

# State Environmental Planning Policy No 60—Exempt and Complying Development (2000 EPI 93)

[2000-93]



New South Wales

## Status Information

### Currency of version

Repealed version for 1 March 2011 to 21 February 2014 (accessed 23 December 2024 at 17:32)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

### Provisions in force

The provisions displayed in this version of the legislation have all commenced.

### Notes—

- **Repeal**

The Policy was repealed by cl 3 (d) of the *State Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (Commercial and Industrial Development and Other Matters) 2013 (706)* (LW 20.12.2013) with effect from 22.2.2014.

### Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 22 February 2014

# State Environmental Planning Policy No 60—Exempt and Complying Development (2000 EPI 93)



New South Wales

## Contents

<b>Part 1 Preliminary</b> .....	4
1 What is the name of this Policy? .....	4
2 What are the aims of this Policy? .....	4
3 Definitions and notes .....	5
4 Where does this Policy apply? .....	5
5 How this Policy affects other environmental planning instruments .....	5
<b>Part 2 Exempt development</b> .....	5
6 What this Part does .....	5
7 What development is exempt development .....	6
<b>Part 3 Complying development</b> .....	7
8 What this Part does .....	7
9 What development is complying development? .....	8
10 Conditions of complying development certificates .....	10
11 Removal of small trees .....	10
<b>Part 4 Subdivision, building and demolition controls</b> .....	10
12 What this Part does .....	10
13 Subdivision of land .....	10
14 Erection of a building or demolition of a building or work .....	10
15 Who is the consent authority? .....	11

<b>Part 5 General</b> .....	11
16 Suspension of certain laws .....	11
17 Development physically commenced before amendment of SEPP 4 .....	12
<b>Schedule 1 Where does this Policy apply?</b> .....	12
<b>Schedule 2 (Repealed)</b> .....	13
<b>Schedule 3 Exempt development</b> .....	13
<b>Schedule 4 Complying development in metropolitan Sydney</b> .....	14
<b>Schedule 5 Complying development in regional NSW</b> .....	16
<b>Schedule 6 Conditions of complying development certificates in metropolitan Sydney</b> .....	17
<b>Schedule 7 Conditions of complying development certificates in regional NSW</b> .....	19

# State Environmental Planning Policy No 60—Exempt and Complying Development (2000 EPI 93)



New South Wales

## Part 1 Preliminary

### 1 What is the name of this Policy?

This Policy is *State Environmental Planning Policy No 60—Exempt and Complying Development*.

### 2 What are the aims of this Policy?

The aims of this Policy are:

- (a) to provide for exempt development and complying development in certain local government areas that have not provided for those types of development through a local environmental plan:
  - (i) by identifying the development of minimal environmental impact that is to be exempt development (and that, consequently, may be carried out without the need for development consent), and
  - (ii) by identifying the development that is to be complying development (and that, consequently, may be carried out in accordance with a complying development certificate and the applicable provisions of an environmental planning instrument, development control plan or the regulations made under the Act) and specifying the development standards for that development, and
  - (iii) by identifying complying development separately for metropolitan Sydney and regional areas of New South Wales, and
  - (iv) by specifying the conditions to which complying development certificates are subject, and
- (b) to provide that development comprising the subdivision of land, the erection of a building or demolition, to the extent to which it does not already require development consent under another environmental planning instrument in order to be carried out,

cannot be carried out except with development consent.

### 3 Definitions and notes

(1) In this Policy:

**metropolitan Sydney** means the land to which this Policy applies to the extent specified in Part 1 of Schedule 1.

**regional NSW** means the areas specified in Part 2 of Schedule 1.

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

(2) Notes included in this Policy are explanatory notes and do not form part of this Policy.

### 4 Where does this Policy apply?

(1) This Policy applies to metropolitan Sydney and regional NSW, except as provided by this Policy.

