

13 Exempt and Complying Development

DCP Amendment No. 10
DCP Amendment No. 11

The Integrated Development Assessment Reforms introduced many amendments to Part IV of the *Environmental Planning and Assessment Act 1979*. One amendment is the requirement for councils and consent authorities to develop specific local provisions that introduce and plan for Exempt Development and Complying Development. These forms of development were introduced through the Integrated Development Assessment Reforms and represent minor forms of development that may be carried out in accordance with defined, non-discretionary standards that are developed to suit local conditions. The following provisions address Exempt Development and Complying Development for the City of Sydney.

Objective

- To address Exempt Development and Complying Development for the City of Sydney.

13.1 Exempt Development

Exempt development is a new class of development introduced by the amendments to Part IV of the *Environmental Planning and Assessment Act 1979*. "It is development having minimal environmental impact that does not require consent (or assessment under Part V) so long as pre determined requirements (such as size and location) are satisfied by the proponent" (UTS, 1999, 1).

Exempt Development Exclusions

13.1.1 Exclusions are types of development, or identified places within the Sydney Local Government Area where Exempt Development will not be permissible. The Exempt Development provisions will not apply to the following areas, sites or categories of land use:

- Development that conflicts with an instrument made under Section 88B of the *Conveyancing Act*;
- Land that is known to be or found to be contaminated;
- Any development or use that is defined as a "brothel" or "restricted premises" and the like by *Central Sydney Local Environmental Plan 1996*; and
- If development approval is required under Council's Heritage Local Environmental Plan.

Exempt Development Prerequisites

13.1.2 Prerequisites are matters that must be satisfied or complied with, before an Exempt Development can be carried out. The following matters must be satisfied prior to the carrying out of any exempt development type included in the following table:

- Owner's consent must be secured for the use of land, including the consent of Council, if land owned, or under the care, control and management of Council is proposed for use;

- Must comply with the Deemed - to - Satisfy provisions of the Building Code of Australia;
- Must comply with any relevant requirements from any relevant SEPPs, REPs, LEPs and DCPs;
- Does not contravene any development consent conditions;
- Does not obstruct drainage on site;
- Does not obstruct any vehicular or pedestrian access to or from the site;
- Must not disturb a relic (either Aboriginal or historic);
- Is at least one metre from an easement of public sewer main and complies with any building over sewer requirements; and
- Does not require a tree to be removed.

Exempt Development Types and Attached Non-Discretionary Standards

13.1.3 This table lists the types of Exempt Development that have been identified as being able to be carried out without development consent, provided that the exclusions, prerequisites and attached non-discretionary standards have been/ can be met. Non-discretionary standards are standards that cannot be varied. They must be met as stated, or a development application will be required.

Exempt Development	
Development type	Standards
Ancillary development (paving, landscaping and gardening).	<ul style="list-style-type: none"> • Any ancillary surface or paving is not to cover more than 25m². • Development must not involve excavation that is more than 600mm below natural ground level. • Must not involve the construction of any structure more than 600mm above ground level.
Barbecues	<ul style="list-style-type: none"> • Maximum of 1 barbecue structure per dwelling. • Maximum height of 1.8metres. • Maximum area of 2 m². • Not be located within 3 metres of a window or other ventilation opening on adjoining premises. • For domestic use only. • Located at ground level only.
Domestic apparatus (including TV aerials, retractable clothes lines, solar panels and flues).	General standards <ul style="list-style-type: none"> • Must be structurally stable, with adequate footings where required. • All apparatus must be installed in accordance with manufacturer's specifications. Standards for retractable clothes lines <ul style="list-style-type: none"> • Located to the rear of class 1 dwelling, and at ground level for all developments. Standards for solar panels <ul style="list-style-type: none"> • Solar panels must be flush with roof.

