

**Pittwater  
Development  
Control Plan No 22:**

**Exempt and Complying  
Development**

**Adopted: 22 November 1999**  
**In Force From: 16 March 2000**

Certified Copy

Pittwater Council

**Development Control Plan No 22:  
Exempt and Complying Development**

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General Manager**

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## Part A: Introduction

### 1. Planning Context

This Development Control Plan (DCP) has been made pursuant to Section 72 of the Environmental Planning and Assessment Act, 1979 and the accompanying Regulation 1994. It was adopted by Council on 22 November 2000 and came into force on 16 March 2000.

It applies to all land in Pittwater to which Pittwater Local Environmental Plan (PLEP) 1993 applies, and relates to development that is permissible without consent known as “exempt” development, and development that is considered to be “complying” development.

Developers should also check Pittwater Local Environmental Plan 1993, and other development control plans and policies of Council should also be checked, as well as other relevant legislation, to ensure compliance.

### 2. Purpose of the Plan

1. To clearly define types of development that do not require consent and can be carried out without any formal application to Council – this is known as “exempt” development.
2. To clearly define development that may be carried out with consent, that is not an “existing use” as defined in the Environmental Planning and Assessment Act, and that requires a complying development certificate to be issued by Council or an accredited private certifier before starting construction. This is known as “complying” development.

### 3. Aims

The aims of this Plan are:

- ◆ To clearly state the development standards, requirements and conditions that apply to exempt and complying development;
- ◆ To facilitate the processing of small scale, safe and low impact development applications within the Council area to the benefit of the community;
- ◆ To meet the statutory requirements of the Environmental Planning and Assessment Act and Regulation.

#### **4. What is exempt development?**

**“Exempt development”** is development that may be carried out without consent. This means no application needs to be lodged with Council. Under section 76 (2) of the Environmental Planning and Assessment Act 1979, certain development that is of minimal environmental impact may be specified as exempt development. Part B of this document specifies what qualifies as exempt development in Pittwater.

If the proposed development does not fall within the limits of Part B of this document, then development approval, either by a complying development certificate or a development consent, must be obtained.

Any proposal for “integrated development”, as defined in section 91 of the Environmental Planning and Assessment Act 1979 as amended, requires consent and is not exempt.

#### **5. What is complying development?**

**“Complying development”** is "local" development (as defined in the Act) which may be carried out with consent, and which is not an “existing use” as defined. Development is considered to be complying development only if it meets the requirements in Part C of this DCP.

Complying development needs a complying development certificate issued by Council or an accredited private certifier before starting construction. If a complying development certificate is issued, a construction certificate is not necessary.

All complying development proposals require development consent. If Council is to process the application, a development application form (available from Council) must be submitted with all necessary information and required fees.

Applicants for complying development certificates must follow the requirements and procedures of Part 6A (clauses 75 – 77B) of the Environmental Planning and Assessment Regulation 1994 and Division 3 (sections 84 – 87) of the Environmental Planning and Assessment Act 1979.

Any proposal for “integrated development” as defined in section 91 of the Environmental Planning and Assessment Act 1979 as amended, requires consent and is not complying development.

## 6. What if my development is listed, but doesn't meet the requirements or criteria?

If your proposed development is listed under Parts B or C of this document, but doesn't meet the requirements for exemption or the criteria for it to be complying development, then you will need to lodge a development application with Council to obtain development consent.

Development also needs to comply with the zoning and provisions of Pittwater Local Environmental Plan 1993.

## 7. How to use this DCP

Pittwater has been separated into five regions which are depicted on the maps attached to this DCP. Because of their reduced scale, these maps are indicative only. Larger maps are available for viewing at Council offices.

### Step 1:

Identify where your proposed development is located on the map

### Step 2:

Identify which Region it is in on the maps.

- Region 1: is that land which is most restricted for development due to its constraints such as slip, flooding, slope, proximity to a ridgeline, proximity to the foreshores of Pittwater or the Ocean, heritage, environmental protection (including zones Environment Protection 7(a) and Environment Protection – Waterways 7(a1)). Virtually all of this Region is subject to hazard and physical development constraints which necessitate a higher level of development assessment.
- Region 2: is that land which is less restricted by hazardous physical constraints for development.
- Region 3: is land zoned Non-Urban under PLEP 93 but not including the Warriewood Valley Release Area.
- Region 4: covers Non Residential areas and uses, including road reserves, open space reserves, special uses and the Pittwater waterway, excluding Environmental Protection - Waterways 7(a1).
- Region 5: includes all land in the Warriewood Valley Release Area

### Step 3:

Check under Part B to ensure that your development falls into the definition of Exempt Development and that Exempt Development is not excluded from your land.

**Step 4:**

Now check the Table for a listing of your proposed development. Exempt development or uses are listed alphabetically in Part B of this DCP, and the Table identifies what development or activities are allowed in each of the Regions 1 - 5. If your proposal is not exempt development, follow Steps 5 and 6 below.

**Step 5:**

Check under Part C to ensure that your development falls into the definition of Complying Development and that complying development is not excluded from your land.

**Step 6:**

Now check the Table for a listing of your proposed development. Complying Development or activities are listed alphabetically in Part C of this DCP, and the Table identifies what development or activities are allowed in each of the Regions 1 - 5. If your proposal is not under Complying Development, check whether it is exempt by following Steps 3 and 4 above.

**Step 7:**

If your proposal is permissible with consent but is not listed under either exempt or Complying Development for your area, you will need to lodge a development application with Council for assessment.

## **8. Information to be submitted with an application for Complying Development**

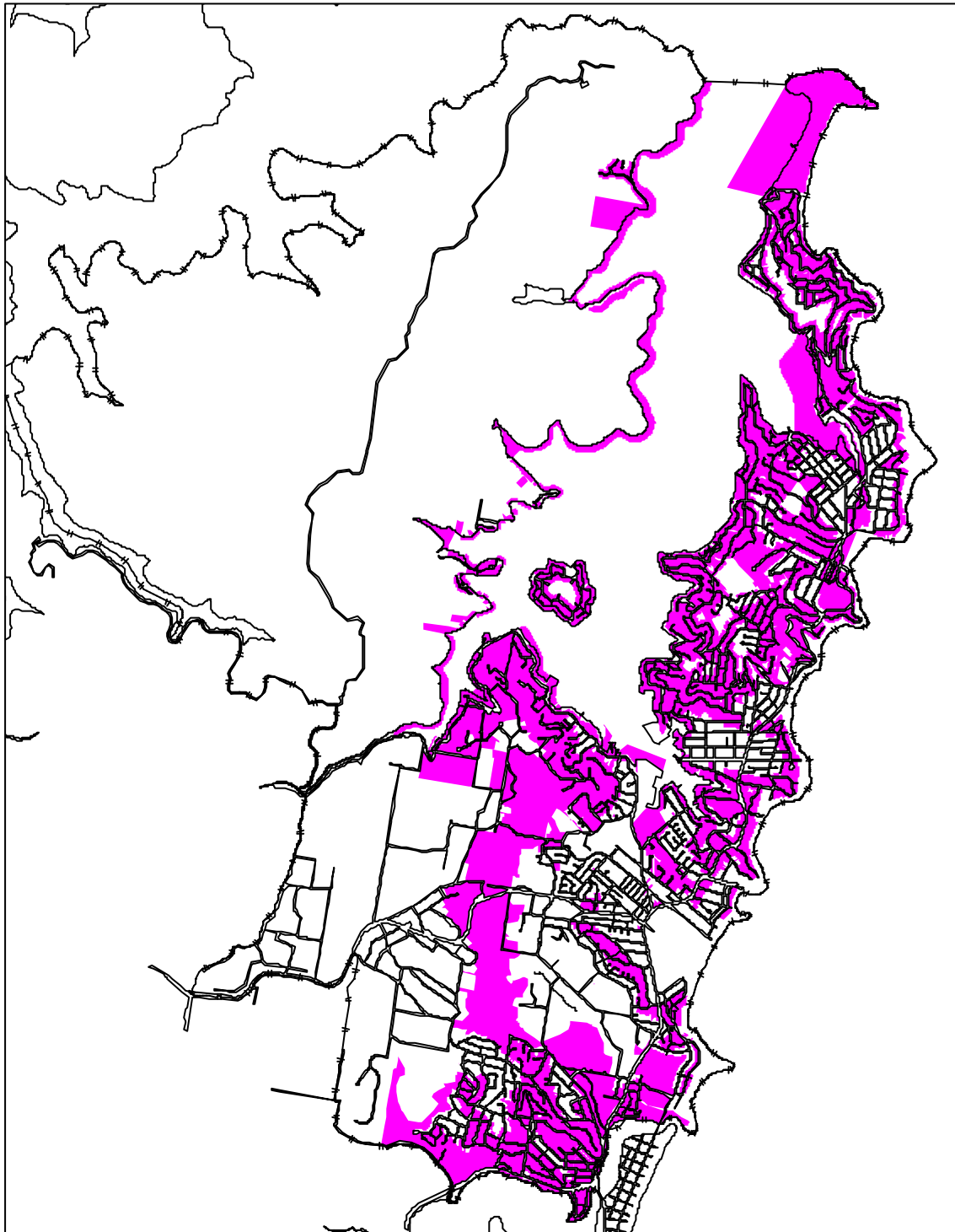
All applications for Complying Development must be carried out in accordance with sections 84 – 87 of the Environmental Planning and Assessment Act as amended, and clauses 75 – 77B of the Regulation.

Council requires detailed, specific statements from appropriately qualified professionals for each part of a Complying Development category as shown in Annexure 2 to this DCP, if the matter is to be certified by an accredited certifier.

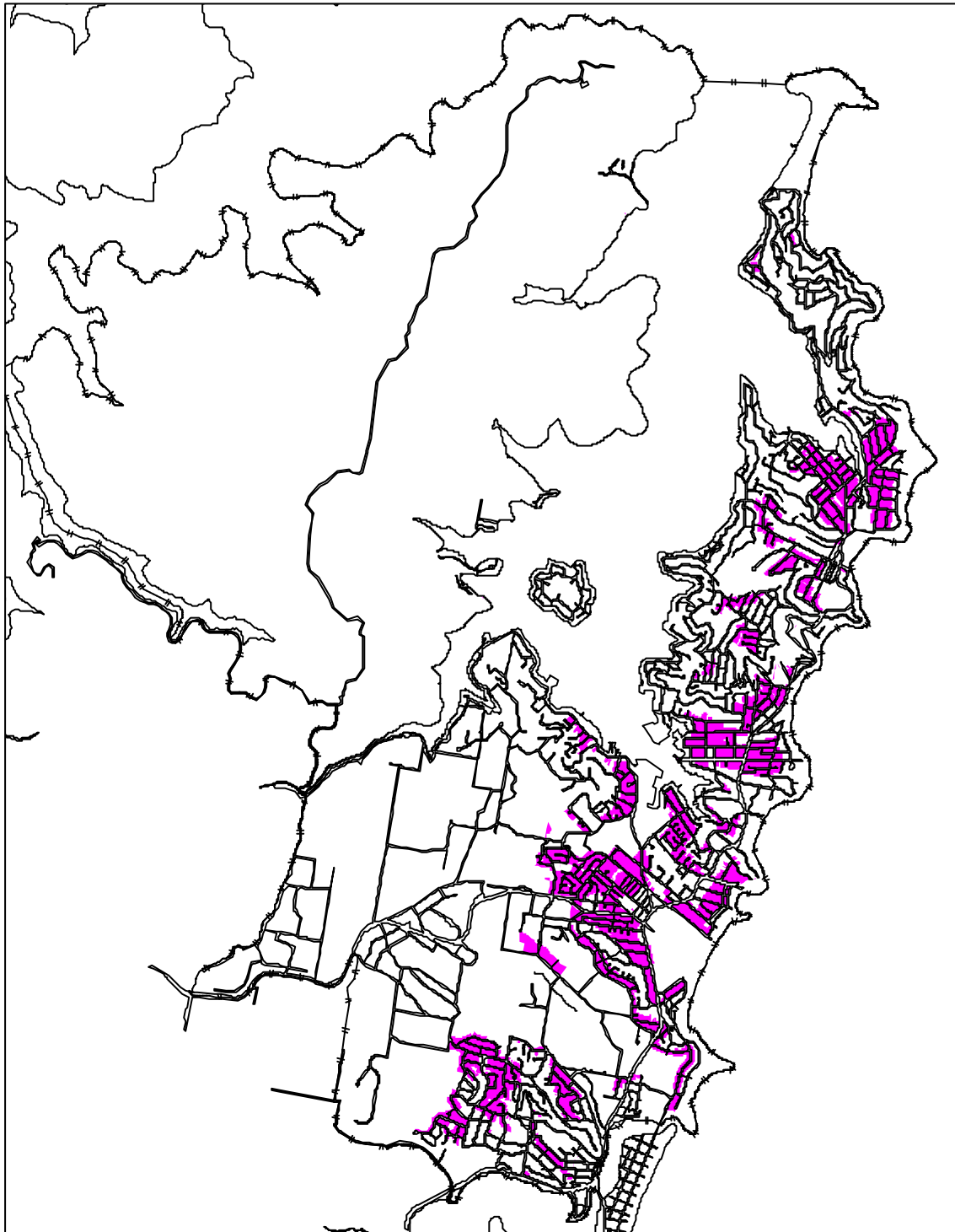
## **9. Assessment**

In assessing any application for complying development, Council or the accredited certifier must be satisfied that the requirements and development standards in this DCP have been met.