(2) This Policy does not apply to the following land:

Land to which *State Environmental Planning Policy (Kosciuszko National Park—Alpine Resorts) 2007* applies

### 5 How this Policy affects other environmental planning instruments

(1) (Repealed)

(2) This Policy prevails over any other environmental planning instrument made before or after this Policy to the extent of any inconsistency:

(a) except:

(i) (Repealed)

(ii) *State Environmental Planning Policy No 55—Remediation of Land*, and

(b) except as otherwise expressly provided by:

(i) this Policy, or

(ii) any other environmental planning instrument that commences after the day on which this Policy commences.

## Part 2 Exempt development

### 6 What this Part does

This Part identifies the development and the requirements that must be met in respect of it for the development to be carried out without development consent as exempt

development.

**Note—**

The Act states that exempt development:

- must be of minimal environmental impact, and
- 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
- cannot be carried out in a wilderness area (identified under the *Wilderness Act 1987*).

## **7 What development is exempt development**

- (1) Development specified in Schedule 3 that meets the standards for the development contained in that Schedule and that complies with the requirements of this clause is exempt development for the purposes of this Policy.
- (2) To be exempt development:
  - (a) the development must:
    - (i) meet the relevant deemed-to-satisfy provisions of the *Building Code of Australia*, and
    - (ii) be more than 1 metre from any easement or public sewer main, and
    - (iii) 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
  - (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) require a tree to be removed, or
    - (iii) 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
    - (iv) be designated development.
- (3) Exempt development cannot be carried out on:
  - (a) the site of an item of the environmental heritage that:
    - (i) is identified as such in an environmental planning instrument applying to the land, or

- (ii) is listed on the State Heritage Register under the *Heritage Act 1977*, or
- (iii) is subject to an interim heritage order under the *Heritage Act 1977*, or
- (b) land within a heritage conservation area that is identified as such in an environmental planning instrument applying to the land, or
- (c) land identified:
  - (i) by the consent authority on a map held in the consent authority's offices, or
  - (ii) in an environmental planning instrument, or
  - (iii) in a development control plan,as an environmentally sensitive area for exempt development, or
- (d) land:
  - (i) in regional NSW that is within 40 metres of a perennial watercourse identified by a 1:50,000 topographic map held by the Land Information Centre, or
  - (ii) that is an Aboriginal place identified by the *National Parks and Wildlife Act 1974* or contains an Aboriginal relic, or
  - (iii) that is reserved or dedicated under the *National Parks and Wildlife Act 1974*, or
  - (iv) that is a State forest dedicated under the *Forestry Act 1916*, or
  - (v) the surface of which generally has a slope greater than 18 degrees from the horizontal, or
  - (vi) that is mapped as wetland by *State Environmental Planning Policy No 14—Coastal Wetlands*, or
  - (vii) that is mapped as rainforest by *State Environmental Planning Policy No 26—Littoral Rainforests*.

## Part 3 Complying development

### 8 What this Part does

This Part identifies the development that may be carried out as complying development, the requirements that must be met for a complying development certificate to be issued in respect of it and the conditions to which the complying development certificate will be subject.

**Note—**

The Act states that development cannot be complying development if:

- 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
- it is on land within a wilderness area (identified under the *Wilderness Act 1987*), or
- there is an item of the environmental heritage on the land that is subject to an order or listing under the *Heritage Act 1977* or an environmental planning instrument, or
- the development is designated development, or
- the development requires concurrence (except a concurrence of the Director-General of National Parks and Wildlife 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*).

## 9 What development is complying development?

### (1) Development:

- (a) specified in Schedule 4 that is carried out in metropolitan Sydney in compliance with the development standards listed in that Schedule in respect of the development and that complies with the requirements of this clause, or
- (b) specified in Schedule 5 that is carried out in regional NSW in compliance with the development standards listed in that Schedule in respect of the development and that complies with the requirements of this clause,

is complying development for the purposes of this Policy.

### (2) To be complying development, the development must:

- (a) meet the relevant deemed-to-satisfy provisions of the *Building Code of Australia*, and
- (b) be more than 1 metre from any easement or public sewer main, or comply with any requirements specified by the appropriate sewer authority for building over sewers, 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.