<p>Fences being side or rear fences located behind the front wall of the building.</p>	<ul style="list-style-type: none"> • Fence has a maximum height of 1.8 metres. • Constructed of timber, metal or lightweight materials (not masonry). • Does not include a hoarding on a construction site. • Must be structurally adequate.
<p>Home occupation</p>	<ul style="list-style-type: none"> • Must comply with the definition of Home Occupation that is included in <i>Central Sydney Local Environmental Plan 1996</i>.
<p>Minor internal alterations</p>	<ul style="list-style-type: none"> • Applies only to the replacement of doors, wall, ceiling or floor linings; renovation of bathrooms and kitchens; inclusion of built in fixtures such as vanity cupboards and wardrobes. • Work shall not change room configurations. • Work must comply with the Internal Residential Amenity provisions in Part 6 of <i>Central Sydney Development Control Plan 1996</i>.
<p>Playground equipment</p>	<ul style="list-style-type: none"> • To be located at ground level. • Maximum height of 2.4m. • Must be setback a minimum of 450mm from side boundaries. • Maximum ground coverage of 10m². • Adequate safety arrangements, including soft landing surfaces must be provided. • Must be installed in accordance with manufacturer's instructions and comply with relevant Australian Standards, including AS 1924 - Play Equipment in Parks, Schools and for Domestic Use (Parts 1 and 2) and AS 2155 - Playgrounds - A Guide to Siting, Installation and Maintenance of Equipment. • Structure must be at least 1.2 metres from any pool safety fence measured in accordance with Australian Standards.
<p>Façade repairs (such as painting, plastering, cement rendering, cladding, attaching fittings and decorative work). Note: Any hoarding required to undertake the repairs must be in accordance with the relevant Council and Work Cover Policies. A separate application under Section 68 of the <i>Local Government Act</i> will be required for any hoarding.</p>	<ul style="list-style-type: none"> • The repairs are non-structural. • There is no change to the external appearance of the building, including building colours, materials, finishes or glazing (except for class 1 dwellings). • There are no new fittings or attachments to the building.
<p>Minor Council Works on Public Land including footpath improvements, tree planting, re-paving, street re-surfacing, kerb re-construction, footpaths, gutters and street furniture (benches, bollards, signs, public artwork, installations and street lighting).</p>	<ul style="list-style-type: none"> • Constructed for, or by the Council.
<p>Temporary uses within any zone of, and as defined by, <i>Central Sydney Local Environmental Plan 1996</i>.</p>	<ul style="list-style-type: none"> • Only on land owned by, or under the care, control and management of Council.

<p>Development in accordance with a plan of management adopted under the <i>Local Government Act 1993</i> in the Parks and Community Places Zone as defined by <i>Central Sydney Local Environmental Plan 1996</i>.</p>	<ul style="list-style-type: none"> No standards attached.
<p>Cultural and educational activities associated with cultural institutions in the Parks and Community Places Zone as defined by <i>Central Sydney Local Environmental Plan 1996</i>.</p>	<ul style="list-style-type: none"> No permanent physical changes to the fabric of the place at which they are conducted. For each event, such uses must be carried out for less than 90 days, whether consecutive or non-consecutive, in any continuous 365 day period.
<p>Development within the building known as Sydney Town Hall and forming part of Lot 1, DP 600413, any development (including development for the purpose of advertisements, advertising structures and temporary uses).</p>	<ul style="list-style-type: none"> No standards attached.

13.2 Complying Development

Complying development is a new class of development introduced by the amendments to Part IV of the *Environmental Planning and Assessment Act 1979*. *Complying development is small scale, low impact, routine development that is clearly defined in Council's LEP/DCP (or a State Government SEPP) and capable of prompt certification by Accredited Certifiers as well as by Councils (UTS, 1999, 1)*. An application for a complying development certificate is to be made in accordance with Form 9 of the *Environmental Planning and Assessment Regulation 1994* and these forms may be obtained at the One Stop Shop on Level 2 of Town Hall House, 456 Kent Street, Sydney.