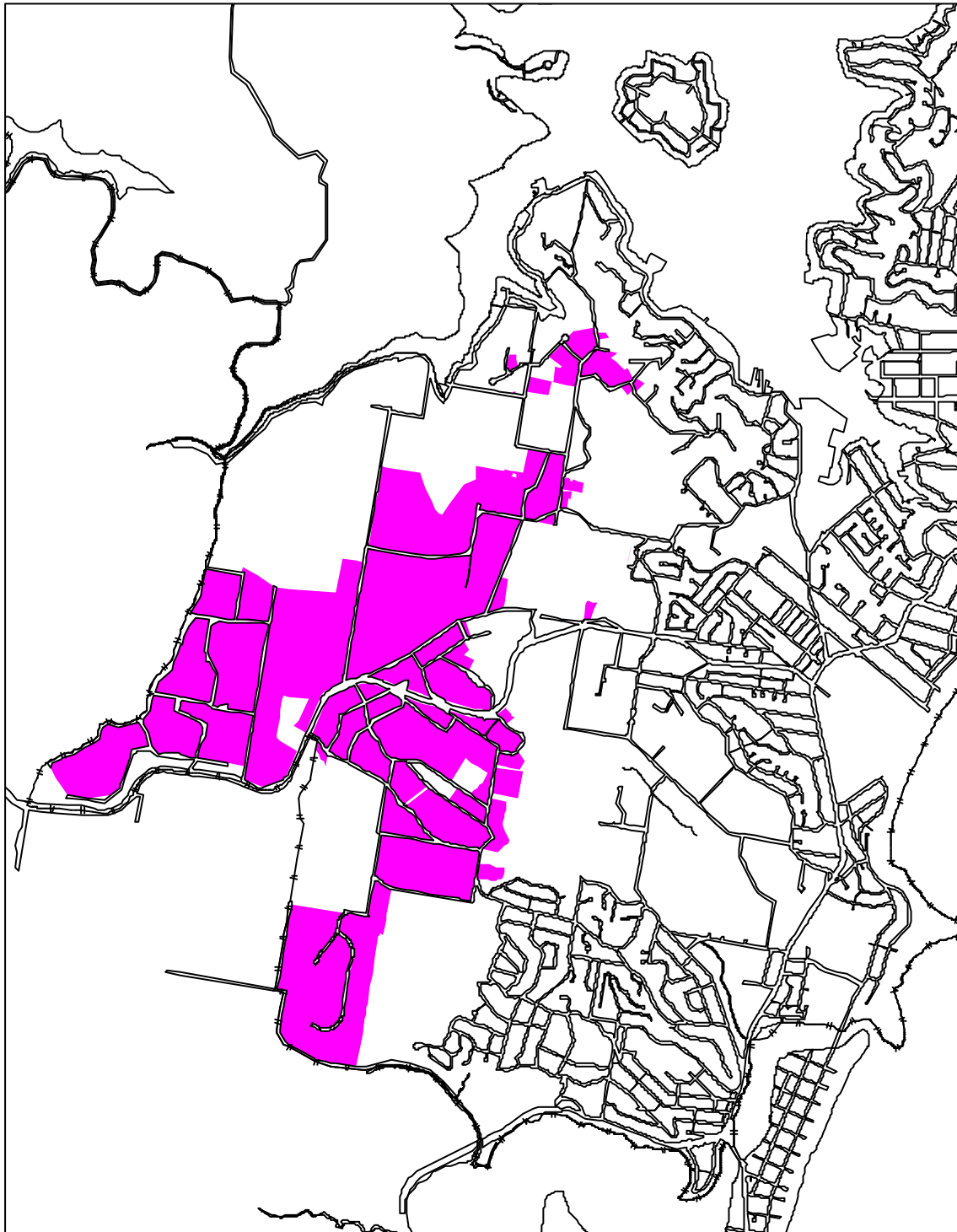
## REGION 1



## REGION 2

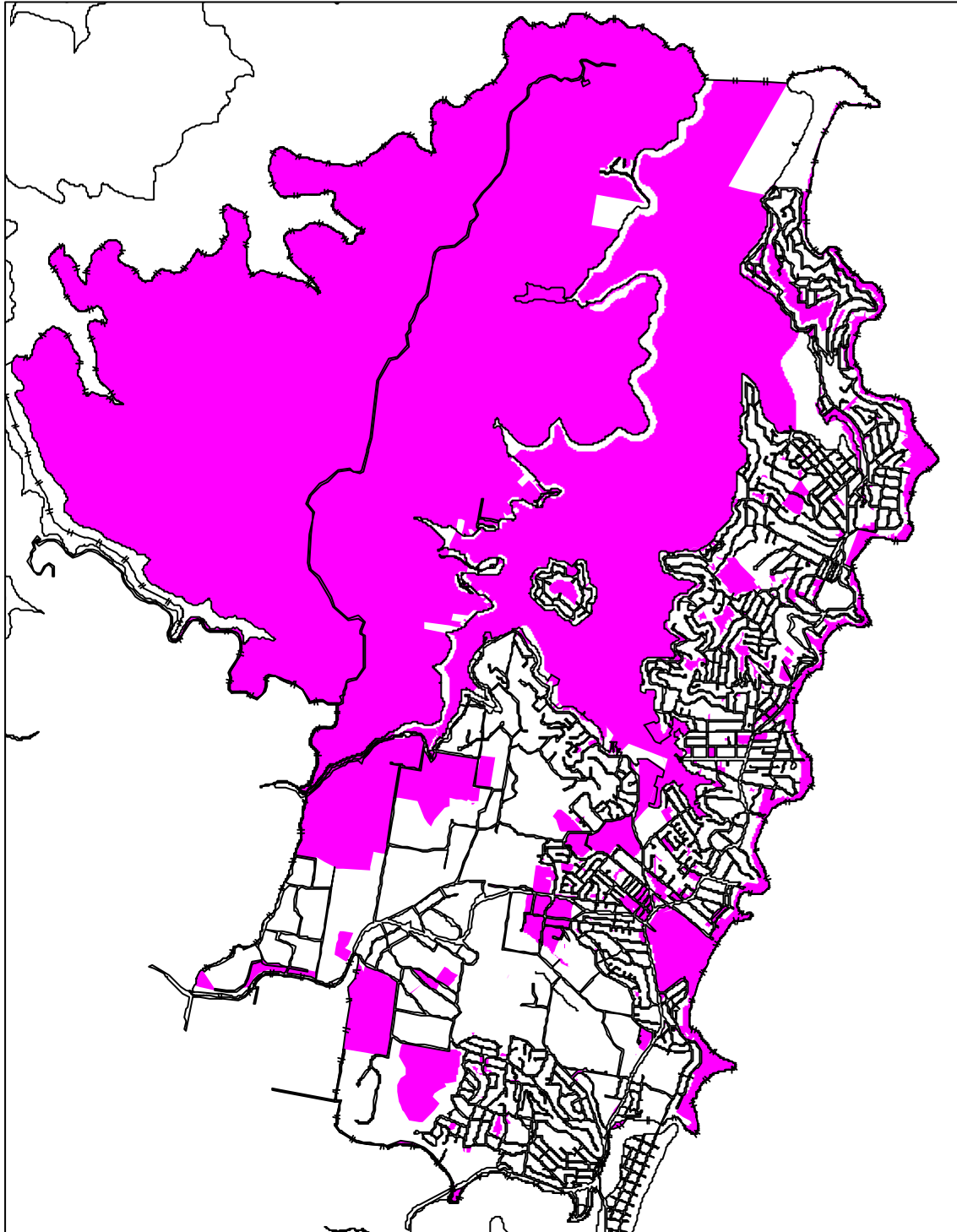


### REGION 3

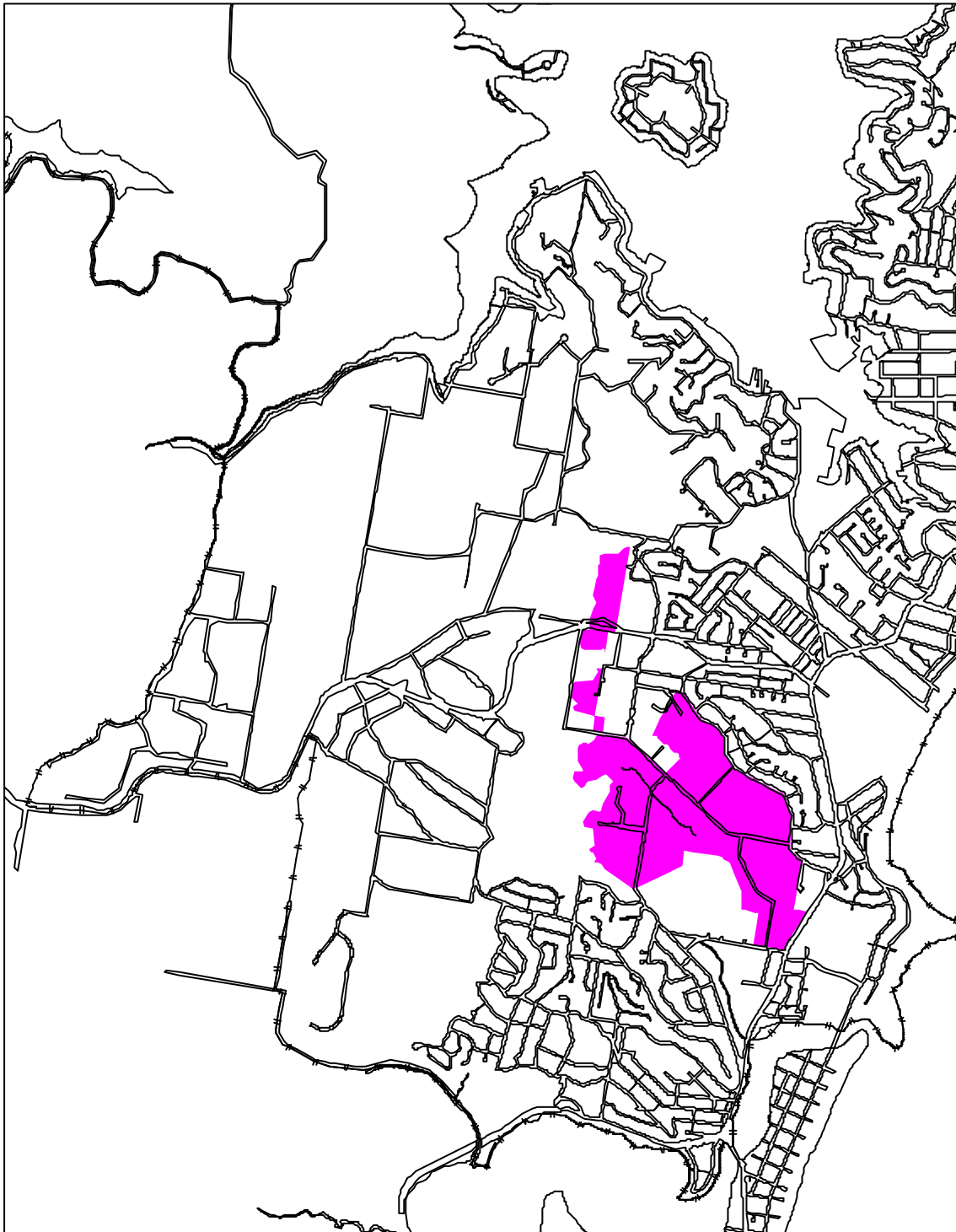


## REGION 4

Note: This Region also includes road reserves although for reasons of clarity they not shown on the map below.



## REGION 5



## Part B: General Information – Exempt Development

1. Development is Exempt Development only if:

- It is of minimal environmental impact
- It does not cause interference with the amenity of the neighbourhood because of electrical interference, microwave or other radiation, noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise
- It complies with any deemed-to-satisfy provisions of the Building Code of Australia relevant to the development, or complies with the relevant Australian Standard.
- It complies with this DCP and with Pittwater Local Environmental Plan 1993
- The total built upon area of all development on the site (site coverage) must not exceed 40% in residential areas, and in non-urban areas 300sq m or 4%, whichever is greater
- It complies with any minimum stated front boundary setback and does not breach any de facto building line
- It does not contravene any condition of a development consent applying to the land and/or the development
- It does not obstruct drainage of the site on which it is carried out
- It is not over or within 1 metre of any natural drainage line (being a watercourse or depression which either perennially or intermittently carries stormwater), stormwater pipe, or any easement (for drainage, services, access, or otherwise) which may be affected by the development. All structures must comply with Sydney Water building-over-sewer requirements
- It does not restrict any vehicular or pedestrian access to or from the site
- Access, including for construction, is not over a public reserve, except for Council purposes
- It does not require removal, cutting down, poisoning, ringbarking, injuring, pruning, or wilful destruction of a tree or bushland under the Pittwater Tree Preservation and Management Order
- It is consistent with any plan of management approved under State Environmental Planning Policy No 44 – Koala Habitat and with any recovery plan or threat abatement plan in force under the Threatened Species Conservation Act 1995 that apply to the land

2. Development is not Exempt Development if it is carried out on land that:

- Is reserved or dedicated under the Crown Lands Act 1989 for the preservation of flora, fauna or geological formations or for other environmental protection purposes,
- Is land to which State Environmental Planning Policy No 14 – Coastal Wetlands applies,
- Is land to which State Environmental Planning Policy No 26 – Littoral Rainforests applies
- Is an aquatic reserve declared under the Fisheries Management Act 1994

- Is listed under section 76 (3) of the Environmental Planning and Assessment Act 1979 (i.e. critical habitat within the meaning of the Threatened Species Conservation Act 1995, or a wilderness area within the meaning of the Wilderness Act 1987)
- Is an Aboriginal place or known Aboriginal relic, or is dedicated or reserved under the National Parks and Wildlife Act 1974. If any Aboriginal cultural material or heritage constraints are found, all work should cease and the National Parks and Wildlife Service and the Metropolitan Local Aboriginal Land Council notified immediately in accordance with the National Parks and Wildlife Act.

