

DWELLINGS AND ANCILLARY DEVELOPMENT

**on lots in Zone RU1, RU2, RU3, RU4 or R5 (Generally Rural Zoned Land)
under the Rural Housing Code (Part 3A of the Codes SEPP)**

If certain requirements and standards applicable to land and development are met, there is an opportunity for an application for development on a property to be lodged as a Complying Development application, instead of the traditional Development Application and Construction Certificate process.

The *State Environmental Planning Policy (Exempt and Complying Development Codes 2008)* known as the 'Codes SEPP' is a publication issued by the NSW Department of Planning that includes requirements and standards applicable to land and development that, if complied with, will enable Complying Development. Part 3 of the Codes SEPP contains the *Rural Housing Code*.

This checklist relates to Complying Development proposals on qualifying lots in **RU1, RU2, RU3, RU4 and RU5** zoned land for:

- new single storey and two storey dwellings
- alterations or additions to existing single storey and two storey dwellings
- new ancillary development, or
- additions to existing ancillary development.

Please refer to separate checklist complying development under the *Rural Housing Code* for such development in rural zones.

Before you lodge a Complying Development application, you need to determine whether your development proposal qualifies as complying development under the *Rural Housing Code* by completing this self assessment checklist, which gives a summary of the requirements for Complying Development. A complete copy of the *Rural Housing Code* is found in Part 3A of the Codes SEPP.

The assessment tables within this checklist include check boxes that identify which of the standards are applicable to your proposed development and it is the applicant's responsibility to confirm whether the proposal complies. The checklist is an integral part of your Complying Development Application and must be completed and submitted with a Complying Development Application form. Submission of the checklist demonstrates you have fully considered all the standards in respect of your proposal.

If the proposed development does not comply with all the standards and criteria in the assessment tables but you still wish to lodge your proposal as a Complying Development application, you will need to amend the proposal so that it does comply. If a lodged application does not comply with all the standards and criteria, it cannot be approved as Complying Development and a Development Application and a Construction Certificate application will have to be lodged.

Bushfire Prone Land and Flood Control Lots

Complying development cannot occur on land categorised as high risk bushfire prone land or high risk flood control lots. For complying development to occur on low risk bushfire prone land or low risk flood control lots, the land must be certified as being low risk and meeting specific development standards for construction on such land. A Bushfire Attack Level (BAL) Assessment Certificate must be obtained prior to lodging the application. Assessment Tables B and C within this checklist relate to development on bushfire prone land and flood control lots. It is best practice to establish specific bushfire and flood issues relating to the property before designing your project and this will minimise costs of amending architectural and construction plans later on in the process.

Some new housing and existing housing estates have covenants on the land title to define particular characteristics of housing development. These are not affected by the *NSW Housing Code*. Land owners and agents must ensure that the legal requirements of any covenants applying to the land are complied with.

COMPLIANCE SUMMARY TABLE

Complying Development for dwellings and ancillary development can only be carried out if you have answered yes to **all** 12 of the questions below. If you cannot answer yes to all 12 questions and you still wish to lodge your proposal as a Complying Development application, you will need to either:

- Amend the proposal so that it complies
- If the proposal still does not comply, a Development Application and a Construction Certificate application will have to be made.

CRITERIA	Complies		Office Use Compliance Checked
	Yes	No	
1. Is the lot suitably zoned? Complying Development under the <i>Rural Housing Code</i> can only occur in land zones RU1, RU2, RU3, RU4, RU6 and R5			
2. For RU1, RU2, RU3, RU4, RU6 that has an area of at least 4000m ²			
3. For R5, the lot has a width, measured at the building line of at least 18m.			
4. At the completion of the development, the lot will have only one dwelling house.			
5. The proposal does not require the removal or pruning of a tree or other vegetation except where the prior permission has been obtained and the work is in accordance with that approval, or a. the tree or vegetation is within 3m of the development, and b. is less than 6m high, and c. is not listed on a significant tree register or register of significant trees kept by the Council.			
6. All Land Based Requirements permit complying development to occur (refer to Assessment Table A)			
7. The proposal complies with all Bushfire Prone Land Requirements (refer to Assessment Table B)			