Complying development is defined by a set of fixed standards that are non-discretionary and do not allow merit assessment. If a proposal complies with these standards and the development standards under Clause 77 of the *Environmental Planning and Assessment Regulation 1994*, then the application cannot be refused. If a proposal does not comply with the set standards, then it is not complying development and a formal development application would be required.

The type of consent granted is a "complying development certificate" that may be issued by the Council or an accredited certifier. The conditions of approval that would be listed in a complying development certificate must also be pre-determined and cannot entail merit assessment.

Complying Development Exclusions

13.2.1 Exclusions are types of development, or identified places within the Sydney Local Government Area where Complying Development will not be permissible. The Complying Development provisions will not apply to the following areas, sites or categories of land use:

- If development approval is required under Council's Heritage Local Environmental Plan and/or the *Heritage Act*;
- Development that conflicts with an instrument made under Section 88B of the *Conveyancing Act*;
- Any development or use that is defined as a "brothel" or "restricted premises" and the like, by *Central Sydney Local Environmental Plan 1996*; and
- Land that is known to be or found to be contaminated.

Complying Development Prerequisites

13.2.2 Prerequisites are matters that must be satisfied or complied with, before a Complying Development can be carried out. The following matters must be satisfied prior to the carrying out of any Complying Development type included in the following table:

- Owner's consent must be secured for the use of land, including the consent of Council, if land owned, or under the care, control and management of Council is proposed for use;
- Must be permissible with development consent under any environmental planning instrument that applies to the land;
- Is not an existing use as defined in section 109 of the *Environmental Planning and Assessment Act 1979*;
- Complies with the Deemed - to - Satisfy provisions of the Building Code of Australia;
- Must comply with requirements from any relevant SEPPs, REPs and the LEP/DCP;
- Complies with the development standards under Clause 77 of the *Environmental Planning and Assessment Regulation 1994*;
- Complies with relevant Council codes and policies;
- Complies with any relevant conditions of development consents that have been issued on the land and are still valid;
- Has the relevant approval for water and sewerage;
- Does not require a tree above 4 metres in height to be removed;
- Development to, or associated with, Class 1 dwellings must not reduce the unbuilt upon area of the site to below 25 square metres;
- Development will be required to pay a contribution under section 61 of the *City of Sydney Act 1988*, if the proposed finished cost of the development is \$200,000 or greater. When applicable, this contribution must be paid upon lodgement of the Complying Development application; and
- Development will be required to pay a contribution towards Long Service Levy if the proposed cost of works is greater than \$25,000. This payment, if applicable, must be made on lodgement of the Complying Development application.

Complying Development Types and Attached Non-Discretionary Standards

13.2.3 This table lists the types of Complying Development that have been identified as being able to be carried out without development consent, provided that the exclusions, prerequisites and attached non-discretionary standards have been/can be met. Non-discretionary standards are standards that cannot be varied. They must be met as stated, or a development application will be required.

Complying development	
Development type	Standards
Advertising - illuminated and non illuminated under awning signs	<ul style="list-style-type: none"> • One sign per shop/premises with a street frontage, and a minimum 3 metres separation between each sign. • Not larger than 0.3 metres high by 2.5 metres long. • Minimum vertical clearance height of 2.7 metres above the footpath level. • Not closer than 1m to the kerb alignment. • Not extend beyond the awning. • Be supported from the awning and not from the elevation of the building. • Relate to the approved use for the shop/premises. • Not display offensive material. • Not contain additional advertising promoting products or services other than the approved use of the premises (such as the logos or brands of products eg soft drinks, brewers, photographic film, etc) irrespective of whether that product or service is sold on the premises. • Display the English translation of any wording of another language. • self illuminated, constructed so that all conduit or cabling supplying power to the sign is completely concealed from view within the awning or sign structures.
Advertising - real estate sign	<ul style="list-style-type: none"> • Only displayed on premises that are for sale or lease. • The sign is not to exceed a maximum area of 2.5 m² for residential premises and 4.5 m² for commercial premises. • Not to cover openings and/or architectural features of the building. • Sign must be flush to wall, "A" frame structures are not permissible. • Sign must not be located on an awning and must not project from the wall. • Approval is granted for a period of four months only. • The applicant is to advise Council in writing of the dates at which the sign will be installed and removed, prior to the installation of the sign. • A maximum of one sign/street frontage.