## Exempt Development

<b>NB No tree or bushland to be removed. Comply with DCP Locality Plans</b>							
<b>Development</b>	<b>Exempt in Region</b>					<b>Requirements for Exemption</b>	<b>Advisory Notes</b>
Access ramps for disabled		2	3	4	5	Maximum height 1m above natural ground level Maximum grade 1:14 and otherwise in compliance with Australian Standard 1428.1 <b>Meets Requirements on page 13 &amp; 14</b>	<i>Compliance with Disability Discrimination Act; must be structurally adequate</i>
Aerials, antennae, microwave antennae, radio masts for domestic private use (not including public carriers, satellite dishes, or transmission towers for commercial purposes)	1	2	3	4	5	Maximum 1 per building Microwave reflector not to exceed 650mm square <b>Meets Requirements on page 13 &amp; 14</b>	<i>Installed to manufacturer's specifications Located in least visually intrusive area</i>
Air conditioning units (attached to external walls or ground mounted)	1	2	3	4	5	Located a minimum of 3m from any property boundary Not to be audible in a neighbour's residence between: 10pm – 7am weekdays 10pm – 8am weekends and public holidays At all other times the noise level must not exceed 5dBA above ambient noise level measured at the property boundary Must be at least 500mm above 1:100 year flood level Any openings in an external wall must not affect the fire rating of the wall <b>Meets Requirements on page 13 &amp; 14</b>	<i>Installed to manufacturer's specifications Work must not reduce structural integrity of the building and any openings must be adequately weatherproofed</i>

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<b>Development</b>	<b>Exempt in Region</b>					<b>Requirements for Exemption</b>	<b>Advisory Notes</b>
<p>Ancillary development such as landscaping, gardening, paving or the erection of minor structures (see also Minor outbuildings) ordinarily incidental to or ancillary to the legally approved core use or to a lawful existing use (as defined in s 106 of the Environmental Planning and Assessment Act)</p>	2	3	4	5		<p>No excavation                      No fill from outside the site                      Retaining walls to be less than 600mm in height, at least 900mm from any boundary or structure, and with a maximum backfill of 5 cubic metres                      Minimum for residential areas:</p> <ul style="list-style-type: none"> <li>• Max total site coverage including the new works: 40%, except in Region 3 where 300sq m or 4%, whichever is greater, of the site area is the maximum</li> <li>• Max height 3m</li> <li>• Min landscaped area: 60%</li> <li>• Darker, non-reflective wall and roof materials to match or complement existing dwelling</li> <li>• No additional shadowing of adjoining property</li> <li>• Does not impede any scenic view lines from private properties</li> <li>• Rear and side boundary setback: one third of the wall height, minimum 1m, and does not breach any de facto building line</li> <li>• Max length of wall (within 3m of boundary): one third of boundary length</li> <li>• Min front boundary setback</li> </ul> <p>Residential zones: 6.5m (10m to an arterial road) and does not breach any de facto building line                      Non-Urban zones: 30m to a main road (Mona Vale Road, McCarrs Creek Road); 20m to all secondary roads and public reserves                      The first 15m setback from the road boundary is to be landscaped, with no structures (letterboxes excepted)</p>	<p><i>Compliance with DCP Locality Plan for the area.</i>                      Comply where appropriate with Australian Standard AS 3959 – 1991 <i>Construction of Buildings in Bushfire Prone Areas.</i>                      Standards Australia handbook HB 36 – <i>1993 Building in Bushfire Prone Areas.</i>                      Ministerial Direction G20 <i>Planning in Bushfire Prone Areas</i> under Section 117 (2) of the Environmental Planning and Assessment Act.                      Department of Planning Circular No C10 <i>Planning in Fire Prone Areas.</i>                      Department of Bushfire Services publication <i>Planning for Bushfire Protection.</i>                      NSW National Parks and Wildlife Service <i>Fire Management Manual.</i></p>

<b>NB No tree or bushland to be removed. Comply with DCP Locality Plans</b>						
Development	Exempt in Region				Requirements for Exemption	Advisory Notes
					or carparking permitted Not to extend within 7.5m of side or rear boundary in 1(a) and 1(b) zones Not to extend within 6.5m of side or rear boundary in 1(c) zone Does not preclude landscaping or tree growth Compliance with the BCA Constructed of non-combustible materials if located in a bushfire area <b>Meets Requirements on page 13 &amp; 14</b>	
Awnings, canopies and sun or storm blinds on dwellings (a roof-like shelter of canvas, metal, timber or the like, located over a window or door for weather protection)		2	3	5	Maximum area 10 sq m per awning Not to extend within 900mm of side or rear boundary in zones other than Non-Urban, or compliance with s3 cl 3.7 of the BCA Housing Provisions In residential zones not to extend within 10m of a main road; 6.5m of a secondary road; not to breach any de facto building line to adjoining dwellings In non-urban zones not to extend within 30m to a main road; or 20m to all secondary roads and public reserves Not to extend within 7.5m of side or rear boundary in 1(a) and 1(b) zones Not to extend within 6.5m of side or rear boundary in 1(c) zone Constructed of non-combustible materials if located in a bushfire area Does not preclude landscaping or tree growth <b>Meets Requirements on page 13 &amp; 14</b>	<i>Installed to manufacturer's specifications; walls not included – supporting posts permitted</i> Comply where appropriate with Australian Standard AS 3959 – 1991 <i>Construction of Buildings in Bushfire Prone Areas</i> . Standards Australia handbook HB 36 – 1993 <i>Building in Bushfire Prone Areas</i> . Ministerial Direction G20 <i>Planning in Bushfire Prone Areas</i> under Section 117 (2) of the Environmental Planning and Assessment Act. Department of Planning Circular No C10 <i>Planning in Fire Prone Areas</i> . Department of Bushfire Services publication <i>Planning for Bushfire Protection</i> . NSW National Parks and Wildlife Service <i>Fire Management Manual</i> .

<b>NB No tree or bushland to be removed. Comply with DCP Locality Plans</b>							
<b>Development</b>	<b>Exempt in Region</b>					<b>Requirements for Exemption</b>	<b>Advisory Notes</b>
Awnings etc as above, Excludes awnings over public roads					4	Maximum area 20 sq m per awning Located wholly on property Does not preclude landscaping or tree growth <b>Meets Requirements on page 13 &amp; 14</b>	As above
Barbeques - private use only	1	2	3	4	5	Maximum area of 3 sq m Maximum chimney height of 1.8m Located in rear yard of built heritage items Not to extend within 900mm of side or rear property boundary in zones other than Non-Urban Not within 7.5m of side or rear boundary in zones 1(a) and 1(b) Not within 6.5m of side or rear boundary in zone 1(c) <b>Meets Requirements on page 13 &amp; 14</b>	Consider any impact on neighbours
Bird aviaries, coops, animal enclosures and the like (see also Fowl houses)	1	2	3	4	5	Maximum area 6 sq m Maximum height 2.4m Located in rear yard In residential zones not to extend within 10m of a main road; 6.5m of a secondary road; not to breach any de facto building line In non-urban zones not to extend within 30m to a main road; or 20m to all secondary roads and public reserves Not within 900mm of side or rear boundary in zones other than Non-Urban Not within 7.5m of side or rear boundary in zones 1(a) and 1(b) Not within 6.5m of side or rear boundary in zone 1(c) Constructed of non-combustible materials if located in a bushfire area <b>Meets Requirements on page 13 &amp; 14</b>	Must be structurally adequate Comply where appropriate with Australian Standard AS 3959 – 1991 <i>Construction of Buildings in Bushfire Prone Areas</i> . Standards Australia handbook HB 36 – 1993 <i>Building in Bushfire Prone Areas</i> . Ministerial Direction G20 <i>Planning in Bushfire Prone Areas</i> under Section 117 (2) of the Environmental Planning and Assessment Act. Department of Planning Circular No C10 <i>Planning in Fire Prone Areas</i> . Department of Bushfire Services publication <i>Planning for Bushfire Protection</i> . NSW National Parks and Wildlife Service <i>Fire Management Manual</i> .

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Development	Exempt in Region			Requirements for Exemption	Advisory Notes	
Bus shelters			4	5	<p>Must be designed and constructed by or for Council or the relevant public authority</p> <p>No advertising signage</p> <p>Must not obstruct the line of sight of vehicular traffic</p> <p>Maximum height of 3m above footpath</p> <p>Maximum area of 15 sq m per bay, with no more than two bays per bus stop</p> <p>Non-reflective surface finishes</p> <p><b>Meets Requirements on page 13 &amp; 14</b></p>	<p><i>Must be structurally adequate, must reflect and enhance character and amenity of the area</i></p>
Changes of use See also hairdressers shops, beauty salons, skin penetration premises, and food premises for specific requirements			4	5	<p>A different use of an existing lawful building involving a change of use from one retail or commercial use to another retail or commercial use, or a change from one light industry to another light industry, being carried out in accordance with a development consent</p> <p>Does not involve erection, extension or rebuilding</p> <p>Does not involve a building classification change under the BCA and complies with the BCA</p> <p>Is within an approved building</p> <p>The use is not actually or potentially a hazardous or offensive industry</p> <p>Is not prohibited by any provision</p> <p><b>NB:</b> compliance with all conditions e.g. hours of operation, noise and pollution controls</p> <p><b>Meets Requirements on page 13 &amp; 14</b></p>	<p>Where a change of use may result in increased demand for water and/or the discharge of trade waste water from the premises a section 73 Compliance Certificate will be required by Sydney Water for the following:</p> <ul style="list-style-type: none"> <li>• Industrial:                             <ul style="list-style-type: none"> <li>Food, beverage and tobacco manufacturing and wholesaling; printing, published and recorded media; ceramic, cement and plaster product manufacturing; metal product manufacturing; industrial equipment manufacturing; motor vehicle trading</li> </ul> </li> <li>• Commercial:                             <ul style="list-style-type: none"> <li>Any premises involving manufacture, preparation, storage, sale or other handling or use in relation to food other than for domestic purposes; commercial car washes; commercial laundries; dry cleaners; hospitals; hotels; medical centres; motels; nursing homes;</li> </ul> </li> </ul>

<b>NB No tree or bushland to be removed. Comply with DCP Locality Plans</b>							
<b>Development</b>	<b>Exempt in Region</b>					<b>Requirements for Exemption</b>	<b>Advisory Notes</b>
							photographic processing; schools; service stations; veterinary surgeons
Clothes lines/hoists associated with a dwelling	1	2	3	4	5	Must not be visible from street or public reserve Free standing from items of heritage significance <b>Meets Requirements on page 13 &amp; 14</b>	<i>Installed to manufacturer's specifications</i>
Cubby houses	1	2	3	4	5	Free standing Maximum floor area 6 sq m Maximum height 2.1m Non-reflective materials Constructed of non-combustible materials if located in a bushfire area <b>Meets Requirements on page 13 &amp; 14</b>	<i>Equipment to be installed in accordance with manufacturer's specifications and comply with relevant Australian Standards</i> Comply where appropriate with Australian Standard AS 3959 – 1991 <i>Construction of Buildings in Bushfire Prone Areas.</i> Standards Australia handbook HB 36 – 1993 <i>Building in Bushfire Prone Areas.</i> Ministerial Direction G20 <i>Planning in Bushfire Prone Areas</i> under Section 117 (2) of the Environmental Planning and Assessment Act. Department of Planning Circular No C10 <i>Planning in Fire Prone Areas.</i> Department of Bushfire Services publication <i>Planning for Bushfire Protection.</i> NSW National Parks and Wildlife Service <i>Fire Management Manual.</i>
Decks (unroofed), ground level patios - permeable surfaces preferred to reduce stormwater runoff		2	3		5	Maximum area 20 sq m Stormwater to be directed into existing approved system Sufficient step down to prevent water entering the building	<i>Sufficient step-down to prevent entry of water into dwelling</i> Comply where appropriate with Australian Standard AS 3959 – 1991 <i>Construction of Buildings in Bushfire Prone Areas.</i>