CRITERIA	Complies		Office Use
	Yes	No	Compliance Checked
8. The proposal complies with all Flood Control Lot Requirements (refer to Assessment Table C)			
9. The proposal complies with all Site Requirements (refer to Assessment Table D)			
10. The proposal complies with all Setback Requirements (refer to Assessment Tables E1 and E2)			
11. The proposal complies with all Amenity Requirements (refer to Assessment Table F)			
12. The proposal complies with all General Requirements (refer to Assessment Table G)			

IMPORTANT DEFINITIONS

attached, in relation to a building or structure means not more than 900mm from another building or structure.

building height (or *height of building*), at any point of a building, means the vertical distance between that point at ground level (existing) and the highest point of the building immediately above that point, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

building line means the line of an existing or proposed external wall or roof edge of a building (other than a wall or roof of any building element within an articulation zone), or the outside face of any existing or proposed ancillary development, closest to a boundary of a lot.

detached, in relation to a building or structure that is complying development, means more than 900mm from another building or structure.

dwelling house means a building containing only one dwelling, but does not include any part of the building that is ancillary development or exempt development under this Policy.

habitable room is a room used for normal domestic activities, other than a bathroom, laundry, toilet, pantry, walk in wardrobe, hallway, lobby, clothes drying room or other space of a specialised nature that is not occupied frequently or for extended periods.

outbuilding means any of the following:

- a. carport, garage, shade structure, rainwater tank, balcony, deck, patio, pergola, terrace or verandah that is detached from a dwelling house,
- b. cabana, shed, cubby house, fernery, garden shed, gazebo or greenhouse.

parallel road means, in the case of a lot that has boundaries with parallel roads, the road that is not the primary road.

primary road means the road to which the front of a dwelling house, or a main building, on a lot faces or is proposed to face.



ASSESSMENT TABLE A - LAND BASED REQUIREMENTS

Complying Development can only be carried out on certain land. Land based requirements apply to the general locality and the specific site. Some land is excluded from Complying Development due to its constrained nature.

The simplest way to find out whether any Land Based Exclusions exist and therefore rule out Complying Development on your property is to obtain a Planning Certificate from Council (referred to as a 149(2) Certificate). This document will explicitly state whether or not Complying Development can occur and it will also provide a comprehensive list of planning matters and constraints affecting the land. Although this is not compulsory, it is recommended, as it will alleviate the need to answer the questions in the following table.

Have you obtained a 149(2) Certificate which confirms Complying Development can occur on the property?

- YES You can also tick 'Yes' to Question 6 in the Compliance Summary Table and move on to Question 7.
- NO You must answer the following Land Based Criteria questions.

LAND BASED CRITERIA	YES	NO	OFFICE USE Compliance Checked
Does the land contain:			
a. An item listed on the State Heritage Register?			
b. A heritage item or draft heritage item?			
Is the land designated as:			
c. land reserved for a public purpose in an environmental planning instrument			
d. Land identified on an Acid Sulfate Soils Map as being Class 1 or Class 2			
e. Environmentally Sensitive Area being <ul style="list-style-type: none"> • land identified in any environmental planning instrument as being of high Aboriginal cultural significance or high biodiversity significance • land reserved under the <i>National Parks and Wildlife Act 1974</i> or land to which part 11 of that Act applies • land reserved or dedicated under the <i>Crown Lands Act 1989</i> for the preservation of flora, fauna, geological formations or for other environmental protection purposes 			

If you answered 'No' to all the above questions, the proposal can be considered for Complying Development as the land does not contain any land based exclusions.

If you answer 'Yes' to any of the questions, you cannot do Complying Development on the land and a Development Application/Construction Certificate application will have to be lodged.



ASSESSMENT TABLE B - BUSHFIRE PRONE LAND

This section does not apply to the erection of non-habitable ancillary development that is more than 10m from any dwelling house, landscaping, a non-combustible fence or a swimming pool.

Is the land wholly or partly bushfire prone?

