to grid connected systems. Systems incorporating batteries require full development consent.</p>	<ul style="list-style-type: none"> <li>• The installation and installed system must not reduce the structural/architectural integrity of the building or involve structural alterations.</li> <li>• Any opening created by the installation to be adequately weatherproofed.</li> <li>• Must not be located on any street elevation of the dwelling /roof unless hidden by the parapet.</li> </ul> <p>Must :</p> <ul style="list-style-type: none"> <li>• Be installed to manufacturer’s specifications and requirements.</li> <li>• Be designed and installed in accordance with AS4777, the subsidiary standards referred to by AS4509 (relevant to the installation of a grid connected system), Draft Australian Standard DR 03389 (Installation of PV Arrays) as well as associated Australian Standards, building codes and Council requirements.</li> <li>• Be installed by a person accredited by the Business Council for Sustainable Energy for the design and installation of solar power systems.</li> </ul>

**Table A – Exempt Development - General**

Column 1	Column 2
Exempt Development (A)	Limits and Requirements - General
	<ul style="list-style-type: none"> <li>• Have all low voltage (as defined in AS 3000) electrical components installed by or with the approval of a licensed electrical contractor.</li> <li>• Utilise solar modules, which meet IEC61215 or IEC61646 and other relevant standards.</li> <li>• For multi-units a dedicated electrical cupboard must be placed as close as possible to the solar array site to house the inverter and control gear. The cupboard must be ventilated to the exterior.</li> <li>• Utilise inverters which have approval from the local electricity distributor for connection to the grid.</li> <li>• Ensure the inverter is to be hard wired (ie the 240V wiring for the house does not feed from a 3-pin plug in the front of the inverter).</li> <li>• Be located on the side or rear elevation of the dwelling/roof only, behind the building line.</li> <li>• Be located not less than 900mm from site boundaries.</li> <li>• Not protrude above the height of the roof ridge or existing maximum roof height by more than 300mm.</li> </ul>
<p><b>59. Subdivisions and minor boundary adjustments</b></p> <p>Applies to all zones and locations.</p> <p>Does not apply to a building identified as a Heritage Item or in Heritage Conservation Areas</p>	<p>Is limited to sub-division for one of the following purposes:</p> <ul style="list-style-type: none"> <li>• Widening a public road.</li> <li>• Rectifying an encroachment upon an allotment (excluding a public place or road reserve).</li> <li>• Creating a public reserve.</li> <li>• Excising from an allotment land, which is or is intended to be used for a public purpose such as drainage, emergency service access.</li> </ul> <p><b>Advisory note</b></p> <ul style="list-style-type: none"> <li>• <i>If the subdivision is within a heritage conservation area, you are required to consult with Council's Heritage Planner before requesting a CDC.</i></li> </ul>
<p><b>60. Telecommunication facilities</b></p> <p>Does not apply to heritage conservation areas or items, National Parks or reserves or land zoned No. 7. Environmental Protection</p>	<ul style="list-style-type: none"> <li>• Low impact telecommunication facilities and ancillary items only.</li> <li>• Low impact telecommunication facilities may be carried out by recognised telecommunications carriers only.</li> <li>• Facilities must be installed in accordance with the <i>Telecommunications (low impact facility) Determination 1997, Telecommunications Act 1997</i> and the <i>Telecommunications Code of Practice 1997</i>.</li> </ul>
<p><b>61. Temporary buildings and amenity facilities</b></p>	<ul style="list-style-type: none"> <li>• Applies only to temporary buildings and associated amenity facilities constructed or provided in conjunction with works which have a valid and current development</li> </ul>

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**Table A – Exempt Development - General**

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Column 1	Column 2
<b>Exempt Development (A)</b>	<b>Limits and Requirements - General</b>
<p><b>on worksites</b></p> <p>Applies in all zones and locations.</p> <p>Relates to site facilities such as site amenities, site offices and portaloo's.</p>	<p>consent or approval or in relation to development that does not require consent.</p> <p>Must:</p> <ul style="list-style-type: none"> <li>• Only be erected for a maximum duration of 12 months.</li> <li>• Be located wholly within the property.</li> <li>• Not cause diversion of stormwater runoff onto any adjoining property.</li> <li>• Be in accordance with any WorkCover NSW or Sydney Water requirements.</li> <li>• Not cause a nuisance or detrimentally affect the amenity or safety of nearby residents.</li> <li>• Be located within the boundaries of the premises, unless the specific written consent of Council has been obtained and the relevant fees paid.</li> </ul>
<p><b>62. Use of assembly (class 9b) buildings for a public meeting</b></p>	<ul style="list-style-type: none"> <li>• Must not result in a change to the classification of the building, as defined in the EP &amp; A Act 1979 and the Building Code of Australia.</li> <li>• The current use of the building as an assembly (class 9b) building must be the subject of a valid consent or approval.</li> <li>• The proposed use must not be inconsistent with or contravene any condition of consent or approval (including hours of operation) that apply.</li> </ul>
<p><b>63. Water heaters</b></p> <p>▶ <b>Conventional storage or heat pump</b></p>	<ul style="list-style-type: none"> <li>• Applies to replacements and new installations.</li> <li>• Installation process or the installed system must not reduce the structural integrity of the building or structural alterations.</li> <li>• A licensed trades person must install the unit.</li> <li>• Must be located behind the front alignment of the building.</li> <li>• Must not be more than 2.4m high and 1m diameter.</li> <li>• Must not result in an offensive noise as defined in the Pollution of the Environment Act 1997 and must not be audible within any other dwelling between 10:00pm and 8:00am.</li> <li>• Noise levels must not exceed 5dBA above background noise level at any time, measured at the site boundary.</li> </ul>
<p><b>64. Water heaters (continued)</b></p> <p>▶ <b>Solar</b></p> <p>Does not apply to a building identified as a</p>	<ul style="list-style-type: none"> <li>• The installation process or installed system must not reduce the structural/architectural integrity of the building or involve structural alterations.</li> <li>• Any opening created by the installation to be adequately weatherproofed.</li> <li>• Must not be located on any street elevation of the</li> </ul>

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**Table A – Exempt Development - General**

**Column 1**

**Column 2**

**Exempt Development (A)**

**Limits and Requirements - General**

Heritage Item

Only applies to buildings in conservation areas if it is not readily visible from the street or any other public place.

dwelling /roof unless hidden by the parapet or unless the written approval of Council has been obtained accordingly.

- Does not apply where solar water heater is included in relevant development consent and/or relevant BASIX certificate.
- Must not protrude more than 300mm above the roof if the building is located in a foreshore/coastal area.

Must be:

- Installed to manufacturer's specifications and requirements.
- Installed by a licensed trades person.
- Located on the side or rear elevation of the dwelling/roof only, behind the building line.
- Located not less than 900mm from site boundaries.

**Advisory Note:**

- *In accordance with the Department of Energy, Utilities and Sustainability guidelines, it is recommended that any new water heating system achieve a minimum hot water heater greenhouse score of 3.5 as per the following table:*

Water heater type	Greenhouse Score	
Solar-gas boost*	Storage	5
Gas	Instantaneous	4
Gas-Storage	High Efficiency	4
Electric-Storage	Heat Pump	4
Gas-Storage	Low Efficiency	4
Solar-Electric boost*	Continuous	4
Solar-Electric boost*	Off Peak 2	4
Electric	Instantaneous	2
Electric	Continuous	1
Electric-Storage	Storage (Off peak 1, Off peak 2)	1

\*greater than 50% solar contribution

**65. Waste or storage containers in a public place**

- Must be in accordance with relevant requirements of the Roads and Traffic Authority or Council, as applicable.
- Maximum duration of 3 months.
- Relevant approvals must be obtained from Council under

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**Table A – Exempt Development - General**

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**Column 1**

**Column 2**

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**Exempt Development (A)**

**Limits and Requirements - General**

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the Local Government Act 1993 and the Roads Act 1993.

**Advisory Note:**

- *Waste containers or storage containers which are located in a public place may require approval under Section 68 of the Local Government Act 1993. Approval may also be required from the relevant authority under the Roads Act 1993.*
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**66. Water tanks**

Does not apply:

- to any building or place identified as a heritage item or to the front, side or street elevation of any building within a Heritage Conservation Area.
- to tanks below ground or if installation requires excavation.

- Noise level from any pump is not to exceed 5dBA above ambient background noise level measured at the property boundary
- Maximum capacity 10000L, or, in the case of a tank or tanks installed on a lot used for an educational establishment, 25000L..
- Maximum height 2.4m above ground level.
- Located not less than 450mm from side or rear boundaries.
- Located at the side or rear of the premises only, behind the building line (if the land is in a Heritage Conservation Area then the tank must be located to the rear of the dwelling only) or must not be visible from any public place.
- Tanks are to collect water from roof and gutters only and be fitted with a first flush device.
- Tanks must be prefabricated or made of prefabricated parts.
- Overflow is to be directed to Council's approved stormwater system or a suitable absorption area (designed by a professional engineer, building surveyor or accredited certifier).
- The tank is not to be supported by any adjacent wall or footing unless it has been specifically designed and constructed to do so by a suitably qualified engineer or building surveyor.
- To be installed according to manufacturer's instructions, including any stand and supporting elements.

**Advisory Note:**

- *You should consult a building surveyor or structural engineer to ensure structural stability and refer to Council's Rain Water Tank Policy.*
  - *Tanks installed in association with a new building are to be connected to the premises and used for toilet flushing, laundry and garden uses as per Council's development consent or as specified by BASIX.*
  - *Approval from Council must be obtained for the*
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**Table A – Exempt Development - General**

Column 1	Column 2
<b>Exempt Development (A)</b>	<b>Limits and Requirements - General</b>
	<i>installation of water re-use systems (i.e grey water treatment systems), in accordance with the provisions of the Local Government Act 1993.</i>
<p><b>67. Windows, glazed areas, external doors</b></p> <p>Does not apply to:</p> <ul style="list-style-type: none"> <li>Any building identified as a Heritage Item or to the front or street elevation of any building within a Heritage Conservation Area.</li> <li>replacing glazing or doors that are required to have a fire resistance level or require fire protection under the Building Code of Australia.</li> </ul>	<ul style="list-style-type: none"> <li>Windows and glazing must comply with: AS 1288 Glass in buildings - Selection and Installation; and AS 2047 Windows in buildings – Selection and Installation</li> <li>The design, colours and materials must be compatible with the design and architectural integrity of the existing building.</li> <li>Window and glazing must comply with the deemed to satisfy provisions of the Building Code of Australia.</li> </ul> <p>Must not:</p> <ul style="list-style-type: none"> <li>Reduce the area required under the BCA for light and ventilation.</li> <li>Involve structural works or removing, replacing or altering structural support members including removing or renewing timber, steel or masonry structural members.</li> <li>Involve removal or replacement of lintels, beams and the like.</li> <li>Change the type of glazing (i.e. from obscure/frosted glass to clear glass), if the type of glass was incorporated in or was a requirement of any previous consent or approval of Council.</li> <li>Increase the size of any door or window openings.</li> <li>Result in new openings.</li> <li>Enclose open designed balconies or other structures.</li> <li>Be inconsistent with the architectural integrity of the building.</li> <li>Be inconsistent with or contravene any conditions of any relevant development consent or building approval.</li> <li>Involve the replacement of external door or window frame assemblies in any class 2 to class 9 buildings, as defined in the Building Code of Australia, other than replacement of broken or damaged glass in approved windows (unless written approval of Council is obtained beforehand).</li> <li>Involve the replacement of door or window assemblies to the front or street elevation of dwellings in a heritage conservation area, unless being replaced with equivalent materials.</li> </ul>
	<p><b>Advisory Note:</b></p> <ul style="list-style-type: none"> <li><i>The Workcover Authority has advised that care should be taken in work involving the removal of lead paint to avoid lead contamination and the Authority's 'Guidelines for Practices involving Asbestos Cement' should be</i></li> </ul>

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**Table A – Exempt Development - General**

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**Column 1**

**Column 2**

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**Exempt Development  
(A)**

**Limits and Requirements - General**

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- referred to for any work involving asbestos cement.*
  - You are advised to consult a structural engineer, building surveyor or architect to ensure alterations will comply with the BCA and structural support will not be affected. Consult one of those professionals or a recognised glazier to ensure the appropriate quality of glass and glazing is used for the window or doorway concerned, especially whether safety glass is required.*
  - The prior written approval of Council must be obtained if it is proposed to replace door or window frame assemblies in any class 2 to 9 building, to ensure that the proposed assemblies maintain adequate levels of fire safety and maintains the architectural integrity of the building and streetscape.*
  - Also refer to item 34 in relation to repair and maintenance works.*
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**Table B - Exempt Development within University of New South Wales (UNSW)**

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Column 1	Column 2
<b>Exempt Development (B)</b>	<b>Limits and Requirements - UNSW</b>
<b>1. Requirements for all types</b>	<ul style="list-style-type: none"><li>• Applies to all land within the main Kensington and Western UNSW campus being Lots Lot 10 and 11 DP 1062204, Lot 3 DP 1104617, Lots 1 and 2 DP 522797, Lot 4 DP 553914, Lots 1 and 2 DP 501384 and Lot 1 DP 510271.</li><li>• Soil and water management principles are to be applied to development that involves soil disturbance, particularly where disturbance is located in close proximity to a watercourse or drainage line.</li><li>• All development is to:<ul style="list-style-type: none"><li>○ Be consistent with the current UNSW Kensington Campus DCP, adopted by Randwick City Council.</li><li>○ Be in accordance with approvals under the Sydney Airport Airspace protection legislation.</li><li>○ Comply with the requirements of the BCA.</li><li>○ Comply with AS 2601-2001 and Council's Asbestos Policy</li><li>○ Obtain any necessary approvals under the Local Government Act, or other Acts.</li></ul></li><li>• For the purposes of this table, "outer area" comprises all land and buildings within 60 metres of an adjoining street boundary of the campus and "inner area" comprises the balance of the land. Where part of a building falls within the 60 metre zone, the whole of that building shall be deemed to be within the "outer area".</li></ul>
<b>2. Awnings, canopies and other similar weather protection devices</b>	<p><b><i>Advisory note:</i></b> <i>Compliance with the provisions of the Building Code of Australia may not ensure compliance with the requirements of the Disability Discrimination Act 1992 and you are therefore advised to consider your liability under this Act.</i></p> <p><b>Inner and outer area</b></p> <ul style="list-style-type: none"><li>• Must be attached to an existing building.</li><li>• Must not affect, potentially affect or reduce levels of fire safety or accessibility to a fire exit or required exit or, remove or affect fire resistant construction or linings.</li><li>• Must be structurally adequate construction.</li><li>• More than one structure permitted.</li></ul> <p><b>Outer area only</b></p> <ul style="list-style-type: none"><li>• Must be located at least 900mm from property boundary.</li><li>• Must not exceed 4m in height and must not exceed 50% of the length of the building.</li></ul>

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**Table B - Exempt Development within University of New South Wales (UNSW)**

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Column 1	Column 2
<b>Exempt Development (B)</b>	<b>Limits and Requirements - UNSW</b>
<b>3. Change of Use</b>	<b>Inner and outer area</b> <ul style="list-style-type: none"><li>• Applies to any change of a University use to another University use, <u>other than</u> changes:<ul style="list-style-type: none"><li>○ to residential uses,</li><li>○ to food preparation, storage or sale areas,</li><li>○ to storage of dangerous, offensive or hazardous materials,</li><li>○ involving a change in BCA classification of the building,</li><li>○ which increase student or staff numbers on campus.</li></ul></li><li>• Must not adversely affect levels of fire safety or accessibility to a fire exit or required exit or, adversely affect fire resistant construction or linings.</li><li>• Must not be inconsistent or contravene any condition of consent.</li><li>• Where previously approved use was not subject to any development consent conditions specifying hours of trading, the use and operation of the premises is limited to 7am – 9pm.</li><li>• Must not result in any intensification of the use or change the total number of parking spaces on campus.</li></ul>
<b>4. Demolition</b>  Does not apply within a heritage conservation area	<b>Outer area only</b> Applies only to: <ul style="list-style-type: none"><li>• Structures or works not exceeding one storey and not covering more than 100m<sup>2</sup> in ground area.</li><li>• Demolition work is limited to between the hours of 7.00am- 5.00pm (Monday to Friday), 7.00am- 1.00pm Saturday, excluding Sundays and Public Holidays.</li><li>• Demolition of more than one structure permitted.</li></ul> <b>Inner and Outer area</b> <ul style="list-style-type: none"><li>• Must comply with AS 2601 - 2001: Demolition of Structures.</li><li>• Public safety is to be maintained at all times.</li><li>• Public access to works is restricted via adequate temporary safety fencing.</li><li>• All waste material is recycled where possible.</li><li>• Noise and dust generated must be minimised.</li><li>• The demolisher must have current Public Risk insurance to an amount not less than \$10million.</li></ul>

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**Table B - Exempt Development within University of New South Wales (UNSW)**

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<b>Column 1</b>	<b>Column 2</b>
<b>Exempt Development (B)</b>	<b>Limits and Requirements - UNSW</b>
<b>5. External stairs, retaining walls, pathways, paving, and driveways</b>	<b>Inner and Outer area</b> <ul style="list-style-type: none"><li>• Must be in accordance with the current UNSW Stormwater Strategy approved by Randwick City Council.</li><li>• Must not create any additional driveway to campus or change the total number of parking spaces on campus.</li><li>• Must not affect existing levels of fire safety and egress or impede emergency vehicle access.</li><li>• Total area involved does not exceed 150m<sup>2</sup> unless new surface works are permeable.</li><li>• Finished surface levels of new paving or landscaping are not more than 250mm above the level of an adjoining public footpath.</li><li>• More than one structure permitted.</li></ul>
<b>6. Fences</b>	<b>Inner and Outer area</b> <ul style="list-style-type: none"><li>• Masonry fences must comply with AS 3700.</li><li>• Must not exceed 1.8m in height where bounding another premise.</li><li>• Must include elements resulting in 75% openness above 1.2m when adjoining a public footpath.</li><li>• Must not obstruct any overland flow paths.</li><li>• More than one structure permitted.</li></ul>
<b>7. Internal alterations to existing buildings</b>	<b>Inner area and outer area</b> <ul style="list-style-type: none"><li>• Non-structural and non-load bearing works only.</li><li>• Not add new floor space or increase the student or staff population.</li><li>• Not reduce or impede any access or facilities provided for people with disabilities.</li><li>• Not include works on areas used for preparation, storage, manufacturing or sale of food.</li><li>• Must not adversely affect fire safety or accessibility to a fire exit or required exit or, remove or adversely affect fire resistant construction or linings.</li><li>• Does not apply to the installation of cooling towers.</li><li>• Does not include fire safety upgrading of existing buildings other than local upgrading directly related to the works.</li></ul>

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**Table B - Exempt Development within University of New South Wales (UNSW)**

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<b>Column 1</b>	<b>Column 2</b>
<b>Exempt Development (B)</b>	<b>Limits and Requirements - UNSW</b>
<b>8. Landscaping works:</b> landscaping and installation of fittings in the campus public domain such as: paving, gardening, planting, outdoor furniture, public art, gates, flagpoles, cycle and pedestrian paths, cycle storage racks/areas, utility installations, visitor information, retaining walls, exterior lighting (including street lighting, lighting of trees, public art, buildings and landscape features), bollards, drinking fountains / bubblers and the like.	<b>Inner area only</b> <ul style="list-style-type: none"><li>• Being undertaken by or on behalf of UNSW for the provision, improvement, management and maintenance of the campus, and:<ul style="list-style-type: none"><li>• does not include advertising material, and</li><li>• does not change the number of car parking spaces on campus.</li></ul></li><li>• Must not affect a fire exit to a building or a path of egress from a building.</li><li>• Lighting must not be obtrusive or cause a nuisance and must comply with AS 4282 – 1977 Control for the Obtrusive effects of Outdoor Lighting.</li><li>• Must be in accordance with the current UNSW Stormwater Strategy approved by Randwick City Council.</li></ul>
<b>9. Re-cladding of roofs and facades</b>	<b>Inner area and outer area</b> <ul style="list-style-type: none"><li>• Replacement materials are as similar as possible in colour, texture, pattern and finishes to existing.</li><li>• New materials are non-reflective.</li><li>• Does not involve structural changes to a building</li><li>• Does not include advertising material.</li><li>• Materials used in replacement roofs may differ to the original where new materials improve performance and are not readily visible from public areas.</li></ul>
<b>10. Roof mounted equipment for the purposes of University research and experimentation, such as electronic emitters and receptor installations, photovoltaic arrays, solar panels, etc</b>	<b>Inner area and outer area</b> <ul style="list-style-type: none"><li>• Must be attached to an existing building.</li><li>• Not more than 4m high or more than 50m<sup>2</sup> in area.</li><li>• Not cause offensive noise or discharge.</li><li>• Cumulative EMR not to exceed ARPANSA exposure guidelines.</li><li>• Does not apply to the installation of cooling towers.</li><li>• Must not be visible from residential properties adjoining or immediately adjacent to the campus.</li><li>• More than one structure permitted.</li><li>• Must comply with relevant public safety standards and requirements.</li></ul>

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**Table B - Exempt Development within University of New South Wales (UNSW)**

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Column 1	Column 2
Exempt Development (B)	Limits and Requirements - UNSW
<b>11. Signage</b>	<b>Inner area and outer area</b> <ul style="list-style-type: none"><li>• Does not apply to advertising signage.</li><li>• Informational, identification and directional signage only.</li><li>• To be designed, constructed and installed in accordance with the Signage Guidelines of the UNSW Identity Standards Manual.</li><li>• Maximum area of 5m<sup>2</sup></li><li>• Must comply with AS 4282: Control of the Obtrusive Effects of Outdoors Lighting.</li><li>• Must not cause a visual nuisance or comprise bright neon or fluorescent type lighting.</li><li>• More than one structure permitted.</li></ul>
<b>12. Structures</b> <b>- sheds and ancillary buildings</b>  Does not apply to buildings used for storage or preparation or sale of food.	<b>Inner and Outer area</b> <ul style="list-style-type: none"><li>• Not located in open space areas (gathering &amp; connective spaces) identified in the current UNSW Kensington Campus DCP adopted by Randwick City Council.</li><li>• Any noise generated not to exceed 5dBA above ambient background noise at affected premises.</li><li>• Not to include, be used for storage or use of hazardous materials.</li><li>• A statement or certificate being obtained from a professional engineer or other suitably qualified person verifying compliance with relevant Building Code of Australia standards and requirements prior to use.</li><li>• Does not apply to the installation of cooling towers.</li><li>• Must be in accordance with the current UNSW Stormwater Strategy approved by Randwick City Council.</li><li>• Structures do not include any advertising material.</li><li>• Must not affect provisions for parking.</li><li>• More than one structure permitted.</li></ul> <b>Outer area only</b> <ul style="list-style-type: none"><li>• Applies to class non-habitable structures only.</li><li>• Not visible from off-campus areas.</li><li>• Maximum area 40m<sup>2</sup>.</li><li>• Maximum wall height 3m.</li></ul> <b>Inner area only</b> <ul style="list-style-type: none"><li>• Applies to those buildings and structures required for the operation, improvement, maintenance and management of the campus and:<ul style="list-style-type: none"><li>• have a maximum ground area of 100m<sup>2</sup>,</li><li>• have a maximum new wall height of 6m.</li></ul></li></ul>

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**Table B - Exempt Development within University of New South Wales (UNSW)**

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**Column 1****Column 2**

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**Exempt Development  
(B)****Limits and Requirements - UNSW**

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**13. Temporary and  
event parking****Inner area and Outer area**

- May replace existing parking removed to facilitate construction projects that include replacement parking, limited to 12 month duration.
- May cater for special events as defined in item 57 of Schedule 5 Table A – Exempt Development.
- Limited to provision for 100 vehicles

**Schedule 6**  
**Complying development (Clause 29)**

## **Part 1 Types of Complying development**

### **Introduction**

Complying Development includes minor works, construction, additions, alterations and certain land use changes. It is defined in the following Tables and can be carried out once a Complying Development Certificate has been obtained (subject to certain conditions). If you obtain a Complying Development Certificate you do not have to get Development Consent or a Construction Certificate.

A Complying Development Certificate can only be issued when the appropriate criteria and requirements specified and prescribed in Clause 29 of this LEP, the following Tables as applicable, and the relevant provisions of the Environmental Planning and Assessment Act 1979 are satisfied.

