



New South Wales

State Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (Miscellaneous) 2024

under the

Environmental Planning and Assessment Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979*.

PAUL SCULLY, MP
Minister for Planning and Public Spaces

State Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (Miscellaneous) 2024

under the

Environmental Planning and Assessment Act 1979

1 Name of policy

This policy is *State Environmental Planning Policy (Exempt and Complying
Development Codes) Amendment (Miscellaneous) 2024*.

2 Commencement

This policy commences on the day on which it is published on the NSW legislation
website.

3 Repeal of policy

This policy is repealed at the beginning of the day following the day on which this
policy commences.

Schedule 1 Amendment of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

[1] Clause 1.16 General requirements for exempt development

Insert after clause 1.16(3)(b), example—

- (c) not involve the removal of—
 - (i) non-friable asbestos from an area of more than 10m², or
 - (ii) friable asbestos.

Note— Residential buildings constructed before 1990 may contain asbestos. See *Code of practice: How to safely remove asbestos* published by SafeWork NSW in December 2022 and www.asbestos.nsw.gov.au for further information.

[2] Clause 1.16(4) and (5)

Insert after clause 1.16(3)—

- (4) Subclause (3)(c) does not apply if the removal is carried out by a licensed asbestos removalist.
- (5) In this clause—
friable asbestos, *licensed asbestos removalist* and *non-friable asbestos* have the same meaning as in the *Work Health and Safety Regulation 2017*.

[3] Clause 1.17 What development is complying development?

Omit clause 1.17(1), note.

[4] Clause 1.19 Land on which complying development may not be carried out

Omit clause 1.19(3)(a) and (c).

[5] Clause 2.6 Development standards

Insert “if located on the ground floor—” before “be not higher” in clause 2.6(1)(d).

[6] Clause 2.6(3)

Insert after clause 2.6(2)—

- (3) The air-conditioning unit must not be a mechanical air-handling system, unless it is constructed or installed on a class 1a or 10 building or a temporary structure.

[7] Clause 2.26 Development standards

Omit the note.

[8] Clause 2.30C Specified development

Insert “if the development is not carried out on or in a heritage item or a draft heritage item or in an environmentally sensitive area” after “code”.

[9] Clause 2.32G Specified development

Omit clause 2.32G(1). Insert instead—

- (1) The following development, if carried out on a relevant landholding, is specified for this code—
 - (a) the use of land for the purposes of farm experience premises,

- (b) a change of use from farm experience premises to the previous lawful use of the land.

[10] Clause 2.32G(3)

Insert after clause 2.32G(2)—

- (3) In this clause—

relevant landholding means a landholding—

- (a) in Zone RU1 Primary Production, Zone RU2 Rural Landscape or Zone RU4 Primary Production Small Lots, or
- (b) on which development for the purposes of one of the following is permitted with or without development consent under an environmental planning instrument—
 - (i) agritourism,
 - (ii) extensive agriculture,
 - (iii) intensive livestock agriculture,
 - (iv) intensive plant agriculture.

[11] Clause 2.32H Development standards

Omit “specified for the development” from clause 2.32H(1).

Insert instead “specified for development referred to in clause 2.32G(1)(a)”.

[12] Clauses 2.32H(1)(c) and (d), 2.32J(c) and (d) and 9.5(a) and (b)

Omit “gross floor area” wherever occurring. Insert instead “footprint”.

[13] Clauses 2.32H(1)(h) and 9.5(i)

Omit “a building, including a stable, stock yard or poultry shed, used to house animals on neighbouring land” wherever occurring.

Insert instead “another building on neighbouring land, including a stable, stock yard or poultry shed, used to house animals”.

[14] Clauses 2.32H(1)(m) and 2.32J(j)

Omit “temporary structure” wherever occurring. Insert instead “tent or marquee”.

[15] Clauses 2.32H(1)(o), 2.32J(l) and 9.5(j)

Omit “accommodation” wherever occurring. Insert instead “premises”.