- YES Please read the information below and complete the assessment table below
- NO You can tick 'Yes' to Question 7 in the Compliance Summary Table (page 2) and move on to Question 8.

Complying development can not occur on land categorised as high risk bush fire prone land. The risk category is based on the Bushfire Attack Level (BAL) and can only be determined by:

- a. Council
- b. a person who is recognised by the NSW Rural Fire Service as a suitably qualified consultant in bush fire risk assessment, or

High risk bushfire prone land is land having a category of (BAL 40 and above) and complying development cannot occur on such land. For low risk categories (less than BAL 40), the certifier must certify that the proposal complies with Australian Standard AS 3959:2009 – *Construction of buildings in bush fire prone land*.

If required, the BAL Risk Assessment Certificate is required to be obtained and lodged with the Complying Development application.

More information about the categories of bushfire attack can be found in Table A3.4.2 of *Addendum: Appendix 3* (ISBN 0 9751033 2 6, published by the NSW Rural Fire Service in 2010) to the publication titled *Planning for Bushfire Protection* (ISBN 0 9751033 2 6) published by the NSW Rural Fire Service in 2006.

To be Complying Development, the development must meet all the following criteria:

CRITERIA	COMPLIES APPLICANT USE	
	YES	NO
a. The part of the lot on which development is proposed is NOT in bushfire attack level - 40 (BAL-40) or the flame zone (BAL-FZ). Written certification prepared by Council, the NSW Rural Fire Service or a person who is recognised by the NSW Rural Fire Service as a suitably qualified consultant in bushfire risk assessment must be attached to this checklist. A separate application form is required if you elect Council to issue the BAL certificate.		
b. The development conforms to the specifications and requirements of the following that are relevant to the development: <ol style="list-style-type: none"> i. <i>Planning for Bushfire Protection</i> (ISBN 0 9751033 2 6) published by the NSW Rural Fire Service in December 2006 ii. <i>Addendum: Appendix 3</i> (ISBN 0 9751033 2 6, published by the NSW Rural Fire Service in 2010) <i>Planning for Bushfire Protection</i> (ISBN 0 9751033 2 6) iii. Any other document prescribed by the regulations for the purpose of section 79BA of the <i>Environmental Planning and Assessment Act 1979</i>. 		
c. The requirements of AS 3959:2009 - <i>Construction of Buildings in Bushfire Prone Areas</i> set out in the <i>Building Code of Australia</i> have been met. Please note that all required bushfire construction requirements will need to be detailed on the plans forming part of this Complying Development application.		



CRITERIA	COMPLIES APPLICANT USE	
	YES	NO
d. The lot has direct access to a public road or a road vested in or maintained by Council and is within 200m of that road.		
e. Reticulated or bottled gas on the lot is installed and maintained in accordance with AS/NZS 1596:2008 - <i>The Storage and handling of LP Gas</i> and the requirements of relevant authorities (metal piping must be used).		
f. Any gas cylinders on the lot that are within 10m of a dwelling house: <ul style="list-style-type: none"> i. have the release valves directed away from the dwelling house, and ii. are enclosed on the hazard side of the installation, and iii. have metal connections to and from the cylinders, and iv. there are no polymer sheathed flexible gas supply lines to gas meters adjacent to the dwelling 		