<b>NB No tree or bushland to be removed. Comply with DCP Locality Plans</b>							
<b>Development</b>	<b>Exempt in Region</b>					<b>Requirements for Exemption</b>	<b>Advisory Notes</b>
						Finished surface level less than 600mm above natural ground level In residential zones not to extend within 10m of a main road; 6.5m of a secondary road; not to breach any de facto building line to adjoining dwellings In non-urban zones not to extend within 30m to a main road; or 20m to all secondary roads and public reserves No closer than 900mm to side or rear property boundary in zones other than Non-Urban Not within 7.5m of side or rear boundary in zones 1(a) and 1(b) Not within 6.5m of side or rear boundary in zone 1(c) Constructed of non-combustible materials if located in a bushfire area <b>Meets Requirements on page 13 &amp; 14</b>	Standards Australia handbook HB 36 – 1993 <i>Building in Bushfire Prone Areas</i> . Ministerial Direction G20 <i>Planning in Bushfire Prone Areas</i> under Section 117 (2) of the Environmental Planning and Assessment Act. Department of Planning Circular No C10 <i>Planning in Fire Prone Areas</i> . Department of Bushfire Services publication <i>Planning for Bushfire Protection</i> . NSW National Parks and Wildlife Service <i>Fire Management Manual</i> .
Demolition		2	3	4	5	Exempt when the structure to be demolished would not require any approval for its construction (whether constructed before or after this DCP) <b>Meets Requirements on page 13 &amp; 14</b>	<i>Compliance with Australian Standard AS 2601 - 1991 - Demolition of Structures</i>
Driveways (not including vehicle turning areas or parking spaces)		2	3	4	5	Replacement only At or near, and finished surface level within 300mm, of natural ground level No excavation, no fill, not elevated or suspended Stormwater not to be directed onto adjoining properties Do not concentrate water flow paths Maximum grade 1 in 8 Maximum length 10m Council approval obtained for driveway crossing over public land <b>Meets Requirements on page 13 &amp; 14</b>	<i>Consult with relevant utilities for underground infrastructure and easements</i> <i>Consult with civil engineer to ensure structural adequacy</i>

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<b>Development</b>	<b>Exempt in Region</b>				<b>Requirements for Exemption</b>	<b>Advisory Notes</b>
Fences (excluding those covered by the Swimming Pools Act 1992) Does not apply to properties subject to the Heritage Provisions of PLEP 1993	1	2	3	4	Must comply with any relevant covenant on the title No fence within foreshore building line or below mean high water mark Boundary fences adjacent to mean high water mark on freehold land must be set back 1m above MHWL with the area between landscaped. Masonry fences: maximum height 600mm Non-masonry fences: Front and side fences (between building line and street or any other public place or road frontage): Maximum height 1m Side and rear fences (between the building line and the rear boundary): Maximum height 1.8m Constructed of non-combustible materials if located in a bushfire area or an asset protection zone identified in a bushfire risk management plan under the Rural Fires Act 1997 <b>Meets Requirements on page 13 &amp; 14</b>	<i>Boundary delineation by vegetation preferred</i> <i>Requirements do not set aside Dividing Fences Act 1991</i> <i>Masonry fences to comply with AS 3700 – Masonry Code</i> <i>Consult with neighbours, consider impact on stormwater, drainage, and movement of wildlife, compatible materials and design</i> Comply where appropriate with Australian Standard AS 3959 – 1991 <i>Construction of Buildings in Bushfire Prone Areas.</i> Standards Australia handbook HB 36 – 1993 <i>Building in Bushfire Prone Areas.</i> Ministerial Direction G20 <i>Planning in Bushfire Prone Areas</i> under Section 117 (2) of the Environmental Planning and Assessment Act. Department of Planning Circular No C10 <i>Planning in Fire Prone Areas.</i> Department of Bushfire Services publication <i>Planning for Bushfire Protection.</i> NSW National Parks and Wildlife Service <i>Fire Management Manual.</i>

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Development	Exempt in Region					Requirements for Exemption	Advisory Notes		
	1	2	3	4	5				
Flagpoles (single mast)						Maximum height 8.5m above natural ground level Maximum flag area 2 sq m Flag must be wholly within property boundaries at all times Complies with building line setbacks and not within 3m from side or rear boundary except not within 7.5m of side or rear boundary in zones 1(a) and 1(b), and Not within 6.5m of side or rear boundary in zone 1(c) No more than one per property <b>Meets Requirements on page 13 &amp; 14</b>	<i>Installed to manufacturer's specifications, structurally adequate, minimise noise by securing halyards etc</i>		
Fowl houses including yards Excludes Non Urban 1(a1)			3			Maximum area 50 sq m Located no closer than 20m from property boundary, no closer than 30m from any dwelling Maximum height 3m Not more than one per property Comply with Schedule 5 of Local Government (Orders) Regulation 1999 <b>Meets Requirements on page 13 &amp; 14</b>	<i>Comply with Schedule 5 of the Local Government (Orders) Regulation 1993, structurally adequate, consideration to impact on neighbours, non-reflective surface materials that blend with the environment, regular cleaning and maintenance, adequate provisions for drainage and runoff</i>		
Garbage storage enclosures/structures (external and communal)	1	2	3	4	5	Maximum floor area 6 sq m Unroofed, non-masonry construction Does not (and does not potentially) drain to stormwater Behind building line Screened so as to be not visible from a public place Screening a maximum height of 1.8m <b>Meets Requirements on page 13 &amp; 14</b>	<i>Consider any impact on neighbours</i>		

<b>NB No tree or bushland to be removed. Comply with DCP Locality Plans</b>										
Development	Exempt in Region					Requirements for Exemption	Advisory Notes			
	1	2	3	4	5					
Goal posts, sight screens, and similar sporting structures on sports fields (excluding grandstands, structures that accommodate people, amenities blocks and other structures)						Construction by or for Council or relevant authority Located in public parks or recreation areas <b>Meets Requirements on page 13 &amp; 14</b>	<i>Installed in accordance with relevant Australian Standards or the Building Code of Australia</i>			
Letter boxes						Maximum height 1.2m above natural ground level One box for each occupancy with appropriate numbering Wholly within property <b>Meets Requirements on page 13 &amp; 14</b>	<i>Compatible with environment and development, structurally adequate, installed in accordance with manufacturer's specifications</i>			
Hairdressing shops, beauty salons, and premises undertaking skin penetration						Compliance with Local Government (Orders) Regulation 1993 Schedules 2 & 3 Compliance with current NSW Health Skin Penetration Guidelines Compliance with the Public Health Regulation 1991, Part 3 – Skin Penetration <b>Meets Requirements on page 13 &amp; 14</b>				
Minor alterations, shop, office or industrial unit fit-outs <b>Does not apply to hairdressers shops, beauty salons, skin penetration premises, and food premises.</b>						Non-structural work only such as <ul style="list-style-type: none"> <li>• Replacement of doors, wall ceiling or floor linings, deteriorated frame members with equivalent or improved quality materials,</li> <li>• Renovations of kitchens, bathrooms</li> <li>• Renovations of shelving, display units, benches and the like</li> <li>• Removal or construction of non-structural non-residential partitions</li> </ul>	<i>Compliance with Building Code of Australia NB travel distance and evacuation route widths Minor alterations should not affect the structural strength and stability of the building, , Consult with structural engineer, architect or building surveyor prior to work Compliance with WorkCover Authority</i>			

<b>NB No tree or bushland to be removed. Comply with DCP Locality Plans</b>						
Development	Exempt in Region			Requirements for Exemption	Advisory Notes	
<p><b>See Section C for specific requirements</b></p> <p><b>Does not apply to properties individually listed under the Heritage Provisions of PLEP 1993</b></p>					<ul style="list-style-type: none"> <li>• Inclusions of built-in fixtures such as vanities, cupboards, wardrobes</li> </ul> <p>Applies only to alterations, installations or renovations to previously completed buildings</p> <p>Excludes changes to configuration of rooms by removal of walls or otherwise</p> <p>Must not:</p> <ul style="list-style-type: none"> <li>• reduce window arrangements for light and ventilation</li> <li>• reduce doorways for egress</li> <li>• involve enclosure of open areas</li> <li>• reduce window arrangements for light and ventilation</li> </ul> <p>reduce doorways or other means of access below the BCA standards</p> <p><b>Meets Requirements on page 13 &amp; 14</b></p>	<p><i>“Guidelines for Practices Involving Asbestos Cement in Buildings”, any work involving lead paint must not cause lead contamination of air or ground</i></p>
<p>Minor outbuildings, cabanas, gazebos, greenhouses, hobby sheds, garden sheds, and the like in Zones other than Non Urban</p>	2	4	5	<p>Maximum area 10 sq m</p> <p>Maximum height 3m</p> <p>Minimum for residential areas:</p> <ul style="list-style-type: none"> <li>• Max total site coverage including the new works: 40%</li> <li>• Min landscaped area: 60%</li> <li>• Rear and side boundary setback: one third of the wall height, minimum 1m, and does not breach any de facto building line</li> <li>• Max length of wall (within 3m of boundary): one third of boundary length</li> <li>• Darker, non-reflective wall and roof materials to match or complement existing dwelling</li> <li>• No additional shadowing of adjoining property</li> </ul>	<p><i>Must be structurally adequate, installed to manufacturer’s specifications</i></p> <p>Comply where appropriate with Australian Standard AS 3959 – 1991 <i>Construction of Buildings in Bushfire Prone Areas.</i></p> <p>Standards Australia handbook HB 36 – <i>1993 Building in Bushfire Prone Areas.</i></p> <p>Ministerial Direction G20 <i>Planning in Bushfire Prone Areas</i> under Section 117 (2) of the Environmental Planning and Assessment Act.</p> <p>Department of Planning Circular No C10 <i>Planning in Fire Prone Areas.</i></p> <p>Department of Bushfire Services publication <i>Planning for Bushfire</i></p>	

<b>NB No tree or bushland to be removed. Comply with DCP Locality Plans</b>					
Development	Exempt in Region			Requirements for Exemption	Advisory Notes
				<ul style="list-style-type: none"> <li>Does not impede any scenic view lines from private properties</li> </ul> No direct outlook from windows, balconies, stairs, landings, terraces, decks or other private, communal areas into the private open space of an adjoining dwelling within 9m and beyond a 45° angle from the plane of the wall containing the opening, measured from a height of 1.7m above floor level (See AMCORD (1995, pps 167 - 168) Site Planning and Building Design – Element 5.5 Privacy, Figure 4) Compliance with the BCA Located in rear yard or no closer to the street than the dwelling alignment Not to be used for habitable purposes Stormwater to be connected to existing approved system Non-reflective surface finishes Compliance with Part 3.7 of the BCA Housing Provisions <b>Meets Requirements on page 13 &amp; 14</b>	<i>Protection.</i> NSW National Parks and Wildlife Service <i>Fire Management Manual.</i>
Minor outbuildings, cabanas etc as above and including stables and the like in Non Urban zones other than Non Urban 1(a1)			3	Maximum area 25 sq m Maximum height 3m Maximum total site coverage including the new works 300 sq m or 4% of site area, whichever is the greater Not within 30m of a main road, and not within 20 m of a secondary road or public reserve Not within 7.5m of side or rear boundary in zones 1(a) and 1(b) Not within 6.5m of side or rear boundary in zone 1(c) Not to be used for habitable purposes Stormwater: connected to existing approved system	<i>Must be structurally adequate, installed to manufacturer's specifications</i> Comply where appropriate with Australian Standard AS 3959 – 1991 <i>Construction of Buildings in Bushfire Prone Areas.</i> Standards Australia handbook HB 36 – <i>1993 Building in Bushfire Prone Areas.</i> Ministerial Direction G20 <i>Planning in Bushfire Prone Areas</i> under Section 117 (2) of the Environmental Planning and Assessment Act.