Advertisement - awning fascia signs

- One sign per shop/premises with a street frontage and an approved awning, and a minimum 3 metres separation between each sign.
- Not extend above or below the awning fascia.
- Project not more than 25mm from the face of the awning.
- Not be illuminated.
- Not be longer than 3m or 25% of the length of the awning fascia, whichever is greater.
- Relate to the approved use for the shop/premises.
- Not display offensive material.
- Not contain additional advertising promoting products or services other than the approved use of the premises (such as the logos or brands of products eg soft drinks, brewers, photographic film, etc) irrespective of whether that product or service is sold on the premises.
- Display the English translation of any wording of another language.

Advertisement - Projecting ground level wall signs

- Not permitted on street frontages where there is an awning.
- One sign per shop/premises with a street frontage, and a minimum 3 metres separation between each sign.
- Relate to the approved use for the shop/premises.
- Be not less than 0.3m thick with each face no more than 0.75 square metres in size.
- Not project more than one metre from the building when oriented vertically or 2.5 metres when oriented horizontally.
- Allow a minimum clearance of 2.7m above footpath level.
- Allow a minimum clearance of 4.1m above footpath level if projecting within 0.75m of the kerb.
- Not be illuminated.
- Not display offensive material.
- Not contain additional advertising promoting products or services other than the approved use of the premises irrespective of whether that product or service is sold on the premises.
- Display the English translation of any wording of another language.
- any supporting structure is to:
 - be constructed from durable materials that will not stain or damage the supporting wall,
 - be identical to the supporting structure of any other approved projecting ground level sign on the building.

Advertising - temporary sign

Note: Excludes real estate signs that are separately discussed under the heading of "Advertising - real estate sign".

- Advertisement sign is to be temporary to promote non commercial, non profit social, cultural or recreational events only.
- Approval is granted for one temporary sign in a calendar year for a max. period of 40 days only.
- Banners must not exceed 3 metres by 6 metres in size.
- The applicant is to advise Council in writing of the dates at which the sign will be installed and removed, prior to the installation of the sign.
- Complies with Section 8 of *Central Sydney Development Control Plan 1996* in relation to the design and location of the sign.
- Advertising signs must not display offensive material.
- Advertising signs must display the English translation of any wording of another language.
- Sign must be flush to wall, "A" frame structures are not permissible.
- Sign must not be located on an awning and must not project from the wall.

Change of use from commercial premises to commercial premises, or retail premises to retail premises, or commercial premises to retail premises, or retail premises to commercial premises (except food shops)

Note: No change to BCA classification is approved by these provisions.

Note: change of use from retail premises to commercial premises is not permissible under these provisions within the City retail core, which is bounded by King, Elizabeth, Market and George Streets.

Note: Commercial premises and retail premises are as defined in *Central Sydney Local Environmental Plan 1996*.

- Current use of the premises must demonstrate Council approval.
- Any use that is changed shall continue to comply with the conditions of the applicable development consent relating to the use of the building or land.
- The proposed use is either a commercial premises or a shop and does not include:
 - Any shop exceeding 200 m²;
 - Premises used for the preparation or sale of food; and/or
 - Funeral parlour.
- Changes of use to non-commercial premises and commercial premises **will not be permitted** where the use involves a use as defined in *Central Sydney Local Environment Plan 1996* as restricted premises, methadone clinics, skin penetration premises, medical/health premises, brothels, and the like;
- No extension of hours outside existing approved hours is permitted.
- No additional floorspace is permitted.
- No display or sale of publications within the meaning of the *Indecent Articles and Classified Publications Act 1975*, or display of objects primarily concerned with sexual behaviour.
- Parking, existing landscaping, loading and waste facilities must remain.
- The curtilage of any shop/office must not be used for storage/display purposes.
- The work must not adversely impact on fire safety and existing fire safety measures installed in the building, including alternative solutions and fire engineered designs previously accepted for the building.
- Does not allow building work unless that work is described in this DCP as exempt or complying development.
- Adequate facilities are to be provided for waste storage and recycling either on - site or within the building.