### (3) Complying development cannot be carried out on:

- (a) land within a heritage conservation area that is identified as such in an environmental planning instrument applying to the land, or
- (b) a site that has at any time previously been used:
  - (i) as a service station, or
  - (ii) as a sheep or cattle dip, or



- (iii) for intensive agriculture, or
  - (iv) for mining (but not underground mining) or an extractive industry, or
  - (v) for waste storage or waste treatment, or
  - (vi) for the manufacture of chemicals, asbestos, or asbestos products, or
- (c) land identified:
- (i) by the consent authority on a map held in the consent authority's offices, or
  - (ii) in an environmental planning instrument, or
  - (iii) in a development control plan,
- as an environmentally sensitive area for complying development, or
- (d) land:
- (i) in regional NSW that is within 40 metres of a perennial watercourse identified by a 1:50,000 topographic map held by the Land Information Centre, or
  - (ii) that is an Aboriginal Place identified by the *National Parks and Wildlife Act 1974* or contains an Aboriginal relic, or
  - (iii) that is reserved or dedicated under the *National Parks and Wildlife Act 1974*, or
  - (iv) that is a State Forest dedicated under the *Forestry Act 1916*, or
  - (v) the surface of which generally has a slope greater than 18 degrees from the horizontal, or
  - (vi) that is mapped as wetland by *State Environmental Planning Policy No 14—Coastal Wetlands*, or
  - (vii) that is mapped as rainforest by *State Environmental Planning Policy No 26—Littoral Rainforests*, or
  - (viii) that is unsewered land to which *State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011* applies, or
- (e) land:
- (i) to which an environmental planning instrument applies that requires an acid sulphate soil management plan to be considered before consent can be granted to the development, or
  - (ii) identified as Class 1-4 on acid sulphate soils planning maps (prepared by the

Department of Land and Water Conservation and held by the consent authority) 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.

#### **10 Conditions of complying development certificates**

- (1) A complying development certificate issued in respect of land within metropolitan Sydney is subject to the conditions listed in Schedule 6.
- (2) A complying development certificate issued in respect of land in regional NSW is subject to the conditions listed in Schedule 7.

#### **11 Removal of small trees**

A complying development certificate is taken to satisfy any requirement of an environmental planning instrument or tree preservation order for a consent, permit or approval to remove an exotic tree under 4 metres high if the complying development cannot be carried out without the removal of the tree.

### **Part 4 Subdivision, building and demolition controls**

#### **12 What this Part does**

This Part extends the requirement that development comprising the subdivision of land, the erection of a building or the demolition of a building or work can be carried out only with development consent.

#### **13 Subdivision of land**

- (1) A person may subdivide land only with development consent.
- (2) This clause applies if the subdivision of land:
  - (a) does not require development consent to be granted under another environmental planning instrument, and
  - (b) is not prohibited by another environmental planning instrument, and
  - (c) is not identified in any environmental planning instrument (including this Policy) as exempt development.

#### **14 Erection of a building or demolition of a building or work**

- (1) A person may erect a building only with development consent.
- (2) A person may demolish a building or work only with development consent.
- (3) This clause applies if the development:

- (a) does not require development consent to be granted under any other environmental planning instrument, and
- (a1) is not specified as exempt development or complying development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, and
- (b) is not prohibited by another environmental planning instrument, and
- (c) is not identified in any environmental planning instrument as exempt development, and
- (d) does not involve Crown building work as defined by section 115M of the Act.

### **15 Who is the consent authority?**

- (1) The consent authority for development that may be carried out only with development consent under this Part is:
  - (a) the council of the area in which the development is to be carried out, except as provided by paragraphs (b) and (c), or
  - (b) in relation to land to which an environmental planning instrument specified in paragraph (3) of Part 1 of Schedule 1 (other than *Sydney Regional Environmental Plan No 26—City West*) applies, the Minister for Urban Affairs and Planning, or
  - (c) in relation to the land to which *Sydney Regional Environmental Plan No 26—City West* applies, the consent authority determined in accordance with clause 14 of that Plan.
- (2) For the purposes of this clause, a reference to an environmental planning instrument does not include a reference to a regional vegetation management plan (within the meaning of the *Native Vegetation Conservation Act 1997*).