**Table A: Alterations and Additions to Single Dwellings and Attached Dual Occupancies**

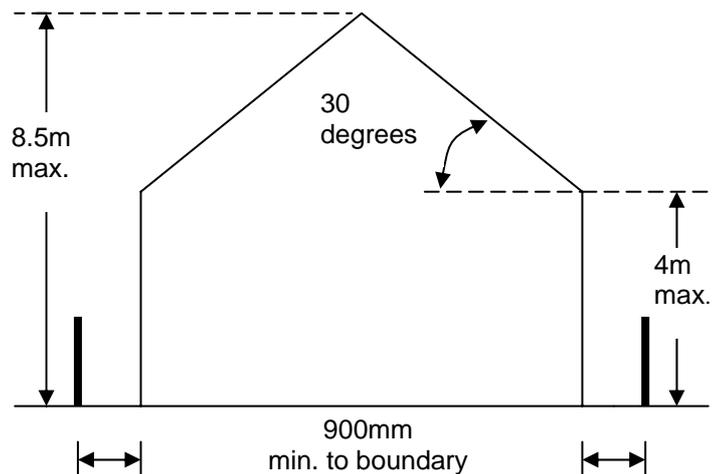
Column 1	Column 2
<b>Complying Development (A)</b>	<b>Limits and Requirements - Alterations and Additions to Single Dwellings and Attached Dual Occupancies</b>
<p><b>1. Internal and external alterations and additions, to single detached dwellings or dual occupancies</b></p>	<p>Must not:</p> <ul style="list-style-type: none"> <li>• Change the classification of the building under the EP&amp;A Act or the BCA;</li> <li>• Encroach in the space between the front alignment of the existing dwelling and the front boundary;</li> <li>• Reduce the existing number of car spaces below that specified in Council's DCP-Parking;</li> <li>• Increase the number of car spaces to a dwelling to more than 2 spaces.</li> <li>• Increase the number of kitchens provided in the premises or create additional occupancies.</li> <li>• Contravene any specific requirements of a previous development consent.</li> </ul>
<p>Applies to residential dwellings only (class 1a buildings and attached class 10a buildings)</p>	<p>General requirements:</p>
<p>Includes small scale alterations and additions, attached garages, carports, conservatories, sun-room enclosures, pergolas, awnings or the like.</p>	<ul style="list-style-type: none"> <li>• The design, materials of construction and external finishes are to be compatible with the existing dwelling and adjacent development to maintain the visual amenity of the area.</li> <li>• Roofing material must be non-reflective and not of a light colour.</li> <li>• Where the additions include two or more additional bedrooms and generate a requirement for additional parking, car space provision and design and construction must comply with the relevant requirements of this Schedule and Council's DCP - Parking.</li> <li>• Energy efficiency and water saving requirements being carried out in accordance with the relevant BASIX certificate, and as a minimum the following requirements are to be satisfied: <ul style="list-style-type: none"> <li>• External timber or metal framed and brick veneer walls and roofs are to be provided with insulation (i.e. bulk insulation and a reflective building membrane/reflective sarking/foil insulation), having a minimum total thermal resistance R-value of 3.0 in roofs and 1.5 in external walls.</li> <li>• Where new bathrooms, showers and toilets are installed, a minimum 3 star rated water efficient taps and shower roses and water efficient dual-flush toilets are to be installed.</li> </ul> </li> </ul>
<p>In heritage conservation areas it only applies if:</p>	<p>Specific requirements:</p> <ul style="list-style-type: none"> <li>• The maximum floor space ratio of the dwelling or attached dual occupancy and minimum landscaped area of the site must satisfy the relevant provisions in</li> </ul>
<ul style="list-style-type: none"> <li>• carried out to the rear of the dwelling and when not readily visible from any public road or place (other than a rear laneway);</li> <li>• the works do not include cement rendering, bagging, painting face brickwork or other similar works unless that finish is on the existing building.</li> </ul>	

**Table A: Alterations and Additions to Single Dwellings and Attached Dual Occupancies**

Column 1	Column 2
<b>Complying Development (A)</b>	<b>Limits and Requirements - Alterations and Additions to Single Dwellings and Attached Dual Occupancies</b>

Council's DCP for Dwelling Houses and Attached Dual Occupancy (as applicable) and Randwick LEP 2008.

- Alterations and additions must not encroach in the space between the front alignment of the existing dwelling and the front boundary.
- External walls/columns must be situated at least 900mm from side boundaries and 5m from rear boundaries and eaves and guttering must be at least 500mm from side boundaries, unless contained within the existing approved building envelope.
- Gable ends that have an area of more than 5m<sup>2</sup> and which face side or rear boundaries must be at least 5m from that boundary.
- The addition must be attached to the existing dwelling and must not comprise a separate class 1a building or be located above or part of a detached garage, out building or other structure.
- Alterations/additions (excluding eaves and guttering) are not to protrude outside of a building height plane of 4m (measured at a distance of 900mm from the side boundary) vertically above ground level at any point and then projecting at an angle of 30 degrees. (See diagram below)



- The extent of any cut and fill is not to exceed 1.5 metres. Fill is to be retained within the envelope of the building (unless otherwise permitted in Table A, i.e. to allow for the provision of retaining walls to the dwelling)
- Where the land has an area of more than 450m<sup>2</sup>, the amount of floor space in the dwelling is not to be increased by more than 125m<sup>2</sup> over that which existed at the day this Schedule came into effect and must not

**Table A: Alterations and Additions to Single Dwellings and Attached Dual Occupancies**

Column 1	Column 2
<b>Complying Development (A)</b>	<b>Limits and Requirements - Alterations and Additions to Single Dwellings and Attached Dual Occupancies</b>
	<p>exceed the floor space ratio specified in Council's DCP for Dwelling Houses and Dual Occupancy.</p> <ul style="list-style-type: none"> <li>• Where the land has an area of less than 450m<sup>2</sup>, the amount of floor space in the dwelling is not to be increased by more than 100m<sup>2</sup> over that which existed at the day this Schedule came into effect and must not exceed the floor space ratio specified in Council's DCP for Dwelling Houses and Dual Occupancy.</li> <li>• Maximum area of class 10a attachments (garage, carport, conservatories, sun-room enclosures, pergolas, awnings or the like) not to exceed a total of 60m<sup>2</sup> and must not exceed the floor space ratio specified in Council's DCP for Dwelling Houses and Dual Occupancy.</li> <li>• Window placement must comply with the 'visual privacy' requirements contained in Council's DCP for Dwelling Houses and Dual Occupancy or be agreed in writing by the relevant neighbouring property owner.</li> <li>• Car spaces are to have minimum dimensions of 5.5m x 3.0m if fully enclosed or 5.5m x 2.5m if open in design and be designed to comply with the relevant requirements of Council's DCP-Parking.</li> <li>• Driveways, car parking spaces and car parking structures across the front of the dwelling occupy no more than 35% of the width of the site.</li> <li>• Garages with access from a lane that is less than 5m wide, are setback 1m from the lane boundary, unless otherwise approved by Council beforehand.</li> <li>• The floor level of decks or verandahs or the like is not be more than 700mm above ground level.</li> <li>• Decks or balconies that allow an outlook to a window within an adjoining property and are within 9m, are to be screened to a height of 1.7m above floor/deck level opposite the window and for a minimum distance of 500mm on either side of the window, to limit any over viewing, unless a written letter of non-objection is obtained from the owners of the adjoining premises.</li> <li>• Decks, balconies, verandahs, screens or the like, must be setback 900mm from the site boundaries, except in relation to semi detached dwellings, where the deck may be set back from the common boundary, unless a written letter of non-objection is obtained from the owners of the relevant adjoining premises and provided to the certifying authority.</li> <li>• Smoke detectors must be provided to the dwelling in accordance with the requirements of the Building Code of Australia.</li> <li>• Stormwater runoff from the site is directed to Council's</li> </ul>

**Table A: Alterations and Additions to Single Dwellings and Attached Dual Occupancies**

Column 1	Column 2
<b>Complying Development (A)</b>	<b>Limits and Requirements - Alterations and Additions to Single Dwellings and Attached Dual Occupancies</b>
	<p>kerb and guttering or a suitably sized infiltration system.</p> <ul style="list-style-type: none"> <li>• Drainage must not result in any nuisance to adjoining properties.</li> <li>• Development must not be located in an area that is identified as being in a flood prone area or is subject to flooding.</li> <li>• Development must not obstruct any stormwater overland flow paths.</li> </ul> <p>Allowances:</p> <ul style="list-style-type: none"> <li>• Landings not more than 2.5m<sup>2</sup> in area and stairs associated with the additions may encroach within the specified setbacks, subject to compliance with the BCA.</li> <li>• An allowance of up to 500 mm in the height of the building may be made, for a maximum length of 3m to facilitate the design and construction of the wall or roof (i.e. to match or to be in keeping with the existing roof).</li> <li>• An allowance of up to 10m<sup>2</sup> of roof area may extend outside the height profile by up to 750mm to facilitate the roof design subject to compliance with the overall maximum roof height of 8.5m.</li> <li>• Additional parking spaces need not be provided to the development, if there is a minimum of one car space available on the site and the provision of an additional car space would necessitate demolition or alterations to the front of the dwelling to provide access, or would otherwise have a detrimental impact upon the adjacent premises or streetscape.</li> <li>• Paving, footpaths or the like at ground level may be provided within the 900mm side boundary setback requirement subject to compliance with any applicable landscaping and drainage requirements.</li> <li>• The height of the external wall may be increased up to 5m if a letter of 'non-objection' is obtained from the owners of the adjoining premises to the satisfaction of the certifying authority and subject to all other criteria being satisfied.</li> </ul> <p><b>Advisory note:</b></p> <ul style="list-style-type: none"> <li>• <i>The State Environmental Planning Policy (SEPP) BASIX requirements, may for some alterations and additions, take precedence over the thermal performance and water reduction requirements within this schedule. Applicants are advised to check with Council Officers prior to submitting a complying development</i></li> </ul>

**Table A: Alterations and Additions to Single Dwellings and Attached Dual Occupancies**

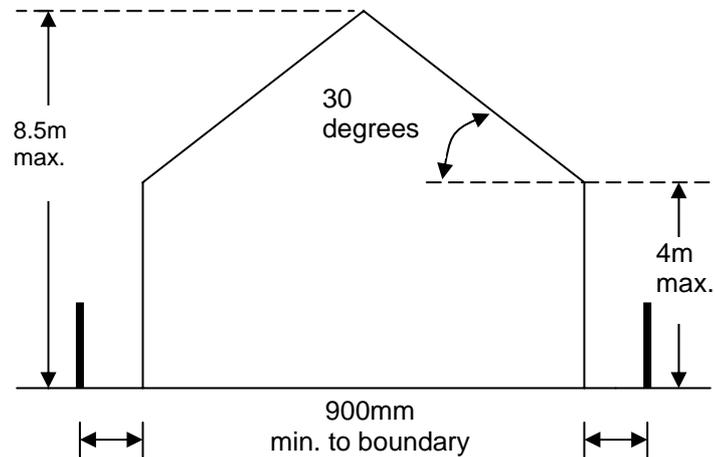
Column 1	Column 2
<b>Complying Development (A)</b>	<b>Limits and Requirements - Alterations and Additions to Single Dwellings and Attached Dual Occupancies</b>
<i>application.</i>	
<p><b>2. Internal and external alterations and additions to Semi- detached dwellings</b></p> <p>Applies to residential dwellings only (class 1a and attached class 10a buildings).</p> <p>Includes alterations and additions to semi-detached houses, attached garages, carports, conservatories, sun-room enclosures, pergolas, awnings or the like.</p> <p>In heritage conservation areas it only applies if:</p> <ul style="list-style-type: none"> <li>• carried out to the rear of the dwelling and when not readily visible from any public road or place (other than a rear laneway);</li> <li>• the works do not include cement rendering, bagging, painting face brickwork or other similar treatment unless that finish is on the existing building</li> </ul>	<p>Must not:</p> <ul style="list-style-type: none"> <li>• Change the classification of the building under the EP&amp;A Act or the BCA;</li> <li>• Encroach in the space between the front alignment of the existing dwelling and the front boundary;</li> <li>• Reduce the existing number of car spaces below that specified in Council’s DCP-Parking;</li> <li>• Increase the number of car spaces to a dwelling to more than 2 spaces.</li> <li>• Increase the number of kitchens provided in the premises or create additional occupancies.</li> <li>• Contravene any specific requirements of a previous development consent.</li> </ul> <p>General requirements:</p> <ul style="list-style-type: none"> <li>• The design, materials of construction and external finishes are to be compatible with the existing dwelling and adjacent development to maintain the visual amenity of the area.</li> <li>• Roofing material must be non-reflective and not of a light colour.</li> <li>• Where the additions include two or more bedrooms, and generate a requirement for additional parking, a minimum of one car space must be available upon the site and the design and construction of the car parking space must comply with the relevant provisions of this Schedule and Council’s DCP - Parking.</li> <li>• Energy efficiency and water saving requirements being carried out in accordance with the relevant BASIX certificate, and as a minimum the following requirements are to be satisfied: <ul style="list-style-type: none"> <li>• External timber or metal framed and brick veneer walls and roofs are to be provided with insulation (i.e. bulk insulation and a reflective building membrane/reflective sarking/foil insulation), having a minimum total thermal resistance R-value of 3.0 in roofs and 1.5 in external walls.</li> <li>• Where new bathrooms, showers and toilets are installed, a minimum 3 star rated water efficient taps and shower roses and water efficient dual-flush toilets are to be installed.</li> </ul> </li> </ul> <p>Specific requirements:</p> <ul style="list-style-type: none"> <li>• The maximum floor space ratio of the dwelling or</li> </ul>

**Table A: Alterations and Additions to Single Dwellings and Attached Dual Occupancies**

Column 1	Column 2
<b>Complying Development (A)</b>	<b>Limits and Requirements - Alterations and Additions to Single Dwellings and Attached Dual Occupancies</b>
	<p>attached dual occupancy and minimum landscaped area of the site must satisfy the relevant provisions in Council's Residential DCP as it applies to Dwelling Houses and Attached Dual Occupancy (as applicable) and Randwick LEP 2008.</p> <ul style="list-style-type: none"> <li>• The length of the wall/structure located within 900mm of the common boundary must not exceed 5m, including the length of any existing wall/s which extend beyond the rear alignment of the adjoining semi.</li> <li>• The height of the external wall within 900mm of the common boundary must not exceed 3m at any point above ground level.</li> <li>• Alterations and additions must not encroach in the space between the front alignment of the existing dwelling and the front boundary.</li> <li>• External walls/columns must be situated at least 900mm from side boundaries and 5m from rear boundaries, and eaves and guttering must be at least 500mm from side boundaries except in relation to the extension of a wall located on the common boundary, subject to the exemption criteria detailed below, unless contained within the existing approved building envelope.</li> <li>• Gable ends that have an area of more than 5m<sup>2</sup> and which face side or rear boundaries must be at least 5m from that boundary.</li> <li>• Alterations/additions (excluding eaves and guttering) are not to protrude outside of a building height plane of 4m (measured at a distance of 900mm from the side boundary) vertically above ground level at any point and then projecting at an angle of 30 degrees (see diagram following).</li> </ul>

**Table A: Alterations and Additions to Single Dwellings and Attached Dual Occupancies**

Column 1	Column 2
Complying Development (A)	Limits and Requirements - Alterations and Additions to Single Dwellings and Attached Dual Occupancies



- The extent of any cut and fill is not to exceed 1.5m. Fill is to be retained within the general envelope of the building. (unless otherwise permitted in this Schedule, i.e. to allow for the provision of retaining walls to the dwelling).
- Where the land has an area of more than 450m<sup>2</sup>, the amount of floor space in the dwelling is not to be increased by more than 100m<sup>2</sup> over that which existed at the day this LEP came into effect and must not exceed the floor space ratio specified in Council's DCP for Dwelling Houses and Dual Occupancy.
- Where the land has an area of less than 450m<sup>2</sup>, the amount of floor space in the dwelling is not to be increased by more than 75m<sup>2</sup> over that which existed at the day this LEP came into effect and must not exceed the floor space ratio specified in Council's DCP for Dwelling Houses and Dual Occupancy.
- Maximum area of class 10a attachments (garage, carport, conservatories, sun-room enclosures, pergolas, awnings or the like) not to exceed total of 50m<sup>2</sup> and must not exceed the floor space ratio specified in Council's DCP for Dwelling Houses and Dual Occupancy.
- Window placement must comply with the relevant Preferred Solutions for 'visual privacy' contained in Council's DCP Dwelling Houses and Dual Occupancy or be agreed in writing by the relevant neighbouring property owner.
- Car spaces are to have minimum dimensions of 5.5 x 3.0m if fully enclosed or 5.5 x 2.5m if open in design and designed to comply with the relevant requirements of Council's DCP-Parking.
- Driveways, car parking spaces structures across the front of the dwelling occupy no more than 35% of the

**Table A: Alterations and Additions to Single Dwellings and Attached Dual Occupancies**

Column 1	Column 2
<b>Complying Development (A)</b>	<b>Limits and Requirements - Alterations and Additions to Single Dwellings and Attached Dual Occupancies</b>
	<p>width of the site.</p> <ul style="list-style-type: none"> <li>• Garages with access from a lane, which is less than 5m wide, are setback 1m from the lane boundary, unless otherwise approved by Council.</li> <li>• The floor level of decks or verandahs or the like is not more than 700mm above ground level.</li> <li>• Decks or balconies that allow an outlook to a window within an adjoining property and are within 9m, are to be screened to a height of 1.7m above floor/deck level opposite the window and for a minimum distance of 500mm on either side of the window, to limit any over viewing, unless a written letter of non-objection is obtained from the owners of the adjoining premises.</li> <li>• Decks, balconies, verandahs, screens or the like, must be setback 900mm from the site boundaries for, except in relation to semi detached dwellings where the deck maybe setback 500mm from the common boundary, unless a written letter of non-objection is obtained from the owners of the relevant adjoining premises and provided to the certifying authority.</li> <li>• The addition must be attached to the existing dwelling and must not comprise a separate class 1a building or be above or part of a detached garage, outbuilding or other structure.</li> <li>• Smoke detectors must be provided to the dwelling in accordance with the requirements of the Building Code of Australia.</li> <li>• Stormwater runoff from the site is directed to Council's kerb and guttering or a suitably sized infiltration system.</li> <li>• Drainage must not result in any nuisance to adjoining properties.</li> <li>• Development must not be located in an area that is identified as being in a flood prone area or is subject to flooding.</li> <li>• Development must not obstruct any stormwater overland flow paths.</li> </ul> <p>Allowances:</p> <ul style="list-style-type: none"> <li>• Notwithstanding the abovementioned criteria, additions to a semi-detached dwelling may be erected up to the common side boundary, subject to:</li> <li>• The height and length of the external wall within 900mm of the common boundary may exceed the abovementioned criteria, if a letter of 'non objection' is obtained from all of the owners of the adjoining semi-detached dwelling to the satisfaction of the certifying</li> </ul>

**Table A: Alterations and Additions to Single Dwellings and Attached Dual Occupancies**

Column 1	Column 2
<b>Complying Development (A)</b>	<b>Limits and Requirements - Alterations and Additions to Single Dwellings and Attached Dual Occupancies</b>
	<p>authority and subject to the wall height not exceeding 4m and wall length not exceeding 7m.</p> <ul style="list-style-type: none"> <li>• Additional parking spaces need not be provided to the development, if the provision of an additional car space is unable to comply with the criteria for car spaces in this schedule or if the provision of the car space would necessitate demolition or alterations to the front of the dwelling or, provision of the car space would have a significant detrimental impact upon the adjacent premises or streetscape.</li> <li>• Landings not more than 2.5m<sup>2</sup> associated with the addition, area and stairs may encroach within the specified setbacks, subject to compliance with the BCA.</li> <li>• An allowance of up to 400mm in the height of the building may be made, for a maximum length of 3m to facilitate the design and construction of the wall or roof (i.e. to match or to be in keeping with the existing roof).</li> </ul> <p><b>Advisory note:</b></p> <ul style="list-style-type: none"> <li>• <i>The State Environmental Planning Policy (SEPP) BASIX requirements, may for some alterations and additions, take precedence over the thermal performance and water reduction requirements within this schedule. Applicants are advised to check with Council Officers prior to submitting a complying development application.</i></li> </ul>

**Table A: Alterations and Additions to Single Dwellings and Attached Dual Occupancies**

Column 1	Column 2
<b>Complying Development (A)</b>	<b>Limits and Requirements - Alterations and Additions to Single Dwellings and Attached Dual Occupancies</b>
<p><b>3. Attics to dwellings</b></p> <p>Applies to single dwellings and attached dual occupancies to residential dwellings.</p> <p>In heritage conservation areas this item does not apply unless the works are not readily visible from any public road or public place (other than a rear laneway).</p> <p>Does not apply to attics within detached garages or other detached structures.</p>	<p>Must not:</p> <ul style="list-style-type: none"> <li>• Change the classification of the building under the EP&amp;A Act or BCA;</li> <li>• Reduce the existing number of car spaces below that specified in Council's DCP-Parking;</li> <li>• Increase the number of car spaces to a dwelling to more than 2 spaces.</li> <li>• Increase the number of kitchens provided in the premises or create additional occupancies.</li> <li>• Contravene any specific requirements of a previous development consent.</li> </ul> <p>General requirements:</p> <ul style="list-style-type: none"> <li>• All work (other than windows as specified below) must generally be located within the existing roof space of the existing dwelling.</li> <li>• Roofing material must be non-reflective and not of a light colour.</li> <li>• Where the additions include two or more additional bedrooms and generate a requirement for additional parking, a minimum of one car space must be available upon the site and the design and construction of the car parking space must comply with the relevant provisions of this Schedule and with Council's DCP - Parking.</li> <li>• Energy efficiency and water saving requirements being carried out in accordance with the relevant BASIX certificate, and as a minimum the following requirements are to be satisfied: <ul style="list-style-type: none"> <li>• External timber or metal framed and brick veneer walls and roofs are to be provided with insulation (i.e. bulk insulation and a reflective building membrane/reflective sarking/foil insulation), having a minimum total thermal resistance R-value of 3.0 in roofs and 1.5 in external walls.</li> <li>• Where new bathrooms, showers and toilets are installed, minimum 3 star rated water efficient taps and shower roses and water efficient dual-flush toilets are to be installed.</li> </ul> </li> <li>• Smoke detectors must be provided to the dwelling in accordance with the requirements of the Building Code of Australia.</li> </ul> <p>Specific requirements:</p> <ul style="list-style-type: none"> <li>• Maximum floor area of the attic is not to exceed 75m<sup>2</sup>.</li> <li>• External materials and finishes are to be compatible with the existing dwelling and adjacent development.</li> </ul>

**Table A: Alterations and Additions to Single Dwellings and Attached Dual Occupancies**

Column 1	Column 2
<b>Complying Development (A)</b>	<b>Limits and Requirements - Alterations and Additions to Single Dwellings and Attached Dual Occupancies</b>
	<ul style="list-style-type: none"> <li>• Any separating walls must comply with the deemed-to-satisfy provisions of the Building Code of Australia.</li> <li>• A certificate that certifies that the existing foundations and structures can support the proposed building works must be obtained from an accredited certifier or suitably qualified and experienced structural engineer, prior to the complying development certificate being issued. A copy of the certificate is to be forwarded to Council.</li> <li>• In attics to existing two and three storey dwellings, the floor area in which the head height exceed 1.5m, is included in the floor space ratio calculations and the relevant requirements of Council's DCP for Dwelling Houses and Attached Dual Occupancies must be satisfied.</li> </ul>
	<p>Skylight Windows</p> <ul style="list-style-type: none"> <li>• Must have a low profile and generally be within and flush with the existing roof profile.</li> <li>• Maximum of 5 per dwelling.</li> <li>• No more than 1m<sup>2</sup> each.</li> <li>• Must not be located on the front of the dwelling or on any street elevation.</li> <li>• Colours and materials must be compatible and sympathetic with the material and colour of the existing roof.</li> </ul>
	<p>Dormer Windows</p> <ul style="list-style-type: none"> <li>• No more than three to each dwelling, each in lieu of a skylight window.</li> <li>• Design, materials and finishes are to be compatible with and maintain architectural integrity of existing dwelling and adjacent development.</li> <li>• A maximum of one dormer window may be located on any street elevation.</li> <li>• Front elevation area of dormer window/s is limited to 2m<sup>2</sup>.</li> <li>• Maximum glazed area of 1.5m<sup>2</sup>.</li> <li>• Located no closer than 3m from any property boundary, unless agreed in writing by the owners of the adjoining property.</li> <li>• Horizontal protrusion from the roof limited to 3m measured along the ridge.</li> <li>• Must be offset by at least 1m from any windows located in the adjoining premises, or</li> </ul>