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<b>Development</b>	<b>Exempt in Region</b>				<b>Requirements for Exemption</b>	<b>Advisory Notes</b>
					Non-reflective surface finishes No direct outlook from windows, balconies, stairs, landings, terraces, decks or other private, communal areas into the private open space of an adjoining dwelling within 9m and beyond a 45° angle from the plane of the wall containing the opening, measured from a height of 1.7m above floor level (See AMCORD (1995, pps 167 - 168) Site Planning and Building Design – Element 5.5 Privacy, Figure 4) Constructed of non-combustible materials if located in a bushfire area <b>Meets Requirements on page 13 &amp; 14</b>	Department of Planning Circular No C10 <i>Planning in Fire Prone Areas</i> . Department of Bushfire Services publication <i>Planning for Bushfire Protection</i> . NSW National Parks and Wildlife Service <i>Fire Management Manual</i> .
Moorings				4	Maintenance, replacement or relocation within same mooring area of moorings erected or laid with the consent of Council <b>Meets Requirements on page 13 &amp; 14</b>	
Navigation aids	1			4	Construction by or for relevant authority <b>Meets Requirements on page 13 &amp; 14</b>	<i>Consult with relevant authorities</i>

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<b>Development</b>	<b>Exempt in Region</b>				<b>Requirements for Exemption</b>	<b>Advisory Notes</b>
Park and street furniture e.g. seats, bins, bubblers, taps and showers, barbecues, public notice signs, fencing, picnic tables, picnic shelters, playground equipment, bicycle facilities and the like				4	Construction by or for Council or relevant authority <b>Meets Requirements on page 13 &amp; 14</b>	<i>Compatible with environment, designed, fabricated, installed in accordance with Australian Standards or BCA</i>
Paths and steps on private land (excluding paved recreation areas)		2	3		At or near and within 300mm natural ground level Maximum width 1.2m Permeable surface preferred to reduce stormwater runoff Stormwater not to be directed onto adjoining properties <b>Meets Requirements on page 13 &amp; 14</b>	<i>Consult with relevant utilities for underground infrastructure and easements, consult with civil engineer to ensure structural adequacy</i>
Pergolas (unroofed), trellises attached to dwellings		2	3	4 5	Maximum area 20 sq m Maximum height 2.4m In residential zones not to extend within 10m of a main road; 6.5m of a secondary road; not to breach any de facto building line In non-urban zones not to extend within 30m to a main road; or 20m to all secondary roads and public reserves Not within 7.5m of side or rear boundary in zones 1(a) and 1(b) Not within 6.5m of side or rear boundary in zone 1(c) Minimum distance from side or rear boundary 900mm in zones other than non-urban Constructed of non-combustible materials if located in a bushfire area	<i>Must be structurally adequate Comply where appropriate with Australian Standard AS 3959 – 1991 Construction of Buildings in Bushfire Prone Areas. Standards Australia handbook HB 36 – 1993 Building in Bushfire Prone Areas. Ministerial Direction G20 Planning in Bushfire Prone Areas under Section 117 (2) of the Environmental Planning and Assessment Act. Department of Planning Circular No C10 Planning in Fire Prone Areas. Department of Bushfire Services publication Planning for Bushfire</i>

<b>NB No tree or bushland to be removed. Comply with DCP Locality Plans</b>							
<b>Development</b>	<b>Exempt in Region</b>					<b>Requirements for Exemption</b>	<b>Advisory Notes</b>
						<i>Meets Requirements on page 13 &amp; 14</i>	<i>Protection. NSW National Parks and Wildlife Service Fire Management Manual.</i>
Play equipment, <b>not including cubby houses</b> on private property	1	2	3	4	5	In residential zones not to extend within 10m of a main road; 6.5m of a secondary road; not to breach any de facto building line In non-urban zones not to extend within 30m to a main road; or 20m to all secondary roads and public reserves Minimum distance from side or rear boundary 900mm in zones other than Non-Urban Not within 7.5m of side or rear boundary in zones 1(a) and 1(b) Not within 6.5m of side or rear boundary in zone 1(c) <i>Meets Requirements on page 13 &amp; 14</i>	<i>Equipment to be installed in accordance with manufacturer's specifications and comply with relevant Australian Standards</i>
Portable building site sheds, offices and associated amenities buildings	1	2	3	4	5	To be removed immediately after completion of the building and prior to occupation or within 12 months of erection To be constructed so that the building(s) may be removed from the site within 24 hours notice All work to be carried out in accordance with the NSW Plumbing and Drainage Code with sanitary fixtures connected to service mains at a connection point provided by the relevant authority Maximum area 15 sq m Maximum height 4.5m In residential zones not to extend within 10m of a main road; 6.5m of a secondary road; not to breach any de facto building line In non-urban zones not to extend within 30m to a main	Comply where appropriate with Australian Standard AS 3959 – 1991 <i>Construction of Buildings in Bushfire Prone Areas</i> . Standards Australia handbook HB 36 – <i>1993 Building in Bushfire Prone Areas</i> . Ministerial Direction G20 <i>Planning in Bushfire Prone Areas</i> under Section 117 (2) of the Environmental Planning and Assessment Act. Department of Planning Circular No C10 <i>Planning in Fire Prone Areas</i> . Department of Bushfire Services publication <i>Planning for Bushfire Protection</i> . NSW National Parks and Wildlife Service

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<b>Development</b>	<b>Exempt in Region</b>			<b>Requirements for Exemption</b>	<b>Advisory Notes</b>	
					road; or 20m to all secondary roads and public reserves, unless for Council purposes Minimum distance from side or rear boundary 900mm in zones other than Non-Urban Not within 7.5m of side or rear boundary in zones 1(a) and 1(b) Not within 6.5m of side or rear boundary in zone 1(c) Compliance with the BCA Constructed of non-combustible materials if located in a bushfire area <b>Meets Requirements on page 13 &amp; 14</b>	<i>Fire Management Manual.</i>
Portable classrooms		3	4	5	Up to 5 years only Stormwater to be connected to existing approved system Non-reflective surface finishes In residential zones not to extend within 10m of a main road; 6.5m of a secondary road; not to breach any de facto building line In non-urban zones not to extend within 30m to a main road; or 20m to all secondary roads and public reserves No closer than 3m to side or rear property boundary Single storey only Constructed of non-combustible materials if located in a bushfire area <b>Meets Requirements on page 13 &amp; 14</b>	<i>Compatible with environment, designed, fabricated, installed in accordance with Australian Standards or BCA</i> Comply where appropriate with Australian Standard AS 3959 – 1991 <i>Construction of Buildings in Bushfire Prone Areas.</i> Standards Australia handbook HB 36 – 1993 <i>Building in Bushfire Prone Areas.</i> Ministerial Direction G20 <i>Planning in Bushfire Prone Areas</i> under Section 117 (2) of the Environmental Planning and Assessment Act. Department of Planning Circular No C10 <i>Planning in Fire Prone Areas.</i> Department of Bushfire Services publication <i>Planning for Bushfire Protection.</i> NSW National Parks and Wildlife Service <i>Fire Management Manual.</i>

<b>NB No tree or bushland to be removed. Comply with DCP Locality Plans</b>							
<b>Development</b>	<b>Exempt in Region</b>					<b>Requirements for Exemption</b>	<b>Advisory Notes</b>
Public entertainment					4	Use of temporary structures as places of public entertainment in accordance with clause 70(f) of the Local Government Approvals Regulation 1993 <b>Meets Requirements on page 13 &amp; 14</b>	
Public meetings	1	2	3	4	5	The meeting venue complies with the requirements of the Local Government Act and Regulations, the BCA and other relevant legislation <b>Meets Requirements on page 13 &amp; 14</b>	
Re-cladding of roofs and walls Does not apply to properties subject to the Heritage Provisions of PLEP 1993, except in emergency situations	1	2	3	4	5	No structural alterations or change to the external configuration of the building Materials to be compatible with existing building and finish and compatible with those in area No light-coloured or reflective materials <b>Meets Requirements on page 13 &amp; 14</b>	<i>Compliance with WorkCover Authority "Guidelines for Practices Involving Asbestos Cement in Buildings", any work involving lead paint must not cause lead contamination of air or ground</i>
Retaining walls see also Ancillary development		2	3	4	5	No fill from outside the site Maximum height: 600mm Maximum backfill: 5 cubic metres At least 900mm from any boundary or structure Do not prevent flow of stormwater/drainage runoff <b>Meets Requirements on page 13 &amp; 14</b>	<i>Consult with a structural engineer to ensure stability. Masonry walls to comply with: AS 3700 - Masonry Code, AS 3600 - Concrete Structures, AS 1170 - Loading Code Timber walls to comply with: AS 1720 - Timber structures, AS 1170 - Loading Code</i>

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<b>Development</b>	<b>Exempt in Region</b>					<b>Requirements for Exemption</b>	<b>Advisory Notes</b>
Satellite dishes	1	2	3		5	One only per building  Ground Mounted: Maximum height: 1800mm Max diameter: 1000mm Not visible from a street or public place Minimum 900mm from property boundary  Roof mounted: Maximum diameter: 850mm Coloured to blend with roof/building Located on rear section of roof Not visible from street or public place <b>Meets Requirements on page 13 &amp; 14</b>	<i>Installed to manufacturer's specifications</i>
Satellite dishes				4		Ground Mounted: Maximum height: 1800mm Max diameter: 2000mm Minimum 900mm from property boundary  Roof mounted: Maximum diameter: 2000mm Coloured to blend with roof/building Located on rear section of roof or where visibility is minimised <b>Meets Requirements on page 13 &amp; 14</b>	<i>Installed to manufacturer's specifications</i>
Scaffolding	1	2	3	4	5	Must not encroach onto footpath, roadway or public thoroughfare Encroachments onto adjoining properties permissible when the written consent of the adjoining owner(s) is obtained <b>Meets Requirements on page 13 &amp; 14</b>	<i>Comply with WorkCover Authority requirements</i>

<b>NB No tree or bushland to be removed. Comply with DCP Locality Plans</b>									
Development	Exempt in Region					Requirements for Exemption	Advisory Notes		
	1	2	3	4	5				
Skylights/roof windows (including solar tubes and the like) Does not apply to properties subject to the Heritage Provisions of PLEP 1993						Dwellings only: Maximum area: 2 sq m Maximum one per 25 sq m of roof area Minimum 900mm from property boundary Minimum 900mm from a wall separating attached dwellings Non-residential: Minimum 900mm from property boundary Minimum 900mm from a wall separating attached buildings/units <b>Meets Requirements on page 13 &amp; 14</b>	<i>Installed to manufacturer's specifications and by a licensed person, consult with a structural engineer to ensure structural adequacy Must not reduce structural integrity of the building, nor involve structural alterations Any opening created by installation must be adequately weatherproofed</i>		
Tree and bushland removal, pruning, ringbarking, poisoning, injury, cutting down, destroying						Only in accordance with an approval under Council's Tree Preservation and Management Order and not a tree listed under Schedule 9 – Heritage Items of PLEP 1993 <b>Meets Requirements on page 13 &amp; 14</b>	<i>Applies to any tree or shrub higher than 3 m or with a trunk, bole, or branch girth more than 0.5m (or combined girth of two or more trunks more than 0.5m), branch canopy width more than 5m; any species listed as threatened; and any cycad or mangrove; and any bushland</i>		
Water heaters, solar water heaters, heat pumps, photo voltaic cells and the like						Replacement or new installations to be done by a licensed person Minimum 3.5 star energy rating Installations to be no more than 300mm above roof alignment <b>Meets Requirements on page 13 &amp; 14</b>	<i>Installed to manufacturer's specifications and by a licensed person, consult with a structural engineer to ensure structural adequacy Locate in the least visually intrusive area Must not reduce structural integrity of the building, nor involve structural alterations Any opening created by installation must be adequately weatherproofed</i>		

<b>NB No tree or bushland to be removed. Comply with DCP Locality Plans</b>						
Development	Exempt in Region				Requirements for Exemption	Advisory Notes
Water tanks	1	2		5	In residential zones not to extend within 10m of a main road; 6.5m of a secondary road; not to breach any de facto building line Minimum of 900mm from side or rear property boundary No discharge to adjoining properties Only to be used for the storage of water Maximum capacity: 9,000 litres No higher than associated gutter, or if separate, maximum height of 3m including stand Non-reflective, dark colours Prefabricated by an established manufacturer Associated pumps not to be audible in a neighbour's residence between 10pm - 7am weekdays 10pm - 8am weekends and public holidays <b>Meets Requirements on page 13 &amp; 14</b>	<i>Installed to manufacturer's specifications and by a licensed person, consult with a structural engineer to ensure structural adequacy</i> <i>Located in the least visually intrusive area</i>
Water tanks Non residential			3	4	As above except: In non-urban zones not to extend within 30m to a main road; or 20m to all secondary roads and public reserves Not within 7.5m of side or rear boundary in zones 1(a) and 1(b) Not within 6.5m of side or rear boundary in zone 1(c) Maximum capacity: 22,500 litres No higher than associated gutter, or if separate, maximum height of 8.5m including stand <b>Meets Requirements on page 13 &amp; 14</b>	As above
Wharves, jetties, pontoons, and boat launching ramps or				4	Repairs and maintenance only Reconfiguration within the same area Formal written approval from relevant authorities	<i>Complies with relevant DCP Locality Plan</i> <i>Complies with DCP No 14: Waterways</i>

<b>NB No tree or bushland to be removed. Comply with DCP Locality Plans</b>									
<b>Development</b>	<b>Exempt in Region</b>					<b>Requirements for Exemption</b>	<b>Advisory Notes</b>		
slipways						Construction, alterations and maintenance of public transport wharves <b>Meets Requirements on page 13 &amp; 14</b>			
Windmills, wind generators and the like		2	3	4	5	Wholly within property boundary Maximum height 8.5m Non-reflective colours only <b>Meets Requirements on page 13 &amp; 14</b>	<i>Installed to manufacturer's specifications and by a licensed person, consult with a structural engineer to ensure structural adequacy, ensure clearance from power lines in accordance with energyAustralia requirements, minimise noise and visibility</i>		
Windows, glazed areas and external doors	1	2	3	4	5	Replacement only Does not apply to external mirrored glass No reduction in light and ventilation Structural support members cannot be removed <b>Meets Requirements on page 13 &amp; 14</b>	<i>Consult a building surveyor, structural engineer, and/or architect to ensure compliance with BCA and that structural support will not be affected. Ensure appropriate thickness of glass, whether safety glass is required Compliance with WorkCover Authority requirements and AS 1288 Glass in Buildings AS 2208 Safety Glazing Materials for Use in Buildings (Human Impact Considerations)</i>		