<p>Christmas decorations, located outdoors.</p>	<ul style="list-style-type: none"> • Approval is limited to an 8-week period, which may commence from 15 November in the calendar year. Should 15 November fall on a weekend, then the period is deemed to commence from the following Monday. • Does not involve decorations that have an adverse impact on the structural adequacy of the building or provisions for fire safety in the building.
<p>Demolition</p> <p>Note: Any hoarding required to undertake the demolition must be in accordance with the relevant Council and Work Cover Policies and requires separate approval under section 68 of the <i>Local Government Act 1993</i>.</p>	<ul style="list-style-type: none"> • Applies only to the demolition of: <ul style="list-style-type: none"> - temporary structures or advertisements; - sheds, garages and the like, associated with class 1 dwellings; - plant and equipment structures on rooves; and - internal walls or ceilings, partitions or non - required stairs.
<p>Internal alterations (such as fitout works, and partitions to residential premises, commercial premises & shops).</p>	<p>General standards</p> <ul style="list-style-type: none"> • Does not involve a change of use, unless that change of use is permissible as exempt or complying development. • Applies only to alterations or renovations to previously completed buildings. • Does not apply where the alterations are abutting or obscuring windows and openings. • Does not result in additional floor area. • Works are non-structural. • Work does not adversely impact on fire safety and existing fire safety measures installed in the building, including alternative solutions and fire engineered designs previously accepted for the building. • No alterations are proposed to the building services for the base building. • Access for persons with disabilities is provided in accordance with Clause D3 of the Building Code of Australia and Council's Access Policy adopted on 10 December 1992. • Excludes external changes including alterations to balconies/ terrace areas. • Adequate facilities are provided for waste storage and recycling either on site or within the building. <p>Standards for commercial premises and shops</p> <ul style="list-style-type: none"> • The fitout does not relate to premises used for the sale or preparation of food, licensed premises, premises used for medical/health purposes, premises used for skin penetration activities as defined under the <i>Public Health Act</i>, or premises used as a Place of Public Entertainment. • Development must not involve changes to the shopfront of the premises. • Adequate facilities are provided for waste storage and recycling either on site or within the building.

<p>Air conditioning units to class I buildings</p>	<ul style="list-style-type: none"> • Located a minimum of 1.5 metres from any property boundary. • Must be to the rear elevation of the class I building. • Not visible from a public place. • Noise level from the air conditioning unit must not exceed 5dBA above ambient background noise level when measured at the property boundary.
<p>Bed and Breakfast accommodation in an approved class I dwelling involving the use of an existing lawful dwelling by its permanent residents for the temporary accommodation of visitors for commercial purposes.</p>	<ul style="list-style-type: none"> • Contains a maximum of 3 guest bedrooms for visitor accommodation. • Accommodates no more than 2 persons per guest bedroom, with a maximum of 6 guests at any one time. • The dwelling must be permanently occupied by a resident/s. • Contains separate bathrooms for guests and permanent residents. • No additional carparking provided on site. • Does not allow building work. • A screened accessible waste bin storage area capable of housing standard waste and recycling containers is to be provided on site.
<p>Pergola to a class I dwelling Note: decks shall require a development application.</p>	<ul style="list-style-type: none"> • Pergolas at first floor level excluded. • Not to exceed the existing roofline. • Located behind the rear wall of the dwelling. • Not to exceed an area of 10m². • Side boundary setbacks for existing dwellings to be maintained or a minimum setback of 900mm is to be achieved and may be whichever is the lesser. • Not to be enclosed or roofed. • Not to exceed 2.7 metres in height from finished ground level.
<p>Subdivision involving a minor Boundary Adjustment</p>	<ul style="list-style-type: none"> • The whole of each allotment is to drain to the existing street or an existing inter-allotment drainage system. • No additional lots are to be created. • No additional development entitlements are to be created (for example, an easement, covenant and the like). • Any existing building on the allotment is to remain compliant with the provisions of the Building Code of Australia and the provisions of relevant environmental planning instruments (for example, as relates to floor space ratio). • Any external walls of a Class I dwelling must be setback a minimum of 900mm from side and rear boundaries. • Any part of any roof guttering eaves or other projection to a Class I dwelling must be setback a minimum of 675mm from side or rear boundaries. • A subdivision certificate will be required.