**Table A: Alterations and Additions to Single Dwellings and Attached Dual Occupancies**

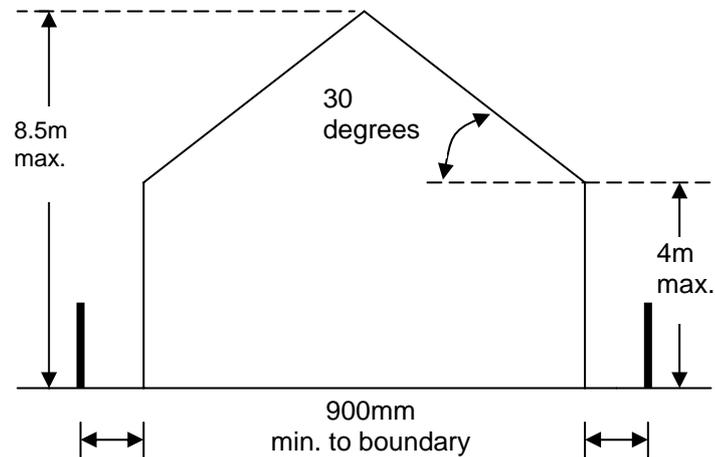
Column 1	Column 2
<b>Complying Development (A)</b>	<b>Limits and Requirements - Alterations and Additions to Single Dwellings and Attached Dual Occupancies</b>
	<ul style="list-style-type: none"> <li>• Are of fixed obscure / frosted glazing or</li> <li>• Are positioned at least 1.5m above the floor level unless otherwise agreed in writing between the owners of the adjoining premises</li> </ul> <p>Allowances:</p> <ul style="list-style-type: none"> <li>• Additional parking spaces need not be provided to the development if the provision of an additional car space would necessitate demolition or alterations to the front of the dwelling to provide access or, the installation of the additional car space would have a significant, detrimental impact upon the adjacent premises or streetscape.</li> </ul> <p><b>Advisory Note:</b></p> <ul style="list-style-type: none"> <li>• <i>Based on the above requirements, a maximum of 3 dormers and 2 skylights are permitted per dwelling.</i></li> </ul>
<b>4. First floor additions to existing detached single storey dwelling houses</b>	Must not:
Does not apply to dwellings located in heritage conservation areas or dwellings within Councils Foreshore Scenic Protection Area.	<ul style="list-style-type: none"> <li>• Change the classification of the building under the EP&amp;A Act or the BCA;</li> <li>• Increase the number of kitchens provided in the premises or create additional occupancies.</li> <li>• Include balconies or full length windows</li> <li>• Contravene any specific requirements of a previous development consent.</li> </ul>
Only applies to the main dwelling and not to any separate ancillary structure or outbuilding.	<p>General requirements:</p> <ul style="list-style-type: none"> <li>• The design, materials of construction and external finishes must be compatible with the architectural integrity and design of the existing dwelling and adjacent development to maintain the visual amenity of the area.</li> <li>• Roofing material must be non-reflective and not of a light colour.</li> <li>• Energy efficiency and water saving requirements being carried out in accordance with the relevant BASIX certificate, and as a minimum the following requirements are to be satisfied:             <ul style="list-style-type: none"> <li>• External timber or metal framed and brick veneer walls and roofs are to be provided with insulation (i.e. bulk insulation and a reflective building membrane/reflective sarking/foil insulation), having</li> </ul> </li> </ul>

**Table A: Alterations and Additions to Single Dwellings and Attached Dual Occupancies**

Column 1	Column 2
<b>Complying Development (A)</b>	<b>Limits and Requirements - Alterations and Additions to Single Dwellings and Attached Dual Occupancies</b>
	<p>a minimum total thermal resistance R-value of 3.0 in roofs and 1.5 in external walls.</p>
	<ul style="list-style-type: none"> <li>• Where new bathrooms, showers and toilets are installed, minimum 3 star rated water efficient taps and shower roses and water efficient dual-flush toilets are to be installed.</li> </ul>
	<p>Specific requirements:</p>
	<ul style="list-style-type: none"> <li>• The design, location, height and building form must not be inconsistent with the adjacent development.</li> <li>• The maximum floor space ratio of the dwelling and minimum landscaped area of the site must satisfy Council's Residential DCP as it applies to Dwelling Houses and Attached Dual Occupancy (as applicable).</li> <li>• The maximum area of the first floor addition is 70m<sup>2</sup> and must not exceed the floor space ratio specified in Council's DCP for Dwelling Houses and Dual Occupancy.</li> <li>• External walls/columns must be situated at least 1.5m from side boundaries.</li> <li>• The maximum length of a sidewall is 8m. Any additional building length must be set back by 3m from the side boundary.</li> <li>• Gable ends that have an area of more than 5m<sup>2</sup> and which face side or rear boundaries must be at least 5m from that boundary.</li> <li>• The addition must be attached to the existing dwelling and must not comprise a separate class 1a building or be located above a detached garage/ outbuilding.</li> <li>• The maximum height between the ground level and eaves is 6.75m.</li> <li>• Eaves and guttering to be setback at least 900mm from site boundaries.</li> <li>• Alterations/additions (excluding eaves and guttering) are not to protrude outside of a building height plane of 8.5m (measured at a distance of 1.5m from the side boundary) vertically above ground level at any point and then projecting at an angle of 30 degrees.</li> </ul>

**Table A: Alterations and Additions to Single Dwellings and Attached Dual Occupancies**

Column 1	Column 2
Complying Development (A)	Limits and Requirements - Alterations and Additions to Single Dwellings and Attached Dual Occupancies



- The first floor addition must be set back:
  - If the existing dwelling has a hip roof design, the first floor addition must be setback behind the main ridgeline or hip of the existing dwelling.
  - If the existing dwelling has a gable roof design, the first floor addition must be setback not less than 5m from the front of the dwelling. The roof pitch and design of the addition must not be inconsistent with the existing roof pitch and building design.
- Window placement must be a minimum of 1.2m above floor level and comply with the relevant requirements for 'visual privacy' contained in Council's DCP Dwelling Houses and Attached Dual Occupancy or be agreed in writing by the relevant neighbouring property owner.
- Where the additions include two or more additional bedrooms and generate a requirement for additional parking, car space provision and design and construction must comply with the relevant requirements of this schedule and Council's DCP – Parking and in accordance with the Item 4 of Table D – Car Parking hard stand areas.
- Smoke detectors must be provided to the dwelling in accordance with the requirements of the Building Code of Australia.
- Stormwater runoff from the site must be directed to the existing site stormwater disposal system or a suitably design infiltration system.

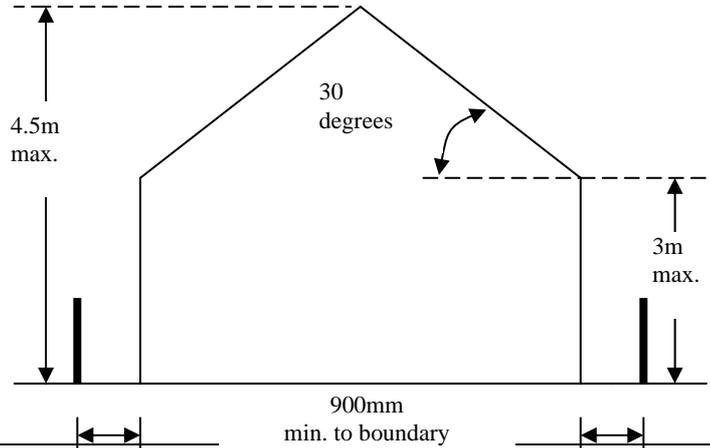
**Table A: Alterations and Additions to Single Dwellings and Attached Dual Occupancies**

Column 1	Column 2
<b>Complying Development (A)</b>	<b>Limits and Requirements - Alterations and Additions to Single Dwellings and Attached Dual Occupancies</b>
	<p>Allowances:</p> <ul style="list-style-type: none"> <li>• The side wall set back may be reduced to 900mm subject to a written letter or 'non-objection' being provided by the relevant neighbouring property owners and being submitted with the application.</li> <li>• An allowance of up to 300mm in the height of the external wall may be made, for a maximum length of 2m to facilitate the design and construction of the wall or roof (i.e. to match or to be in keeping with the existing roof).</li> <li>• An allowance of up to 300mm in the height of the ridge or hip may be made, for a maximum length/ distance of 5m, to facilitate the design and construction of the addition (i.e. on a sloping site).</li> <li>• Additional parking spaces need not be provided to the development, if there is a minimum of one car space available on the site and the provision of an additional car space would necessitate demolition or alterations to the front of the dwelling to provide access, or would otherwise have a detrimental impact upon the adjacent premises or streetscape.</li> <li>• Paving, footpaths or the like at ground level may be provided within the 1.5m side boundary setback requirement subject to compliance with any other applicable landscaping and drainage requirements.</li> </ul> <p><b>Advisory Note:</b></p> <ul style="list-style-type: none"> <li>• <i>Internal and/or external additions may be carried out with the first floor addition, subject to all relevant criteria being satisfied such as any other applicable landscaping and drainage requirements.</i></li> </ul>
<b>5. Buildings and structures ancillary to dwelling houses</b>	<p>The ancillary buildings are not:</p> <ul style="list-style-type: none"> <li>• To be used for any business, commercial or industrial purpose</li> <li>• To encroach in the space between the front alignment of the existing dwelling and the front boundary.</li> <li>• Contravene any specific requirements of a previous development consent.</li> </ul>
<p>Applies to detached class 10a buildings or structures that are ancillary to Class 1a dwellings only. This includes but is not limited to garden sheds, cabanas, carports and garages, pergolas, decks, awnings, conservatories, shade structures and gazebos.</p>	<p>General requirements:</p> <ul style="list-style-type: none"> <li>• The maximum floor space ratio of the dwelling and minimum landscaped area of the site must satisfy Council's DCP for Dwelling Houses and Attached Dual Occupancy.</li> <li>• Structures associated with single dwelling houses must</li> </ul>

**Table A: Alterations and Additions to Single Dwellings and Attached Dual Occupancies**

Column 1	Column 2
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Complying Development (A)	Limits and Requirements - Alterations and Additions to Single Dwellings and Attached Dual Occupancies
<p>Does not apply to fences, retaining walls and swimming pools, bird aviaries, fowl houses and tennis courts or associated lighting.</p> <p>In Heritage Conservation Areas this item does not apply unless the works are not readily visible from any public road or place (other than a rear laneway).</p>	<p>be situated at least 900mm from side &amp; rear boundaries and eaves and guttering must be at least 675mm from side or rear boundaries (except as detailed below in relation to semi detached dwellings).</p> <ul style="list-style-type: none"> <li>Structures associated with semi detached dwellings may adjoin the common boundary, subject to the maximum height not exceeding 2.7 m at the boundary and the maximum length of the structure on the common boundary (including any existing similar structures) not exceeding 5.5m.</li> <li>Maximum floor area of open designed structures such as carports, pergolas and shade structures 60m<sup>2</sup> for detached dwellings, and 50m<sup>2</sup> for semi- detached dwellings and must not exceed the floor space ratio specified in Council's DCP for Dwelling Houses and Dual Occupancy.</li> <li>Maximum floor area of enclosed structures such as garden sheds, detached garages, greenhouses and storage buildings is 40m<sup>2</sup> for detached dwellings and 35m<sup>2</sup> for semi-detached dwellings and must not exceed the floor space ratio specified in Council's DCP for Dwelling Houses and Dual Occupancy.</li> <li>Where the land is in a Heritage Conservation Area, structures must be located at the rear of the dwelling and not be readily visible from any public road or place (other than a rear laneway).</li> <li>The extent of any fill is not to exceed 1m</li> <li>The location of structures must not reduce the existing provisions for car parking.</li> <li>The structure (excluding eaves and guttering) is not to protrude outside of a building height plane of 3m (measured at a distance of 900mm from the side or rear boundary) vertically above ground level at any point and then projecting at an angle of 30 degrees.</li> </ul>



**Table A: Alterations and Additions to Single Dwellings and Attached Dual Occupancies**

Column 1	Column 2
<b>Complying Development (A)</b>	<b>Limits and Requirements - Alterations and Additions to Single Dwellings and Attached Dual Occupancies</b>
	<ul style="list-style-type: none"> <li>• The maximum overall height of the roof of the structure is not to exceed 4.5m at any point.</li> <li>• The design, materials of construction, external finishes and colour schemes are to be compatible with the existing dwelling and visual amenity of the locality.</li> <li>• Roofing material must be non-reflective.</li> <li>• New car spaces must be of minimum dimensions of 5.5m x 3.0m for fully enclosed structures and 5.0 x 2.5m for open design parking structures or facilities.</li> <li>• A maximum of 2 parking spaces are to be provided on site, including any existing spaces.</li> <li>• Driveways, car parking spaces and car parking structures across the front of the dwelling occupy can be no more than 35% of the width of the site.</li> <li>• Garages with access from a lane which are less than 5m wide, must be setback 1m from the lane boundary.</li> <li>• The floor level of decks or verandahs or the like is to be no more than 700mm above ground level.</li> <li>• Decks or balconies that allow direct outlook to a window within an adjoining property and are within 9m, are to be screened to a height of 1.7m above floor level/deck opposite the window and for a minimum distance of 500mm on either side of the window, to limit any over viewing, unless a written letter of non-objection is obtained from the owners of the adjoining premises.</li> <li>• Decks, balconies, verandahs, screens or the like, must be setback 900mm from the site boundaries for detached dwellings and 500mm for the common wall of semi detached dwellings, unless a written letter of non-objection is obtained from the owners of the relevant adjoining premises.</li> <li>• May include installation of a roller shutter and associated framework up to 2.2m high, located up to the boundary, to provide access to an approved car parking space, which is located to the rear or side of the premises (ie bounding a laneway), subject to the design, height, installation, location, colours and materials being sympathetic and in keeping with the locality.</li> <li>• Stormwater runoff from the site is directed to Council's kerb and guttering or a suitably sized infiltration system.</li> <li>• Drainage must not result in any nuisance to adjoining properties.</li> <li>• Development must not be located in an area that is identified as being in a flood prone area or is subject to flooding.</li> </ul>

**Table A: Alterations and Additions to Single Dwellings and Attached Dual Occupancies**

Column 1	Column 2
<b>Complying Development (A)</b>	<b>Limits and Requirements - Alterations and Additions to Single Dwellings and Attached Dual Occupancies</b>
	<ul style="list-style-type: none"> <li>• Development must not obstruct any stormwater overland flow paths.</li> </ul> <p>Allowances:</p> <ul style="list-style-type: none"> <li>• An allowance of up to 400 mm in the height of the building may be made, for a maximum length of 2.5m, to facilitate the design and construction of the wall or roof (i.e. to match or be in keeping with the existing roof).</li> <li>• The height and length of the wall located up to the common boundary in relation to a semi-detached dwelling may exceed the criteria contained in this table, subject to a letter of non-objection being obtained from the owners of the adjoining semi and subject to the height and length of the wall (or enclosing columns roof) not exceeding 3m and 7m respectively.</li> <li>• Decks may be constructed up to 1.5m above ground level if a letter of non-objection is obtained from all of the owners of the relevant adjoining premises, and provided to the certifying authority prior to issuing a complying development certificate.</li> </ul>
<p><b>6. Re-building previously approved attachments or structures ancillary to dwelling houses</b></p> <p>Refers to replacing existing floors and external roofs, walls and other external surfaces, attachment class 10a structures, cement rendering or bagging of buildings and the like, and maintenance and repair works, to existing dwellings and ancillary attachments, which are contained in a previous building approval, construction / complying development certificate or building certificate or other approval by Council.</p> <p>Does not include rebuilding of structures which are not existing at the time of lodging the application (ie</p>	<ul style="list-style-type: none"> <li>• Maximum area of structure to be rebuilt or replaced 40 m<sup>2</sup>.</li> <li>• Single storey structures only.</li> <li>• Maximum height of structure does not exceed 3m if located within the building line, or 5m if located behind the building line.</li> <li>• If work to only one dwelling of a semi detached dwelling is proposed, the work must maintain the architectural integrity, appearance and design of the adjoining semi-detached dwelling.</li> <li>• Design, materials, construction, colour scheme and external finish are to be compatible and integrate with the existing dwelling and adjacent development and, must maintain the visual amenity of the area and streetscape.</li> <li>• Roofing material is to be non-reflective.</li> <li>• Works must not include any alterations or additions to the building, unless permissible under this schedule.</li> <li>• Does not include new or enlarged window or door openings.</li> <li>• Does not include the provision of any advertising (including logos).</li> <li>• Subject to any other requirements relating to the specific structure or works as detailed in this schedule.</li> </ul>

**Table A: Alterations and Additions to Single Dwellings and Attached Dual Occupancies**

Column 1	Column 2
<b>Complying Development (A)</b>	<b>Limits and Requirements - Alterations and Additions to Single Dwellings and Attached Dual Occupancies</b>
<p>structures which have already been demolished).</p> <p>In Heritage Conservation Areas this item does not apply unless the works are not readily visible from any public road or place (other than a rear laneway).</p>	<ul style="list-style-type: none"> <li>• Must not contravene or be inconsistent with any development consent or building approval.</li> <li>• Enclosed structures are setback at least 1m from street alignment.</li> <li>• The floor area, boundary setbacks and dimensions of the structures must be consistent with the previously approved structure.</li> <li>• The replacement or rebuilding of structures must not have a detrimental impact upon the amenity of adjoining premises or the streetscape.</li> <li>• Where new bathrooms, kitchens and toilets are installed, triple A rated water efficient taps and shower roses and water efficient dual-flush toilets are to be installed.</li> <li>• Structures or works being rebuilt must not be inconsistent with the previous approved structure or work.</li> <li>• Only applies to class 1a or class 10 buildings (as defined by the Building Code of Australia).</li> <li>• Stormwater runoff from the site is directed to Council's kerb and guttering or a suitably sized infiltration system.</li> <li>• Drainage must not result in any nuisance to adjoining properties.</li> <li>• Development must not be located in an area that is identified as being in a flood prone area or is subject to flooding.</li> <li>• Development must not obstruct any stormwater overland flow paths.</li> </ul>
	<p>Allowances:</p> <ul style="list-style-type: none"> <li>• Rebuilding work may be carried out to an existing approved dwelling above the height limit, providing the rebuilding work only encompasses the rebuilding of approved attachments or approved ancillary structures or carrying out rectification works to approved external walls and/or roof of the dwelling or replacement of existing approved openings, which are within the existing approved building envelope. But does not include the rebuilding of more than 40 m<sup>2</sup> of total wall area.</li> <li>• The maximum area of the structure or works being rebuilt may be increased to 60m<sup>2</sup> if a letter of non-objection to the proposed works is obtained and submitted to the certifying authority from the owners of the relevant adjoining premises and subject to all other relevant criteria being fully satisfied and must not</li> </ul>

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**Table A: Alterations and Additions to Single Dwellings and Attached Dual Occupancies**

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**Column 1**

**Column 2**

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**Complying Development (A)**

**Limits and Requirements - Alterations and Additions to Single Dwellings and Attached Dual Occupancies**

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exceed the floor space ratio specified in Council's *DCP for Dwelling Houses and Dual Occupancy*.

***Advisory Note:***

- *This item is subject to any relevant requirements which may be detailed in the specific type of complying development category, i.e. Item 1 - Internal and External Alterations and Additions in Table A.*
  - *Consent is required where the building work or the colours, materials and finishes do not fully comply with these requirements.*
  - *External finishes, including painting, of buildings in bright or corporate colour schemes will require Council consent.*
  - *The State Environmental Planning Policy (SEPP) BASIX requirements, may for some alterations and additions, take precedence over the thermal performance and water reduction requirements within this schedule. Applicants are advised to check with Council Officers prior to submitting a complying development application.*
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**Table A: Alterations and Additions to Single Dwellings and Attached Dual Occupancies**

Column 1	Column 2
<b>Complying Development (A)</b>	<b>Limits and Requirements - Alterations and Additions to Single Dwellings and Attached Dual Occupancies</b>
<p><b>7. Roof and wall replacement, cladding and recladding</b></p> <p>Applies to dwelling houses and ancillary class 10 structures.</p> <p>Refers to replacing existing external roofs, walls and other external surfaces, cement rendering or bagging of buildings and the like, and maintenance and repair works.</p> <p>In heritage conservation areas it only applies when at the rear of the building and not readily visible from any public road or place (other than a rear laneway).</p>	<ul style="list-style-type: none"> <li>• Does not apply to only one dwelling of a semi detached dwelling, unless the works are compatible with and will maintain the architectural integrity of the pair of semi-detached dwellings.</li> <li>• The design, materials, construction, colour scheme and external finish are to be compatible and integrate with the existing building, adjacent development and maintain the architectural integrity of the dwelling and visual amenity of the area and streetscape.</li> <li>• Roofing material is to be non-reflective.</li> <li>• Works must not include any alterations or additions to the building, unless permissible under this schedule..</li> <li>• Does not include new or enlarged window or door openings, unless permitted in Item 8 below.</li> <li>• Does not include the provision of any advertising (including logos).</li> <li>• Does not include painting of buildings or attachment of finishes or cladding, which are of a bright colour or corporate colours.</li> <li>• Must not be inconsistent with any specific development consent conditions.</li> <li>• External finishes, including painting of buildings in bright or corporate colour schemes will require Council consent.</li> <li>• May apply to replacement of existing approved windows and doors to dwellings and associated class 10a structures subject to compliance with all relevant criteria in this table.</li> <li>• Must not be inconsistent with or contravene any requirements of any previous development consent.</li> </ul> <p><b>Advisory Note:</b></p> <ul style="list-style-type: none"> <li>• <i>Consent is required where colours, materials and finishes do not fully comply with these requirements.</i></li> </ul>

**Table A: Alterations and Additions to Single Dwellings and Attached Dual Occupancies**

Column 1	Column 2
<b>Complying Development (A)</b>	<b>Limits and Requirements - Alterations and Additions to Single Dwellings and Attached Dual Occupancies</b>
<p><b>8. New or enlarged external door or window openings</b></p>	<ul style="list-style-type: none"> <li>• The design, materials, construction, colour scheme and external finish are to be compatible and integrate with the existing building, adjacent development and maintain the visual amenity of the area and streetscape.</li> <li>• Must not be inconsistent with any relevant development consent conditions.</li> <li>• The subject opening is not located on the front elevation or street elevation of the building, unless the design and architectural integrity and amenity of the dwelling and streetscape is fully maintained.</li> <li>• The opening is located at ground or first floor level only, unless a letter of non-objection is obtained from the owners of the relevant adjoining and potentially affected premises, to the satisfaction of the certifying authority and subject to the design and privacy requirements being fully satisfied.</li> <li>• The opening complies with the criteria for 'visual privacy' contained in Council's DCP for Dwelling Houses &amp; Attached Dual Occupancies or be agreed in writing by the relevant neighbouring property owner/s.</li> <li>• Windows must be located 900mm or more from property boundaries or be of fixed and fire rated glazing. Window and door fittings should encourage cross ventilation and reduce reliance on energy consuming cooling appliances.</li> </ul>
<p>Only applies to single dwellings, dual occupancies and ancillary class 10a buildings</p>	
<p>Does not apply in heritage conservation areas unless the works are not readily visible from any public road or place (other than a rear laneway or the like).</p>	
<p>Does not apply to Class 2 to 9 buildings.</p>	

**Table B: Alterations and Additions to Other Buildings**

Column 1	Column 2
<p><b>Complying Development (B)</b></p>	<p><b>Limits and Requirements - Alterations and Additions to Other Buildings</b></p>
<p><b>1. Internal Alterations to other buildings</b></p> <p>(Class 1b and Class 2 to 9 buildings)</p> <p>Applies to internal works only.</p> <p>Fitting within this category does not replace or remove the need to obtain consent or a Complying Development Certificate for any change of use of a building, part of a building or premises.</p> <p>Does not apply to:</p> <ul style="list-style-type: none"> <li>• Development subject to SEPP 10</li> <li>• External building work</li> </ul> <p>Does not apply to the following types of uses of premises:</p> <ul style="list-style-type: none"> <li>• amusement centres</li> <li>• fit out of food premises that use solid fuels such as charcoal to cook food</li> <li>• automotive uses</li> <li>• panel beating workshops</li> <li>• backpacker accommodation</li> <li>• boarding houses</li> <li>• brothels or premises providing any sexual services ,</li> <li>• hazardous industry or storage</li> <li>• installation of cooling towers</li> <li>• offensive industry or storage</li> <li>• potentially hazardous or offensive industry</li> </ul>	<p>Must not:</p> <ul style="list-style-type: none"> <li>• Change the external appearance of the building.</li> <li>• Change the classification of the building under the EP&amp;A Act 1979 or BCA. (Other than permitted in relation to the change of the classification of class 5 to class 6 building as detailed in the criteria for “Change of Use of a business premises or restaurant to another business premises or restaurant” – refer to Item 5 in Table C).</li> <li>• Increase the gross floor area of the building.</li> <li>• Create additional separate occupancies or units in the building, unless the building is located in a business zone and is a class 5 or 6 building and the total floor area of the additional units/occupancies does not exceed 500m2 and the alterations encompass the creation of not more than 3 separate occupancies.</li> <li>• Amalgamate any separate dwellings, occupancies or units within the building, unless the building is located in a business zone and is a class 5 or 6 building and the alterations encompass an amalgamation of occupancies and the total resultant floor area does not exceed 500m2 or, the amalgamation encompasses not more than two units in a class 2 building and is permissible under Randwick LEP 2008.</li> <li>• Involve an intensification of use.</li> <li>• Interfere with the amenity of the area by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste products or grit, oil or otherwise.</li> <li>• Remove or make inaccessible any facility or provision or structure that has been provided for or used for the access and movement of people with a disability.</li> <li>• Reduce existing levels of fire safety or egress provisions within the building.</li> <li>• Contravene or be inconsistent with any specific requirements of previous development consent.</li> </ul> <p>General requirements:</p> <ul style="list-style-type: none"> <li>• The use of the building must be subject to a current consent, or Complying Development Certificate, Construction Certificate, or previous building approval, exempt development or, the building is a class 5 or 6 building which has a ground floor area that is less than 200m2 and the building is located within permissible zoning.</li> <li>• The proposed works must comply with and not contravene any relevant conditions of consent.</li> <li>• The works do not alter the existing provisions for the</li> </ul>