[16] Clauses 2.32H(1)(p), 2.32J(m), 2.32L(i), 2.32N(k), 2.66AB(d), 9.5(k) and 9.10(f)

Omit “a vehicular access point” wherever occurring.

Insert instead “an existing vehicular access point”.

[17] Clause 2.32H(1A)

Insert after 2.32H(1)—

- (1A) The standard for development referred to in clause 2.32G(1)(b) is that the development must not contravene an existing condition of the most recent development consent that applies to the land.

[18] Clause 2.32H(2)

Insert in alphabetical order—

footprint means the area of the ground surface occupied by a building, including the walls, verandahs, balconies, footings, and roofing of the building, and extending to the perimeter of the foundations and other means of structural support to the building, excluding the area of access ramps, eaves and sunshade devices.

[19] Clause 2.32I Specified development

Omit clause 2.32I(1). Insert instead—

- (1) The following development, if carried out on a relevant landholding, is specified for this code—
 - (a) the use of land for the purposes of farm gate premises,
 - (b) a change of use from farm gate premises to the previous lawful use of the land.

[20] Clause 2.32I(3)

Insert after clause 2.32(2)—

- (3) In this clause—

relevant landholding means a landholding—

 - (a) in Zone RU1 Primary Production, Zone RU2 Rural Landscape or Zone RU4 Primary Production Small Lots, or
 - (b) on which development for the purposes of one of the following is permitted with or without development consent under an environmental planning instrument—
 - (i) agritourism,
 - (ii) extensive agriculture,
 - (iii) intensive livestock agriculture,
 - (iv) intensive plant agriculture.

[21] Clause 2.32J Development standards

Omit “specified for the development”.

Insert instead “specified for development referred to in clause 2.32I(1)(a)”.

[22] Clause 2.32J(2) and (3)

Insert at the end of clause 2.32J—

- (2) The standard for development referred to in clause 2.32I(1)(b) is that the development must not contravene an existing condition of the most recent development consent that applies to the land.
- (3) In this clause—

footprint means the area of the ground surface occupied by a building, including the walls, verandahs, balconies, footings, and roofing of the building, and extending to the perimeter of the foundations and other means of structural support to the building, excluding the area of access ramps, eaves and sunshade devices.

[23] Clause 2.32K Specified development

Omit clause 2.32K(1)(a) and (b).

Insert instead—

- (a) a change of use from residential accommodation to farm stay accommodation,
- (b) the use of a manufactured home for the purposes of farm stay accommodation,
- (b1) a change of use from farm stay accommodation to residential accommodation, if—
 - (i) the farm stay accommodation was previously residential accommodation, and
 - (ii) the change of use is to the same type of residential accommodation,
- (b2) a change of use from farm stay accommodation to the use of a manufactured home for the purposes of residential accommodation, if the manufactured home was previously used for residential accommodation,

[24] Clause 2.32L Development standards—change of use to, or use of manufactured home for, farm stay accommodation

Omit “dwelling” from clause 2.32L(e). Insert instead “manufactured home”.

[25] Clause 2.32L(e)(i)

Insert “or manufactured home” after “building”.

[26] Clause 2.32N Development standards—use of land for campervans, caravans and temporary shelters

Insert “located on the landholding or off-site” after “section 68” in clause 2.32N(q)(ii).

[27] Clause 2.51 Specified development

Insert after clause 2.51(2)—

- (3) A minor internal building alteration consisting of other remedial work necessary to repair or maintain a building is development specified for this code if the work is not carried out on or in a heritage item or a draft heritage item.

[28] Clause 2.53 Specified development

Insert after clause 2.53(f)—

- (g) other remedial work necessary to repair or maintain the building,

[29] Clause 2.70 Development standards

Omit “higher than 1.4m above the floor level of the structure it is enclosing” from clause 2.70(a).

[30] Clause 2.131 Specified development—extended trading hours of licensed premises generally

Omit “a regulation made under section 13 of that Act in connection with an event of that kind, and” from clause 2.131(b).

Insert instead “that Act, section 13.”.

[31] Clause 2.131(c)

Omit the paragraph.