Subdivision to:

- rectify an encroachment upon an allotment;
- create a public reserve;
- consolidation of allotments;
- widening a public road; and
- excising from an allotment which is, or is intended to be used for public purposes, including drainage purposes, or other rescue service purposes, or public conveniences.

- A subdivision certificate will be required.

Complying Development Conditions

13.2.4 A complying development certificate for the above stated Complying Development types will attract conditions from the following list. The general conditions will apply to all complying development certificates. The specific conditions will only apply for the stated development types. Complying Development involves the satisfaction of all relevant conditions specified on the Complying Development Certificate, when issued.

General

1. Notice in writing must be given to Council or to an accredited certifier at least 2 days prior to commencement of any building, construction or subdivision work of the proposed date of commencement of work and the name of the appointed principal certifying authority.
2. The hours of operation must not be altered from the approved hours stated in the original development consent for the land. If there are no hours stated in the original development consent, then the following hours will apply: 7.00am to 7.00 pm weekdays and 9.00am to 5.00pm weekends.

Any proposal to alter approved hours of operation to be in excess of those approved will require the submission of a development application.
3. The use of the premises must not give rise to any one or more of the following:
 - (a) Transmission of vibration to any place of different occupancy greater than specified in AS 2670.
 - (b) An indoor sound pressure level in any place of different occupancy (and/or public place) greater than 3dB above the L90 background level in any octave band from 31.5 Hz to 8,000 Hz centre frequencies inclusive between the hours of 8.00 a.m. to 10.00 p.m. daily and 0dB above the L90 background between 10.00 p.m. and 8.00 a.m. the following morning. However, when the L90 background levels in frequencies below 63 Hz are equal to or below the threshold of hearing, as specified by the equal loudness contours for octave bands of noise, this sub-clause does not apply to any such frequencies.
 - (c) A sound level at any point on the boundary of the site greater than the background levels specified in Australian Standard 1055, *Acoustics - Description and Measurement of Environmental Noise*.
 - (d) An "offensive noise" as defined in the *Noise Control Act 1975*.
 - (e) The emission into the surrounding environment of gases, vapours, dust, or other impurities which are a nuisance or injurious or dangerous or prejudicial to health.