## **Part 5 General**

### **16 Suspension of certain laws**

- (1) For the purpose of enabling development to be carried out in accordance with this Policy, clause 29 of the *Environmental Planning and Assessment (Savings and Transitional) Regulation 1998*, to the extent necessary to serve that purpose, does not apply to the development.
- (2) In accordance with section 28 of the Act, before the making of this Policy, the Governor approved the making of this clause on the prior concurrence in writing of the Minister for Urban Affairs and Planning.

## **17 Development physically commenced before amendment of SEPP 4**

If development permitted under *State Environmental Planning Policy No 4—Development Without Consent* was physically commenced on land before the amendment of that Policy by this Policy, the development may be carried out as if that Policy had not been so amended.

## **Schedule 1 Where does this Policy apply?**

(Clauses 3 and 4)

### **Part 1 Metropolitan Sydney**

**(1)** This Policy applies to the following local government areas:

City of Campbelltown, subject to subclause (2)

City of Parramatta (but not the area to which *Sydney Regional Environmental Plan No 28—Parramatta* or *Parramatta Local Environmental Plan 2001* applies)

**(2)** Part 2 of, and Schedule 3 to, this Policy do not apply to the land within the City of Campbelltown to which *Campbelltown Local Environmental Plan No 209—Exempt Development* applies.

**(3)** This Policy applies to the land to which the following environmental planning instruments apply (but not the land shown edged heavy black on the map marked *State Environmental Planning Policy (Infrastructure) 2007—White Bay and Glebe Island Ports* held in the office of the Department):

*Sydney Regional Environmental Plan No 16—Walsh Bay*

*Sydney Regional Environmental Plan No 24—Homebush Bay*

The area identified in *Sydney Regional Environmental Plan No 26—City West* as the Bays, Ultimo-Pyrmont and Eveleigh precincts

The approved scheme for the Sydney Cove Development Area (referred to in Part 8 of Schedule 6 to the *Environmental Planning and Assessment Act 1979*)

*Darling Harbour Development Plan No 1* (referred to in Part 7 of Schedule 6 to the *Environmental Planning and Assessment Act 1979*)

### **Part 2 Regional NSW**

This Policy applies to the following local government areas:

Balranald		Hume	
Barraba	Coonabarabran	Inverell	Severn
Bingara	Coonamble	Leeton (but not the land to which <a href="#">Leeton Local Environmental Plan No 35</a> applies)	Tumut
Bogan	Crookwell	Maitland	Walcha
Bombala	Glen Innes	Manilla	Walgett
Boorowa	Greater Lithgow	Merriwa	Warren
Cabonne	Gundagai	Moree Plains	Weddin
Central Darling	Gunning	Mulwaree	Wentworth
Conargo	Holbrook	Nundle	Windouran
Coolah			Yallaroi

## Schedule 2 (Repealed)

## Schedule 3 Exempt development

(Clause 7)

### 1 Advertising structures and displays

The erection and display of an advertising structure and advertisement, or the display of an advertisement that is not on an advertising structure (but not an illuminated sign in a residential zone) that satisfies any of the following requirements:

- (a) The advertisement displays a message relating to the premises or goods and services that are available from the premises on which the advertisement is situated and the advertisement and any structure together have an area not exceeding:
  - (i) 0.75 square metres in a residential or rural zone, or
  - (ii) 8 square metres in an industrial zone, with a maximum height of 4.6m, or
  - (iii) 25% of the front elevation of a building on which it is displayed in a commercial business zone, with a maximum height of 3m or the height of the underside of any awning measured at the line at which it is attached to the building, whichever is the greater.

If the advertisement or advertising structure is above a public road it must be at least 2.6 metres above ground level.