[32] Part 2A Transitional development under former General Housing Code and related provisions

Omit the part.

[33] Clause 3.2 Development that is not complying development under this code

Insert after clause 3.2(1)(h)—

- (i) external alterations or additions to the following—
 - (i) the front of an existing attached dwelling or existing semi-detached dwelling, including any decorative elements at the front of the dwelling,
 - (ii) an existing balcony, deck, patio, pergola, terrace or verandah that is attached to the front of an existing attached dwelling or existing semi-detached dwelling,
 - (iii) an existing awning, blind or canopy that is attached to the front of an existing attached dwelling or existing semi-detached dwelling.

[34] Clause 3.2(2)

Omit “or eaves” wherever occurring in clause 3.2(2).

Insert instead “, eaves, downpipes or underground drainage”.

[35] Clause 3.2(2)(b)

Omit “and eaves”. Insert instead “, eaves, downpipes or underground drainage”.

[36] Clause 3.3 Determining lot type

Insert after clause 3.3(1)—

- (1A) When determining the lot type for this code, a lane is not to be considered a primary road.

[37] Clause 3.12A Other development standards for balconies, decks, patios, terraces and verandahs attached to side or rear of dwelling house—small lots

Omit clause 3.12A(1)–(3). Insert instead—

- (1) The erection of a balcony, deck, patio, terrace or verandah that is attached to the side or rear elevation of a dwelling house is permitted on a lot if—
 - (a) the area of the lot is at least 200m² but not more than 300m² and the width of the lot, measured at the building line, is more than 7m, or
 - (b) the area of the lot is more than 300m² and the width of the lot, measured at the building line, is more than 7m but not more than 10m.
- (2) The maximum height of the balcony, deck, patio, terrace or verandah is the lower of—
 - (a) 3m above the finished floor level of the balcony, deck, patio, terrace or verandah, and
 - (b) the roof gutter line of the dwelling house.
- (3) The balcony, deck, patio, terrace or verandah must not have a finished floor level of more than 1m above ground level (existing).

[38] Clauses 3.16(2), 3.23(1), 3A.28(2), 3B.18(4), 3B.30(4), 3B.43(4), 3B.50(1), 3C.19(2), 3C.26(1), 3D.15(2), 3D.27(4), 3D.38(7) and 3D.46(1)

Insert “and AS 3727.1:2016 *Pavements, Part 1: Residential*” after “AS/NZS 2890.1:2004, *Parking facilities, Part 1: Off-street car parking*” wherever occurring.

[39] Clause 3.22 Heritage conservation areas

Omit “Detached development may not be erected” from clause 3.22(1).

Insert instead “The erection or alteration of, or an addition to, detached development must not be carried out”.

[40] Clause 3.22(2)

Omit “detached development (other than a detached studio) may be erected on the lot in a heritage conservation area or draft heritage conservation area if it”.

Insert instead “the erection or alteration of, or an addition to, detached development, other than development involving a detached studio, may be carried out on the lot in a heritage conservation area or draft heritage conservation area if the detached development”.

[41] Clause 3.22(3)

Insert after clause 3.22(2), before the note—

- (3) The alteration of, or an addition to, detached development must use materials, finish and design that are similar to the existing building so as not to alter the appearance of the existing building.

[42] Clause 3.28 Development standards for swimming pools

Omit clause 3.28(3). Insert instead—

- (3) The pump must be—
 - (a) housed in a soundproofed enclosure, and
 - (b) located more than 450mm from each lot boundary.

Note— See the regulations under the *Protection of the Environment Operations Act 1997* for offences relating to the use of pumps on residential premises.

- (3A) A heat pump water heater must be designed so as not to operate—
 - (a) during peak time—at a noise level that is more than 5 dB(A) above the ambient background noise level measured at any property boundary, and
 - (b) during off peak time—at a noise level that is audible in habitable rooms of adjoining residences.