- (f) The method of measurement of vibration in (a) and sound levels in (b), (c) and (d) must be carried out in accordance with AS 2973 for vibration measurements. AS 1055 for outdoor sound level measurements, and AS 2107 for indoor sound level measurements.
4. Stormwater drainage and erosion control must be in accordance with Council's standard requirements.
 5. Methods of storage and handling of waste and recyclable materials must comply with the *Code for Waste Handling in Buildings* adopted by Council 17 October 1994.
 6. Where construction/building works require the use of a public place including a road or footpath, approval under Section 68 of the *Local Government Act 1993* for a Barricade Permit is to be obtained from Council prior to the commencement of work. Details of the barricade construction, area of enclosure and period of work are to be submitted to the satisfaction of Council.
 7. Demolition and building work for development in the Central Business District, as defined in the "*Code of Practice for Construction Hours/ Noise 1992*" must only be carried out between the hours of 7.00 a.m. and 7.00 p.m. on Mondays to Fridays, inclusive, and 7.00 a.m. and 5.00 p.m. on Saturdays, and no work must be carried out on Sundays or public holidays. Demolition, excavation and building work for development in areas outside the Central Business District must only be carried out between the hours of 7.30 a.m. and 5.00 p.m. on Mondays to Fridays, inclusive, and 7.30 a.m. and 3.00 p.m. on Saturdays, with safety inspections being permitted at 7.00 a.m. on work days and no work must be carried out on Sundays or public holidays.
 8. All work, including demolition, excavation and building work must comply with *The City of Sydney Code of Practice for Construction Hours/Noise 1992* and Australian Standard 2436-1981 *Guide to Noise Control on Construction, Maintenance and Demolition Sites*.
 9. Demolition and building work must not involve the use of appliances which emit noise of a highly intrusive nature (such as pile-drivers and hydraulic hammers) or are not listed in Groups B, C, D, E or F of Schedule I of the *City of Sydney Code of Practice for Construction Hours/Noise 1992* and Australian Standard 2436-1981 *Guide to Noise Control on Construction, Maintenance and Demolition Sites*.
 10. Demolition and building work must not take place during the period 1 September 2000 to 1 October 2000.
 11. All street trees shall be protected at all times during construction. Any tree on the footpath that is damaged or removed during construction must be replaced in accordance with the requirements of Council.
 12. Prior to the commencement of any excavation adjacent to the road alignment, the applicant shall contact *Sydney One Call Services* to ascertain the presence and type of underground utility services in the vicinity of the development.
 13. The public way must not be obstructed by any materials, vehicles refuse, skips or the like, under any circumstances. Non-compliance with this requirement will result in the issue of Notice by Council to stop **all** work on site.
 14. All construction works must be completed within six (6) months of the date of the Complying Development Certificate.
 15. If the development is at or near the road alignment, footpath levels must be obtained from Council prior to the commencement of work.

16. Permits required for use of mobile cranes:-
 - (a) For special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes that warrant the on street use of mobile cranes, permits must be obtained from Council or an accredited certifier for the use of a mobile crane. The permits must be obtained 48 hours beforehand for partial road closures which, in the opinion of Council or an accredited certifier, will create minimal traffic disruptions and 4 weeks beforehand in the case of full road closures and partial road closures which, in the opinion of Council, or an accredited certifier will create significant traffic disruptions.
 - (b) Mobile cranes operating from the road must not be used as a method of demolishing or constructing a building.
 - (c) Special operations and the use of mobile cranes must comply with the approved hours of construction. Mobile cranes shall not be delivered to the site prior to 7.30am without the prior approval of Council.
17. To comply with the *Clean Waters Act 1970* whereby it is an offence to pollute classified waters such as Sydney Harbour to which most of the City's street drainage is directly connected:-
 - (a) concrete trucks, concrete pumps and their attachments, and trucks used for the disposal of spoil shall not be washed out on the public way;
 - (b) any water collected from on-site washing down of concrete trucks, concrete pumps or their attachments and trucks used for the disposal of spoil shall not be pumped, directed or allowed to flow to the street stormwater system;
 - (c) any seepage or rain water collected on site during construction shall not be pumped to the street stormwater system unless separate prior approval is given in writing by Council and evidence of approval is to be submitted to the Principal Certifying Authority prior to discharge into such system.
18. Vehicles carrying spoil or rubble to or from the site shall at all times be covered to prevent the escape of dust or other material.

Advertising/ Signs

19. At no time is the intensity, period of intermittency and hours of illumination of the sign to cause injury to the amenity of the neighbourhood. If in the opinion of Council or an accredited certifier, injury is likely to be caused the intensity, period of intermittency and hours of illumination must be varied to the approval of Council.
20. Advertising signs must not flash.
21. Advertising signs must be erected/supported in a secure manner for safety purposes and its installation is not to involve measures that would cause irreversible damage to the building.
22. A temporary sign may remain in place for a maximum of 40 days.
23. A real estate sign may remain in place for a maximum of 4 months.
24. A Complying Development Certificate for other signage will lapse after 3 years.