- (b) The advertisement is behind a shop window.
- (c) The advertisement is a temporary advertisement for a social, cultural, political or recreational event that is displayed no more than 28 days before the event. The advertisement must be removed within 14 days after the event.
- (d) The advertisement is a public notice displayed by a public authority giving information about a service.

- (e) The advertisement is a real estate sign advertising that the premises on which it is displayed are for sale or lease, and the advertisement and any structure have a total maximum area of 2.5 square metres on residential or rural premises, or 4.5 square metres on commercial or industrial premises.
- (f) The advertisement replaces one of the same, or a larger, size lawfully displayed on the same structure.
- (g) The advertisement and any structure are not visible from outside the site on which they are displayed.

## **2-11 (Repealed)**

# **Schedule 4 Complying development in metropolitan Sydney**

(Clause 9 (1) (a))

<b>Use</b>	<b>Development standards</b>
<b>1-3</b>	(Repealed)

## **4 Industrial and warehouse buildings**

Development and use of an industrial building or warehouse (including alterations and additions) on land zoned industrial where its use is not for an actually or potentially hazardous or offensive industry, but is consistent with the classification of the building under the *Building Code of Australia*.

Group E in this Schedule

<b>5</b>	(Repealed)
----------	------------

## **Groups A-D**

(Repealed)

## **Group E Industrial and warehouse buildings**

### **Setbacks**

#### **(1)**

Each part of the structure is set back not less than 5 metres from any boundary facing a road.

#### **(2)**

Driveways are not less than 6 metres from a road intersection.

### **Floor space ratio**

The floor space ratio (ratio of the total floor space in all buildings to the site area) is not more than 1:1.

### **Building height**

#### **(1)**

The height of any wall is not greater than 7.2 metres above ground level, excluding any parapet.

**(2)**

The site is not cut or filled so as to alter its level by more than by 1 metre.

**Drainage**

**(1)**

All roof and surface water is drained to a drainage system and then discharged into the council's nearest stormwater drainage system.

**(2)**

The drainage system is designed for a 1 in 20 year storm event, and so that any excess water will flow over land to the street.

**Garbage and storage areas**

Garbage and storage areas are on-site and behind the building line for the property.

**Landscaping**

**(1)**

A landscaped strip of at least 3 metres in width to each street frontage is planted with trees and shrubs.

**(2)**

The driveway has a maximum width of 7 metres.

**Parking, loading and unloading**

**(1)**

Car parking on-site is provided at the rate of at least one space for each 70 square metres of gross floor area, or one space for every 2 employees, whichever is the greater, and all spaces are separately accessible.

**(2)**

There is space for loading and unloading of vehicles within the site.

**(3)**

Driveway widths and turning circles on-site comply with Roads and Traffic Authority standards.

**(4)**

All vehicles can enter and leave the site in a forward manner.

**Group F**

(Repealed)

## Schedule 5 Complying development in regional NSW

(Clause 9 (1) (b))

### Use

### Outcomes

#### 1-3

(Repealed)

#### 4 Industrial and warehouse buildings

Development and use of an industrial building or warehouse (including alterations and additions) on land zoned industrial where its use is not for an actually or potentially hazardous or offensive industry, but is consistent with the classification of the building under the *Building Code of Australia*.

Group C in this Schedule

#### 5

(Repealed)

#### Groups A, B

(Repealed)

#### Group C Industrial and warehouse buildings

##### Setbacks

Each part of the structure is set back at least 5 metres from any boundary facing a road.

##### Floor space ratio

The floor space ratio (ratio of the total floor space in all buildings to the site area) is not more than 1:1.

##### Building height

###### (1)

The height of any wall is not greater than 7.2 metres above ground level, excluding any parapet.

###### (2)

The site is not cut or filled so as to alter a level by more than by 1 metre.

##### Drainage

###### (1)

All roof and surface water is drained to a drainage system and then discharged into the council's nearest stormwater drainage system.

###### (2)

The drainage system is designed for a 1 in 20 year storm event, and so that any excess water will flow over land to the street.