[43] Clause 3.30 Earthworks, retaining walls and structural support

Insert after clause 3.30(1)—

- (1A) Excavation for the purposes of a pier in a pier and beam foundation may exceed the maximum depth specified in subclause (1) if a professional engineer has certified the depth of the excavation.

[44] Clause 3.30(2)

Omit “subclause (1)”. Insert instead “subclauses (1) and (1A)”.

[45] Clauses 3.33(2), 3A.24A(1), 3C.36(2) and 3D.64(2)

Insert “and an adjoining lot” after “the lot” wherever occurring.

[46] Clause 3A.6, heading

Insert “**and determining lot type**” after “**area**”.

[47] Clause 3A.6(2)

Insert at the end of clause 3A.6—

- (2) When determining the lot type for this code, a lane is not to be considered a primary road.

[48] Clause 3A.29 Earthworks, retaining walls and structural support

Insert after clause 3A.29(1)—

- (1A) Excavation for the purposes of a pier in a pier and beam foundation may exceed the maximum depth specified in subclause (1) if a professional engineer has certified the depth of the excavation.

[49] Clause 3A.29(2)

Omit “subclause (1)”. Insert instead “subclauses (1) and (1A)”.

[50] Clause 3B.3 Determining lot type

Insert at the end of the clause—

- (2) When determining the lot type for this code, a lane is not to be considered a primary road.

[51] Clause 3B.13 Dwelling configuration on lot

Omit “be attached to each other by” from clause 3B.13(3A). Insert “share”.

[52] Clause 3B.14 Other development standards for new balconies, decks, patios, terraces and verandahs attached to side or rear of dual occupancy

Insert “above ground level (existing)” after “4m” in clause 3B.14(1).

[53] Clause 3B.14(1A)

Insert after clause 3B.14(1)—

- (1A) The floor level of the balcony, deck, patio, terrace or verandah must be the same as the floor level of the part of the dual occupancy to which it is attached.

[54] Clauses 3B.14(3), 3B.26(3) and 3B.39(3)

Insert “for each dwelling” after “12m²” wherever occurring.

[55] Clause 3B.18 Car parking and vehicle access requirements

Omit “**primary road**” from clause 3B.18(6), table, column 1, heading.

Insert instead “**road boundary**”.

[56] Clause 3B.18(6), table, column 2, heading

Insert “**boundary**” after “**road**”.

[57] Clause 3B.26 Other development standards for new balconies, decks, patios, terraces and verandahs attached to side or rear of dual occupancy or manor house

Insert “above ground level (existing)” after “4m” in clause 3B.26(1).

[58] Clause 3B.26(1A)

Insert after clause 3B.26(1)—

- (1A) The floor level of the balcony, deck, patio, terrace or verandah must be the same as the floor level of the part of the dual occupancy or manor house to which it is attached.

[59] Clause 3B.30 Car parking and vehicle access requirements

Insert “boundary” after “relevant road” in clause 3B.30(5).

[60] Clause 3B.30(5), table, columns 1 and 2, headings

Insert “**boundary**” after “**road**” wherever occurring.

[61] Clause 3B.36 Minimum setbacks and maximum height and length of boundary walls

Omit “600m²²–900m²” from clause 3B.36(5), table, column 1.

Insert instead “600m²–900m²”.

[62] Clause 3B.38 Dwelling configuration on lot

Omit clause 3B.38(3). Insert instead—

- (2A) Each terrace must share a common wall with each adjoining terrace.
(3) Each terrace, including any car parking space accessed from the primary road, must have a minimum width, measured at the building line, of 6m.

[63] Clause 3B.39 Other development standards for new attached side or rear balconies, decks, patios, terraces or verandahs

Insert “above ground level (existing)” after “4m” in clause 3B.39(1).

[64] Clause 3B.39(1A)

Insert after clause 3B.39(1)—

- (1A) The floor level of the balcony, deck, patio, terrace or verandah must be the same as the floor level of the part of the multi dwelling housing (terraces) to which it is attached.

[65] Clause 3B.43 Car parking and vehicle access requirements

Insert “from the relevant road boundary” after “minimum setback” in clause 3B.43(5).