**Table B: Alterations and Additions to Other Buildings**

Column 1	Column 2
Complying Development (B)	Limits and Requirements - Alterations and Additions to Other Buildings
<ul style="list-style-type: none"> <li>• places of public entertainment</li> <li>• licensed hotels, bars, nightclubs or the like</li> <li>• restricted premises</li> <li>• waste transfer station, unless the work is related only to maintenance works, repairs or are necessary to satisfy other regulatory requirements including Occupational Health and Safety and Building Code of Australia provisions.</li> </ul>	<p>loading and unloading of goods or parking.</p> <ul style="list-style-type: none"> <li>• Waste and recyclable materials from the development are to be collected by an authorised trade waste contractor.</li> <li>• New work must comply with the Building Code of Australia provisions for access and facilities for people with disabilities.</li> <li>• Mechanical ventilation systems (where required by the BCA or to satisfy Council’s Food Premises Code) must be provided and installed in accordance with AS 1668.1&amp;2.</li> <li>• The noise levels emanating from plant or equipment must not exceed 5dB(A) above ambient background noise levels, measured at any boundary of the land or within any residential dwelling/unit and where new equipment is installed, a certificate of compliance must be obtained from an acoustic consultant and submitted to council and the PCA, prior to occupation.</li> <li>• Liquid trade waste materials are to be disposed of in accordance with the requirements of Sydney Water.</li> <li>• Food premises must comply with relevant provisions of the Food Act 2003 and Regulations, Food Standards Code and AS 4674-2004 Design, Construction and Fitout of Food Premises.</li> <li>• Food premises must be registered with Council in writing prior to issuing an occupation certificate.</li> <li>• Where additional occupancies are created, access for persons with a disability must be provided to all occupancies if the existing occupancy is provided with access for persons with a disability.</li> <li>• The business operation hours for commercial premises are restricted to 7.00am to 11.00pm maximum, seven days a week, at all times or other operation hours specified in a valid current development consent, whichever the lesser. In no case shall the hours of operation of the business be after 11.00pm for the alterations to be classified as complying development in this Schedule.</li> <li>• Access for persons with a disability must be provided in accordance with the relevant provisions of the BCA if the value of the work or fit-out exceeds \$10,000, and:             <ul style="list-style-type: none"> <li>• the occupancy is greater than 50m<sup>2</sup>, the internal works or fit-out covers more than 50% of the floor area of the occupancy and the internal floor level is less than or equal to 190mm above the external ground level.</li> <li>• the occupancy is greater than 125m<sup>2</sup>, the internal works or fit-out covers more than 50% of the floor</li> </ul> </li> </ul>
<p>Does not apply to works within a business located in a residential zone, unless the premises operates under a valid previous consent, building approval or other approval or license from Council.</p>	
<p>Does not apply to a restaurant, café or any food premises located in a residential zone.</p>	
<p>This item does not apply to the fit out or alterations to any food premises or other business which operates after 11:00pm and before 7:00 am.</p>	

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**Table B: Alterations and Additions to Other Buildings**

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Column 1	Column 2
<b>Complying Development (B)</b>	<b>Limits and Requirements - Alterations and Additions to Other Buildings</b>

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area of the occupancy and the internal floor level is less than or equal to 300mm above the external ground level.

- if the floor area of the occupancy is greater than 250m<sup>2</sup> and the interior works or fit-out covers more than 50% of the floor area of the occupancy, access for persons with a disability must be provided in all cases in accordance with the relevant provisions of the BCA.
- The written approval of the Strata plan / Owners corporation must be obtained prior to approval, where applicable.
- Where new bathrooms, kitchens and toilets are installed, minimum 3 star rated water efficient taps and shower roses and water efficient dual-flush toilets are to be installed.
- Premises used for the storage, preparation or sale of food, hairdressing, beauty salons, skin penetration services must be registered with Council prior to issuing an occupation certificate or commencement of the use.
- Details of existing and proposed fire safety measures must be provided and prior to occupation, complete fire safety certification must be provided to satisfy the Environmental Planning and Assessment Act 1979 & Regulation, in relation to the whole of the building.

#### Allowance

- The alterations may result in an increase in floor area of up to 10m<sup>2</sup>, subject to:
  - The additional floor area being within the approved overall existing building envelope,
  - The design, materials and colours maintaining the architectural integrity, design, appearance and amenity of the building and streetscape.
  - The additional floor area not being inconsistent with any specific requirements of a previous development consent.
  - The additional area not affecting the existing provisions for parking and unloading,
  - The additional area being at ground level only,
  - Structures not being located over any existing stormwater detention tank or affect stormwater drainage.
  - Structure not being located in an area that may be subject to stormwater inundation/flooding.

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**Table B: Alterations and Additions to Other Buildings**

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**Column 1****Column 2**

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**Complying Development  
(B)****Limits and Requirements - Alterations and Additions  
to Other Buildings**

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***Advisory Notes:***

- *To be classified as “complying development”, the maximum hours of operation of the business must not exceed 7:00am to 11:00pm, or other hours of operations specified in the current development consent for the premises, whichever the most stringent.*
  - *Refer to Item 4, in Table B for further details in relation to “Awning and Shopfront replacements to existing shops”.*
  - *In relation to the provision of access for people with a disability, the installation of new floor, wall or ceiling coverings or other internal works or fit-out or the like, to more than 50% of the occupancy requires access to be provided as detailed above (ie via a 1:8 step-ramp, for a max. length of 1520mm where permissible).*
  - *Wherever possible, existing levels of fire safety should be upgraded to ensure that reasonable levels of fire safety are provided to all occupants of the building.*
  - *Council’s environmental health officers should be consulted prior to the design of any food premises and prior to occupation, to ensure compliance with the relevant food standards and legislation. A failure to comply with the criteria may result in the service of a notice or order by the council.*
  - *Existing premises that do not currently provide access for people with disabilities in accordance with the Building Code of Australia should also be upgraded to satisfy these provisions in all cases wherever possible.*
  - *Internal alterations to an existing commercial premises (ie shop or office type use) located in a ‘residential zone’, requires a full development consent, unless the premises operates under a previous development consent CDC, CC or building approval or other Council approval or license which relates to the use of the premises.*
  - *Internal alterations or fit-out to a food premises, café or restaurant located in a residential zone requires development consent.*
  - *Other provisions of this schedule may include specified minor external works as complying development.*
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**Table B: Alterations and Additions to Other Buildings**

Column 1	Column 2
<p><b>Complying Development (B)</b></p>	<p><b>Limits and Requirements - Alterations and Additions to Other Buildings</b></p>
<p><b>2. Ancillary Structures, to Class 2 Buildings</b></p> <p>(Class 10a buildings or attachments to existing residential flat buildings, townhouses, dual occupancies, multi-unit housing)</p> <p>Only applies to alterations or additions comprising a class 10a structure such as a pergola, awning, cabana, sun enclosure, conservatory or the like.</p>	<ul style="list-style-type: none"> <li>• Must be permissible development within permissible zoning.</li> <li>• Must not be located on the main street elevation of the building.</li> <li>• Located at side or rear of building only, and not less than 2m from any allotment boundary.</li> <li>• Must not affect existing parking or loading provision or requirements.</li> <li>• Located at ground floor level only and the floor of the structure must not exceed a maximum of 600mm above the ground level.</li> <li>• Maximum height of 3.5m.</li> <li>• Maximum area of single structure 25m<sup>2</sup> and shall not exceed the floor space ratio specified in Council's Multi Unit Housing DCP.</li> <li>• Maximum area of all such structures on each allotment as complying development is 75m<sup>2</sup>.</li> <li>• Design and finishes to be in keeping with and maintain the architectural integrity and existing colour scheme of the building, adjacent development and locality.</li> <li>• Written approval of the owner's corporation/strata plan must be obtained prior to approval.</li> <li>• Must not be inconsistent with any development consent or conditions of consent.</li> <li>• Does not apply to balcony enclosures, but may apply to a ground level patio or verandah area.</li> <li>• Stormwater must be connected to the existing stormwater disposal system in accordance with Council's stormwater policy.</li> <li>• Structures and materials must comply with the relevant provisions of the BCA.</li> <li>• Does not apply to masonry structures</li> <li>• Structures must not be located over any stormwater detention tanks or affect existing stormwater drainage systems.</li> <li>• Development must not be located in an area that is identified as being in a flood prone area or is subject to flooding.</li> <li>• Development must not obstruct any stormwater overland flow path.</li> </ul>

**Table B: Alterations and Additions to Other Buildings**

Column 1	Column 2
<p><b>Complying Development (B)</b></p>	<p><b>Limits and Requirements - Alterations and Additions to Other Buildings</b></p>
<p><b>3. External Alterations and Additions to Existing Class 5, 6 and 7 buildings</b></p> <p>Only applies to additions for use as an office, shop, storage room, or warehouse area.</p> <p>Applies to Business, Industrial and Special Uses zones only.</p> <p>Does not apply to buildings having the following uses:</p> <ul style="list-style-type: none"> <li>• amusement centres</li> <li>• food premises that use solid fuels such as charcoal to cook food</li> <li>• automotive uses</li> <li>• panel beating workshops</li> <li>• backpacker accommodation</li> <li>• boarding houses</li> <li>• brothels</li> <li>• hazardous industry or storage</li> <li>• installation of cooling towers</li> <li>• offensive industry or storage</li> <li>• potentially hazardous or offensive industry</li> <li>• licensed hotels / bars/ clubs</li> <li>• places of public entertainment</li> <li>• restricted premises</li> <li>• waste transfer station</li> </ul>	<ul style="list-style-type: none"> <li>• Minimum site area 2000m<sup>2</sup>.</li> <li>• Maximum floor area of addition 5% floor area of the existing building up to a maximum of 200m<sup>2</sup> and must not exceed the floor space ratio specified in Council's LEP and relevant DCP's.</li> <li>• Minimum setback from boundaries 1.5m.</li> <li>• Maximum height of 2.7m if less than 3m, 3m if less than 4m, 5m if less than 5m, and 6m if more than 5m from the site boundary.</li> <li>• Must not be inconsistent with any development consent and must not contravene any conditions of any relevant development consent.</li> <li>• Additions must be attached to the existing building.</li> <li>• Additions must not be located on the elevation facing the main street/road frontage.</li> <li>• Stormwater must be connected to the existing stormwater disposal system or Council's stormwater policy.</li> <li>• New work must satisfy the relevant requirements of Council's DCP – Parking, and Council's Stormwater policy.</li> <li>• Design and finishes to be in keeping with and maintain the architectural integrity and existing colour scheme of the building and adjacent development.</li> <li>• Where new bathrooms, kitchens and toilets are installed, minimum 3 star rated water efficient taps and shower roses and water efficient dual-flush toilets are to be installed.</li> <li>• Must not be inconsistent with any approved Master Plan.</li> <li>• Must not result in an intensification of use of the premises.</li> <li>• Written approval of the strata plan/owners corporation must be obtained prior to approval, where applicable.</li> <li>• Must not include storage of any dangerous or hazardous goods or materials.</li> <li>• Must not reduce existing levels of fire safety or provisions for egress.</li> <li>• Details of existing and proposed fire safety measures must be provided and prior to occupation, complete fire safety certification must be provided to satisfy the Environmental Planning and Assessment Act 1979 &amp; Regulation, in relation to the whole of the building.</li> <li>• Additions must not be located over any stormwater detention tanks or affect any existing stormwater drainage systems.</li> <li>• Development must not be located in an area that is identified as being in a flood prone area or is subject to flooding.</li> <li>• Development must not obstruct any stormwater overland flow path.</li> </ul>

**Table B: Alterations and Additions to Other Buildings**

Column 1	Column 2
<p><b>Complying Development (B)</b></p>	<p><b>Limits and Requirements - Alterations and Additions to Other Buildings</b></p>
<p><b>4. Awning and Shopfront replacements to existing shops</b></p> <p>Does not apply to:</p> <ul style="list-style-type: none"> <li>• Glazed awnings or awnings with an angle or fall of greater than 10 degrees.</li> <li>• Replacing shopfronts or awnings on buildings in a Heritage Conservation Area unless it is consistent with a specific DCP or a conservation management plan adopted by Council, or the written approval of Council has been obtained for the installation of the awning or shopfront.</li> <li>• Replacing or installing roller shutters or similar items to any shopfronts.</li> </ul>	<ul style="list-style-type: none"> <li>• Proposed works must not be inconsistent with any relevant development consent and must not contravene any conditions of consent.</li> <li>• The works must not alter existing goods loading and unloading or parking facilities.</li> <li>• The height and dimensions of awnings must be consistent with the awnings on adjoining premises and not be less than 3m or greater than 5m above the footpath level at any point.</li> <li>• Awnings are not to be less than 600mm from the edge of the footpath adjoining the road.</li> <li>• A certificate of adequacy is to be obtained from an accredited certifier or suitably qualified and experienced structural engineer or building surveyor which certifies the structural adequacy of the awning. The certificate is to be forwarded to Council and the PCA prior to finalisation or issuing an occupation certificate (whichever the sooner).</li> <li>• New shopfronts must not result in an increase in the gross floor area of the building.</li> <li>• All new work must comply with the Building Code of Australia, including provisions for access for people with disabilities.</li> <li>• The design, external materials and finishes are to be compatible with the adjacent development and streetscape and maintain the architectural and heritage significance of the building and locality.</li> <li>• Glazing to shopfronts must be non-reflective.</li> <li>• Public safety must be maintained at all times during construction.</li> <li>• Replacement shopfronts must not reduce or affect existing levels of access for people with a disability and if the shopfront is being replaced in conjunction with internal alterations under this schedule, access for disabled persons must be provided as required for the alterations (refer to item 1 of this table).</li> <li>• Written approval of the strata plan / owners corporation must be obtained prior to approval.</li> </ul>
	<p>Allowance</p> <ul style="list-style-type: none"> <li>• The alterations may result in a minor increase in floor area up to 10m<sup>2</sup> subject to: <ul style="list-style-type: none"> <li>• The additional floor area being within the approved overall existing building envelope and not exceeding maximum floor space ratio limits.</li> <li>• The design, materials and colours maintaining the</li> </ul> </li> </ul>

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**Table B: Alterations and Additions to Other Buildings**

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**Column 1**

**Column 2**

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**Complying Development  
(B)**

**Limits and Requirements - Alterations and Additions  
to Other Buildings**

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architectural integrity, design, appearance and amenity of the building and streetscape.

- The additional floor area not being inconsistent with any specific requirements of a previous development consent.
- The additional area not affecting the existing provisions for parking and unloading,
- The additional are being at ground level only,
- Structures not being located over any existing stormwater detention tank or affect stormwater drainage.

***Advisory notes:***

- *Owners, applicants and builders are advised that compliance with the provisions of the Building Code of Australia may not ensure compliance with the requirements of the Disability Discrimination Act 1992 and are therefore advised to consider their liability under this Act.*
  - *Existing premises that do not currently provide access for people with disabilities in accordance with the Building Code of Australia should also be upgraded to satisfy these provisions in all cases wherever possible.*
  - *Council's building surveyors should be consulted prior to the design and construction of the shopfront to provide advice on these provisions.*
  - *All work including structural work, awning construction, glazing, doors and egress must satisfy the relevant provisions of the Building Code of Australia.*
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**Table B: Alterations and Additions to Other Buildings**

Column 1	Column 2
<p><b>Complying Development (B)</b></p>	<p><b>Limits and Requirements - Alterations and Additions to Other Buildings</b></p>
<p><b>5. Roof and wall replacement, cladding, recladding – Class 2 to 9 buildings</b></p> <p>Refers to replacing existing external roofs, walls and other external surfaces, cement rendering or bagging of buildings and the like, and maintenance and repair works.</p> <p>In heritage conservation areas it only applies when the work is located at the rear of the building and is not readily visible from any public road or place (other than a rear laneway).</p>	<ul style="list-style-type: none"> <li>• The design, materials, construction, colour scheme and external finishes are to be compatible and integrate with the existing building, adjacent development and maintain the visual amenity of the area and streetscape.</li> <li>• Roofing material is to be non-reflective.</li> <li>• Works must not include any alterations or additions to the building, unless permissible under this schedule.</li> <li>• Does not include new or enlarged window or door openings, unless permitted in item 6, as detailed overleaf.</li> <li>• Does not include the provision of any advertising (including logos).</li> <li>• Does not include painting of buildings or attachment of finishes, which are of a bright colour or corporate colours.</li> <li>• Must not be inconsistent with any relevant development consent conditions or requirements.</li> <li>• Does not include changing the type of external finish such as bagging or rendering existing face brickwork on multi unit housing / residential flat buildings which were erected prior to 1950, (unless written approval of Council is obtained beforehand).</li> <li>• Does not apply to buildings more than 3 storeys in height, excluding any car parking level, unless specific written approval of Council has been obtained beforehand.</li> <li>• Written approval of the strata plan / owners corporation must be obtained prior to approval.</li> <li>• External finishes, including painting, of buildings in bright or corporate colour schemes require Council development consent.</li> <li>• Does not apply to buildings adjoining heritage items (unless the specific written approval of Council has been obtained beforehand).</li> <li>• May include replacement of existing approved windows, subject to compliance with the abovementioned criteria.</li> <li>• Building work must comply with the relevant requirements of the Building Code of Australia.</li> <li>• Must not affect or reduce existing levels of fire safety.</li> </ul> <p><b>Advisory Notes:</b></p> <ul style="list-style-type: none"> <li>• <i>Consent is required where the design, colours, materials and finishes do not fully comply with these requirements.</i></li> <li>• <i>Consent must be obtained if the work includes bagging or cement rendering of multi-unit housing or residential flat buildings erected prior to 1950, unless the specific written approval of Council has been obtained beforehand.</i></li> <li>• <i>Consent must be obtained if the work is being carried out on a building having more than 3 storeys (excluding</i></li> </ul>

**Table B: Alterations and Additions to Other Buildings**

Column 1	Column 2
<p><b>Complying Development (B)</b></p>	<p><b>Limits and Requirements - Alterations and Additions to Other Buildings</b></p>
<p><b>6. New or enlarged external door or window openings – Class 2-9 buildings</b></p>	<ul style="list-style-type: none"> <li>• The design, materials, construction, colour scheme and external finishes are to be compatible and integrate with the existing building, adjacent development and maintain the visual amenity of the area and streetscape.</li> <li>• Must not be inconsistent with any relevant development consent conditions or requirements.</li> <li>• Must not detrimentally affect the architectural design or integrity of the building</li> <li>• In residential buildings, the opening is located at ground or first floor level only. In all other buildings, the opening must be located at ground level only.</li> <li>• New openings must not be less than:               <ul style="list-style-type: none"> <li>• 900mm from the boundary in relation to class 1a dwellings and class 10a buildings.</li> <li>• 1500mm from the boundary in relation to class 2 to 9 buildings.</li> </ul> </li> <li>• Maximum number of new openings does not exceed 2.</li> <li>• Maximum number of enlarged openings does not exceed 6.</li> <li>• Maximum area of the openings is 4m<sup>2</sup>.</li> <li>• The opening complies with the criteria for 'visual privacy' contained in Council's DCP for Dwelling Houses &amp; Attached Dual Occupancies or Council's Multi-Unit Housing Development Control Plan or be agreed in writing by the relevant neighbouring property owner/s.</li> <li>• Written approval of the owners corporation / strata plan must be obtained.</li> <li>• New or enlarged openings must comply with the relevant provisions of the Building Code of Australia.</li> <li>• Must not result in an increase in noise emissions from premises or cause 'offensive noise'.</li> <li>• Must not alter or reduce existing levels of fire safety or egress.</li> </ul>
<p>Only applies to development which is permissible in the particular subject zone in accordance with Council's LEP 2008.</p>	
<p>Includes dual occupancies, townhouses, multi-unit housing and class 10a buildings.</p>	
<p>In heritage conservation areas it only applies when at the rear of the building and is not readily visible from any public road or place (other than a rear laneway).</p>	
<p>Does not apply to:</p> <ul style="list-style-type: none"> <li>• Development subject to SEPP 10</li> <li>• Hotels/ bars/clubs or places of public entertainment</li> <li>• Places of worship</li> <li>• Backpackers</li> <li>• Boarding houses</li> <li>• Amusement centres</li> <li>• Brothels</li> <li>• Automotive uses</li> <li>• Panel beaters</li> <li>• Restricted Premises</li> <li>• Schools or child care centres</li> </ul>	

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**Table C: Miscellaneous Complying Development Works**

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<b>Column 1</b>	<b>Column 2</b>
<b>Complying Development (C)</b>	<b>Limits and Requirements - Miscellaneous Complying Development Works</b>
<b>1. Automatic Fire Alarm Monitoring</b>	<p>Applies to:</p> <ul style="list-style-type: none"><li>• Conversion from connection with the Brigades to connection with the alarm monitoring system of a private service provider.</li><li>• Conversion from connection with a private service provider to connection with the alarm monitoring system of another private service provider.</li><li>• Conversion from connection with the alarm monitoring system of a private service provider to connection with a different alarm monitoring system of the same private service provider.</li></ul> <p>Requirements:</p> <ul style="list-style-type: none"><li>• To qualify as complying development and for a complying development certificate, proposed works must be fire alarm monitoring conversion works (as described above) and consist only of internal alterations to a building, or internal alterations to a building together with the mounting of an antenna, and any support structure, on the external wall or roof of a building so as to occupy a space of not more than 1m x 250mm x 250mm.</li><li>• Must comply with the relevant deemed-to-satisfy provisions or performance provisions of the BCA.</li><li>• Must comply with the relevant provisions of the Environmental Planning and Assessment Regulation 2000.</li><li>• Applications must include details of all existing and proposed essential fire safety measures, as required by the EP &amp; A Regulations 2000.</li></ul>

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**Table C: Miscellaneous Complying Development Works**

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Column 1	Column 2
<p><b>Complying Development (C)</b></p>	<p><b>Limits and Requirements - Miscellaneous Complying Development Works</b></p>
<p><b>2. Bed and Breakfast Accommodation</b></p> <p>Applies to using existing detached dwellings only.</p>	<ul style="list-style-type: none"> <li>• A maximum of 3 guest bedrooms</li> <li>• A maximum of six guests at any one time.</li> <li>• A minimum of 2 bathrooms must be provided in the building.</li> <li>• A smoke detection system that complies with the requirements of the Building Code of Australia is provided in the dwelling.</li> <li>• A fire extinguisher and fire blanket are provided in the kitchen.</li> <li>• Emergency lighting being provided in accordance with the Building Code of Australia.</li> <li>• Approval has been obtained from (whichever relevant) the owners corporation, or the community, precinct or neighbourhood association, where applicable.</li> <li>• Bed and breakfast premises must be registered with Council prior to issuing an occupation certificate and relevant health inspection fees being paid accordingly.</li> <li>• Parking must be provided in accordance with Council's DCP – Parking.</li> <li>• Guest bedrooms must not provide access to any first or upper floor level balconies or the like.</li> </ul> <p><b>Advisory note:</b></p> <ul style="list-style-type: none"> <li>• <i>Refer to the definition of Bed &amp; Breakfast Accommodation in the dictionary of this LEP, and "Guidelines for Bed &amp; Breakfast Operations" Local Government &amp; Shires Association, 1998.</i></li> </ul>
<p><b>3. Buildings and work ancillary to landscaping, gardening, maintenance of public land and bushfire hazard reduction</b></p> <p>Applies to land owned by or under the care control and management of Council only. Includes upgrading, improvement and provision of new landscaping and structures associated with public open space and parks etc.</p>	<p>Must be:</p> <ul style="list-style-type: none"> <li>• Carried out by or for Council.</li> <li>• Not inconsistent with relevant Plans of Management in effect for the area.</li> <li>• Buildings must be situated at least 10m from any private residential property if greater than 4m high, or 3m from any private residential property if less than 4m high</li> </ul>

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**Table C: Miscellaneous Complying Development Works**