Partitions, Fitouts

25. Where internal partitions meet external walls they shall abut window mullions, columns or other such building elements and not glazing.

26. Certification of Mechanical Ventilation.

Change of Use

27. For alterations and additions to an existing building a Compliance Certificate (Form 10 of the *Environmental Planning and Assessment Act Regulation 1994*) shall be submitted to Council or an accredited certifier. The letter must state that the existing structure is adequate to support the new loads and that the design will comply with the relevant Australian Standards adopted by the Building Code of Australia (Specification A1.3).
28. No persons (such as those commonly known as spruikers) or recordings or other devices which have the effect of spruiking are to be located on Council owned property. Furthermore, the sound level of any spruiking or amplified noise generated within privately owned land must not be audible on Council's footpath adjoining the subject premises.
29. Portable signs or goods for sale or display must not be placed on the footway or other public areas.
30. Any intruder alarm must be fitted with a timing device in accordance with the requirements of Regulation 12A of the *Noise Control Act, 1975*, and Australian Standard 2201, Parts 1 and 2 - 1978, *Intruder Alarm Systems*.
31. Prior to occupation the street number must be clearly displayed in accordance with the *Policy on Numbering of Premises within the City of Sydney*.

Demolition

32. Work is carried out in accordance with Australian Standard AS2601 - 1991 Demolition Code. A Work Plan must be prepared by a competent person prior to commencement of work including certification that the proposals comply with the safety requirements of the standard.
33. A Structural Engineer must certify that the demolition procedures will maintain the existing building in a stable condition during demolition.
34. Demolition must be carried out by appropriately qualified persons whom are licensed by the WorkCover Authority.
35. Footway pedestrian traffic must be protected by a hoarding in accordance with WorkCover requirements. Where an A or B Class Hoarding is required to be erected to comply with WorkCover requirements, an application for a Hoarding approval under section 68 of the *Local Government Act, 1993* must be submitted to Council prior to commencement of demolition work.
36. Waste materials must be removed in accordance with the requirements of the *Waste Minimisation and Management Act 1955*.
37. Works involving removal of asbestos or asbestos cement must comply with the requirements of the WorkCover Authority of NSW, the Waste Management Authority and the Environmental Protection Authority and AS 1319. The demolisher must obtain an Asbestos Removal Licence from the WorkCover Authority to remove any material containing asbestos.
38. The demolition process must be executed in such a manner as to minimise dust emission from the site. At no time should compressed air be used to blow dust from the site into the atmosphere.
39. Trucks removing debris from the site must be covered to minimise dust emission. Wheel and tyres of trucks are to be washed prior to leaving the site, where necessary, in order to minimise the movement of dust and slurry from the site.

40. Work must not cause lead contamination of air or ground.

Christmas decorations located outdoors

41. The intensity, period of intermittency/ flashing and hours of illumination must not cause injury to the amenity of the neighbourhood.

Bed and Breakfast accommodation in an approved class I dwelling

42. A smoke detector system that complies with AS3786-1993, Smoke alarms and AS 3000-1991, Electrical Installation for Buildings, Structures and Premises (the SAA wiring rules) must be installed in the dwelling.
43. Portable fire extinguishers must be installed in the building to comply with AS 2444.
44. A fire blanket located must be provided in the kitchen.
45. Only one external sign, being a non-illuminated nameplate with a maximum area of 0.25m².
46. No key release dead locks on guest bedroom and exit doors.

Air conditioning units to class I buildings

47. Noise level from the air conditioning unit must not exceed 5dBA above ambient background noise level when measured at the property boundary.
48. Any opening to install the air conditioning unit must be adequately weatherproofed.