[66] Clause 3B.43(5), table, column 1, heading

Omit “**primary road**”. Insert instead “**road boundary**”.

[67] Clause 3B.43(5), table, column 2, heading

Insert “**boundary**” after “**road**”.

[68] Clause 3B.50 Other development standards for detached garages and carports

Insert “**boundary**” after “**road**” wherever occurring in clause 3B.50(2) and (3), tables, column 2, headings.

[69] Clause 3B.56 Development standards for swimming pools

Omit clause 3B.56(3), including the note. Insert instead—

- (3) The pump must be—

- (a) housed in a soundproofed enclosure, and
- (b) located more than 450mm from each lot boundary.

Note— See the regulations under the *Protection of the Environment Operations Act 1997* for offences relating to the use of pumps on residential premises.

- (3A) A heat pump water heater must be designed so as not to operate—
 - (a) during peak time—at a noise level that is more than 5 dB(A) above the ambient background noise level measured at any property boundary, and
 - (b) during off peak time—at a noise level that is audible in habitable rooms of adjoining residences.

[70] Clause 3B.58 Earthworks, retaining walls and structural support

Insert after clause 3B.58(1)—

- (1A) Excavation for the purposes of a pier in a pier and beam foundation may exceed the maximum depth specified in subclause (1) if a professional engineer has certified the depth of the excavation.

[71] Clause 3B.58(2)

Omit “subclause (1)”. Insert instead “subclauses (1) and (1A)”.

[72] 3B.61 Setbacks of dual occupancies, manor houses, multi dwelling housing (terraces), attached development and detached development from protected trees

Insert “on the lot and any adjacent lot” after “each protected tree” in clause 3B.61(2).

[73] Clause 3C.1

Omit the clause. Insert instead—

3C.1 Land to which this code applies

This code applies to land within the Greenfield Housing Code Area.

Note— Land in the Greenfield Housing Code Area may still be subject to general exclusions from complying development provided for in this code.

[74] Clause 3C.4 Determining lot type

Insert after clause 3C.4(1)—

- (1A) When determining the lot type for this code, a lane is not to be considered a primary road.

[75] Clause 3.14A Other development standards for balconies, decks, patios, terraces and verandahs attached to side or rear of dwelling house—small lots

Renumber the clause as 3C.14A.

[76] Clause 3C.14A(1)–(3), as renumbered by Schedule 1[75]

Omit the subclauses. Insert instead—

- (1) The erection of a balcony, deck, patio, terrace or verandah that is attached to the side or rear elevation of a dwelling house is permitted on a lot if—
 - (a) the area of the lot is at least 200m² but not more than 300m² and the width of the lot, measured at the building line, is more than 7m, or
 - (b) the area of the lot is more than 300m² and the width of the lot, measured at the building line, is more than 7m but not more than 10m.

- (2) The maximum height of the balcony, deck, patio, terrace or verandah is the lower of—
 - (a) 3m above the finished floor level of the balcony, deck, patio, terrace or verandah, and
 - (b) the roof gutter line of the dwelling house.
- (3) The balcony, deck, patio, terrace or verandah must not have a finished floor level of more than 1m above ground level (existing).

[77] Clause 3C.31 Development standards for swimming pools

Insert after clause 3C.31(6)—

- (6A) If the dwelling house is on a corner lot, the swimming pool must also be behind the building line of the dwelling house adjacent to the secondary road boundary.

[78] Clause 3C.31(7)

Omit “from a side or rear boundary”. Insert instead—

from—

- (a) a side or rear boundary, or
- (b) a boundary with a secondary road.

[79] Clause 3C.33 Earthworks, retaining walls and structural support

Insert after clause 3C.33(1)—

- (1A) Excavation for the purposes of a pier in a pier and beam foundation may exceed the maximum depth specified in subclause (1) if a professional engineer has certified the depth of the excavation.

[80] Clause 3C.33(2)

Omit “subclause (1)”. Insert instead “subclauses (1) and (1A)”.