Column 1	Column 2
<p><b>Complying Development (C)</b></p>	<p><b>Limits and Requirements - Miscellaneous Complying Development Works</b></p>
<p><b>4. Car parking hard stand areas</b></p> <p>Applies to single dwelling houses and attached dual occupancies only.</p> <p>If located within a heritage conservation area, the works must not involve the removal of verandah's or alterations to the front of the dwelling in order to fit the vehicle space nor be located in front of the building line.</p>	<ul style="list-style-type: none"> <li>• The minimum landscaped area of the site satisfies the relevant requirements specified in Council's DCP for Dwelling Houses and Attached Dual Occupancy.</li> <li>• Car stands with permeable surfaces may be included in landscape area calculations</li> <li>• The floor level of the hard stand area is not to be more than 600mm above ground level at any point.</li> <li>• The extent of any cut and fill is not to exceed 1.5m and 600mm respectively.</li> <li>• The hard stand area is not to exceed 20m<sup>2</sup> (1 car space) if located within the building line, or 40m<sup>2</sup> (2 car spaces) if located behind the building line.</li> <li>• Minimum size for a hard stand area if open on at least 3 sides is 5.0m x 2.5m.</li> <li>• Minimum size for a hard stand area if not open / accessible on 3 sides is 5.5m x 3m.</li> <li>• The use of porous paving or recycled materials is encouraged.</li> <li>• A maximum of 2 parking spaces are provided on site, including any existing spaces, or existing carports or garages.</li> <li>• Driveways must be a maximum of 3m at the property entry and car parking spaces across the front of the dwelling may occupy no more than 35% of the width of the site.</li> <li>• On land located within a heritage conservation area, the hard stand area must be located behind the building line.</li> <li>• Must not be inconsistent with any specific previous development consent requirements.</li> <li>• The design, colours, materials and location of car parking areas must not have a detrimental impact upon the visual amenity of the premises and locality.</li> <li>• Stormwater is to be drained to the stormwater disposal system or suitable landscaped area within the premises and must not be redirected onto any adjoining property.</li> <li>• The alignment levels at the property boundary must be obtained from Council's City Services Division and the Council issued alignment levels must be fully complied with.</li> <li>• Driveways to hardstand car spaces must not exceed 1:20 for the first 5 metres from the street alignment front boundary, and 1:6 thereafter.</li> <li>• The car space and the provision of openings in existing fencing must not detrimentally affect the visual amenity of the streetscape.</li> <li>• Car spaces must not be located in an area that may be subject to flooding/stormwater inundation.</li> <li>• Car spaces must not obstruct any overland flow paths.</li> </ul>

**Advisory Note:**

- Refer to Council's DCP - Dwelling Houses and Dual

**Table C: Miscellaneous Complying Development Works**

Column 1	Column 2
<p><b>Complying Development (C)</b></p>	<p><b>Limits and Requirements - Miscellaneous Complying Development Works</b></p>
<p><b>5. Change of use of a business premises or restaurant to another business premises or restaurant</b></p>	<p>The proposed use must:</p>
<p>Applies to changes of use of class 5 and class 6 buildings only, in Business Zones only.</p>	<ul style="list-style-type: none"> <li>• Comply with any valid or current conditions of consent that may apply.</li> <li>• The hours of operation of the business are restricted to:               <ul style="list-style-type: none"> <li>• local business zones – 7am to 10pm</li> <li>• general business zones – 6.30am to 11pm,</li> <li>• or as otherwise specified in any previous development consent, whichever is the most stringent.</li> </ul> </li> </ul>
<p>Does not apply to food premises using solid fuel such as charcoal to cook food.</p>	<ul style="list-style-type: none"> <li>• The hours of operation are restricted to 7am to 10pm if the hours of trading of the previous business were not the subject of any condition of consent or building approval;</li> </ul>
<p>Does not apply to licensed bars, hotels, clubs, brothels, restricted premises, amusement centres or places of public entertainment.</p>	<ul style="list-style-type: none"> <li>• Not increase the amount of floor space or the amount of land area to be occupied by the proposed use.</li> <li>• Not affect current landscaping or parking and loading/unloading facilities.</li> <li>• Not interfere with the amenity of the area by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste products, grit, oil or otherwise.</li> </ul>
<p>Does not apply to any food premises or any other business which operates outside the hours specified in the Limits and Requirements column</p>	<ul style="list-style-type: none"> <li>• The use must not result in a potential nuisance to nearby residents.</li> <li>• Not increase parking demands.</li> </ul>
	<p>General requirements:</p>
	<ul style="list-style-type: none"> <li>• Waste and recycling materials from the development are to be collected by an authorised trade waste contractor.</li> <li>• The noise levels emanating from plant and equipment must not exceed 5dB(A) above ambient background noise level measured at any boundary of the land or within any residential dwelling/unit and where plant/equipment is installed, a certificate of compliance must be obtained from an acoustic consultant and submitted to Council and the PCA prior to occupation.</li> <li>• Liquid trade waste is to be disposed of in accordance with the requirements of Sydney Water.</li> <li>• Details of existing and proposed essential fire safety measures must be provided in the Complying Development Certificate application and must be certified accordingly upon completion / prior to occupation of the new use.</li> <li>• Written approval of the strata plan / owners corporation must be obtained prior to approval.</li> <li>• Food premises must be registered with Council in writing prior to issuing an occupation certificate .</li> </ul>

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**Table C: Miscellaneous Complying Development Works**

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**Column 1**

**Column 2**

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**Complying Development  
(C)**

**Limits and Requirements - Miscellaneous Complying  
Development Works**

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- Food premises must be designed, constructed and approved in accordance with the Food Act 2003, Food Regulation 2004, Food Standards Code, and AS 4674-2004 Design, Construction and Fitout of Food Premises.
- The premises must be inspected by Council's Environmental Health Officers and permission granted to commence operations prior to occupation.
- Hairdressers, beauty salons and business providing skin penetration (ie piercing, tattooing) must be registered with Council prior to occupation.
- Details of existing and proposed fire safety measures must be provided and prior to occupation, complete fire safety certification must be provided to satisfy the Environmental Planning and Assessment Act 1979 & Regulation, in relation to the whole of the building.

***Advisory Notes:***

- *Any proposed internal or external alterations must comply with the relevant sections of this schedule or development consent must be obtained for the alterations (as applicable).*
  - *If the change of use is associated with any internal alterations or fit-out the relevant requirements for the internal alterations must be satisfied.*
  - *Owners, applicants and builders are advised that compliance with the provisions of the Building Code of Australia may not ensure compliance with the requirements of the Disability Discrimination Act 1992 and are therefore advised to consider their liability under this Act.*
  - *Existing premises that do not currently provide access for people with disabilities in accordance with the Building Code of Australia should also be upgraded to satisfy these provisions in all cases wherever possible.*
  - *A complete list of proposed fire safety measures is to be submitted to the certifying authority and a fire safety certificate must be provided to council in accordance with the requirements of the EP&A Regulations 2000.*
  - *A development application must be submitted to and approved by Council for all businesses which operate after 11.00 pm.*
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**Table C: Miscellaneous Complying Development Works**

Column 1	Column 2
<p><b>Complying Development (C)</b></p>	<p><b>Limits and Requirements - Miscellaneous Complying Development Works</b></p>
<p><b>6. Demolition</b></p> <p>Applies only where the demolition is of a building, work or structure that can be erected or undertaken as complying development in this schedule.</p> <p>In Heritage Conservation Areas this does not include buildings or structures which contribute to the heritage character of the area.</p>	<ul style="list-style-type: none"> <li>• Demolition must be carried out to Australian Standard AS 2601- Demolition Code 2001.</li> <li>• A damage security deposit is to be lodged with Council in accordance with any applicable conditions on the building or demolition approval, prior to demolition commencing.</li> <li>• The demolisher must have current Public Risk insurance to an amount not less than \$10 million.</li> <li>• Public safety must be maintained at all times and public access to the works is to be restricted via the provision of adequate temporary fences, where necessary.</li> <li>• Any applicable or relevant conditions of building and development consent must be complied with.</li> <li>• Sediment and erosion control measures are to be provided in accordance with the conditions of complying development.</li> <li>• Must comply with Council's Asbestos Policy.</li> </ul> <p><b>Advisory Notes:</b></p> <ul style="list-style-type: none"> <li>• <i>The Workcover Authority has advised that care should be taken removing lead paint to avoid lead contamination and that the 'Guidelines for Practices involving Asbestos Cement' should be referred to for any work involving asbestos cement.</i></li> <li>• <i>Proposals in Heritage Conservation Areas should seek the advice of Councils Heritage Planner before lodgement.</i></li> </ul>
<p><b>7. Fences and retaining walls</b></p> <p>Does not apply to fences or retaining walls located in front of the building line if located within a heritage conservation area.</p>	<p><b>Fences</b></p> <ul style="list-style-type: none"> <li>• Solid fences located in front of the building line or on any street frontage are to be no higher than 1.2m (measured at any point along the external elevation of the fence).</li> <li>• Open designed fences located in front of the building line or on any street frontage are to be no higher than 1.8m (measured at any point along the external elevation of the fence) and be designed so that the upper two-thirds of the fence is approximately 50% open (based on a 1.8m high fence).</li> <li>• Side and rear boundary fences to be no higher than 1.8m (measured at any point), with an allowance of 150mm adjacent to step-downs in the fence.</li> <li>• All fences must be structurally adequate and constructed in a professional manner on all sides.</li> <li>• Fences must not incorporate barbed wire or other dangerous elements.</li> <li>• Fences and walls are not to prevent or impede</li> </ul>

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**Table C: Miscellaneous Complying Development Works**

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**Column 1****Column 2**

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**Complying Development (C)****Limits and Requirements - Miscellaneous Complying Development Works**

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stormwater flows.

- The materials and finishes of fences are to be compatible with and integrate with the adjacent development.
- The design, materials of construction and external finishes of front fences must be compatible with the existing dwelling and must integrate with the surrounding streetscape and any established local fence form and material.
- A masonry fence may be provided to a secondary street frontage, located behind the principal 'building line' to the premises, up to a height of 1.8m, subject to the design and materials being compatible and in keeping with the architectural integrity of the streetscape and subject to the inclusion of articulation or recesses or engaged piers at least every 6 metres or alternative design features to ensure it is keeping with the streetscape.
- Fences/barriers to swimming pools must comply with the Swimming Pools Act 1992 and relevant standards.
- In relation to front fences, the height of the fence is to be measured from the ground level of the roadway, footpath, nature strip or other public place (as applicable).
- If ground levels are different within the adjoining property (within a distance of 1.5m of the boundary), the maximum height of the fence must not exceed 2.1m measured from the lowest adjoining ground level (including the height of any associated or adjacent retaining walls).

**Retaining Walls**

- New retaining walls to stabilise excavations for building works or to stabilise existing sloping sites or landscaping are to be no higher than 1m.
  - Existing ground levels must not be raised by more than an average of 250mm and must not exceed 450mm at any point.
  - When replacing existing approved retaining walls, the wall must match the height of the existing structure and not exceed 3.5m in height at any point, or 1.8 m in height if on a boundary adjoining a public place.
  - Retaining walls are not to prevent natural stormwater run-off flow.
  - The materials and finishes of retaining walls adjacent to or along side or rear boundaries are to be compatible with and integrate with the adjacent development.
  - Retaining walls must be erected wholly within the boundaries of the subject premises, unless specific
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**Table C: Miscellaneous Complying Development Works**

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**Column 1**

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**Complying Development  
(C)**

**Limits and Requirements - Miscellaneous Complying  
Development Works**

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written consent has been obtained from affected property owners.

**Fencing and retaining walls**

Allowances:

- A height allowance of 150mm is permitted for fences and / or retaining walls, adjacent to step-downs or to accommodate topographical features of the site, where necessary.
- Side or rear fences/ walls (located behind the building line) may be erected up to 2.3m in height, subject to specific letter of non-objection being obtained from the owners of the adjoining premises prior to the approval of the CDC.

**Advisory Note:**

- *Any approval or complying development certificate for fences is independent of any consent, which may be required of any adjoining owner under the provisions of the Dividing Fences Act, and you are advised to consult with the owners of the adjoining premises in this regard.*
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**Table C: Miscellaneous Complying Development Works**

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**Column 1**

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**Complying Development (C)**

**Limits and Requirements - Miscellaneous Complying Development Works**

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**8. Fire safety works**

Does not apply to any unauthorised use of a building or place.

- Must not result in the change in the classification of the building under the EP&A Act 1979 or the BCA.
- Proposed works must comply with and not contravene any conditions of consent.
- Applies to internal works only, except for the installation of any essential fire safety measures and services.
- Can only be carried out where the fire safety upgrading works:
  - are contained in a written notice of intention issued by council, or
  - are specified in, and are fully in accordance with, a fire safety report for all necessary upgrading works throughout the building, prepared by an accredited building surveyor or fire safety engineer. A certificate detailing compliance with the fire safety report and the complying development certificate are to be submitted to council upon completion of the works. The fire safety upgrading report must encompass the necessary upgrading works for the whole of the building, or
  - satisfy the relevant performance requirements or the deemed-to-satisfy provisions of the Building Code of Australia.

**Advisory Notes:**

- *A single fire safety certificate is to be submitted to the council upon completion of the works in relation to all of the essential fire and other safety measures within the premises and copies of the Certificate are to be forwarded to the NSW Fire Brigade, in accordance with the Environmental Planning & Assessment Regulation 2000.*
  - *This item should be read in conjunction with the details regarding internal alterations to buildings other than single dwellings.*
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**Table C: Miscellaneous Complying Development Works**

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Column 1	Column 2
<b>Complying Development (C)</b>	<b>Limits and Requirements - Miscellaneous Complying Development Works</b>
<p><b>9. Home activities</b></p> <p>The activity applies to the use of the residence or part as a class 5 use as defined in the BCA (ie office) only and may involve visiting clients and the delivery of goods.</p> <p>Does not apply to brothels or restricted premises.</p>	<ul style="list-style-type: none"><li>• Must be situated within the dwelling only and not in any garage, carport or other outbuilding or in the rear yard area.</li><li>• One additional car parking space is to be provided for business clients. The new parking space must comply with the criteria in Table C.4.</li><li>• The office space is not to exceed 20% of the floor area of the main building or extend over more than 3 rooms, whichever is the lesser.</li><li>• The occupation and use must not result in the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste products or grit, oil or otherwise.</li><li>• The dwelling component must remain habited as a dwelling use.</li></ul> <p><b>Advisory Note:</b></p> <ul style="list-style-type: none"><li>• <i>Refer to Schedule 5 for exemptions regarding any proposed advertising signage.</i></li></ul>
<p><b>10. Hoardings (overhead 'B' class), safety fences and site amenities</b></p>	<ul style="list-style-type: none"><li>• Only applies to hoardings, associated site amenities, temporary buildings or fences erected in conjunction with the erection or demolition of a building or structure, or carrying out work that is subject to a current consent, approval or complying development certificate, or is exempt from approval or a Part 5 activity</li><li>• The written consent of Council and the payment of appropriate fees and charges are required prior to the installation of any hoarding or safety fence in a public space, nature strip, road or footway.</li><li>• Maximum total duration is 18 months.</li></ul> <p><b>Advisory Notes:</b></p> <ul style="list-style-type: none"><li>• <i>The requirements of WorkCover NSW must be complied with.</i></li><li>• <i>Refer to Council's adopted Fees &amp; Charges - Pricing Policy for details of the applicable fees.</i></li><li>• <i>Refer also to Item 25 in Schedule 5 for the exempt provisions that relate to certain hoardings and associated articles.</i></li></ul>
<p><b>11. Houses – on existing lots as infill development</b></p> <p>Applies to Class 1a dwellings only.</p>	<ul style="list-style-type: none"><li>• Only one dwelling is permitted for each individual parcel of land.</li><li>• Car parking is to be provided in accordance with Council's DCP - Parking.</li><li>• The maximum floor space ratio, building height of the</li></ul>

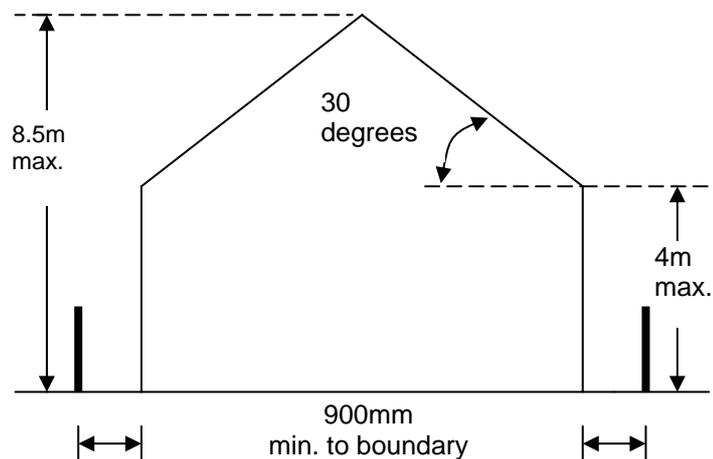
**Table C: Miscellaneous Complying Development Works**

Column 1	Column 2
Complying Development (C)	Limits and Requirements - Miscellaneous Complying Development Works

Does not apply to:

- Land in a Heritage Conservation Area.
- Land in a Foreshore Scenic Protection Area.

- dwelling, minimum landscaped area of the site complies with Council’s DCP for Dwelling Houses and Dual Occupancy.
- The placement of windows complies with Council’s DCP for Dwelling Houses and Dual Occupancy, unless written letter of non-objection from owner of adjacent premises is obtained prior to approval.
- No change to the classification of the building under the EP&A Act or the BCA.
- Must be situated at least 3 metres from any tree that would be affected by Council’s Tree Preservation Order, except with the specific written approval of council.
- External walls must be situated at least 900mm from side boundaries and 5m from the rear boundary. Eaves and guttering must be at least 675mm from side boundaries.
- The dwelling house (excluding eaves and guttering) is not to protrude outside of a building. Height plane of 4m (measured at a distance of 900mm from the side boundary) vertically above ground level at any point and then projecting at an angle of 30 degrees (Refer to diagram following).



- The maximum overall height of the roof of the building is not to exceed 8.5m above ground level, at any point.
- The extent of any cut and fill is not to exceed 1.5m, and all fill material is to be retained within the envelope of the building, except as permitted under the complying development conditions.
- Front boundary setback must comply with Council’s DCP for Dwelling Houses and Dual Occupancy and in any case be a maximum of 6 m from the front boundary.

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**Table C: Miscellaneous Complying Development Works**

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**Column 1**

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**Complying Development (C)**

**Limits and Requirements - Miscellaneous Complying Development Works**

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- Gable ends in a two storey building or part, facing side or rear boundaries with an area of greater of 5m<sup>2</sup> must be at least 5m from that boundary.
- The design, materials of construction and external finishes are to be compatible with the adjacent development.
- Roofing material must be non-reflective and not a light colour.
- Driveways, car parking spaces and car parking structures across the front of the dwelling occupy no more than 35% of the width of the site. The drive way at the street boundary may be no wider than 3m.
- Garages with access from a lane which are less than 5m wide, are to be setback 1m from the lane boundary, unless otherwise specifically approved by Council beforehand or consistent with the adjoining setbacks.
- The dwelling must have a BASIX certificate indicating it complies with energy, thermal comfort and water efficiency targets.
- The dwelling is designed to face the street and to integrate with the predominant neighbourhood and street character.
- Stormwater runoff from the site is managed in accordance with Council's stormwater policy and is directed to Council's street drainage system or a suitably sized infiltration system.
- Drainage must not result in any nuisance to adjoining properties.
- The site must not be located in an area that is identified as being in a flood prone area or is subject to flooding.
- The development must not obstruct any stormwater overland flow paths.

Allowance:

- An allowance of up to 300mm in height may be made, for a maximum length of 3m, to facilitate the design and construction of the wall or roof (i.e. to match or be in keeping with the existing roof). The height of the external wall may be constructed up to 5m, subject to a letter of 'non-objection' being provided with the application, from the owners of the adjoining premises.

**Advisory Notes:**

- *An attic room may also be provided to the new dwelling subject to compliance with the requirements for attics detailed in table A.*
  - *The installation of any grey water reuse systems*
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**Table C: Miscellaneous Complying Development Works**

Column 1	Column 2
<b>Complying Development (C)</b>	<b>Limits and Requirements - Miscellaneous Complying Development Works</b>

*requires the prior approval of Council in accordance with the Requirements of the Local Government Act 1993.*

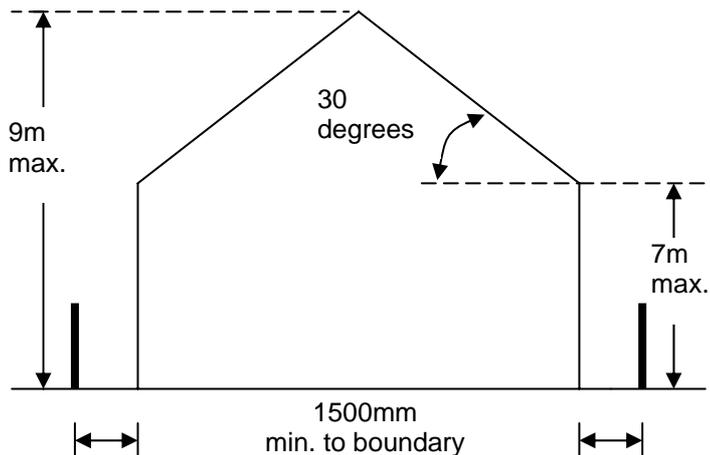
**12. Houses – on lots created as part of a new subdivision of 10 or more allotments**

Applies to Class 1a dwellings only.

Does not apply to:

- Land in a Heritage Conservation Area.
- Land in a Foreshore Scenic Protection Area.

- Only one dwelling permitted on each parcel of land.
- Car parking is to be provided in accordance with Council's DCP - Parking.
- The maximum floor space ratio, building height of the dwelling, minimum landscaped area of the site and the placement of windows complies with Council's DCP for Dwelling Houses and Attached Dual Occupancy.
- No change to the classification of the building under the EP&A Act or the BCA.
- Must be situated at least 3 metres from any tree that would be affected by Council's Tree Preservation Order, except with the specific written approval of council.
- External walls must be situated at least 1500 mm from side boundaries and 7.5 metres from the rear boundary. Eaves and guttering must be at least 1100mm from side boundaries.
- The dwelling house (excluding eaves and guttering) is not to protrude outside of a building height plane of 7 metres (measured at a distance of 1500 mm from the side boundary) vertically above ground level at any point and then projecting at an angle of 30 degrees (see diagram following).



- The maximum overall height of the roof of the building is not to exceed 9 metres above ground level, at any point.
- The extent of any cut and fill is not to exceed 1.5m, and all fill material is to be retained within the envelope of the building, except as permitted under the complying development conditions.

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**Table C: Miscellaneous Complying Development Works**

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Column 1	Column 2
<p><b>Complying Development (C)</b></p>	<p><b>Limits and Requirements - Miscellaneous Complying Development Works</b></p> <ul style="list-style-type: none"> <li>• Front boundary setback must comply with Council's Dwelling House/Dual Occupancy DCP and in any case be a maximum of 7 metres from the front boundary.</li> <li>• Gable ends in a two storey building or part facing side or rear boundaries with an area of greater of 5 m<sup>2</sup> must be at least 3 metres from that boundary.</li> <li>• The design, materials of construction and external finishes are to be compatible with the adjacent development.</li> <li>• Roofing material must be non-reflective and not a light colour.</li> <li>• Driveways, car parking spaces and car parking structures across the front of the dwelling occupy no more than 35% of the width of the site and the drive way at the property boundary may be no wider than 3m.</li> <li>• Garages with access from a lane which are less than 5m wide, are to be setback 1m from the lane boundary, unless otherwise specifically approved by Council beforehand.</li> <li>• The dwelling must have a BASIX certificate indicating it complies with energy, thermal comfort and water efficiency targets.</li> <li>• The dwelling is designed to face the street and to integrate with the predominant neighbourhood and street character.</li> <li>• The development must not be inconsistent with any applicable approved master plan for the site.</li> <li>• Stormwater runoff from the site is managed in accordance with Council's stormwater policy and is directed to Council's street drainage system or a suitably sized infiltration system.</li> <li>• Drainage must not result in any nuisance to adjoining properties.</li> <li>• The site must not be located in an area that is identified as being in a flood prone area or is subject to flooding.</li> <li>• The development must not obstruct any stormwater overland flow paths.</li> </ul> <p><b>Advisory Notes:</b></p> <ul style="list-style-type: none"> <li>• <i>An attic room may also be provided to the new dwelling subject to compliance with the requirements for attics detailed in Table A.</i></li> <li>• <i>The installation of any grey water reuse systems requires the prior approval of Council in accordance with the Requirements of the Local Government Act 1993.</i></li> </ul>

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**Table C: Miscellaneous Complying Development Works**

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**Complying Development (C)**

**Limits and Requirements - Miscellaneous Complying Development Works**

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**13. Houses – on new subdivision lots created and subject to an adopted Master Plan**

(Class 1a buildings only).