OFFICE USE	
Complies	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A



ASSESSMENT TABLE C - FLOOD CONTROL LOTS

1. Is the development proposed to be carried out on a flood control lot?
You can determine if the property is a flood control lot by obtaining a planning certificate from Council (referred to as a 149(2) Certificate). Alternatively, you can contact our staff on (02) 4221 6111.
- YES Proceed to Question 2 below
- NO You can tick 'Yes' to Question 8 in the Compliance Summary Table (page 2) and move to Question 9.
-
2. Is the development on any part of the lot that has been certified by Council or a professional engineer who specialises in hydraulic engineering as being:
- a flood storage area
 - a floodway area
 - a flow path
 - a high hazard area
 - a high risk area
- YES Complying Development cannot be carried out. You will need to either relocate the development or lodge a Development Application/Construction Certificate
- NO Written certification prepared by either Council or a professional engineer who specialises in hydraulic engineering must be attached to this checklist.
-
3. To be complying development, the written certification prepared by either Council OR a professional engineer who specialises in hydraulic engineering must refer to the portion of development that is within the flood planning meets all the following criteria:
- All habitable rooms are no lower than the floor levels set by the Council for the lot.
 - Any part of the development at or below the flood planning level is to be constructed of flood compatible material.
 - The development must be able to withstand the forces of floodwater, debris and buoyancy up to the flood planning level (or up to the probable maximum flood level if onsite refuge is proposed).
- A joint report prepared by a professional engineer who specialises in hydraulic engineering and a professional engineer who specialises in civil engineering must be attached to this checklist providing confirmation of this.
- d. The development does not increase flood affectation elsewhere in the floodplain.
- A joint report prepared by a professional engineer who specialises in hydraulic engineering and a professional engineer who specialises in civil engineering must be attached to this checklist providing confirmation of this.
- The development has reliable access for pedestrians and vehicles to a safe refuge. The access has a minimum level equal to the lowest habitable floor level of the development.
 - Open car parking spaces or carports are no lower than the 20 year flood level.
 - Driveways between car parking spaces and the connecting public roadway will not be inundated by a depth of water greater than 0.3 metres during a 1:100 year ARI (Average Recurrence Interval) rainfall event.



DEFINITIONS

flood compatible material means building materials and surface finishes capable of withstanding prolonged immersion in water.

Floodplain Development Manual means the *Floodplain Development Manual* (ISBN 0 7347 5476 0) published by the NSW Government in April 2005.

flow path means a flow path identified in the council's flood study or floodplain risk management study carried out in accordance with the *Floodplain Development Manual*.

high hazard area means a high hazard area identified in the council's flood study or floodplain risk management study carried out in accordance with the *Floodplain Development Manual*.

high risk area means a high risk area identified in the council's flood study or floodplain risk management study carried out in accordance with the *Floodplain Development Manual*.



ASSESSMENT TABLE D - SITE REQUIREMENTS

This table is a summary of the provisions of the *Rural Housing Code*. Complete copies of the *Rural Housing Code* can be obtained from the *NSW Housing Code* website.

SITE TYPES Many of the complying development standards relate to lot size (see Note 1)	Minimum Street Frontage (see Note 2)			Maximum Site Coverage (see Note 3)			Maximum Floor Area (Dwellings) (See Note 4)			Maximum Floor Area (Outbuildings) (See Note 5)			Maximum Floor Area (Balconies, Decks, Pergolas, etc) (See Note 6)			Maximum Building Height (Dwellings) (See Note 7)			Maximum Building Height (Outbuildings) (See Note 8)			Minimum Landscaped Area (See Note 9)			Minimum Principal Private Open Space (See Note 10)			Carparking and Access (See Note 11)					
	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A			
Site Type R5 less than 4000m ²	18m			30%			430m ²			500m ² For agricultural use 100m ² in any other case			12m ²			8.5m			4.8m			45%			24m ²			1					
Complies	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A
Site Type RU1 RU2 RU3 RU4 RU6 R5 at least 4000m ²										500m ² For agricultural use 100m ² in any other case			12m ²			10m			4.8m Farm Building or shed 7m														
Complies	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A

OFFICE USE

Complies Yes No



Note 1: For the purpose of calculating the area of a lot, the area of the access laneway is excluded if it is a battle-axe lot.

Note 2: The width of the site is measured at the building line fronting a primary road (see *building line* definition). The lot must have lawful access to a public road. For battle-axe shaped lots, the access handle must be at least 3m wide and the main area of the site must be at least 12m by 12m exclusive of the access handle.

Note 3: For the purpose of calculating site cover - ramps, awnings, eaves, unenclosed balconies, decks, pergolas, verandahs, driveways, paving rainwater tanks, swimming pools and spas are not included (see *Rural Housing Code* for additional exclusions).