##### Garbage and storage areas



Garbage and storage areas are on-site and behind the building line for the property.

### **Landscaping**

#### **(1)**

A landscaped strip of at least 3 metres in width to each street frontage is planted with trees and shrubs.

#### **(2)**

The driveway has a maximum width of 7 metres.

### **Parking, loading and unloading**

#### **(1)**

Car parking on-site is provided at the rate of at least one space for each 70 square metres of gross floor area, or one space for every 2 employees, whichever is the greater, and all spaces are separately accessible.

#### **(2)**

There is space for loading and unloading of vehicles within the site.

#### **(3)**

Driveway widths and turning circles on-site comply with Roads and Traffic Authority standards.

#### **(4)**

All vehicles can enter and leave the site in a forward manner.

### **Group D**

(Repealed)

## **Schedule 6 Conditions of complying development certificates in metropolitan Sydney**

(Clause 10 (1))

### **Before you begin work**

**(1)** Two days before any site works, building or demolition begins, the applicant must:

- (a) forward a *Notice of Commencement of Work and Appointment of Principal Certifying Authority* (Form 7 of the *Environmental Planning and Assessment Regulation 1994*) to the council, and
- (b) inform the adjoining owners in writing that work will commence.

**(2)** Before any site works, building or demolition begins, the applicant must:

- (a) notify the council of the name, address, phone number and licence number of the

builder, and

- (b) erect a sign at the front of the property with the builder's name, licence number, site address and the number given by the council to the application for the complying development certificate, and
- (c) provide a temporary on-site toilet if access to existing toilets is not adequate, and
- (d) protect and support any neighbouring buildings and land, and
- (e) protect any public land or place from obstruction, inconvenience or damage due to the carrying out of the development, and
- (f) prevent any substance from falling onto any public land or place, and
- (g) pay any section 94 contributions if required by a contributions plan applying to the land, and
- (h) comply with any other conditions prescribed by the *Environmental Planning and Assessment Regulation 1994*.

**Note—**

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

**Site management**

- (3)** Run-off and erosion controls must be implemented before construction to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land, as follows:
  - (a) divert uncontaminated run-off around cleared or disturbed areas,
  - (b) erect a silt fence to prevent debris escaping into drainage systems or waterways,
  - (c) prevent tracking of sediment by vehicles onto roads,
  - (d) stockpile topsoil, excavated material, construction and landscaping supplies and debris within the site.
- (4)** Removal or disturbance of vegetation and topsoil must be confined to within 3 metres of the proposed building.

**Demolition**

- (5)** Any demolition works authorised by the certificate are to be carried out in accordance with AS 2601-1991—*The demolition of structures* and comply with any council policy on waste management.

**Drainage**

**(6)** The completed building is to have a drainage system so that:

- (a) the land surrounding any structure is graded to divert surface water to the street, and is clear of existing and proposed structures and adjoining premises, and
- (b) if the water drains to the rear of the property, it is collected and drained via a gravity system to a council stormwater line or disposed of in a manner consistent with the council's soil and water management policy.

#### **Hours of works**

**(7)** Any building work must be carried out between 7.00 am and 6.00 pm Monday to Friday and 7.00 am to 5.00 pm Saturdays, but not on Sundays or public holidays.

#### **Survey certificate**

**(8)** A survey certificate must be given to the principal certifying authority, at the following stages:

- (a) before the concrete is poured for the ground floor slab or before the sub-floor formwork is completed, showing the location of the structure to the boundaries,
- (b) at completion of the lowest floor, confirming that levels are in accordance with the certificate (and those levels must relate to the datum on the certificate).

#### **Site access**

**(9)** If kerb and gutter is provided, driveways are to be a minimum of 500 millimetres clear of all drainage structures on the kerb and gutter and are not to interfere with the existing public utility infrastructure, including council drainage structures, unless prior approval is obtained from the relevant authority.