Does not apply to:

- Prince Henry Hospital Site
- Bundock St Defence Site, Randwick

Only applies where:

- A Master Plan has been adopted by Council for the relevant site, and new dwellings and ancillary class 10 structures to be provided in accordance with an adopted and current Development Control Plan.

General Requirements:

- Must comply with the relevant adopted master plan and site specific development control plan.
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**Table C: Miscellaneous Complying Development Works**

Column 1	Column 2
<p><b>Complying Development (C)</b></p>	<p><b>Limits and Requirements - Miscellaneous Complying Development Works</b></p>
<p><b>14. Miscellaneous repairs, replacement and improvement works to existing buildings</b></p> <p>Does not apply to buildings having the following uses:</p> <ul style="list-style-type: none"> <li>• amusement centres</li> <li>• food premises that use solid fuels such as charcoal to cook food</li> <li>• automotive uses</li> <li>• panel beating workshops</li> <li>• backpacker accommodation</li> <li>• boarding houses</li> <li>• brothels</li> <li>• hazardous industry or storage</li> <li>• installation of cooling towers</li> <li>• offensive industry or storage</li> <li>• potentially hazardous or offensive industry</li> <li>• licensed hotels / bars/ clubs</li> <li>• places of public entertainment</li> <li>• restricted premises</li> <li>• waste transfer station</li> </ul>	<ul style="list-style-type: none"> <li>• Applies to minor works to existing buildings when they have a previous development consent, building approval, building certificate or Council licence.</li> <li>• Does not apply to the erection of new structures, but may include replacement of previously approved minor structures.</li> <li>• This provision only applies if the written approval of Council has been obtained beforehand.</li> <li>• Applies to minor buildings or works required to be undertaken to replace defective work or to weatherproof a building for public/occupant health and safety or, replacement of existing works or elements to improve the building.</li> <li>• Work and structures must not have a detrimental effect upon the amenity of the streetscape, locality or nearby residents.</li> <li>• Does not apply to the replacement of whole buildings or structures, except for minor class 10 structures.</li> <li>• Does not apply to heritage items or buildings within a heritage conservation area, unless the work fully maintains and improves the heritage significance of the building and locality.</li> <li>• Design, materials, colour scheme and external finishes must be compatible with and integrate with the existing development and streetscape.</li> <li>• Rebuilt or replaced work to be of a similar size and dimensions (subject to compliance with BCA).</li> </ul> <p>Work must not:</p> <ul style="list-style-type: none"> <li>• be inconsistent with existing development consent or other relevant approval or license.</li> <li>• involve a change of use or BCA building classification.</li> <li>• affect existing levels of fire safety or occupant egress.</li> <li>• involve replacement or rebuilding of whole of a structure if greater than 25m<sup>2</sup> in area.</li> </ul>

**Table C: Miscellaneous Complying Development Works**

Column 1	Column 2
<p><b>Complying Development (C)</b></p>	<p><b>Limits and Requirements - Miscellaneous Complying Development Works</b></p>
<p><b>15. Occupation or use of a building - first occurrence</b></p> <p>Applies to Zone 4A (Industrial), Business zones and Class 5, 6 and 7 buildings only.</p> <p>Does not apply to buildings having the following uses:</p> <ul style="list-style-type: none"> <li>• amusement centres</li> <li>• food premises that use solid fuels such as charcoal to cook food</li> <li>• automotive uses</li> <li>• panel beating workshops</li> <li>• backpacker accommodation</li> <li>• boarding houses</li> <li>• brothels</li> <li>• Provision of any sex services</li> <li>• hazardous industry or storage</li> <li>• offensive industry or storage</li> <li>• potentially hazardous or offensive industry</li> <li>• licensed hotels / bars/ clubs</li> <li>• places of public entertainment</li> <li>• restricted premises</li> <li>• waste transfer station</li> </ul>	<p>Only applies:</p> <ul style="list-style-type: none"> <li>• Where the floor space / occupancy to be occupied is included in a current development consent and the use is consistent with the development consent, and</li> <li>• Where the proposed use complies with all relevant conditions of consent imposed on the development, and</li> <li>• Where there will be no increase in the amount of floor space or in the amount of land area to be occupied by the proposed use, and</li> <li>• The provisions for parking and unloading are in accordance with the consent.</li> </ul> <p>General requirements:</p> <ul style="list-style-type: none"> <li>• If the hours of trading of the specific usage or business are not the subject of any condition of consent, the trading hours of the proposed business are restricted to the period from 7 am to 10 pm.</li> <li>• The proposed use must not reduce requirements for landscaping, parking, vehicle access, or loading/unloading of goods.</li> <li>• The proposed use and occupation of the premises must not interfere with the amenity of the area by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste products or grit, oil or otherwise.</li> <li>• Maximum floor area of occupancy not to exceed 350m<sup>2</sup> for class 5 or 6 buildings and 1000m<sup>2</sup> for class 7 buildings without specific development consent for the proposed use/ business.</li> <li>• Waste and recycling materials from the development are to be collected by an authorised trade waste contractor.</li> <li>• The noise levels emanating from plant or equipment must not exceed 5dB(A) above ambient background noise levels, measured at any boundary of the land or within any residential dwelling/unit and where new plant/ equipment is installed, a certificate of compliance must be obtained from an acoustic consultant and submitted to council and the PCA, prior to occupation.</li> <li>• The use of the development and any building or fitout works must not be inconsistent with the relevant development consent for the building.</li> <li>• Any proposed alterations, or building or fitout work must comply with the relevant requirements of Table B – Item 1 – Internal Alterations to [other] buildings and in the event of any inconsistency, the provisions of this Item (15) prevail.</li> </ul> <p>Liquid trade waste materials are to be disposed of in accordance with the requirements of Sydney Water.</p> <ul style="list-style-type: none"> <li>•</li> <li>• An Occupation Certificate must be obtained before the building is occupied.</li> </ul>

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**Table C: Miscellaneous Complying Development Works**

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<b>Column 1</b>	<b>Column 2</b>
<b>Complying Development (C)</b>	<b>Limits and Requirements - Miscellaneous Complying Development Works</b>
<b>16. Portable classrooms</b>  Applies to schools only.	<ul style="list-style-type: none"><li>• Limit of five portable classrooms.</li><li>• Must only be erected for a maximum period of 5 years.</li><li>• Must be situated at least 3 metres from any boundary.</li><li>• Single storey only.</li><li>• Must not result in a substantial intensification of the use of the school, to the satisfaction of Council.</li><li>• Access and facilities must be in accordance with the BCA.</li><li>• The classroom must not be located in an area that may be subject to stormwater inundation/flooding.</li><li>• The classroom must not obstruct any stormwater overland flow paths.</li></ul>
<b>17. Rainwater tanks and grey-water re-use systems to dwellings</b>	<ul style="list-style-type: none"><li>• Includes rainwater tanks and work below ground level.</li><li>• Tanks are located less than 900mm from side boundaries.</li><li>• A report from a professional engineer must be obtained and recommendations complied with if the excavation is located within the “zone of influence” of any buildings.</li><li>• The required Local approval application must be submitted to and approved by Council prior to installation and operation of any greywater treatment system or associated tanks or equipment in accordance with the provisions of the Local Government Act 1993.</li></ul>
	<p><b><i>Advice:</i></b> Section 68 of the Local Government Act 1993 requires a separate application to be submitted to and approved by Council prior to installing AND prior to operating a greywater treatment system, on-site sewage management system or other waste water re-use system. Please contact Council’s Environmental Health Officers for further information.</p>

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**Table C: Miscellaneous Complying Development Works**

Column 1	Column 2
<p><b>Complying Development (C)</b></p>	<p><b>Limits and Requirements - Miscellaneous Complying Development Works</b></p>
<p><b>18. Subdivision, boundary adjustment and consolidation</b></p> <p>Does not apply to development in Heritage Conservation Areas where the subdivision has a negative impact on the heritage significance.</p>	<p>Is limited to:</p> <ul style="list-style-type: none"> <li>• Minor boundary adjustments between 2 allotments where no additional allotments will be created and which does not result in more than 10% variation in the size of the lots.</li> <li>• Rectifying encroachments provided that the rectification does not result in more than a 10% variation in the size of the lots.</li> <li>• Does not result in the reduction of a residential lot size to less than the minimum lot size specified in Council's LEP.</li> <li>• Creating allotments to be dedicated as a public reserve (but not if it involves the public acquisition of that land).</li> <li>• Excising from an existing allotment, land that is, or is intended to be used for a public purpose, including drainage, fire brigade and other rescue service purposes (but not if it involves the public acquisition of that land).</li> <li>• Consolidating allotments.</li> <li>• Adequate provisions are to be made for the drainage of stormwater of all affected lots to the satisfaction of Council. Stormwater must be discharged to the street gutter or Council stormwater drain, which may require works and or creation of easements.</li> </ul> <p><b>Advisory Note:</b></p> <ul style="list-style-type: none"> <li>• <i>All subdivision other than minor boundary adjustments and encroachment rectifications must comply with the subdivision requirements of this LEP.</i></li> <li>• <i>If the subdivision is within a heritage conservation area, you are required to consult with Council's Heritage Planner before requesting a CDC.</i></li> </ul>
<p><b>19. Swimming Pools and Spas</b></p> <p>Applies to residential zones only</p> <p>In Heritage Conservation Areas it only applies if the pool / spa is located at the rear of the premises and, the pool/spa must be located at the side or rear yards of other land.</p>	<ul style="list-style-type: none"> <li>• Location is not to alter any existing arrangements or requirements for parking or vehicle access, below that required under Council's DCP for Parking.</li> <li>• Must comply with the Swimming Pools Act 1992 and be for domestic private use only.</li> <li>• All coping, decking and paving around the pool must not be more than 600mm above ground level.</li> <li>• In-ground pools have a maximum water surface area of 50m<sup>2</sup>.</li> <li>• Above-ground pools have a maximum water surface area of 30m<sup>2</sup> and do not incorporate any decking higher than 600mm above ground level.</li> <li>• Where decking is higher than 400mm and less than 900mm from the property boundary, a privacy screen is to be installed or screen planting provided to the</li> </ul>

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**Table C: Miscellaneous Complying Development Works**

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Column 1	Column 2
<b>Complying Development (C)</b>	<b>Limits and Requirements - Miscellaneous Complying Development Works</b> <p>satisfaction of the certifying authority.</p> <ul style="list-style-type: none"><li>• The pool (water line) must be at least 900mm from any property boundary, as measured to the water.</li><li>• The extent of any cut and/or fill around the perimeter of the pool is not to exceed 1800mm and 600mm respectively.</li><li>• All filtration and pump equipment must be housed in an acoustic enclosure and noise levels from this equipment are not to exceed 5 dBA above the ambient background noise level measured at any property boundary.</li><li>• Must be situated at least 3m from any tree that would be affected by Council's Tree Preservation Order, except with the specific written approval of council.</li><li>• The installation and construction of the pool, including pool fencing, must comply with the provisions of relevant Australian Standards, legislation and the BCA.</li><li>• Fences must not prevent natural stormwater drainage or runoff.</li><li>• Stormwater from paved areas is to be drained to the existing stormwater disposal system, suitable landscaped area within the premises or an absorption system designed by an accredited certifier or other suitably qualified person.</li><li>• Stormwater from paved surface must not be redirected onto adjoining property or result in any nuisance to any adjoining premises.</li><li>• Back flush water from the filtration system is to be drained to the Sydney Water Corporation's drainage system.</li><li>• Pump operation is to be restricted to 8am to 8pm on Sunday and 7am to 8pm on Monday to Saturday in accordance with the Department of Environment and Conservation's "Noise Guide for Local Government".</li><li>• Energy efficiency and water saving requirements being carried out in accordance with the relevant BASIX certificate where applicable,</li><li>• Prior to the issue of an occupation certificate written notification of the installation of the swimming pool (or spa pool) must be provided to council to enable the pool to be registered (Swimming Pools Act).</li></ul> <p>Allowances:</p> <ul style="list-style-type: none"><li>• Ancillary water features may be provided up to 1.8m high above ground level (i.e. fountain or waterfall) and up to 300mm from boundaries.</li><li>• Coping, decking and paving may exceed the 600mm</li></ul>

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**Table C: Miscellaneous Complying Development Works**

Column 1	Column 2
<p><b>Complying Development (C)</b></p>	<p><b>Limits and Requirements - Miscellaneous Complying Development Works</b></p>
	<p>height limit, by up to a maximum of 250mm (i.e maximum of 850mm), on sloping sites for a single maximum area of 10 m<sup>2</sup> subject to the installation of screen planting or privacy screens to the subject area where practicable, or if a letter of non-objection has been obtained from the owners of all of the potentially affected properties.</p> <ul style="list-style-type: none"> <li>• Coping or decking may extend up to 1m above existing ground level if a written letter of 'no-objection' has been obtained from all relevant and potentially affected property owners and is submitted with the Complying Development Certificate application.</li> </ul>
<p><b>20. Temporary structures on sites over 2000m<sup>2</sup></b></p> <p>Applies to Business, Industrial, Special Uses and Open Space zones only.</p> <p>Only applies to temporary structures for use as an office, amenities or storage, or associated with special events (i.e. carnivals, fetes or the like).</p>	<ul style="list-style-type: none"> <li>• Minimum site area 2000m<sup>2</sup>.</li> <li>• Maximum floor area of temporary structure/s total: <ul style="list-style-type: none"> <li>• 400m<sup>2</sup> in relation to temporary marquees or tents associated with special events.</li> <li>• 100m<sup>2</sup> in relation to all other temporary structures or buildings.</li> </ul> </li> <li>• Minimum setback from boundaries 3m.</li> <li>• Maximum height 3m if less than 4m, 5m if less than 6m, 6m if less than 7m and 7m if greater than 7m setback from site boundaries (unless otherwise permitted in an adopted Master Plan).</li> <li>• Must not be inconsistent with or contravene any conditions of any relevant development consent.</li> <li>• Stormwater must be connected to the existing stormwater disposal system or Council's stormwater policy or other suitable stormwater disposal system to the satisfaction of the certifying authority.</li> <li>• Temporary structures must not be located on the elevation facing the main street/road frontage.</li> <li>• Design and finishes to be in keeping with and maintain the architectural integrity and existing colour scheme of the building and adjacent development.</li> <li>• Must not be inconsistent with any approved Master Plan.</li> <li>• Maximum duration: <ul style="list-style-type: none"> <li>• 14 days in relation to temporary structures for special events.</li> <li>• 12 months in relation to other temporary structures or buildings.</li> </ul> </li> <li>• WC facilities being provided in accordance with the Building Code of Australia.</li> <li>• Access for disabled being provided in accordance with the Building Code of Australia.</li> </ul>

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**Table C: Miscellaneous Complying Development Works**

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**Column 1**

**Column 2**

**Complying Development (C)**

**Limits and Requirements - Miscellaneous Complying Development Works**

- Temporary structures must incorporate adequate safety provisions in the event of fire (particularly egress) and for preventing and suppressing fire and its spread.
- Temporary structures must be structurally sound and capable of withstanding the loadings likely to arise from the use.
- Waste and recyclable materials to be collected by an authorised trade waste contractor.
- Temporary structures located upon special use zoned land must be approved by a building surveyor, engineer or other suitably qualified person.
- Temporary structures must comply with relevant safety standards and WorkCover NSW requirements.
- Temporary food premises, stalls and vendors comply with council's code for temporary food vendors and are to be registered with council prior to the event.
- Must not be used for storage of any dangerous or hazardous goods or materials.

Allowance:

- The temporary structure, marquee or the like may exceed the height and size limitations, subject to the temporary structure not having a detrimental impact upon the amenity of adjoining premises and locality, and the written approval of Council being obtained before hand.

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**21. Temporary Structures – associated with a community or special event**

- Maximum area of stages 150m<sup>2</sup> if less than 500mm above existing ground level.
- Maximum area of stages 75m<sup>2</sup> if more than 500mm above existing ground level
- Temporary structures must be structurally sound and capable of withstanding the loadings likely to arise from the use.
- Temporary structures must be adequately secured to the ground
- Sufficient sanitary facilities must be provided for patrons and staff.
- Must not contravene any specific condition of development consent.
- Temporary Structures must comply with relevant structural and safety standards and WorkCover NSW requirements.
- The event is covered by public liability insurance of an amount of at least \$10 million.
- The event takes place only within the following times:

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**Table C: Miscellaneous Complying Development Works**

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**Column 1****Column 2**

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**Complying Development  
(C)****Limits and Requirements - Miscellaneous Complying  
Development Works**

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- 7.30am to 11.00 pm on Monday, Tuesday, Wednesday or Thursday
  - 7.30am to midnight on Friday or Saturday,
  - 8.00am to 8.00pm on Sunday
  - The stage or platform is located at least 3 metres from any boundary of the land.
  - Lighting must not cause a nuisance or overspill onto adjoining residential land.
  - The stage or platform resists loads determined in accordance with the Australian and New Zealand Standards entitled:
  - AS/NZS 1170.0:2002, Structural design actions – General principles
  - AS/NZS 1170.1:2002, Structural design actions – Permanent, imposed and other actions
  - AS/NZS 1170.2:2002, Structural design actions – Wind actions
  - A notice indicating the actual distributed and concentrated load for which the stage or platform has been designed is conspicuously displayed on the stage or platform in relation to stages more than 500mm above ground level and more than 20m<sup>2</sup> in area.
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**Table D: Complying Development Works within the University of New South Wales**

Column 1	Column 2
<b>Complying Development (D)</b>	<b>Limits and Requirements – UNSW</b>
<b>1. Limits and Requirements for all types</b>	<ul style="list-style-type: none"> <li>• Applies to all land within the main Kensington and Western UNSW campus being Lots 1-4 DP 29652, Lot 10 DP 346508 and Lot 11 DP 34650.</li> <li>• Soil and water management principles are to be applied to development that involves soil disturbance, particularly where disturbance is located in close proximity to a watercourse or drainage line.</li> <li>• Relevant development limits and requirements contained in Tables B and C apply unless listed otherwise by the following provisions of the relevant Table D.</li> <li>• All development is to:               <ul style="list-style-type: none"> <li>○ Be consistent with the current UNSW Development Control Plan, Kensington Campus, adopted by Randwick City Council.</li> <li>○ Be in accordance with approvals under the Sydney Airport Airspace protection legislation.</li> <li>○ Comply with the requirements of the BCA.</li> <li>○ Comply with AS 2601-2001 and Council's Asbestos Policy.</li> <li>○ Obtain any necessary approvals under the Local Government Act, or other Acts.</li> </ul> </li> <li>• For the purposes of Table D of this schedule, "outer area" comprises all land and buildings within 60 metres of an adjoining street boundary of the campus and "inner area" comprises the balance of the land.</li> </ul> <p><b>Advisory note:</b>  <i>Compliance with the provisions of the Building Code of Australia may not ensure compliance with the requirements of the Disability Discrimination Act 1992 and you are therefore advised to consider your liability under this Act.</i></p>

**Table D: Complying Development Works within the University of New South Wales**

Column 1	Column 2
<b>Complying Development (D)</b>	<b>Limits and Requirements – UNSW</b>
<b>2. Change of use</b>	<p><b>Inner and Outer area</b></p> <ul style="list-style-type: none"> <li>• Applies to change of a University use to another University use, involving a change of classification between class 5, class 6, class 8 and class 9b, other than changes:               <ul style="list-style-type: none"> <li>• To residential uses,</li> <li>• To food preparation, storage or sale areas,</li> <li>• To storage of dangerous, offensive or hazardous materials,</li> <li>• Which increase student or staff numbers on campus.</li> </ul> </li> <li>• Must not adversely affect existing levels of fire safety or accessibility to a fire exit or required fire exit or remove or affect fire resistant construction or linings.</li> <li>• A complete fire safety certificate and/or fire safety statement must be provided to Council encompassing all of the essential fire safety measures on the whole of the building, prior to occupation / commencement of the use.</li> <li>• Where a previously approved use was not subject to any development consent conditions specifying hours of trading, the use and operation of the premises is limited to 7am – 10pm.</li> <li>• Must not result in any intensification of the use or change the total number of parking spaces on campus.</li> <li>• Any internal or building fit-out work must comply with the relevant provisions of this LEP.</li> </ul>
<p><b>3. External alterations and additions to existing University buildings</b></p> <p>Does not include installation of cooling towers.</p>	<p><b>Inner and Outer area</b></p> <ul style="list-style-type: none"> <li>• A complete fire safety certificate and/or fire safety statement must be provided to Council encompassing all of the essential fire safety measures on the whole of the building, prior to occupation / commencement of the use.</li> <li>• Must not adversely affect existing levels of fire safety or occupant egress.</li> <li>• Must be in accordance with the current UNSW Stormwater Strategy approved by Randwick City Council.</li> <li>• Must not increase number of storeys, and</li> <li>• Must not increase the gross floor area by more than 5%.</li> <li>• Is not visible from residential properties adjoining or immediately adjacent to the campus.</li> </ul>

**Table D: Complying Development Works within the University of New South Wales**

Column 1	Column 2
<b>Complying Development (D)</b>	<b>Limits and Requirements – UNSW</b>
<p><b>4. Demolition</b></p> <p>Applies only to:</p> <ul style="list-style-type: none"> <li>• structures or works not exceeding three storeys.</li> </ul> <p>Does not apply to:</p> <ul style="list-style-type: none"> <li>• an item in a Heritage Conservation Area.</li> </ul>	<p><b>Inner and Outer area</b></p> <ul style="list-style-type: none"> <li>• Public safety to be maintained at all times and public access to works is restricted via required hoardings or safety fencing.</li> <li>• All waste material to be recycled where possible.</li> <li>• Any relevant statutory requirements for hazardous materials are met.</li> <li>• Must comply with a UNSW approved demolition management plan.</li> <li>• Noise and dust generated must be minimised.</li> <li>• The demolisher must have current Public Risk insurance to an amount not less than \$10million.</li> </ul>
<p><b>5. Internal alterations to existing buildings</b></p> <p>Includes amalgamation or separation of sole occupancy units in an existing building.</p> <p>Does not include installation of cooling towers.</p>	<p><b>Outer area and Inner area</b></p> <ul style="list-style-type: none"> <li>• Provide access or facilities for people with disabilities.</li> <li>• Must not increase number of resident students.</li> <li>• A complete fire safety certificate and/or fire safety statement must be provided to Council encompassing all of the essential fire safety measures on the whole of the building, prior to occupation / commencement of the use.</li> <li>• Any alterations and additions to places of public entertainment, places of shared accommodation and student accommodation and food premises/areas must be registered with Council prior to issuing any occupation certificate.</li> <li>• Must not adversely affect existing levels of fire safety or occupant egress.</li> <li>• Internal alterations or fit-outs must satisfy the relevant provisions of this LEP.</li> </ul>

**Table D: Complying Development Works within the University of New South Wales**

Column 1	Column 2
<b>Complying Development (D)</b>	<b>Limits and Requirements – UNSW</b>
<p><b>6. Buildings - new buildings for University purposes</b></p> <ul style="list-style-type: none"> <li>• Does not apply to licensed (liquor) premises or places of public entertainment</li> <li>• Does not apply to residential development</li> </ul>	<p><b>Inner area only</b></p> <ul style="list-style-type: none"> <li>• Must not exceed 4 storeys in height, and</li> <li>• Must not increase total number of students or staff on campus.</li> <li>• Must not change the total number of parking spaces on campus.</li> <li>• A single and complete fire safety certificate must be provided to Council encompassing all the essential fire safety measures in the whole of the building in accordance with the EP&amp;A Regulations 2000.</li> <li>• Food premises / operators, hairdressing / beauty salons, skin penetration operators, cooling towers and swimming/spa pools must be registered with Council prior to issuing an occupation certificate.</li> <li>• Must not affect existing parking provisions.</li> <li>• Must be in accordance with the current UNSW Stormwater Strategy approved by Randwick City Council.</li> <li>• Access and facilities must be provided in accordance with the provisions of the Building Code of Australia.</li> <li>• New buildings or work must not reduce the existing levels of Fire Safety and egress to existing buildings on the campus.</li> <li>• The design, construction and fit-out of buildings must comply with the relevant legislative requirements and standards (i.e Food Act 2003, Public Health Act 1991 and Local Government Act 1993)</li> <li>• The design construction and fit-out of food premises must comply with the fit-out requirements detailed in item 1 in Complying Development Table B of this LEP.</li> <li>• Building work must satisfy the relevant provisions of this LEP.</li> </ul>
<b>6. Portable classrooms</b>	<p><b>Inner area only</b></p> <ul style="list-style-type: none"> <li>• Limit of five portable classrooms.</li> <li>• Must only be erected for a maximum period of 5 years.</li> <li>• Must be situated at least 3 metres from any boundary.</li> <li>• Single storey only.</li> <li>• Access and facilities must be in accordance with the BCA.</li> <li>• The classroom must not be located in an area that may be subject to stormwater inundation/flooding.</li> <li>• The classroom must not obstruct any stormwater overland flow paths.</li> </ul>

## Part 2 Complying development certificate conditions

### **Complying Development is subject to the following conditions specified below, which shall be attached to the Certificate:**

1. The development must comply with the relevant provisions; development standards and prescribed conditions and requirements contained in the Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2000. (A copy of the prescribed requirements, as at the time of adoption of this LEP, is provided at the end of this section).
2. All new building work must comply with the relevant provisions of the Building Code of Australia (as in force at the time of the application). The criteria and requirements specified in Tables B, C and D must be fully complied with.
3. The development must not contravene any condition of development consent applying to the land.
4. All development must be consistent with any adopted Master Plan or Plan of Management.
5. If the proposed development comprises any excavation works, footings, concrete or masonry structures within 3m of any tree that is covered by Council's Tree Preservation Order or necessitates the removal or lopping of any trees covered by Council's Tree Preservation Order, the written approval of Council must be obtained prior to the issuing of a complying development certificate.
6. Where a structure is located over an easement or within the zone of influence of a sewer main or a Council drainage pipe, the written approval of the relevant authority, or the person benefiting from the easement, as the case may be, must be obtained prior to commencing any excavation or building works.
7. The following conditions of consent (where applicable to the proposed development) must be complied with:

### **Before commencement of works:**

8. Not less than two days before any site works, building or demolition begins:
  - a. A Principal Certifying Authority must be appointed for the building work, in accordance with the Environmental Planning and Assessment Regulation 2000.
  - b. The Notice of the Appointment of Principal Certifying Authority (PCA) and Commencement of Work must be forwarded to the Council in accordance with clauses 135 and 136 of the Environmental Planning & Assessment Regulation 2000; and

- c. The Principal Certifying Authority has notified Council of his/her appointment and has given notice of required critical stage inspections to the person having benefit of the consent (or complying development certificate); and
  - d. The person having the benefit of the consent (or complying development certificate) has given Council at least two days notice of the persons intentions to commence building work; and
  - e. The person having the benefit of the consent (or complying development certificate) has appointed a principal contractor for the building work or, in relation to residential building work, if the owner is carrying out the building work as an owner-builder, an owner-builder permit has been obtained for the works in accordance with the Home Building Act 1989.
9. The following details are to be provided to the PCA and Council (in writing):
- a. Details of the appointed principal contractor (including name, address, telephone number and license number);
  - b. Details of compliance with the Home Building Act 1989 insurance requirements (ie Certificate of Insurance), as applicable;
  - c. A copy of the building owners owner-builder permit for the subject building works, as applicable.
10. The person having the benefit of the consent (or complying development certificate) has:
- a. If not carrying out the work as an owner-builder, has appointed a principal contractor for the building work, who must be licensed if any residential building work is involved; and
  - b. Notified the PCA of such an appointment; and
  - c. Notified the principal contractor of any critical stage inspections required to be carried out by the PCA.
11. The person having the benefit of the consent (or complying development certificate) has notified
- a. The occupant/s of the adjoining premises , in writing, that work will commence, in relation to the complying development, except in relation to internal building works; and
  - b. Must comply with any other conditions or requirements specified in the Environmental Planning and Assessment Act 1979 or Environmental Planning and Assessment Regulation 2000.