Note 4: *Floor area* means the sum of the areas of each storey of the dwelling house and carport, garage, balcony, deck, patio, pergola, terrace or verandah attached to the dwelling house and enclosed by a wall (other than the external wall of the dwelling house) measured at a height of 1.4m above each floor level, where the area is taken to be the area within the outer face of:

- a. the external walls of the dwelling house, and
- b. the walls of the carport, garage, balcony, deck, patio, pergola, terrace or verandah,

but excluding any part of an awning, blind or canopy that is outside the outer wall of a building, an eave, a stairway, lift shaft or void over a lower storey.

Note 5: See definition of *outbuilding* at the front of this document or in the *NSW Housing Code*.

Floor area means the sum of the areas of each storey of the outbuilding, measured at a height of 1.4m above each floor level, where the area of each storey is taken to be the area within the outer face of:

- a. the external walls of the outbuilding if it is enclosed, and
- b. the supporting columns or posts of the outbuilding if it is not enclosed.

but excluding any part of an awning, blind or canopy that is outside the outer wall of a building or an eave or stairway.

Note 6: The definition of floor area from the *Housing Code* as it applies to balconies and the like is:

Floor area means the area of the balcony, deck, patio, pergola, terrace or verandah, measured at the floor level, where the area is taken to be the area within the outer face of:

- a. the external walls, if the balcony, deck, patio, pergola, terrace or verandah is enclosed, or
- b. the balustrade or other safety barrier if the balcony, deck, patio, pergola, terrace or verandah is not enclosed.

The standard only applies to a balcony, deck, patio, pergola, terrace or verandah that is greater than 3.0m above existing ground level. There is no floor area limitation below this height above ground level.

A balcony, deck, patio, pergola, terrace or verandah attached to a dwelling house on a lot that has an area of less than 300m² and a width measured at the building line of less than 10m is not complying development unless the balcony, deck, patio, pergola, terrace or verandah is attached to the primary road frontage of the dwelling.

Notes 7 & 8:

Building height (or *height of building*), at any point of a building, means the vertical distance between that point at ground level (existing) and the highest point of the building immediately above that point, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

Note 9: If the lot is R5 and less than 4000m², at least 45% of the area must be landscaped.

In all other areas at least 50% forward of the building line must be landscaped

At least 50% of the landscaped area must be located behind the building line to the primary road.

The landscaped area must be at least 2.5m wide.



Note 10: A lot, with a width measured at the building line of at least 18m, on which a new dwelling house is erected must have at least 24m² of principal private open space. Principal Private Open Space means an area that:

- a. is directly accessible from, and adjacent to, a habitable room, other than a bedroom, and
- b. is at least 3m wide, and
- c. is not steeper than 1:50 gradient.

Note 11: General Carparking Requirements

At least one off-street carparking space must be provided on the lot on which a new dwelling house is erected unless the lot has a width, measured at the building line, of less than 8m.

At least one off-street carparking space must be retained on a lot on which alterations or additions to an existing carparking space are carried out.

Garages, Carports and Carparking Spaces

A garage, carport or carparking space for a dwelling house must:

- a. if the dwelling house has a setback from a road boundary of 4.5m or more, be at least 1m behind the building line of the dwelling house, or
- b. if the dwelling house has a setback from a road boundary of less than 4.5m, be at least 5.5m from the boundary.

If the door or doors on a garage face a primary road, a secondary road or a parallel road, the total width of all the door openings must not exceed:

- a. if the lot has a width, measured at the building line, of more than 15m, but not more than 50%, or
- b. if the lot has a width, measured at the building line, of not more than 15m, but not more than 60%, or
- c. be not more than 6m,

Vehicle Access

A lot on which an off-street carparking space is provided or retained must have a driveway to a public road.

A driveway on a lot must be constructed in accordance with AS 2890.1-2004, Parking Facilities - Off-Street Carparking.

The off-street carparking space for a battle-axe lot must be constructed in a way that allows vehicles to leave the lot in a forward direction.

Construction or installation of a driveway requires a separate approval under the *Roads Act*.



ASSESSMENT TABLE E1 - SETBACK REQUIREMENTS

This table is a summary of the provisions of the *NSW Housing Code* published by the NSW Department of Planning. Applicants should obtain a copy from the *NSW Housing Code* website.