## Part C: General Information – Complying Development

### 1. Development is Complying Development, only if

- a. It does not cause interference with the amenity of the neighbourhood because of electrical interference, microwave or other radiation, noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, other than during construction
- b. It complies with any deemed-to-satisfy provisions of the Building Code of Australia relevant to the development or relevant Australian Standards
- c. It complies with Pittwater Local Environmental Plan 1993
- d. It does not require an application under the Pittwater Tree Preservation and Management Order
- e. It complies with the relevant development standards as contained in this DCP
- f. It complies with any minimum stated front boundary setback and does not breach any de facto building line
- g. It is consistent with any plan of management approved under State Environmental Planning Policy No 44 – Koala Habitat, and with any recovery plan or threat abatement plan in force under the Threatened Species Conservation Act 1995 that apply to the land
- h. It does not contravene any condition of a development consent applying to the land
- i. A certificate of compliance has been obtained for the development, if required, from the relevant authority
- j. It is wholly within an existing single lot when it involves a built development or construction.
- k. It complies with Sydney Water's building over sewer requirements

### 2. Development is not Complying Development if it

- Is a site that has previously been used as a service station or a sheep or cattle dip, for intensive agriculture, mining or extractive industry, waste storage or waste treatment, or for the manufacture of chemicals, asbestos or asbestos products, and a notice of completion of remediation work for the proposed use has not been given to the local council in accordance with State Environmental Planning Policy No 55 – Remediation of Land, or
- Is an Aboriginal place or known Aboriginal relic, or is dedicated or reserved under the National Parks and Wildlife Act 1974, or
- Is within Zone No 7(a) Environment Protection "A", or Zone No 7(a1) Environment Protection – Waterways, or
- Is reserved or dedicated under the Crown Lands Act 1989 for the preservation of flora, fauna or geological formations or for other environmental protection purposes, or
- Is land to which State Environmental Planning Policy No 14 – Coastal Wetlands or SEPP No 14 – Coastal Wetlands applies, or

- Is land to which State Environmental Planning Policy No 26 – Coastal Wetlands or SEPP No 26 – Littoral Rainforests applies, or
  - Is an aquatic reserve declared under the Fisheries Management Act 1994, or
  - Is State protected land within the meaning of the Native Vegetation Conservation Act 1997, or
  - Is a special area or outer catchment area within the meaning of the Water Board (Corporatisation) Act 1994,
  - Is development under section 76A (6) of the Environmental Planning and Assessment Act 1979 (i.e. State significant development, designated development, or any development if consent for it requires the concurrence of a person other than the consent authority or the Director-General of National Parks and Wildlife as referred to in section 79B (3) of the Environmental Planning and Assessment Act)
  - Is identified in section 76A (6) of the Environmental Planning and Assessment Act 1979 as:
    - Critical habitat (within the meaning of the Threatened Species Conservation Act 1995)
    - Within a wilderness area (within the meaning of the Wilderness Act 1987)
    - An item of the environmental heritage to which an order under the Heritage Act 1977 applies or that is identified as such an item in PLEP 1993
    - An environmentally sensitive area in PLEP 1993
  - Is an “existing use” as defined under section 108 of the Environmental Planning and Assessment Act 1979
3. A Complying Development certificate issued for any such development is to be subject to Council's Standard Conditions, as amended from time to time, which are available from Council offices.

### Complying Development

<b>NB No tree or bushland to be removed. Comply with DCP Locality Plans</b>				
<b>Development</b>	<b>Complies in Region</b>			<b>Requirements for Compliance</b>
<p>Alterations and additions to dwellings see also Demolition</p> <p><b>Advisory Notes:</b> <i>Complies with WV DCP or relevant DCP Locality Plan</i></p> <p><i>Landscaping in accordance with Landscape and Vegetation Management DCP</i></p> <p><i>Erosion and sediment controls in accordance with Council's stormwater and OSD controls</i></p>	2	3	5	<p>External additions: are to be at ground floor level only; any additional floor area is not to exceed 30sq m; max height of any external additions is not to exceed 4.5m Internal alterations are permissible at or above ground floor level</p> <p>The development must comply with the BCA and/or the relevant Australian Standards Max total site coverage including the new works is not to exceed 40%, except in Region 3 where up to 300sq m or 4% site coverage, whichever is greater, is permissible Rear and side boundary setbacks are not to exceed one third of the wall height with a minimum of 1m in zones other than Non-Urban, 7.5m in zones 1(a) and 1(b), 6.5m in zone 1(c).</p> <p>Development is not to breach any de facto building line to adjoining dwellings Max length of wall in residential areas (within 3m of boundary): one third of boundary length Min front boundary setback (Residential zones): 6.5m (10m to an arterial road) and does not breach any de facto building line to adjoining dwellings Min front boundary setback (Non-Urban zones): 30m to a main road (Mona Vale Road, McCarrs Creek Road); 20m to all secondary roads and public reserves. The first 15m setback from the road boundary is to be landscaped, with no structures (letterboxes excepted) or carparking permitted Utilises darker, non-reflective wall and roof materials to match or complement existing dwelling Does not cause additional shadowing of adjoining property Does not impede any scenic view</p>

<b>NB No tree or bushland to be removed. Comply with DCP Locality Plans</b>						
<b>Development</b>	<b>Complies in Region</b>					<b>Requirements for Compliance</b>
						<p>No new or additional open solid fuel or wood burning heaters or stoves                      Cut or fill does not exceed 900mm and/or 3 cubic metres                      Excavation or fill does not encroach onto or affect any adjoining property                      Energy efficiency 3.5 star under NatHERS or equivalent                      Compliance with best practice erosion and sediment controls                      No tree or bushland removal                      Fence all trees or treed areas within 5m of any access route or within 5m of the proposed development for 3m minimum radius around trunks with a suitable protective fence.                      Tree protection measures to be erected and certified prior to commencement of works                      No habitable room windows with a direct outlook to habitable room windows in an adjacent dwelling, except for windows with sill heights a minimum of 1.7m above floor level or with translucent glazing                      No direct outlook from windows, balconies, stairs, landings, terraces, decks or other private, communal areas into the private open space of another dwelling within 9m and beyond a 45° angle from the plane of the wall containing the opening, measured from a height of 1.7m above floor level (See AMCORD (1995, pps 167 - 168) Site Planning and Building Design – Element 5.5 Privacy, Figure 4)</p> <p><b><i>Meets Requirements on page 36 &amp; 37</i></b></p>
Alterations (non-residential)	2	3	4	5		<p>The development must comply with the requirements of the BCA and/or the relevant Australian Standards                      The development does not increase in the total floor area of the building                      The use of the altered building is consistent with the building classification under the BCA                      Any use of the altered structure is not actually or potentially a hazardous or offensive industry                      Any use of the altered building is not prohibited by any provision of PLEP 1993                      Any works are limited to internal changes to floor plan and minor external changes e.g. window and door openings                      No changes that result in a loss of existing carparking or landscaping</p> <p><b><i>Meets Requirements on page 36 &amp; 37</i></b></p>

<b>NB No tree or bushland to be removed. Comply with DCP Locality Plans</b>						
<b>Development</b>	<b>Complies in Region</b>					<b>Requirements for Compliance</b>
	1	2	3	4	5	
<p>Bed and breakfast accommodation</p> <p><b>Advisory Notes:</b> <i>Complies with WV DCP or relevant DCP Locality Plan</i></p> <p><i>Complies with DCP No 19 – Bed and Breakfast Establishments</i></p> <p><i>Landscaping in accordance with Landscape and Vegetation Management DCP</i></p>	1	2	3	4	5	<p>Works are to be confined to within an existing dwelling house</p> <p>Owner(s) reside in dwelling</p> <p>There is a maximum of 6 paying guests</p> <p>The development must comply with the requirements of the BCA and/or the relevant Australian Standards</p> <p>There are to be no external works including carparking</p> <p>Short-term accommodation only, up to a maximum of one month for each guest</p> <p>No animals in a guest room, dining room or kitchen, other than guide dogs</p> <p>Separate toilet and bathroom facilities for guests</p> <p>Kitchen to comply with Food Act 1989 and the Food (General) Regulation 1997</p> <p>Fire blanket and fire extinguisher with instructions in kitchen</p> <p>No deadlocks requiring internal key release on doors to guest rooms or external doors</p> <p>Approved single-station smoke detector alarms (connected to permanent 240 volt supply with battery backup) to be installed in all corridors, passageways, and halls and in all habitable rooms, except kitchens, and complying with AS 3786-1993 Smoke Alarms and AS 3000-1991 Electrical Installation for Building, Structures and Premises (the SAA wiring rules)</p> <p>Walls separating guest bedrooms: sound transmission rating of 45</p> <p>Walls separating guest bedroom(s) from bathroom, kitchen, toilet, laundry, or stairway: sound transmission rating of 50</p> <p>Provision of a minimum one carparking space per guest bedroom, plus minimum 2 spaces for owners (note: a separate application is required for any additional external carparking facilities)</p> <p>One business identification sign only, not illuminated, maximum size 0.27sq m</p> <p>Provision of annual written certification to Council by qualified consultant that use is in accordance with these requirements, fire safety and health issues and any conditions of development consent</p> <p><b><i>Meets Requirements on page 36 &amp; 37</i></b></p>

<b>NB No tree or bushland to be removed. Comply with DCP Locality Plans</b>						
<b>Development</b>	<b>Complies in Region</b>					<b>Requirements for Compliance</b>
Bridges, boardwalks, dinghy storage, landscaping, paths, stairs, play equipment including cubby houses, in public parks and recreation areas				4	5	<p>The proposal is in accordance with relevant Plan of Management</p> <p>Construction to be by or for Council</p> <p>Any pedestrian bridges to have a maximum span of 12m</p> <p>Proposed structures are designed, fabricated and installed in accordance with the Building Code of Australia (Section B), AS 4100 for steel structures, AS 1720 for timber structures, and AS 3600 for concrete structures</p> <p>Any stormwater to be connected to existing approved system</p> <p>Compliance with Australian National Parks and Wildlife Service Walking Track Management Manual Standards where applicable</p> <p>Equipment to be installed in accordance with manufacturer's specifications and to comply with relevant Australian Standards</p> <p><b><i>Meets Requirements on page 36 &amp; 37</i></b></p>

<b>NB No tree or bushland to be removed. Comply with DCP Locality Plans</b>				
<b>Development</b>	<b>Complies in Region</b>			<b>Requirements for Compliance</b>
<p>Carports, garages and parking spaces</p> <p><b>Advisory Notes:</b>  <b><i>Complies with WV DCP or relevant DCP Locality Plan</i></b></p> <p><b><i>Complies with DCP No 2 – Carparking and Engineering DCP No E3 – Driveways and Internal Roadways</i></b></p> <p><b><i>Landscaping in accordance with Landscape and Vegetation Management DCP</i></b></p> <p><b><i>Erosion and sediment controls in accordance with Council's stormwater and OSD controls</i></b></p>	2	3	5	<p>Not more than one structure, up to 43sq m</p> <p>The development must comply with the requirements of the BCA and/or the relevant Australian Standards</p> <p>Max width of a garage, carport or parking space area that faces the street and projects forward from the rest of the development to be no more than 6m or 50% of the site frontage width, whichever is less</p> <p>Maximum height of any structure 4.5m</p> <p>The structure must be associated with a dwelling on the site</p> <p>Any roofed structure to have minimum clearance height: 2.2m</p> <p>Max total site coverage including the new works is not to exceed 40%, except in Region 3 where up to 300sq m or 4% site coverage, whichever is greater, is permissible</p> <p>Min front boundary setback (Residential zones): 6.5m (10m to an arterial road) and must not breach any de facto building line</p> <p>Min front boundary setback (Non-Urban zones): 30m to a main road (Mona Vale Road, McCarrs Creek Road); 20m to all secondary roads and public reserves</p> <p>The first 15m setback from the road boundary is to be landscaped, with no structures (letterboxes excepted) or carparking permitted</p> <p>Rear and side boundary setbacks are not to exceed one third of the wall height with a minimum of 1m in zones other than Non-Urban, 7.5m in zones 1(a) and 1(b), 6.5m in zone 1(c)</p> <p>Development is not to breach any de facto building line.</p> <p>Max length of wall (within 3m of boundary): one third of boundary length</p> <p>Utilises darker, non-reflective wall and roof materials</p> <p>Does not cause additional shadowing of adjoining property</p> <p>Must not impede any scenic view</p> <p>Cut or fill does not exceed 900mm and/or 3 cubic metres</p> <p>Cut or fill does not encroach onto or affect any adjoining property</p> <p>No tree or bushland removal</p> <p>Fence all trees or treed areas within 5m of any access route or within 5m of the proposed development for 3m minimum radius around trunks with a suitable protective fence.</p> <p>Tree protection measures to be erected and certified prior to commencement of works</p> <p><b><i>Meets Requirements on page 36 &amp; 37</i></b></p>