[81] Clause 3C.37 Conditions specified in this clause and Schedule 6 apply

Omit “opposite the boundary to which the front of the dwelling house faces” from clause 3C.37(4)(a).

Insert instead “between the dwelling house and the rear boundary”.

[82] Clause 3C.37(4)(b)

Omit “opposite the rear boundary of the dwelling house”.

Insert instead “between the dwelling house and the primary road boundary”.

[83] Clause 3D.2 Savings and transitional provision

Omit the clause.

[84] Clause 3D.5 Determining lot type

Insert at the end of the clause—

- (2) When determining the lot type for this code, a lane is not to be considered a primary road.

[85] Clause 3D.52 Development standards for swimming pools

Omit clause 3D.52(3), including the note. Insert instead—

- (3) The pump must be—
- (a) housed in a soundproofed enclosure, and
 - (b) located more than 450mm from each lot boundary.

Note— See the regulations under the *Protection of the Environment Operations Act 1997* for offences relating to the use of pumps on residential premises.

- (3A) A heat pump water heater must be designed so as not to operate—
- (a) during peak time—at a noise level that is more than 5 dB(A) above the ambient background noise level measured at any property boundary, and
 - (b) during off peak time—at a noise level that is audible in habitable rooms of adjoining residences.

[86] Clause 3D.52(4)

Omit “Subclause (3)”. Insert instead “Subclause (3)(a)”.

[87] Clause 3D.61 Earthworks, retaining walls and structural support

Insert after clause 3D.61(2)—

- (2A) Excavation for the purposes of a pier in a pier and beam foundation may exceed the maximum depth specified in subclause (1) if a professional engineer has certified the depth of the excavation.

[88] Clause 3D.61(3)

Omit “subclause (1)”. Insert instead “subclauses (1) and (2A)”.

[89] Clause 4.3 Specified development

Insert “, excluding the roof” after “level” in clause 4.3(b).

[90] Clause 4.3(2)

Insert at the end of clause 4.3—

- (2) External alterations to the following are not development specified for this code—
- (a) the front of an existing attached dwelling or existing semi-detached dwelling, including any decorative elements at the front of the dwelling,
 - (b) an existing balcony, deck, patio, pergola, terrace or verandah that is attached to the front of an existing attached dwelling or existing semi-detached dwelling,
 - (c) an existing awning, blind or canopy that is attached to the front of an existing attached dwelling or existing semi-detached dwelling.

[91] Clause 6.4 Development standards

Insert “, or must have been in one of the zones at the relevant time” after “Zone R3” in clause 6.4(1)(b).

[92] Clause 6.4(1)(d)(i)

Insert “, or that applied to the land at the relevant time” after “the land”.

[93] Clause 6.4(1)(d)(ii)

Insert “, or was at the relevant time,” after “minimum size is”.

[94] Clause 6.4(2)(a)

Omit “must be permissible, with consent, under an environmental planning instrument applying to the land on which the development is carried out”.

Insert instead—

must—

- (i) be permissible, with consent, under an environmental planning instrument applying to the land, or
- (ii) have been permissible, with consent, under an environmental planning instrument applying to the land at the relevant time,

[95] Clause 6.4(3) and (4)

Insert after clause 6.4(2)—

- (3) For development specified in clause 6.3(2), the reference in clause 1.18(1)(b) to an environmental planning instrument applying to the land includes a reference to an environmental planning instrument applying to the land at the relevant time.
- (4) In this clause—
relevant time, for development specified in clause 6.3(2), means the date on which the complying development certificate for the erection of a dual occupancy or multi dwelling housing (terraces) was issued under the Low Rise Housing Diversity Code.

[96] Clause 7.1 Specified development

Insert at the end of clause 7.1(2)(d)—

, or

- (e) a swimming pool.

[97] Clause 7.1(3)

Insert after clause 7.1(2)—

- (3) This part does not extend to demolition carried out as part of complying development under Part 3 or 4.

[98] Clause 7.2 Development standards

Omit “must be restored to the ground level (existing) adjacent to the pool, taking into account the gradient of the site” from clause 7.2(4).