Site Types Many of the Complying Development standards relate to lot size (See Note 1)	Dwellings And Attached Structures To Rear Boundaries			Outbuildings To Side And Rear Boundaries			Dwellings, Attachments and Outbuildings to Public Reserves		
Site Type R5 less than 4000m ²	<ul style="list-style-type: none"> Any point of the building from a rear boundary must be at least 15m 			<ul style="list-style-type: none"> For Agricultural use 10m or In any other case 5m 			3m		
Complies	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A
Site Type RU1, RU2, RU3, RU4 and R5 at least 4000m ²	<ul style="list-style-type: none"> Any point of the building from a rear boundary must be at least 15m 			<ul style="list-style-type: none"> For Agricultural use 10m or In any other case 5m 			3m		
Complies	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A

Refer to *Rural Housing Code* clause 3A.19 for exceptions to setbacks

Note 1: For the purpose of calculating the area of a lot, the area of the access laneway is excluded if it is a battle-axe lot.

OFFICE USE	
Complies	<input type="checkbox"/> Yes <input type="checkbox"/> No



ASSESSMENT TABLE E2 - SETBACK REQUIREMENTS (CONTINUED)

This table is a summary of the provisions of the *Rural Housing Code*. Complete copies of the *Rural Housing Code* can be obtained from the *NSW Housing Code* website.

Lot Width Some complying development setback standards relate to lot width	Dwellings and Ancillary Development to Primary and Parallel Road (See note 1)			Dwellings and Ancillary Development on a corner lot to Secondary Road (See note 2)			Dwellings and Ancillary Development to Classified Road (See note 3)			Dwellings, Outbuildings and Attached Structures to Side Boundaries		
R5 less than 4000m²	Average setbacks of the nearest 2 dwelling houses to the same primary road and located within 40m of the lot Parallel road 10m (See note 1A)			5m			Average setbacks of the nearest 2 dwelling houses to the same primary road and located within 40m of the lot or In any case where 2 dwellings houses are not located within 40m of the lot – 10m unless an EPI provides an alternative setback			2.5m		
Complies	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A
RU1, RU2, RU3, RU4, R5 at least 4000m²	R5 at least 4000m ² 15m RU4 30m RU1, RU2, RU3 50m			10m			Average setbacks of the nearest 2 dwelling houses to the same primary road and located within 40m of the lot or In any case where 2 dwellings houses are not located within 40m of the lot – 10m unless an EPI provides an alternative setback			Dwellings 10m Agricultural use 10m Any other case 5m		
Complies	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A

Refer to Rural Housing Code clause 3A.19 for exceptions to setbacks and clause 3A.20 for calculating setbacks

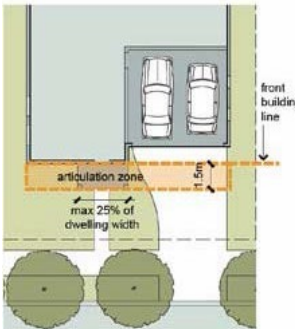
- Note 1:** *parallel road* means, in the case of a lot that has boundaries with parallel roads, the road that is not the primary road.
Note 1A: If there are no dwellings within 40m, setback shall be at least 10m (please refer to the Rural Housing Code clause 3A.15(1)(b))
Note 2: *secondary road* means, in the case of a corner lot that has boundaries with adjacent roads, the road that is not the primary road
Note 3: *classified road* is defined in the Roads Act, 1993 as a main road, a highway, a freeway, a controlled access road, a secondary road, a tourist road, a tollway, a transitway, a State work.

Office Use		
Complies	<input type="checkbox"/> Yes	<input type="checkbox"/> No



ASSESSMENT TABLE F - AMENITY REQUIREMENTS

The following additional standards are applicable to **R5 lots less than 4000m²** proposals irrespective of the area of the land on which the work is proposed.