<b>NB No tree or bushland to be removed. Comply with DCP Locality Plans</b>					
<b>Development</b>	<b>Complies in Region</b>			<b>Requirements for Compliance</b>	
<p>Decks, pergolas (unroofed)</p> <p><b>Advisory Notes:</b> <i>Complies with WV DCP or relevant DCP Locality Plan</i></p> <p><i>Landscaping in accordance with Landscape and Vegetation Management DCP</i></p> <p><i>Erosion and sediment controls in accordance with Council's stormwater and OSD controls</i></p>	2	3	4	5	<p>The structure is attached to a dwelling at ground floor level</p> <p>The development must comply with the requirements of the BCA and/or the relevant Australian Standards</p> <p>Max total site coverage including the new works is not to exceed 40%, except in Region 3 where up to 300sq m or 4% site coverage, whichever is greater, is permissible</p> <p>Rear and side boundary setback are not to exceed one third of the wall height, with a minimum of 1m in zones other than Non-Urban, 7.5m in zones 1(a) and 1(b), 6.5m in zone 1(c)</p> <p>Development is not to breach any de facto building line</p> <p>Min front boundary setback (Residential zones): 6.5m (10m to an arterial road) and does not breach any de facto building line</p> <p>Min front boundary setback (Non-Urban zones): 30m to a main road (Mona Vale Road, McCarrs Creek Road); 20m to all secondary roads and public reserves. The first 15m setback from the road boundary is to be landscaped, with no structures (letterboxes excepted) or carparking permitted</p> <p>Utilises darker, non-reflective materials</p> <p>Does not cause additional shadowing of adjoining property</p> <p>Does not impede any scenic view</p> <p>No direct outlook from windows, balconies, stairs, landings, terraces, decks or other private, communal areas into the private open space of another dwelling within 9m and beyond a 45° angle from the plane of the wall containing the opening, measured from a height of 1.7m above floor level (See AMCORD (1995, pps 167 - 168) Site Planning and Building Design – Element 5.5 Privacy, Figure 4)</p> <p>Cut or fill does not exceed 900mm and/or 3 cubic metres</p> <p>Cut or fill does not encroach onto or affect any adjoining property</p> <p>Floor level or deck no higher than 1.5m above natural ground level</p> <p>Compliance with best practice erosion and sediment controls</p> <p>Pergola no higher than 3m above floor level or natural ground level</p>

<b>NB No tree or bushland to be removed. Comply with DCP Locality Plans</b>						
<b>Development</b>	<b>Complies in Region</b>					<b>Requirements for Compliance</b>
						No tree or bushland removal Fence all trees or treed areas within 5m of any access route or within 5m of the proposed development for 3m minimum radius around trunks with a suitable protective fence. Tree protection measures to be erected and certified prior to commencing works <b><i>Meets Requirements on page 36 &amp; 37</i></b>
Demolition of a structure to allow construction of an approved development in accordance with a valid consent (e.g. demolition of a carport to allow construction of a garage in accordance with a valid consent)  <b>Advisory Note:</b> <b><i>Does not apply to properties listed under Schedule 9 – Heritage Items in PLEP 1993</i></b>	1	2	3	4	5	Hours of demolition restricted to 7am – 5pm Monday – Friday, 8am – 1pm Saturday. Internal work at any time provided noise emission is not audible at any adjoining boundary. Footpath and adjacent roadway to be free of obstruction by building materials and/or plant. The development must comply with the requirements of the BCA and/or the relevant Australian Standards All trucks, pumps and plant to be kept wholly on site. No concrete or slurry to be discharged into street or street drainage system. Required erosion controls certified and installed prior to commencement of demolition Fence all trees or treed areas within 5m of any access route or within 5m of the proposed development for 3m minimum radius around trunks with a suitable protective fence. Tree protection measures are to be erected and certified prior to commencement of demolition Erection of hoarding to prevent entry of general public Demolition to comply with AS 2601 - Demolition of Structures Consult with relevant supply and utility authorities for advice and requirements <b><i>Meets Requirements on page 36 &amp; 37</i></b>

<b>NB No tree or bushland to be removed. Comply with DCP Locality Plans</b>						
<b>Development</b>	<b>Complies in Region</b>					<b>Requirements for Compliance</b>
<p>Driveways and pathways on private land (excluding paved recreation areas, vehicle turning areas, or car parking spaces)</p> <p><b>Advisory Notes:</b>  <i>Complies with WV DCP or relevant DCP Locality Plan, DCP No 2 – Carparking; and Engineering DCP No E3 – Driveways and Internal Roadways</i></p> <p><i>Landscaping in accordance with Landscape and Vegetation Management DCP</i></p> <p><i>Erosion and sediment controls in accordance with Council's stormwater and OSD controls</i></p>	2	3	4	5	<p>Not more than one</p> <p>The development must comply with the requirements of the BCA and/or the relevant Australian Standards</p> <p>Not to an arterial road</p> <p>Within 500mm of natural ground level</p> <p>Maximum fill: 3 cubic metres</p> <p>Maximum excavation: 3 cubic metres</p> <p>Maximum grade at any point: 1 in 5</p> <p>Minimum clearance height: 2.2m</p> <p>Maximum width: 6.5m at entrance to garage/carport, elsewhere 3m</p> <p>Maximum total site coverage including the new works : 40%, except in Region 3 where 300sq m or 4%, whichever is greater, of the site area is the maximum</p> <p>Stormwater not to be directed onto adjoining properties</p> <p>Do not concentrate water flow paths</p> <p>Complies with provisions of PLEP 1993</p> <p>Comply with AS 2890.1 – 1993 and/or AS 2890.2 – 1989</p> <p>Compliance with RTA Guide to Traffic Generating Developments where appropriate</p> <p>Council approval obtained for driveway crossing over public land</p> <p>No tree or bushland removal</p> <p>Fence all trees or treed areas within 5m of any access route or within 5m of the proposed development for 3m minimum radius around trunks with a suitable protective fence.</p> <p>Tree protection measures to be erected and certified prior to commencing works</p> <p>Consult with relevant utilities for underground infrastructure and easements, consult with civil engineer to ensure structural adequacy</p> <p><b>Meets Requirements on page 36 &amp; 37</b></p>	

<b>NB No tree or bushland to be removed. Comply with DCP Locality Plans</b>					
<b>Development</b>	<b>Complies in Region</b>			<b>Requirements for Compliance</b>	
Food premises (commercial) involved in manufacture, preparation, storage, sale or other handling or use in relation to food  <b>Advisory Note:</b> <i>See Pittwater Council Code for Construction and Fitout of Food Premises</i>			4		Fitout in accordance with NSW Food (General) Regulations and BCA The development must comply with the requirements of the BCA and/or the relevant Australian Standards Mechanical exhaust ventilation installation and operation to be certified to comply with AS 1668 Parts 1 & 2. Premises that cook chicken by BBQ, deep frying, rotisserie, or similar treatment shall install effective, secondary filtration including odour control. Any exhaust duct work that requires new or additional penetration through an external wall or roof are not complying development Sanitary facilities to be provided in accordance with BCA Evidence of a Trade Waste Agreement with Sydney Water Noise emitted from mechanical equipment and operations shall not exceed requirements of the Protection of the Environment and Operations Act <b>Meets Requirements on page 36 &amp; 37</b>
Home industries  <b>Advisory Notes:</b> <i>Complies with WV DCP or relevant DCP Locality Plan</i>  <i>Landscaping in accordance with Landscape and Vegetation Management DCP</i>	2	3		5	Compliance with the Environmental Planning and Assessment Model Provisions as adopted by PLEP 1993 The use is confined within an existing, approved building <b>Meets Requirements on page 36 &amp; 37</b>

<b>NB No tree or bushland to be removed. Comply with DCP Locality Plans</b>						
<b>Development</b>	<b>Complies in Region</b>					<b>Requirements for Compliance</b>
	1	2	3	4	5	
Landfill only for infilling and restoration of former swimming pools  <b>Advisory Notes:</b> <b><i>Complies with WV DCP or relevant DCP Locality Plan</i></b>  <b><i>Landscaping in accordance with Landscape and Vegetation Management DCP</i></b>						Maximum fill to natural ground level or to prior level of water in swimming pool only, whichever is less The development must comply with the requirements of the BCA and/or the relevant Australian Standards No tree or bushland removal Area to be landscaped and stabilised after completion of fill 'Notification of Commencement' form to be lodged with Council at least 2 days prior to commencement. Hours of works restricted to 7am – 5pm Monday – Friday, 8am – 1pm Saturday. Footpath and adjacent roadway to be free of obstruction by building materials and/or plant. All trucks, pumps and plant to be kept wholly on site Compliance with best practice erosion and sediment controls Required erosion controls certified and installed prior to commencement Fence all trees or treed areas within 5m of any access route or within 5m of the proposed development for 3m minimum radius around trunks with a 1.8m high chain mesh fence. Tree protection measures are to be erected and certified prior to commencement Erection of hoarding to prevent entry of general public Demolition to comply with AS 2601 - Demolition of Structures Consult with relevant supply and utility authorities for advice <b><i>Meets Requirements on page 36 &amp; 37</i></b>

<b>NB No tree or bushland to be removed. Comply with DCP Locality Plans</b>				
<b>Development</b>	<b>Complies in Region</b>			<b>Requirements for Compliance</b>
<p>Minor outbuildings, garden sheds, greenhouses, cabanas, studios</p> <p><b>Advisory Notes:</b> <i>Complies with WV DCP or relevant DCP Locality Plan</i></p> <p><i>Landscaping in accordance with Landscape and Vegetation Management DCP</i></p> <p><i>Erosion and sediment controls in accordance with Council's stormwater and OSD controls</i></p>	2	3	4	5
<p>Up to 15 sq m</p> <p>The development must comply with the requirements of the BCA and/or the relevant Australian Standards</p> <p>The structure is associated with a dwelling</p> <p>The structure is not to be used for habitable purposes</p> <p>The structure is not connected to sewer or water supply</p> <p>Cut or fill does not exceed 900mm and/or 3 cubic metres</p> <p>Cut or fill does not encroach onto or affect any adjoining property</p> <p>Height is no more than 3.5m</p> <p>Compliance with best practice erosion and sediment controls</p> <p>Max total site coverage including the new works is not to exceed 40%</p> <p>Rear and side boundary setbacks are not to exceed one third of the wall height, with a minimum 1m in zones other than non-urban</p> <p>Development is not to breach any de facto building line</p> <p>Max length of wall in residential areas (within 3m of boundary): one third of boundary length</p> <p>Min front boundary setback (Residential zones): 6.5m (10m to an arterial road)</p> <p>Utilises darker, non-reflective wall and roof materials</p> <p>Does not cause additional shadowing of adjoining property</p> <p>Does not impede any scenic view</p> <p>Complies with provisions of PLEP 1993</p> <p>No tree or bushland removal</p> <p>No direct outlook from windows, balconies, stairs, landings, terraces, decks or other private, communal areas into the private open space of an adjoining dwelling within 9m and beyond a 45° angle from the plane of the wall containing the opening, measured from a height of 1.7m above floor level (See AMCORD (1995, pps 167 - 168) Site Planning and Building Design – Element 5.5 Privacy, Figure 4)</p> <p>Fence all trees or treed areas within 5m of any access route or within 5m of the proposed development for 3m minimum radius around trunks with a suitable protective fence.</p> <p>Tree protection measures to be erected and certified prior to commencing works</p> <p><b><i>Meets Requirements on page 36 &amp; 37</i></b></p>				

<b>NB No tree or bushland to be removed. Comply with DCP Locality Plans</b>				
<b>Development</b>	<b>Complies in Region</b>			<b>Requirements for Compliance</b>
<p>New dwellings – single storey only</p> <p><b>Advisory Notes:</b> <i>Complies with WV DCP</i></p> <p><i>Landscaping in accordance with WV DCP and Landscape and Vegetation Management DCP</i></p> <p><i>Erosion and sediment controls in accordance with Council's stormwater and OSD controls</i></p> <p><i>Complies with provisions of PLEP 1993</i></p>	2	3	5	<p>Not more than one dwelling per site</p> <p>The development must comply with the requirements of the BCA and/or the relevant Australian Standards</p> <p>Maximum total site coverage including the new works Residential zones: 40%; Non-Urban zones: 300 sq m or 4%, whichever is greater</p> <p>Building lines and setbacks in Warriewood Valley:</p> <p style="padding-left: 20px;">Abutting creekline corridors.....50m from creek centreline</p> <p style="padding-left: 20px;">Abutting landscape buffer strips.....15m</p> <p style="padding-left: 20px;">Abutting public open space reserves.....15m</p> <p style="padding-left: 20px;">Abutting any road, lane, accessway, shoreway or bushfire protection trail.....6.5m</p> <p>Building lines and setbacks:</p> <p style="padding-left: 20px;">Rear and side boundary setback: one third of the wall height, minimum 1m, in zones other than Non-Urban, and does not breach any de facto building line to adjoining residences</p> <p style="padding-left: 20px;">Not within 7.5m of side or rear boundary in zones 1(a) and 1(b)</p> <p style="padding-left: 20px;">Not within 6.5m of side or rear boundary in zone 1(c)</p> <p style="padding-left: 20px;">Min front boundary setback (Residential zones): 6.5m (10m to an arterial road) and does not breach any de facto building line to adjoining residences</p> <p style="padding-left: 20px;">Non-Urban zones: 30m to a main road (Mona Vale Road, McCarrs Creek Road); 20m to all secondary roads and public reserves</p> <p style="padding-left: 20px;">The first 15m setback from the road boundary to be landscaped, with no structures (letterboxes excepted) or carparking permitted</p> <p>Max length of wall (within 3m of boundary): one third of boundary length</p> <p>Darker, non-reflective wall and roof materials</p> <p>At 21 June less than one third of any adjoining property to be shaded, principal living rooms and outdoor living areas to receive more than 4 hours of sunlight between 8am and 4pm, min six hours of sunlight to any solar access panel of adjoining properties</p>