Insert instead—

must —

- (a) be restored to the ground level (existing) adjacent to the pool, taking into account the gradient of the site, and
- (b) if the development is in a heritage conservation area or a draft heritage conservation area—be a landscaped area.

[99] Clause 7.2(5)(b)

Insert “in accordance with AS 3798-2007 *Guidelines on earthworks for commercial and residential developments*” after “compacted”.

[100] Clause 9.3A

Insert after clause 9.3—

9.3A Development on landslide risk land

Development is not development specified for this code if it is carried out on land identified as susceptible to landslide risk in an environmental planning instrument applying to the land.

[101] Clause 9.10 General development standards

Insert at the end of the clause—

- (2) This clause does not apply to development referred to in clause 9.8(b).

[102] Clause 9.11 Additional development standards for change of use to farm stay accommodation

Insert before clause 9.11(a)—

- (a1) the landholding on which the building is located must have an area of at least 15ha,
(a2) the building must be located—
(i) on the same lot as a lawfully erected dwelling house, or
(ii) on a lot that is at least the minimum size permitted under the environmental planning instrument applying to the land,

[103] Clause 9.13 Additional development standards for erection of buildings or alteration of, or additions to, buildings or manufactured homes

Insert at the end of the clause—

- (2) Subclause (1)(a) does not apply to development involving the alteration of, or additions to, an existing building or manufactured home used for residential accommodation.

[104] Schedule 3 Complying development codes—variations

Omit the matter relating to Queanbeyan-Palerang from Part 1.

[105] Schedule 5 Land excluded from the Housing Code, Inland Code or Low Rise Housing Diversity Code

Omit the following—

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 City of Sydney Complying Development Land Map (SEPP_ECD_7200_LCD_012_20210316)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 City of Sydney Complying Development Land Map (SEPP_ECD_7200_LCD_018_20210316)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 City of Sydney Complying Development Land Map (SEPP_ECD_7200_LCD_019_20210316)

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Lake Macquarie Complying Development Land Map (SEPP_ECD_4650_LCD_002_20130730)

[106] Schedule 6, clause 14 and Schedule 6A, clause 22

Insert “, including any driveway or crossover,” after “the access point” wherever occurring.

**[107] Schedule 11 Conditions applying to complying development certificates under the
Agritourism and Farm Stay Accommodation Code**

Insert after clause 16—

16A Evacuation diagrams

An evacuation diagram displaying the following must be located in a prominent position at or near the farm gate premises, farm experience premises or farm stay accommodation—

- (a) directions to facilitate the safe evacuation of people from the site,
- (b) contact details for emergency services, including for a bush fire, flood or other natural disaster.

Schedule 2 Amendment of State Environmental Planning Policy (Transport and Infrastructure) 2021

[1] Sections 2.20(2)(j) and 2.22(2)(i)

Omit “*Working with Asbestos: Guide 2008* (ISBN 0 7310 5159 9) published by the WorkCover Authority” wherever occurring.

Insert instead “*Code of practice: How to safely remove asbestos* published by SafeWork NSW in December 2022”.

[2] Section 3.16 General requirements for exempt development

Omit “*How To Safely Remove Asbestos: Code of Practice* (ISBN 978 0 642 33317 9) published by Safe Work Australia” from section 3.16(3)(h).

Insert instead “*Code of practice: How to safely remove asbestos* published by SafeWork NSW in December 2022”.

[3] Schedule 10 Exempt development—Chapter 5

Omit “WorkCover Authority’s *Working with Asbestos Guide 2008* (ISBN 0 7310 5159 9)” from section 1(1)(b).

Insert instead “*Code of practice: How to safely remove asbestos* published by SafeWork NSW in December 2022”.

[4] Schedule 12 Exempt development—Chapter 6

Omit “*How To Safely Remove Asbestos: Code of Practice* published by Safe Work Australia in July 2020” from section 1(1)(c).

Insert instead “*Code of practice: How to safely remove asbestos* published by SafeWork NSW in December 2022”.