AMENITY CRITERIA		COMPLIES		
		APPLICANT USE		
		Yes	No	N/A
Façade Design	<p>A new dwelling house, other than a dwelling house on a battle-axe lot, must have:</p> <ul style="list-style-type: none"> • A front door and a window to a habitable room in the building wall that faces a primary road. • A door and a window to a habitable room in the building wall that faces a parallel road <p>A dwelling house, other than a dwelling house that has a setback from a primary road of less than 3m, may incorporate an articulation zone to a primary road.</p> <p>An articulation zone is the area within a lot within which building elements are or may be located, that consists of that part of the setback area from a primary road that is measured horizontally for a distance of 1.5m from:</p> <ul style="list-style-type: none"> • The foremost edge of the building line, or • A gable or roof parapet having a surface area of more than 10m². <div style="text-align: center;">  <p>Articulation Zone</p> </div> <p>The following building elements are permitted in an articulation zone:</p> <ol style="list-style-type: none"> An entry feature or portico, A balcony, deck, patio, pergola, terrace or verandah A window box treatment, A bay window or similar feature, An awning or other feature over a window A sun shading feature. <p>Up to 25% of the articulation zone, when viewed from above may include building elements. Building elements listed in sub-clause (e) or (f) are not included in the maximum area of the articulation zone.</p> <p>No building element can extend above the eave gutter line, other than a pitched roof to an entry feature or portico that has the same pitch as the roof on the dwelling house.</p>			



AMENITY CRITERIA		COMPLIES		
		APPLICANT USE		
		Yes	No	N/A
Privacy	<p>a) A proposed window in a dwelling house or an addition to a dwelling house must have a privacy screen if:</p> <ul style="list-style-type: none"> i) It is a window in a habitable room, other than a bedroom, that has a floor level of more than 1m above existing ground level, and ii) The wall in which the window is located has a setback of less than 3m from a side or rear boundary, and iii) The window has a sill height of less than 1.5m <p>b) A proposed new balcony, deck, patio, pergola, terrace or verandah must have a privacy screen if it:</p> <ul style="list-style-type: none"> i) Has a setback of less than 3m from a side or rear boundary, and ii) Has a floor area more than 3m², and iii) Has a floor level more than 1m above existing ground level. <p>c) A detached balcony, deck, patio, pergola, terrace or verandah or any alterations or additions to an existing deck, patio, pergola or terrace, must not have a floor level that is more than 600mm above the existing ground level.</p> <p>Privacy screen means a screen that:</p> <ul style="list-style-type: none"> i) Faces the boundary identified in subclause (b) i), and ii) Is 1.5m high, measured from the floor level, and iii) Has no individual opening more than 30mm wide, and iv) Has a total of all openings less than 30% of the surface area of the screen. 			



<p>Earthworks</p>	<p>Excavation</p> <p>Excavation for the purposes of development under this Part must be carried out in accordance with subclauses (5) and (6) and must not exceed a maximum depth measured from ground level (existing) of:</p> <ul style="list-style-type: none"> (a) if located not more than 1m from any boundary—1m, and (b) if located more than 1m, but not more than 1.5m, from any boundary—2m, and (c) if located more than 1.5m from any boundary—3m. <p>(2) Despite subclause (1), the excavation must not be more than 1m below ground level (existing) if the land is identified as Class 3 or 4 on an Acid Sulfate Soils Map or is within 40m of a waterbody (natural).</p> <p>(3) Fill</p> <p>Fill, for the purpose of erecting a dwelling house under this Part must:</p> <ul style="list-style-type: none"> (a) not exceed 1m above ground level (existing), and (b) be contained in accordance with subclauses (5) and (6) by either: <ul style="list-style-type: none"> (i) a retaining wall or other form of structural support that does not extend more than 1.5m from any external wall of the dwelling house, or (ii) an unprotected sloping embankment or batter that does not extend from the dwelling house by more than 3m, in which case the toe of the embankment or batter must be more than 1m away from a side or rear boundary. <p>(4) The finished ground level of the fill must not be used for the purposes of measuring the height of any development erected under this Policy.</p> <p>(5) Retaining walls and structural support</p> <p>Support for earthworks that are more than 600mm above or below ground level (existing) and within 1m of any boundary, or more than 1m above or below ground level (existing) in any other location, must take the form of a retaining wall or other form of structural support that:</p> <ul style="list-style-type: none"> (a) has been certified by a professional engineer, and (b) has adequate drainage lines connected to the existing stormwater drainage system for the site, and (c) does not result in any retaining wall or structural support with a total height measured vertically from the base of the retaining wall or structural support to its uppermost portion that is: <ul style="list-style-type: none"> (i) more than 1m in height and within 1m from a side or rear boundary, or (ii) more than 3m in height in any other location. <p>(6) Any excavation or fill that exceeds 600mm above or below ground level (existing) requires a retaining wall or structural support that must be:</p> <ul style="list-style-type: none"> (a) constructed in accordance with subclause (5), and (b) designed so as not to redirect the flow of any surface water or ground water, or cause sediment to be transported, onto an adjoining property, and (c) separated from any retaining wall or other structural support on the site by at least 2m, measured horizontally, and (d) installed in accordance with any manufacturer’s specification. <p>Note. Fill and excavation that is not associated with a building may be exempt development under clauses 2.29 and 2.30.boundary</p>			
<p>Drainage</p>	<p>All stormwater collected as a result of the erection of, or alterations or additions to, a dwelling house or ancillary development must be conveyed by gravity or by a charged system to:</p> <ul style="list-style-type: none"> i) A public drainage system, or ii) An inter-allotment drainage system, or iii) An on-site disposal system. 			