12. Before any site works, building or demolition begins, the principal building contractor or owner- builder (as applicable) must:
  - a. Erect a sign at the front of the property with the principal contractors name and license number or owner - builders details, telephone number (including after hours contact number) of the principal contractor, complying development certificate number, the statement "unauthorised entry to the site is prohibited", and if required by the Regulation, the name address and telephone number of the PCA; and
  - b. Install temporary site fences to the perimeter of the site to prevent public access to the site area, building works and materials (unless the site is provided with an existing fence having a minimum height of 1.5m), except in relation to internal works only.
13. Temporary site fences shall be of cyclone wire material and be structurally adequate and of a quality construction.
14. Provide on-site toilet facilities for construction personnel; and
15. Protect and support any neighbouring buildings and land; and
16. Protect any public place and adjoining property from obstruction or inconvenience due to the carrying out of the development; and
17. Prevent any substance from falling onto any public space or adjoining property; and
18. Any existing trees which are covered by Council's tree preservation order and are located adjacent to the building works, must be adequately protected from damage at all times, including the provision of temporary cyclone wire fencing around the tree.
19. Comply with any other conditions prescribed by the Environmental Planning and Assessment Act 1979 or the Environmental Planning and Assessment Regulations 2000.

**Site Management:**

20. Runoff and erosion controls must be implemented to prevent soil erosion, water pollution and the discharge of loose sediment on surrounding land, as follows:
  - a. Sediment control measures are to be implemented in accordance with the relevant requirements of the manual for Managing Urban Stormwater, Soils and Construction, published by the NSW Department of Housing;
  - b. Uncontaminated run-off is to be diverted around cleared or disturbed areas; and

- c. A silt fence is to be erected to prevent debris, sand, soil and materials escaping into drainage systems or waterways; and
  - d. The tracking of sediment by vehicles onto roads is to be prevented; and
  - e. Stockpile top soil, excavated material, construction and landscaping supplies and debris are to be located only within the site. No such material is to be stored upon the road, footpath or any other public place; and
  - f. The measures are to be implemented prior to commencement of any works and are maintained until full completion of works.
  - g. Removal or disturbance of vegetation and topsoil must be confined to within 3 metres of the development.
  - h. Site stormwater containing soil, sand, or sediment or any pollution must not be allowed to discharge or enter the street gutter or drainage system.
21. Building waste, soil, sand, materials, equipment, bulk bins and storage containers must not be located upon the road, footpath or other public place at any time without the required written approval of Council.

**Excavations shoring and retaining walls:**

22. All excavations and backfilling associated with the erection or demolition of a building must be executed safely in accordance with appropriate professional standards and excavations are to be properly guarded and supported to prevent them from being dangerous to life, property or buildings.

Retaining walls, shoring or piling must be provided to support land which is excavated in association with the erection or demolition of a building, to prevent the movement of soil and to support the adjacent land and buildings, if the soil conditions require it. Adequate provisions are also to be made for drainage.

Retaining walls, shoring, or piling must be designed and installed in accordance with appropriate professional standards and the relevant requirements of the Building Code of Australia and Australian Standards. Details of proposed retaining walls, shoring or piling are to be submitted to and approved by the Principal Certifying Authority for the development prior to commencing such excavations or works.

**Support for neighbouring buildings:**

23. The adjoining land and buildings located upon the adjoining land must be adequately supported at all times.

If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings

of any building located on an adjoining allotment of land, the person causing the excavation must:

- preserve and protect the building /s on the adjoining land from damage; and
- effectively support the excavation and building; and
- at least seven (7) days before excavating below the level of the base of the footings of a building on an adjoining allotment of land (including a public road or public place), give notice of the intention and particulars of the works to the owner of the adjoining land.

24. The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.
25. In this clause, "allotment of land" includes a public road and any other public place.

**Protection of public places & public safety:**

26. A cyclone wire temporary safety fence (having a minimum height of 1.5m) is to be provided to the perimeter of the construction site to prevent public access to the site (including excavations for swimming pools), at all times when work is not in progress or the site is unoccupied, unless access to the site is prevented by existing structures or fences having a minimum height of 1.5m, except in relation to internal works only.
27. If the work involved in the erection or demolition of a buildings, or associated site works, is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient or potentially unsafe to the public, or the building involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place.
28. If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
29. The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
30. Any such hoarding, fence or awning is to be removed when the work has been completed.
31. Temporary safety fences or hoardings must not be located on the roadway, footpath, nature strip or in any public place, unless the written approval of Council has been obtained and relevant fees have been paid.
32. Public safety and convenience must be maintained at all times during demolition, excavation and construction works.

The roadway, footpath and nature strip must be maintained in a good, safe condition and free from any obstructions, trip

hazards, materials, soils or debris at all times. Any damage caused to the road, footway or nature strip must be repaired immediately, to the satisfaction of Council.

33. Site fencing must be maintained in a good and safe condition at all times and use of steel reinforcement sheeting or the like is not permitted.

**Signs to be erected on building and demolition sites:**

34. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out, stating that unauthorised entry to the work site is prohibited, and showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours. The name and telephone number of the PCA must also be provided, if required by Regulation.
35. Any such sign is to be removed when the work has been completed.
36. This requirement does not apply to building work carried out inside an existing building, or building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.

**Toilet facilities for construction personnel**

37. Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out.
38. Each toilet provided must be a standard flushing toilet, and must be connected, to a public sewer, or to some other licensed sewage management facility.

**Stormwater drainage:**

39. Stormwater from buildings is to be collected and drained to a suitable stormwater disposal system or be disposed of in accordance with Council's Stormwater Drainage Code or previous consent requirements. In the case of development under the UNSW Kensington Campus DCP, stormwater from buildings is to be disposed of in accordance with the current UNSW Stormwater Strategy approved as part of that DCP by Randwick City Council.
40. The land surrounding any structure must be graded to divert surface water away from the existing and proposed structures and adjoining premises. The stormwater drainage must not result in any damage or nuisance to any other premises or land.

**Inspections during construction\*:**

41. The building works are to be inspected by the Principal Certifying Authority (or other certifying authority approved by the Principal Certifying Authority), to monitor compliance with the relevant standards of construction and the complying

development certificate, in accordance with clause 162A and 162B of the Environmental Planning and Assessment Regulation 2000.

42. The Principal Certifying Authority shall specify the relevant stages of construction to be inspected (unless otherwise specified in the Environmental Planning and Assessment Act 1979 or the Environmental Planning and Assessment Regulation 2000) and a satisfactory inspection must be carried out, to the satisfaction of the Principal Certifying Authority, prior to proceeding to the subsequent stages of construction or finalisation of the works (as applicable).
43. Documentary evidence of the building inspections carried out and details of compliance with the Complying Development Certificate is to be maintained by the Principal Certifying Authority. Details of critical stage inspections carried out and copies of certification relied upon, shall be forwarded to Council with the occupation certificate or, upon finalisation of works if no occupation certificate is issued.

**Hours of work, construction noise and vibration:**

44. Building and demolition work associated with the proposed development must only be carried out between the hours of 7.00a.m. to 5.00p.m., Monday to Friday and 8.00a.m. to 1.00p.m. on Saturdays. No work is permitted on any public holidays or Sundays. Except with the specific written approval by Council's Manager of Environmental Health & Building Services.
45. The use of any rock excavation machinery or any mechanical pile drivers is restricted to the hours of 8.00a.m. to 5.00p.m. (maximum), Monday to Friday inclusive from 8.00a.m. to 1.00p.m. on Saturday, to minimise the noise levels during construction and loss of amenity to nearby residents.
46. Noise and vibration emissions during the construction of the building and associated site works must not result in damage to nearby premises or result in an unreasonable loss of amenity to nearby residents and the relevant provisions of the Protection of the Environment Operations Act 1997 must be satisfied at all times.
47. Noise and vibration from any rock excavation machinery and pile drivers (or the like) must be minimised by using appropriate plant and equipment and silencers and a construction noise and vibration minimisation strategy, prepared by a suitably qualified person is to be implemented during the works, to the satisfaction of the Principal Certifying Authority.

**Noise:**

48. The noise levels emanating from the development (excluding physical construction work), measured at any boundary of the land, must satisfy the requirements of the Protection of the Environment Operations Act, the EPA's Industrial Noise Policy and any relevant guidelines from the Department of Environment and Climate Change.

### **Fire safety**

49. Fire safety measures must be included in accordance with the Building Code of Australia and the development standards contained in the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000 must be complied with.
50. A Fire Safety Certificate must be submitted to Council prior to the issuing of an Occupation Certificate, in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000.

### **Occupation Requirements**

51. An Occupation Certificate must be obtained from the Principal Certifying Authority prior to any occupation of the building work encompassed in this development consent (including alterations and additions to existing buildings), in accordance with the relevant provisions of the Environmental Planning & Assessment Act 1979.

An Occupation Certificate must not be issued for the development if the development is inconsistent with the development consent. The requirements of the Environmental Planning & Assessment Act 1979 and conditions of development consent must be satisfied prior to the issuing of an occupation certificate.

### **Vehicular access and infrastructure works:**

52. All vehicular crossing, ancillary works and repairs upon the public footpath or other public place are to be carried out by the Council and the cost of such works is to be borne by the applicant.
53. A statement is to be prepared by the owner or Principal Certifying Authority (PCA) and be submitted to Council upon completion of the works, which details the condition and status of any affected public roadway, footpath, vehicular crossings and nature strip, prior to the commencement of works and upon completion of the works. The statement is also required to confirm the extent of any damage that has been caused to public infrastructure as a result of the works.
54. Any part of Council's nature strip which is damaged as a result of the development must be back filled, top-soiled and re-turfed with kikuyu turf prior to occupation or finalisation of development, to the satisfaction of Council.
55. Levels of driveways, paths and fences or other construction works adjacent to the public street alignment must be designed to match the design alignment levels issued by Council (details of which are available from Council's City Services Division).
56. A section 138 Roads Act permit is required for any new or altered driveway crossing that traverses a public road or footway

57. A public utility assessment is to be carried out on all public utility services that may be affected by the proposed development and building work must not interfere with the existing public utility infrastructure, including Council drainage structures, unless approval is obtained from the relevant authorities.
58. Prior to issuing an occupation certificate, an inspection of the road, footpath and nature strip is to be undertaken to the satisfaction of the Principle Certifying Authority and Council must be advised in writing of any damage caused as a result of the works.
59. Structures, including footings and eaves/guttering must not encroach over the boundary onto the road, footpath or any public place.
60. A Road / Asset Opening Permit must be obtained from Council prior to carrying out any works within or upon a road, footpath, nature strip or in any public place, in accordance with section 138 of the Roads Act 1993 and all of the conditions and requirements contained in the Road / Asset Opening Permit must be complied with.

The owner/builder must ensure that all works within or upon the road reserve, footpath, nature strip or other public place are completed to the satisfaction of Council, prior to the issuing of a final occupation certificate for the development.

For further information, please contact Council's Road / Asset Opening Officer on 9399 0691 or 9399 0999.

**Hoardings, safety fences and associated site amenity structures:**

61. Hoardings, safety fences and site amenity structures comply with the following conditions, as applicable:
  - a. Hoardings and associated structures comply with the relevant provisions of AS 1170.2 – Minimum design load on structures.
  - b. Where overhead type hoardings and other structures are located over a public place, a certificate of adequacy is to be obtained from a professional engineer upon installation, certifying the structural adequacy of the structure and compliance with the relevant requirements of WorkCover NSW. A copy of the certificate is to be forwarded to Council within two (2) days of installation.
  - c. The hoarding or fence must not encroach onto any public road, footway or verge area without the written approval of Council.
  - d. A minimum pedestrian access width of 1.5m is maintained at all times on Council's footway and is suitable for people with disabilities.

- e. The hoarding or fence must be removed and any damage to public land rehabilitated immediately upon completion of construction works.
- f. "A" class hoardings or fences to be a minimum height of 1.8 metres above ground level.
- g. The hoarding or fence may be erected for a maximum of twelve (12) months.
- h. Construction is to be of solid plywood sheeting painted white or cyclone wire fencing (with geotextile fabric attached to the inside to control dust).
- i. The use of steel reinforcement mesh for any site safety fence or hoarding is not permitted.
- j. Hoardings must be maintained in good and safe order at all times.
- k. Hoardings must be structurally adequate and constructed in a workmanlike manner.
- l. The hoarding is not to be used for the placement or display of any advertising material.
- m. Adequate lighting is to be provided under/adjacent to overhead type hoardings.
- n. A minimum height clearance of 2.2m is provided to overhead type hoardings.
- o. The deck of the overhead type hoarding is waterproofed and stormwater from structures is to be discharged to the street gutter.
- p. A temporary timber crossing, with splayed edges, is to be provided over the footway where vehicular access is provided to the site for construction vehicles.
- q. Hoardings or structures do not obstruct vehicular or pedestrian visibility, fire services or traffic lights.
- r. Reflective lights, barricades or other safety devices are provided adjacent to hoardings located in a public place and as directed by Council.
- s. Where hoardings, fences or site facilities are located in a public place, the relevant weekly fees and charges are to be paid to the Council (prior to the installation and erection of the structures) in accordance with Council's Fees and Charges Manual.

**Demolition of buildings:**

- 62. Demolition work is to be carried out in accordance with the provision of Australian Standard, AS 2601 Demolition of Structures, as specified in the Environmental Planning & Assessment Act 1979 & Regulation.

### **Miscellaneous conditions:**

63. The requirements and provisions of the Environmental Planning & Assessment Act 1979 and Environmental Planning & Assessment Regulation 2000, must be fully complied with at all times. Failure to comply with these legislative requirements is an offence and may result in the commencement of legal proceedings, issuing of `on-the-spot` penalty infringements or service of a notice and order by Council.
64. All new building work must be carried out in accordance with the provisions of the Building Code of Australia (BCA), in accordance with Clause 98 of the Environmental Planning and Assessment Regulation 2000.
65. An occupation certificate must be obtained from the Principal Certifying Authority prior to occupation of the subject building work or change of use (as applicable), in accordance with the Environmental Planning & Assessment Act 1979.
66. A Principal Certifying Authority must be appointed in accordance with the provisions of the Environmental Planning & Assessment Act 1979, prior to the commencement of any building or excavation works and the Council is to be notified of the intention to commence work at least 2 days before commencement, in accordance with the requirements of section 86 of the Environmental Planning and Assessment Act 1979 and clauses 135 and 136 of the Environmental Planning and Assessment Regulation 2000.
67. A copy of the Complying Development Certificate and approved plans must be maintained on site at all times and be made available to Council officers and adjoining property owners upon request.
68. The required Long Service Levy payments must be made in accordance with section 85A of the Environmental Planning and Assessment Act 1979.

### **Food Premises**

69. Premises used for the sale, storage, preparation or display of any food must be designed and constructed in accordance with the Food Act 2003, Food Regulation 2004, Food Safety Standards Code and Council's Food Premises Code.
70. Food safety practices and operation of the food premises must be in accordance with the Food Act 2003, Food Regulation 2004 and the Food Safety Standards Code at all times, including the requirements and provisions relating to:
  - Food handling – skills, knowledge and controls.
  - Health and hygiene requirements.
  - Requirements for food handlers and businesses.
  - Cleaning, sanitising and maintenance.

- Design and construction of food premises, fixtures, fitting and equipment.

71. The design and construction of food premises must comply with the following requirements, as applicable: -

- The floors of kitchens, food preparation areas and the like are to be constructed of materials which are impervious, non-slip and non-abrasive. The floor is to be finished to a smooth even surface, graded and drained to a floor waste connected to the sewer.
- The intersection of walls with floor and plinths is to be coved to facilitate cleaning.
- Walls of the kitchen preparation areas and the like adjacent to cooking and food preparation areas are to be finished in a light colour with glazed tiles, stainless steel, laminated plastics or similar approved material adhered directly to the wall to a minimum height of 2m above the floor level, to provide a smooth even surface.
- The walls and ceilings of kitchens, food preparation areas, storerooms and the like are to be of rigid smooth-faced, non absorbent material i.e., fibrous plaster, plasterboard, fibre cement sheet, cement render or other approved material and finished to a smooth even surface, painted with a washable paint of a light colour or sealed with other approved materials.
- All stoves, refrigerators, bain-maries, stock pots, washing machines, hot water heaters, large scales, food mixers, food warmers, cupboards, counters, bars etc.... to be supported on wheels, concrete plinths a minimum 75mm in height, metal legs minimum 150mm in height, brackets or approved metal framework of the like.
- Cupboards, cabinets, benches and shelving may be glass, metal, plastic, timber sheeting or other approved material. The use of particleboard or similar material is not permitted unless laminated on all surfaces.
- Adequate fly screens and doors with self-closing devices, (where applicable), are to be provided to all external door and window openings. An electronic insect control device must also be provided within the food premises.
- Garbage storage enclosures are to be fitted with a hose cock and the floor is to be graded and drained to an approved floor waste connected to the sewer.
- A mechanical ventilation exhaust system hood is to be installed where cooking or heating processes are carried out in the kitchen or in food preparation areas, in accordance with the relevant requirements of Clause F4.12 of the BCA and Australian Standard AS 1668 Parts 1 & 2.
- Wash hand basins must be provided in convenient positions, with hot and cold water, together with a sufficient supply of soap and clean towels. Such hot and

cold water shall be supplied to the wash hand basins through an approved mixing device.

- Ceramic tiles being provided to a height of 450mm above bench tops, wash hand basins and similar fittings.
- A numerically scaled indicating thermometer or recording thermometer, accurate to the nearest degree Celsius being provided to refrigerators, cool rooms, other cooling appliances and bain-maries or other heated food storage/display appliances. The thermometer is to be located so as to be read easily from the outside of the appliance.
- All food that is to be kept hot should be heated within one (1) hour from the time when it was prepared or was last kept cold, to a temperature of not less than 60°C and keep this food hot at or above the temperature. Food that is to be kept cold should be cooled, within four (4) hours from the time when it was prepared or was last kept hot, to a temperature of not more than 5°C and keep this food cold at or below that temperature.
- Adequate provisions are to be made within the premises for the storage, collection and disposal of waste and recyclable materials, to the satisfaction of Council.

72. Liquid trade waste materials are to be disposed of in accordance with the requirements of the Sydney Water, Trade Waste Department and details of compliance are to be submitted to the certifying authority prior to the commencement of works.

73. The disposal of waste materials in the domestic garbage service is not permitted. All waste materials must be collected by Council's Trade Waste Service or a waste contractor authorised by the Waste Service of New South Wales and details of the proposed service to serve the development are to be submitted to Council prior to occupation of the building.

74. Council must be notified in writing, upon completion of the work to enable the premises to be inspected by Council's Environmental Health Officer and for the premises to be registered with the Council.

75. There are to be no emissions or discharges from the premises which will give rise to a public nuisance or result in an offence under the Protection of the Environment Operations Act 1997 and Regulations.

Greywater treatment systems/on-site sewage management systems

76. A separate application must be submitted to and approved by the Council prior to the installation and operation of any proposed greywater treatment system or on-site sewage management system, in accordance with the requirements of the Local Government Act 1993 and Local Government (General) Regulation 2005.

**Notes:**

- (a) The principal certifying authority has the discretion to determine the appropriate inspections to be carried out during the course of construction and to determine the appropriate person to carry out those inspections.
- (b) Critical stage inspections, which must be carried out, include the following stages of the development as applicable (unless otherwise specified in the EP & A Act 1979 or EP & A Regulation 2000);
- Footings, after placement of steel reinforcement and before pouring concrete.
  - Reinforced concrete floor slabs, columns and beams, after placement of steel reinforcement and before pouring concrete.
  - Timber and metal floor, wall and roof framing (including columns and beams), before installing floor, wall or roof cladding.
  - Waterproofing or 'wet areas', after installation, before tiling or covering over.
  - Immediately after the building (or alterations and additions to a building) have been completed and before an Occupation Certificate is issued.
- (c) Whenever alterations and additions are carried out to existing buildings, in addition to satisfying the relevant provisions of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000, consideration should be given to implementing fire safety upgrading of the whole of the existing building premises and not merely the part of the building which is the subject of the application, to achieve a satisfactory level of fire safety throughout the premises (subject to obtaining any necessary consents).

**PRESCRIBED REQUIREMENTS AND CONDITIONS**

Complying development is subject to any relevant prescribed requirements and conditions as are contained in the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000, as amended. Therefore it is necessary to refer to the current provisions of the legislation. At the time of adoption of this LEP, the following prescribed conditions and requirements apply:

**Clause 133 Compliance with Building Code of Australia and insurance requirements under Home Building Act 1989**

- (1) A complying development certificate for development that involves any building work must be issued subject to the following conditions:
- (a) that the work must be carried out in accordance with the requirements of the Building Code of Australia,

- (b) in the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of the Act, that such a contract of insurance must be entered into.
- (2) This clause does not limit any other conditions to which a complying development certificate may be subject, as referred to in section 85A (6) (a) of the Act.
- (3) This clause does not apply:
  - (a) to the extent to which an exemption is in force under clause 187 or 188, subject to the terms of any condition or requirement referred to in clause 187 (6) or 188 (4), or
  - (b) to the erection of a temporary building.
- (4) In this clause, a reference to the Building Code of Australia is a reference to that Code as in force on the date the application for the relevant complying development certificate is made.

#### **Clause 136D Fulfilment of BASIX commitments**

- (3) A complying development certificate for development to which this clause applies must be issued subject to a condition that the commitments listed in each relevant BASIX certificate for the development must be fulfilled.