<b>NB No tree or bushland to be removed. Comply with DCP Locality Plans</b>					
<b>Development</b>	<b>Complies in Region</b>				<b>Requirements for Compliance</b>
					<p>Cut or fill does not exceed 900mm and/or 3 cubic metres                      Cut or fill does not encroach onto or affect any adjoining property                      Does not impede any scenic view lines from private properties                      No habitable room windows with a direct outlook to habitable room windows in an adjacent dwelling, except for windows with sill heights a minimum of 1.7m above floor level or with translucent glazing                      No direct outlook from windows, balconies, stairs, landings, terraces, decks or other private, communal areas into the private open space of another dwelling within 9m and beyond a 45° angle from the plane of the wall containing the opening, measured from a height of 1.7m above floor level (See AMCORD (1995, pps 167 - 168) Site Planning and Building Design – Element 5.5 Privacy, Figure 4)                      Energy efficiency 3.5 star under NatHERS or equivalent                      No new or additional open solid fuel or wood burning heaters or stoves                      Compliance with best practice erosion and sediment controls                      No tree or bushland removal                      Fence all trees or treed areas within 5m of any access route or within 5m of the proposed development for 3m minimum radius around trunks with a suitable protective fence.                      Tree protection measures to be erected and certified prior to commencement of works  <b>Meets Requirements on page 36 &amp; 37</b></p>
Shopfronts and awnings  <b>Advisory Notes:                      Complies with WV                      DCP, DCP No 13:                      Avalon Commercial                      Area, DCP No 17:                      Newport Commercial                      Area, or the DCP No                      20: Commercial                      Centres</b>			4	5	<p>New or replacement                      The development must comply with the requirements of the BCA and/or the relevant Australian Standards                      Written agreement from landowner                      Awnings to be certified as being structurally sound, with annual inspection and certification by a suitably qualified person                      Below first floor level only                      There is no increase in floor area                      There are no changes that result in a loss of existing carparking or landscaping                      Compliance with conditions of any development approval  <b>Meets Requirements on page 36 &amp; 37</b></p>

<b>NB No tree or bushland to be removed. Comply with DCP Locality Plans</b>						
<b>Development</b>	<b>Complies in Region</b>					<b>Requirements for Compliance</b>
Strata subdivision of development constructed in accordance with valid development consent	1	2		4	5	The strata plan is in accordance with a development consent and current building certificate Compliance with Strata Titles Act and Local Government Act and Regulations The subdivision must allocate the spaces and uses of the building in accordance with the development consent Note: The Strata Certificate will be issued under the Strata Titles Act <b><i>Meets Requirements on page 36 &amp; 37</i></b>
Subdivision - not involving any works, fill or excavation, and being an adjustment to a boundary, or rectifying an encroachment  <b>Advisory Notes:                      Complies with WV DCP and DCP No 10: Subdivision</b>		2		4	5	The subdivision does not create an additional lot The subdivision does not involve construction or relocation of services or drainage lines or involve any works The subdivision complies with Sydney Water Corporation Act The subdivision will not result in any building contravening the deemed to satisfy provisions of the BCA The subdivision complies with BCA for fire brigade access, setbacks, and fire resistance construction The applicant is to consult with Sydney Water to establish whether there are any Section 73 Compliance Certificate requirements under the provisions of the Sydney Water Act 1994. A copy of any Notice of Requirements letter issued by Sydney Water is to be forwarded to Council or the accredited certifier Note: For subdivision under s195 of the Conveyancing Act a subdivision certificate under the Environmental Planning and Assessment Act is needed for LTO registration <b><i>Meets Requirements on page 36 &amp; 37</i></b>

<b>NB No tree or bushland to be removed. Comply with DCP Locality Plans</b>						
<b>Development</b>	<b>Complies in Region</b>					<b>Requirements for Compliance</b>
	2	3	4	5		
<p>Swimming pools and spas</p> <p><b>Advisory Notes:</b>  <i>Complies with WV DCP or relevant DCP Locality Plan</i></p> <p><i>Landscaping in accordance with Landscape and Vegetation Management DCP</i></p> <p><i>Erosion and sediment controls in accordance with Council's stormwater and OSD controls</i></p>						<p>The pool is associated with a dwelling on the site</p> <p>The development must comply with the requirements of the BCA and/or the relevant Australian Standards</p> <p>Not more than one</p> <p>Maximum size of pool 50,000 litres</p> <p>The pool must be fully inground and not elevated above natural ground level at any part</p> <p>Maximum water surface area of 42 sq m</p> <p>Located in back gardens in Regions 2 and 4</p> <p>Max total site coverage including the new works is not to exceed 40%, except in Region 3 where up to 300sq m or 4% site coverage, whichever is greater is permissible</p> <p>Min front boundary setbacks (Residential zones): 6.5m (10m to an arterial road)</p> <p>Min front boundary setbacks (Non-Urban zones): 30m to a main road (Mona Vale Road, McCarrs Creek Road); 20m to all secondary roads and public reserves. The first 15m setback from the road boundary to be landscaped, with no structures (letterboxes excepted) or carparking permitted</p> <p>Not within 7.5m of side or rear boundary in zones 1(a) and 1(b)</p> <p>Not within 6.5m of side or rear boundary in zone 1(c)</p> <p>Minimum distance from waterline to any boundary of 1.5m</p> <p>The pool concourse is to be a minimum 900mm from the boundary</p> <p>A Resuscitation and External Cardiac Compression Chart is to be fixed in a prominent location adjacent to the pool/spa</p> <p>Maximum excavation: 2m below natural ground level and no greater than 45 sq m in area</p> <p>No fill will be permitted</p>

<b>NB No tree or bushland to be removed. Comply with DCP Locality Plans</b>					
<b>Development</b>	<b>Complies in Region</b>				<b>Requirements for Compliance</b>
					<p>Overhead power lines not less than 3m above the water level of the pool                      Backwash from the pool filter is to be connected to the sewer                      Compliance with best practice erosion and sediment controls and Council's stormwater and OSD controls                      Compliance with Australian Standard AS 1926 Parts 1 and 2, the Swimming Pools Act 1992 and the Swimming Pools Regulation 1998                      Structure is to be fenced or protected in accordance with Swimming Pools Act 1992 and Australian Standard AS 1926 – Fences and Gates for Private Swimming Pools                      Where relevant compliance with:                      AS/NZS 1838:1994; AS/NZS 1839: 1994; AS 2783:1992; AS 1926.2:1995                      Pool or spa equipment and pumps etc are to be enclosed in an acoustic enclosure so that there is a maximum noise increase of no more than 5dBA above background when measured at any boundary of the site  <b><i>Meets Requirements on page 36 &amp; 37</i></b></p>

## Part D: Glossary

**Accessway:** means a residential street having a maximum traffic volume of up to 200 vehicles per hour

**Arterial or main road:** means Barrenjoey Road, McCarrs Creek Road, Mona Vale Road, Pittwater Road and/or the Wakehurst Parkway

**Adjacent land:** means land which abuts the site or is separated from it by a pathway, driveway, roadway or similar thoroughfare.

**BCA:** means Building Code of Australia

**Built upon area:** see Site coverage

**Bushland:** means land on which there is vegetation which is either a remainder of the natural vegetation of the land or, if altered, is still representative of the structure and floristics of the natural vegetation.

**Business identification sign:** has the same meaning as that in Pittwater Local Environmental Plan 1993

**De facto building line:** means the line of the façade of structures created by the location of structures on nearby properties. There may be separate de facto building lines for dwellings and decks, verandahs, etc

**Height:** means the distance measured vertically from the top-most point of the structure to the natural ground level directly below that point.

**Injury:** includes the mechanical or physical wounding of a tree or any part of a tree, or the alteration of the ground level or water table which causes damage to the tree or any part of the tree. This includes physical injury especially by machinery on construction sites

**Landscaped area:** means that area of the site which is, or is available to be, planted with vegetation.

**Living room:** means one room of the following type – sunroom, lounge room, open plan living areas including eat in kitchens - and does not include bedrooms, bathrooms, or storage areas

**LTO:** means Land Titles Office

**MHWM:** means mean high water mark

**Minimal impact:** means that the least amount of the site's natural surface shall be disturbed during and after construction. At no time shall this disturbance exceed twice the built upon area (site coverage) or detrimentally affect the long-term stability of the area.

**NatHERS:** means National House Energy Rating Scheme

**Natural ground level:** means the existing level of a site in its undisturbed state before any development, excavation or fill is carried out on the site. Where land is disturbed by excavation or by fill, the natural ground level shall be determined by interpolation from the surrounding natural ground level.

**OSD:** means onsite stormwater detention

**Outdoor living areas:** mean formally constructed open decks at ground level or ground floor level, paved areas used primarily for outdoor recreation including swimming pools, clothes drying areas and/or soft landscaped recreation areas of high usage containing such elements as outdoor seating, child play equipment, etc

**PLEP 93:** means Pittwater Local Environmental Plan 1993

**Principal living room:** is the living room currently benefiting from the most solar access between 8am and 4pm during midwinter.

**Pruning:** means any act or acts of severing any part of a tree so as to cause its reduction by more than 10% of the crown of a tree over a period of less than twelve (12) calendar months

**Public notice sign:** means a notice for public information displayed by a public authority/utility giving information or directions about the services provided. For further information about signage see DCP No 18 – Outdoor Advertising

**Scenic View:** means a mid to distant view containing attractive feature(s) including bushland (especially escarpments and skylines), water bodies, and geographical features including beaches, islands, headlands, etc. It may include built form but is predominantly natural in character.

**Setback:** means the shortest distance between the boundary and the wall of the structure

**Shadow:** means that shading caused by a proposed or existing structure and does not include that cast by trees, vegetation or boundary fences

**Side boundary:** means the common boundary between adjoining properties and includes the rear boundary

**Side boundary setback:** is the shortest distance between the boundary and the wall of the structure

**Site:** means the land to which the application relates

**Site coverage:** means the total area of a site that is occupied by buildings and other roofed structures including verandahs. This area shall be measured to the external walls or structural supports of the building and does not include eave overhang. It also includes swimming pools, tennis courts, driveways, carparking areas, garages and carports, hard surface paved areas including internal courtyards and elevated deck areas or any like structures.

**Surrounding land:** means any land, other than adjacent land which may be detrimentally affected by the use of the site, or the erection of a building on the site

**Tree:** means

1. any tree or shrub, whether endemic, exotic, or introduced species, not being a cycad or mangrove which has
  - A height exceeding three (3) metres, or
  - A trunk, bole or branch girth exceeding 0.5 metres or which has a combined girth or each of two or more trunks or boles exceeding 0.5 metres, or
  - A branch canopy width exceeding five (5) metres
2. any cycad or mangrove irrespective of dimensions
3. any bushland

Note: Council's Tree Preservation and Management Order states that the owner, or a person with the owner's written consent, may poison, ringbark, cut down, remove, injure, prune or wilfully destroy a tree including bushland where the tree:

- is dead except in the case of large gums (*Angophoras*, *Corymbias*, *Eucalyptus*) that are potential habitat trees
- is noxious under the Noxious Weeds Act 1993
- is listed as an "undesirable plant" in the Tree Preservation and Management Order
- is a Poplar (*Populus spp*) or Willow (*Salix spp*)
- is a fruit tree except for *Acmena*, *Syzygium* and *Elaeocarpus* species
- is growing within the area of a public work approved by Council

**Unroofed:** means no impermeable surface covering a deck, pergola, patio, or other structure

**View:** see Scenic view

**Wall:** means the total walls of the building contained within 3m of the side boundary

**Wall height:** means the average vertical distance between the natural ground level (prior to any excavation or filling) and the point where the external wall meets the roof, at any point on the building, and includes all existing walls where additions are proposed. See the DCP Locality Plan for further details relating to gable roofs.

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## **Annexure**

### **1. Standard Conditions for Complying Development**

1. Alterations and additions to dwellings
2. Alterations (non-residential)
3. Bed and Breakfast
4. Bridges, boardwalks, etc
5. Carports and garages
6. Decks, pergolas (unroofed)
7. Demolition
8. Driveways
9. Food premises
10. Home industries
11. Landfill
12. Minor outbuildings, etc
13. New dwellings (single storey only)
14. Shopfronts and awnings
15. Strata subdivision
16. Subdivision
17. Swimming pools and spas