AMENITY CRITERIA		COMPLIES		
		APPLICANT USE		
		Yes	No	N/A
Run-off and Erosion Control	a) Run-off and erosion controls must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land by: <ul style="list-style-type: none"> i) Diverting uncontaminated run-off around cleared or disturbed areas, and ii) Erecting a silt fence to prevent debris escaping into drainage systems and waterways, and iii) Preventing tracking of sediment by vehicles onto roads, and iv) Not stockpiling top soil, excavated materials, construction and landscaping supplies and debris within the lot. 			
Swimming Pools	a) Excavation must be no more than the depth required for the pool structure b) A swimming pool for private use must be located on a lot: <ul style="list-style-type: none"> i) Behind the setback area from the primary or main road frontage, or ii) In the rear yard. c) The swimming pool water line must have a setback of at least 1m from a side or rear boundary. d) Decking around a swimming pool must not be more than 600mm above the existing ground level. e) Coping around a swimming pool must not be more than: <ul style="list-style-type: none"> i) 1.4m above existing ground level, and ii) 300mm wide if the coping is more than 600mm above existing ground level. f) Water from a swimming pool must be discharged in accordance with an approval under the Local Government Act 1993 if the lot is not connected to a sewer main. g) A child-resistant barrier must be constructed or installed in accordance with the requirements of the Swimming Pools Act 1992. h) Pumps attached to the development must be housed in a soundproof enclosure i) If the swimming pool is being constructed at a different time to the erection of a dwelling on the lot, the development standards for this code (other than the standards for landscaped area) do not apply to the construction.			

Office Use	
Complies	<input type="checkbox"/> Yes <input type="checkbox"/> No



ASSESSMENT TABLE G - GENERAL REQUIREMENTS

To be complying development, the development must:

CRITERIA	COMPLIES		
	APPLICANT USE		
	Yes	No	N/A
a) meet the relevant provisions of the Building Code of Australia			
b) if required, have a prior approval by the Local Government Act 1993, for: <ul style="list-style-type: none"> a. an on-site effluent disposal system if the development is undertaken on unsewered land, and b. an on-site stormwater drainage system 			
c) If required by the Roads Act 1993, have prior consent from the relevant roads authority for each opening of a public road required for the development, and the prior written permission from the relevant roads authority to operate or store machinery, materials or waste required by the development on a road or footpath reserve.			
d) Is not development that would require the concurrence of another body			
e) The development does not include a roof terrace on the topmost roof			
f) The proposal does not conflict with any restrictions or covenants applying to the land			

Office Use	
Complies	<input type="checkbox"/> Yes <input type="checkbox"/> No