**(10)** If kerb and gutter is not provided, the access to the lot must be constructed using:

- (a) a gravel vehicular entrance incorporating a 375 millimetre diameter stormwater pipe and concrete headwalls, or
- (b) a 6 metre by 6 metre concrete slab dish drain.

**(11)** Driveways are to be constructed in accordance with any relevant requirements of AS 2890.1-1993 *Parking facilities Part 1: Off-street car parking*, with appropriate transition zones.

#### **Certificate of compliance**

**(12)** Before a building is occupied, a certificate of compliance, if required, must be obtained from the local water supply and sewer authority.

### **Schedule 7 Conditions of complying development certificates in**

## regional NSW

(Clause 10 (2))

### Before you begin work

- (1)** Two days before any site works, building or demolition begins, the applicant must:
- (a) forward a *Notice of Commencement of Work and Appointment of Principal Certifying Authority* (Form 7 of the *Environmental Planning and Assessment Regulation 1994*) to the council, and
  - (b) inform the adjoining owners in writing that work will commence.
- (2)** Before any site works, building or demolition begins, the applicant must:
- (a) notify the council of the name, address, phone number and licence number of the builder, and
  - (b) erect a sign at the front of the property with the builder's name, licence number, site address and the number given by the council to the application for the complying development certificate, and
  - (c) provide a temporary on-site toilet if access to existing toilets is not adequate, and
  - (d) protect and support any neighbouring buildings and land, and
  - (e) protect any public land or place from obstruction, inconvenience or damage due to the carrying out of the development, and
  - (f) prevent any substance from falling onto any public land or place, and
  - (g) pay any section 94 contributions if required by a contributions plan applying to the land, and
  - (h) comply with any other conditions prescribed by the *Environmental Planning and Assessment Regulation*.

#### Note—

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

### Site management

- (3)** Run-off and erosion controls must be implemented before construction to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land, as follows:
- (a) divert uncontaminated run-off around cleared or disturbed areas,
  - (b) erect a silt fence to prevent debris escaping into drainage systems or waterways,

(c) prevent tracking of sediment by vehicles onto roads,

(d) stockpile topsoil, excavated material, construction and landscaping supplies and debris within the site.

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

### **Demolition**

**(5)** Any demolition works authorised by the certificate are to be carried out in accordance with AS 2601-1991 *The demolition of structures* and comply with any council policy on waste management.

### **Drainage**

**(6)** The completed building is to have a drainage system so that:

(a) the land surrounding any structure is graded to divert surface water to the street, and is clear of existing and proposed structures and adjoining premises, and

(b) if the water drains to the rear of the property, it is collected and drained via a gravity system to a council stormwater line or disposed of in a manner consistent with the council's soil and water management policy.

### **Hours of works**

**(7)** Any building work must be carried out between 7.00 am and 6.00 pm Monday to Fridays, and 7 am to 5.00 pm Saturdays, but not on Sundays or public holidays.

### **Construction within boundaries**

**(8)** The owner of the property is to ensure that any structure is constructed:

(a) to meet the setback requirements of the approved plans, and

(b) to be located within the confines of the lot.

**(9)** If the council has a policy requiring survey certificates, the owner is to comply with that policy during construction.

### **Site access**

**(10)** If kerb and gutter is provided, driveways are to be a minimum of 500 millimetres clear of all drainage structures on the kerb and gutter and are not to interfere with the existing public utility infrastructure, including council drainage structures, unless prior approval is obtained from the relevant authority.

**(11)** If kerb and gutter is not provided, the access to the lot must be constructed using:

(a) a gravel vehicular entrance incorporating a 375 millimetre diameter stormwater

pipe and concrete headwalls, or

(b) a 6 metre by 6 metre concrete slab dish drain.

**(12)** Driveways are to be constructed in accordance with any relevant requirements of AS 2890.1-1993 *Parking facilities Part 1: Off-street car parking*, with appropriate transition zones.

### **Sewer and drainage approval**

**(13)** Before a building is occupied, an approval from the council (or the local water supply and sewer authority if not the council) must be obtained, if required, for the water and sewerage connection.