#### **Clause 149 Applications for occupation certificates**

- (2A) In the case of an application with respect to development the subject of a condition requiring commitments listed in a BASIX certificate to be fulfilled, the application must also be accompanied by a copy of each relevant BASIX certificate for the development.

#### **154B Fulfilment of BASIX commitments**

- (1) This clause applies to a BASIX affected building in respect of which a relevant BASIX certificate requires a certifying authority to monitor fulfilment of any of the commitments listed in the certificate.
- (2) A certifying authority must not issue a final occupation certificate for a BASIX affected building to which this clause applies unless it is satisfied that each of the commitments whose fulfilment it is required to monitor has been fulfilled.
- (3) For the purpose of satisfying itself as to the fulfilment of any such commitment, a certifying authority may rely on the advice of any properly qualified person.

**Dictionary**

**acid sulfate soils (ASS)** means soils that contain iron sulfides that are stable and do not cause an environmental or economic problem when waterlogged, but when exposed to air, after drainage or excavation, rapidly form sulfuric acid.

**alter**, in relation to a heritage item, means:

- (a) make structural changes to the outside of the heritage item, or
- (b) make non-structural changes to the detail, fabric, finish or appearance of the outside of the heritage item, other than changes ensuing from the maintenance of the existing detail, fabric, finish or appearance of the outside of the item.

**amusement centre** means a building or place used for playing:

- (a) billiards, pool or similar games, or
- (b) electrically or mechanically operated amusement devices such as pinball machines and the like, but only if more than 5 such machines are installed in the building or place.

**animal establishment** means a building or place used for the breeding, boarding, training or keeping of, or for caring for, animals whether or not for a commercial purpose, but does not include a veterinary establishment or a building or place used (in conjunction with a dwelling) for the keeping of pets.

**appointed day** means the day on which this plan was published in the Gazette.

**attached dual occupancy** means a building containing two (but not more than two) dwellings.

**automotive use** means a use of a building or work or land for fuelling, lubricating, cleaning, caring for, maintaining or repairing motor vehicles or for offering for sale and installing automotive accessories or parts and includes a workshop, a shop for the sale of automotive spare parts, tyres or car batteries, a tyre retreading workshop and any other establishment performing similar functions, but does not include a panel beating workshop (other than a place used for minor panel beating ancillary to a motor showroom) or a service station.

**backpacker accommodation** means a building or place used for providing temporary accommodation for tourists whose principal place of residence is elsewhere and where communal kitchen and laundry facilities may be provided, but which is not licensed to sell liquor within the meaning of the Liquor Act 1982.

**bed and breakfast accommodation** means a building which provides temporary accommodation for not more than 6 persons and where the owner of the building is a permanent resident.

**biodiversity (or biological diversity)** means the variety of life: the different plants, animals and micro-organisms, the genes they contain and the ecosystems of which they form a part.

**boarding house** means a building or place:

- (a) where permanent accommodation facilities are provided to the residents of the building or place, and
- (b) where meal and laundry facilities may be provided, and
- (c) which is not licensed to sell liquor within the meaning of the Liquor Act 1982,

but (in Part 2) does not include a building or place elsewhere defined in this dictionary.

**brothel** means a building or place used, whether in whole or in part, for prostitution.

**buffer area** means an area of land that is managed in a way that ensures the protection, conservation and improvement of natural heritage, rare species and threatened items, over time.

**building height** means the vertical distance from the highest point on the building to the ground level and includes ancillary services, installations and works (including works to conceal and integrate services) unless the Council is satisfied that they will not adversely affect the amenity of adjoining or nearby land.

**bulk store** means a building or place used for the bulk storage of goods, where the goods stored or to be stored are not required for use in a shop or other business premises on the same parcel of land or on adjoining land in the same ownership, but (in Part 2) does not include a building or place elsewhere defined in this dictionary.

**bulky goods premises** means a building or place used for the sale by retail, wholesale or auction of (or for the hire or display of) goods that are of such a size or weight as to require:

- (a) a large area for handling, display or storage, or
- (b) direct vehicular access to the site of the building or place by members of the public, for the purpose of loading and unloading the items into their vehicles after purchase or hire,

but does not include a building or place used for the sale of foodstuffs or clothing unless their sale is ancillary to the sale of bulky goods.

**bushfire hazard reduction** means a reduction or modification (by controlled burning or mechanical or manual means) of material that constitutes a bushfire hazard.

**business premises** means a building or place in which there is carried on an occupation, profession or trade which may or may not

provide a service or goods directly and regularly to the public, but (in Part 2) does not include a building or place elsewhere defined in this dictionary.

**car park** means a building or place (other than a building or place used in conjunction with a dwelling) used for parking vehicles, whether operated for gain or not, and includes any manoeuvring space and access to that building or place.

**caravan park** means land used as a site for moveable dwellings, including tents and caravans or other vehicles used for temporary or permanent accommodation.

**child care centre** means a building or place used for the purpose of supervising or caring for children which:

- (a) caters for more than 5 children who have not reached the compulsory school-age (as defined in the Education Act 1990), whether or not those children are related to the owner or operator of the building or place, and
- (b) may be used for education, and
- (c) may operate for the purpose of gain,

but does not include a building or place providing residential care for those children.

**club** means a building or place which is used for social, literary, political, sporting or any other lawful use which is, or intended to be, registered under the Registered Clubs Act 1976, whether or not the building or place is licensed to sell liquor under the Liquor Act 1982.

**communication facility** means a building, structure, work or place used primarily for transmitting or receiving signals for the purpose of communication, and includes radio masts, towers, satellite dishes, cables and the like, but does not include any reception device attached to a dwelling for domestic purposes.

**community facility** means a building or place owned or controlled by a public authority or a charitable or voluntary organisation which may provide for the physical, social, cultural or intellectual development or welfare of the local community, but (in Part 2) does not include a building or place elsewhere defined in this dictionary.

**conservation plan** means a document establishing the heritage significance of a heritage item or a heritage conservation area and identifying conservation policies and management practices that are appropriate to enable that significance to be retained.

**container depot** means a building or place which is used for:

- (a) the unloading or unpacking (or both) of shipping containers for delivery to individual consignees, or

- (b) the consolidation of goods from different consignors into full shipping container loads for despatch, or
- (c) the repair, refitting or storage of shipping containers,

but does not include a building or place used for container handling that is merely ancillary or incidental to the primary use of the building or place.

**contaminated land** has the same meaning as in Part 7A of the Act.

**Council** means the Council of the City of Randwick.

**demolition**, in relation to a heritage item or a building in a heritage conservation area, means the damaging, defacing, destruction, pulling down or removal of the heritage item or building, in whole or in part.

**dwelling** means a room or number of rooms occupied or used, or so constructed or adapted as to be capable of being occupied or used, as a separate residence.

**dwelling house** means a building containing one (but not more than one) dwelling.

**ecologically sustainable development (ESD)** means development that uses, conserves and improves the community's resources so that ecological processes, on which life depends, are maintained, and the total quality of life, now and in the future, can be increased. These principles of ESD relate to precautionary decision making, intergenerational equity, conservation of biodiversity and improved valuation of resources.

**educational establishment** means a building or place used for education (including teaching) and includes:

- (a) a school, and
- (b) a tertiary institution, being a university, TAFE establishment, teachers' college or other tertiary college providing formal education which is constituted by or under an Act, and
- (c) an art gallery, library or museum, not being an art gallery, library or museum in which any items on display are for sale,

whether or not accommodation for staff and students is provided and whether or not used for the purpose of gain.

**environmental management works** means a structure or work identified in a plan of management for Zone No 7 that provides the following:

- (a) nature study or display facilities such as walking tracks, board walks, observation decks, interpretation signage, bird hides, or the like,

- (b) ongoing environmental management work such as bush restoration, wetland restoration, erosion and run off prevention works, bank stabilisation, dune restoration, bushfire hazard reduction, or the like,
- (c) passive recreation areas such as picnic grounds and structures incidental to the functioning of the area, such as picnic shelters, play equipment, sheds and toilet facilities, roads and their maintenance,
- (d) provision and management of public utility undertakings.

**Excavation and filling of land** means the removal or placement of soil or rock, whether moved to another part of the same site or to another site.

**floor space ratio** means the ratio of the total gross floor area of all buildings (existing and any proposed) to the site area.

**generating works** means a building or place used for the purpose of making or generating gas, electricity or other forms of energy, but does not include energy efficiency devices (such as solar panels) attached to buildings where they are intended only for the use of the building to which they are attached.

**gross floor area** means the sum of the areas of each level of a building where the area of each level is taken to be the area within the inner face of the external enclosing walls and the area of any attic measured at 2.1 metres above the floor level of the attic excluding:

- (a) columns, fin walls, shading devices, awnings, balconies and any other elements, projections or works outside the general lines of the outer face of the external wall, and
- (b) lift towers, cooling towers, machinery and plant rooms, and air-conditioning ducts, and
- (c) associated car parking and any internal vehicular or pedestrian access to that parking (to ground level), and
- (d) space for the loading and unloading of goods.

**ground level** means the level of a site that existed at the appointed day.

**ground level**, in relation to land covered by the Defence site Kingsford DCP, means the ground level that exists after completion of earthworks and re-contouring of the site as determined by the applicable Commonwealth works approval or by any development consent issued for the land. Any variation will require the approval of Council.

**ground level**, in relation to land covered by the Prince Henry Site DCP, means the ground level that exists after completion of the initial redevelopment earthworks and re-contouring of the site as determined by any development consent issued for the land.

**habitat corridor** means an area of habitat that enables migration, colonisation, interbreeding within populations of native plants and animals, between two areas of habitat. Habitat corridors may consist of a sequence of discontinuous areas of habitat, such as feeding trees, caves, wetlands and roadside vegetation.

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

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

**hazardous storage establishment** means an establishment where goods, materials or products are stored which, when in operation and when all measures proposed to minimise its impact on the locality have been employed (including measures to isolate the establishment from existing or likely future development on other land in the locality), would pose a significant risk in relation to the locality:

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

**health consulting room** means a room or a number of rooms forming either the whole or part of, attached to, or within the curtilage of, a dwelling house used by not more than 3 practitioners providing health care services (including dental and optical services) to members of the public.

**helicopter landing site** means a place, not open to the public, used for the taking off and landing of helicopters, whether or not facilities for the parking, storage, refuelling or repair of helicopters is also provided.

**heliport** means a place open to the public used for the taking off and landing of helicopters, whether or not it includes a terminal building or facilities for the parking, storage or repair of helicopters.

**heritage conservation area** means land shown by distinctive edging on the map and includes buildings, works, relics, trees and places situated on or within that land.

**heritage impact statement** means a document consisting of:

- (a) a statement demonstrating the heritage significance of a heritage item, archaeological site, place of Aboriginal heritage significance or other heritage conservation area, and
- (b) an assessment of the impact that proposed development will have on that significance, and
- (c) proposals for measures to minimise that impact.

**heritage item** means a building, work, relic, tree or place listed in Schedule 2.

**heritage significance** means historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance.

**home activity** means any business, profession or industry carried on in a building or room or a number of rooms forming part of, attached to, or within the curtilage of, a dwelling, where:

- (a) only goods made or produced, or services offered, as a result of the activity or pursuit are displayed, sold or provided, and
- (b) the primary use of the dwelling is for residential purposes, and
- (c) the activity or pursuit does not:
  - (i) interfere with the amenity of the locality by reason of the emission of excessive noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil or otherwise, or
  - (ii) involve exposure to view from any public place of any matter, or
  - (iii) require the provision of any essential service main of a greater capacity than that available in the locality, or
  - (iv) generate traffic out of keeping with the surrounding area, and
- (d) the activity is carried out by the permanent residents of the dwelling,

but (in Part 2) does not include any land use elsewhere defined in this dictionary.

**hospital** means a building or place used for providing professional health services (including preventative care, diagnosis, medical or surgical treatment or counselling) to people and includes:

- (a) ancillary facilities for the accommodation of nurses or other health care workers, ancillary shops or refreshment rooms and ancillary accommodation for persons receiving health care or for their visitors, and
- (b) facilities situated in the building or at the place and used for educational or research purposes, whether or not they are used only by hospital staff or health care workers, and whether or not any such use is a commercial use,

but (in Part 2) does not include a building or place elsewhere defined in this dictionary.

**hotel** means a building or place specified in a hotelier's licence granted under the Liquor Act 1982.

**industry** means the manufacturing, assembling, altering, repairing, renovating, storing, ornamenting, finishing, cleaning, washing, dismantling, processing or adapting of any goods or articles for a commercial purpose, but (in Part 2) does not include any land use elsewhere defined in this dictionary.

**known or potential archaeological site** means a site identified in Schedule 2 or shown by distinctive shading on the map, and includes a site known to the Council to have archaeological potential even if it is not so identified and shown.

**landscape and garden supplies** means a building or place where tress, shrubs, plants, bulbs, seeds and propagating material are offered for sale (whether by retail or wholesale), and may include the sale of landscape supplies (including earth products or other landscaping and horticulture products) and the carrying out of horticulture.

**landscaped area** means the part of a site area that is used, or capable of being used, for outdoor recreation or garden areas (such as lawns, gardens, unroofed swimming pools, clothes drying areas, barbecue areas, footpaths and the like) and includes landscaped podium areas and water tanks located at ground level. It does not include areas used for parking, driveways, balconies, rooftop gardens or areas used for garbage or recycling material storage or sorting.

**light industry** means an industry in which the processes carried on, the transportation involved, or the machinery or materials used, do not interfere unreasonably with the amenity of the neighbourhood, but (in Part 2) does not include any land use (other than industry) elsewhere defined in this dictionary.

**loft** means a space within the roof of a dwelling or of a building containing a dwelling, that is open to and part of the dwelling immediately below.

**low-impact telecommunication facility** means a low-impact facility within the meaning of the *Telecommunications (Low-impact Facilities) Determination 1997* of the Commonwealth made under the *Telecommunications Act 1997* of the Commonwealth.

**maintenance** means the continuous protective care of the fabric of a heritage item and its setting or a heritage conservation area.

**management plan** means a plan of management approved by Council, for land within an Environmental Protection or Open Space Zone. It can include any plan of management, management plan or management statement adopted under the Local Government Act 1993, the Crown Lands Act 1989, the National Parks and Wildlife Act 1974, the Threatened Species Conservation Act 1995, the Fisheries Management Act 1994, the Environment Protection and Biodiversity Conservation Act 1999 of the Commonwealth or the Rural Fires Act 1997, or prepared on behalf of a landowner.

**market** means retail premises comprising an open-air area or an existing building used for the purpose of selling, exposing or offering goods, merchandise or materials for sale by independent stall holders, and includes temporary structures and existing permanent structures used for that purpose on an intermittent or occasional basis.

**medical centre** means a building or place used for providing professional health services (including preventative care, diagnosis, medical or surgical treatment or counselling) where overnight accommodation for patients is not provided.

**motel** means a building providing short-term accommodation for travellers or tourists, but (in Part 2) does not include a building elsewhere defined in this dictionary.

**multi-unit housing** means two or more dwellings, whether or not attached.

**natural heritage areas** means land with natural heritage values that may include but are not limited to:

- (a) species, populations, ecological communities and habitats,
- (b) ecological and environmental processes,
- (c) natural or modified wetlands,
- (d) groundwater,
- (e) the soil and all its components, including seed banks,
- (f) ground surface features, including bush rock, etc,
- (g) geological and topographical features, both above and below ground.

**natural heritage item or natural heritage conservation area** means heritage items or conservation areas with natural heritage significance and values listed in Schedule 2 (Heritage Items) or included as a conservation area on the maps supporting this plan.

**natural water cycle design** means the application of a wide variety of design and management practices that are complementary to the natural water cycle, minimise disturbance to natural water courses, minimise on-site water usage and maximise rainwater harvesting opportunities, such as water sensitive urban design and water smart design.

**neighbourhood shop** means retail premises used for the selling of foodstuffs, personal care products, and other small daily convenience goods for the day-to-day needs of people who live or work in the local area, and may include ancillary services such as a post office, bank, newsagency or dry cleaning.

**offensive industry** means an industry which, when in operation and when all measures proposed to minimise its impact on the

locality have been employed (including measures to isolate the industry from existing or likely future development on other land in the locality), would emit a polluting discharge (including noise) in a manner which would have a significant adverse impact on the locality or on the existing or likely future development on other land in the locality.

***offensive storage establishment*** means any establishment where goods, materials or products are stored which, when in operation and when all measures proposed to minimise its impact on the locality have been employed (including measures to isolate the establishment from existing or likely future development on other land in the locality), would emit a polluting discharge (including noise) in a manner which would have a significant adverse impact on the locality or on the existing or likely future development on other land in the locality.

***outdoor advertising*** means the use of a building or place for the display of symbols, messages or other devices for promotional purposes or for conveying information, instructions, directions or the like, whether or not the display involves the erection of a structure.

***panel beating workshop*** means a building or place used for the purpose of carrying out repairs to motor vehicles and agricultural machinery, where the work involved includes:

- (a) body building, or
- (b) panel beating (which may or may not involve dismantling), or
- (c) spray painting.

***place of worship*** means a building or place used for religious worship, whether or not the building or place is also used for counselling, social events, instruction or religious training by a congregation or religious group.

***plant nursery*** means a building or place used for both the growing and selling, whether by retail or wholesale, of plants, whether or not landscape supplies (including earth products) and other landscape and horticultural products are also sold there.

***plant and equipment hire*** means a building or place where plant and equipment are stored and displayed and are available for hire or lease to persons for temporary use, but does not include premises used for hiring home entertainment equipment, such as stereo sound systems, televisions, video cassette recorders, video tapes and the like.

***port facilities*** means facilities, including buildings, structures and activities, for the loading and unloading of cargo from ships.

***potentially hazardous industry*** means a development for the purposes of an industry which, if the development were to operate without employing any measure (including isolation from existing or likely future development on other land) to reduce or minimise

its impact on the locality or on the existing or likely future development on other land, would pose a significant risk in relation to the locality:

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

and includes a hazardous industry and use of a hazardous storage establishment.

***potentially offensive industry*** means development for the purposes of an industry which, if the development were to operate without employing any measure (including isolation from existing or likely future development on other land) to reduce or minimise its impact on the locality or on the existing or likely future development on other land, would emit a polluting discharge (including, for example, noise) in a manner which would have a significant adverse impact on the locality or on the existing or likely future development on other land, and includes an offensive industry and use of an offensive storage establishment.

***public transport*** means the use of a building or place for providing passenger transport facilities to the general public, whether or not those facilities are provided by a public authority.

***public utility undertaking*** means any undertaking other than a communication facility carried on by, or by authority of, any public authority, or in pursuance of any Commonwealth or State Act, for the purpose of:

- (a) railway, road or air transport, or
- (b) the provision of sewerage or drainage services, or
- (c) the supply of water, hydraulic power, electricity or gas, or
- (d) low-impact telecommunication facilities.

***rare species*** means those species identified as rare species in *Rare or Threatened Australian Plants* (1995) by Briggs & Leigh.

***recreation*** means the use of an area or place for:

- (a) a children's playground, or
- (b) recreational or leisure activities which promote the physical, cultural or intellectual welfare of persons within the community,

but (in Part 2) does not include any land use elsewhere defined in this dictionary.

***recreation facility*** means a building or a work used for a sporting, exercise or leisure activity, and includes golf courses, racecourses, showgrounds, bowling greens, tennis courts and the like, including any ancillary club building, but (in Part 2) does not include a building or work elsewhere defined in this dictionary.

**relic** means any deposit, object or material evidence (including human remains) terrestrial or underwater relating to:

- (a) the use or settlement of the area of the City of Randwick, not being Aboriginal habitation, which is more than 50 years old, or
- (b) Aboriginal habitation of the area of the City of Randwick, whether before and or after its occupation by persons of European extraction.

**renewable energy** means alternative (non-fossil fuel) energy sources, such as solar technology for hot water heaters and lighting in open space areas.

**residential care facilities** means accommodation for older people, including hostels and nursing homes, that includes:

- (a) meals and cleaning services, and
- (b) personal care or nursing care, or both, and
- (c) appropriate staffing, furniture, furnishings and equipment for the provision of that accommodation and care,

not being a dwelling, hospital or psychiatric facility.

**restaurant** means a building or place used for the provision of food or drink (or both), whether or not for consumption on the premises or for takeaway.

**restricted premises** means a building or place in which are displayed, or available for sale or rental, material (whether literature, video, film or goods and articles) used or intended for use in connection with sexual behaviour and classified or refused classification under the Classification (Publications, Films and Computer Games) Act 1995 of the Commonwealth or to which section 578E of the Crimes Act 1900 applies, but does not include a newsagency, pharmacy or video rental store.

**riparian land** means any land which adjoins, directly influences, or is influenced by a body of water, such as a watercourse or wetland.

**service station** means a building or place used for the fuelling of motor vehicles involving the sale by retail of petrol, oil and other petroleum products, whether or not the building or place is also used for any one or more of the following purposes:

- (a) the hiring of trailers,
- (b) the retail selling or the installing of spare parts and accessories for motor vehicles,
- (c) the washing and greasing of motor vehicles,
- (d) the repairing and servicing of motor vehicles (other than body building, panel beating or spray painting),

(e) the retail selling or hiring of small consumer goods.

**serviced apartment** means a dwelling which is cleaned and otherwise serviced or maintained by the owner or manager of the building or the owner's or manager's agent, and which provides temporary accommodation for people whose principal place of residence is elsewhere.

**site area**, in relation to development, means the area of land to which an application for consent to carry out development relates, but does not include any part of that land on which the development is not permitted by or under this plan or any other environmental planning instrument.

**the Act** means the Environmental Planning and Assessment Act 1979.

**the map** means the series of maps marked "Randwick Local Environmental Plan 2008"

**threatened items** means those species, populations and ecological communities listed as endangered or vulnerable in the schedules of the Threatened Species Conservation Act 1995, the Fisheries Management Act 1994 and the Environment Protection and Biodiversity Conservation Act 1999 of the Commonwealth.

**threatening processes** means processes that threaten, or have the capability to threaten, the survival or evolutionary development of species, populations or ecological community. Threatening processes include those identified as threatening processes in the appendices of Council's most current State of the Environment Report and threatening processes identified as 'key threatening processes' under the Threatened Species Conservation Act 1995, the Fisheries Management Act 1994 and the Environment Protection and Biodiversity Conservation Act 1999 of the Commonwealth.

**timber and building supplies** means a building or place used for the display and sale (whether by retail or wholesale, or both) of goods or materials used in the construction and maintenance of buildings, where those goods or materials are of such a size or weight as to require customers to have direct vehicular access to the building or place in order to load or unload those goods or materials.

**transport depot** means a building or place used for the bulk handling of goods for transport by road, including facilities for the loading and unloading of vehicles used to transport those goods and the parking, servicing, repair or storage of those vehicles, and may include a depot used in connection with a business, industry or shop, but (in Part 2) does not include a building or place elsewhere defined in this dictionary.

**veterinary establishment** means a building or place used for the medical or surgical treatment of animals, whether or not animals are kept or boarded on the premises.

**wall height** means the vertical distance from the highest point on an external wall to the ground level of the site. Each external wall height measurement must include gable ends and attic walls with an area over 6 metres<sup>2</sup> and dormer windows that protrude horizontally from the roof more than 2.5 metres.

**warehouse** means a building or place principally used for storing, handling or displaying items (whether goods or materials) which have been produced or manufactured for sale, other than retail sale to the public from the building or place.

**waste management facility** means a facility used for the storage, treatment, purifying or disposal of waste, whether or not it is also used for the sorting, processing, recycling, recovering, use or reuse of material from that waste, and whether or not any such operations are carried out on a commercial basis. It may include but is not limited to:

- (a) an extractive industry ancillary to, required for or associated with the preparation or remediation of the site for such storage, treatment, purifying or disposal, and
- (b) eco-generating works ancillary to or associated with such storage, treatment, purifying or disposal.

**watercourse** means a stream of water or channel marked on the map, whether perennial or intermittent or whether flowing in a natural channel, or in a natural channel artificially improved, or in an artificial channel and any branch or other stream into or from which any such stream flows, and in the case of a stream running to the sea or into a coastal bay or inlet or coastal lake, includes the estuary of the stream influenced by tidal waters.

**wetland** means:

- (a) natural wetland including marshes, mangroves, backwaters, billabongs, swamps, sedgelands, wet meadows or wet heathlands that form a shallow waterbody (up to 2 metres in depth) when inundated cyclically, intermittently or permanently with fresh, brackish or salt water, and where the inundation determines the type and productivity of the soils and the plant and animal communities, or
- (b) artificial wetland, including marshes, swamps, wet meadows, sedgelands or wet heathlands that form a shallow water body (up to 2 metres in depth) when inundated cyclically, intermittently or permanently with water, and are constructed and vegetated with wetland plant communities.