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**RYLSTONE SHIRE COUNCIL
DEVELOPMENT CONTROL PLAN NO. 3**

**EXEMPT AND COMPLYING
DEVELOPMENT**

Adopted by Resolution of Council, 15th May 2002

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PART I

1. CITATION

This Plan is Rylstone Development Control Plan No.2 - Exempt and Complying Development adopted by Rylstone Council on 15 May 2002 pursuant to the provision of Section 72 of the Environmental Planning and Assessment Act 1979.

2. AIMS, OBJECTIVES ETC

The aims of this plan are to provide for exempt and complying development in the local government area of Rylstone Shire by;

- allowing development with minimal environmental impact to proceed without the need for development consent,
- allowing small scale and low impact development to proceed efficiently; and
- detailing standards and conditions that apply to such developments.

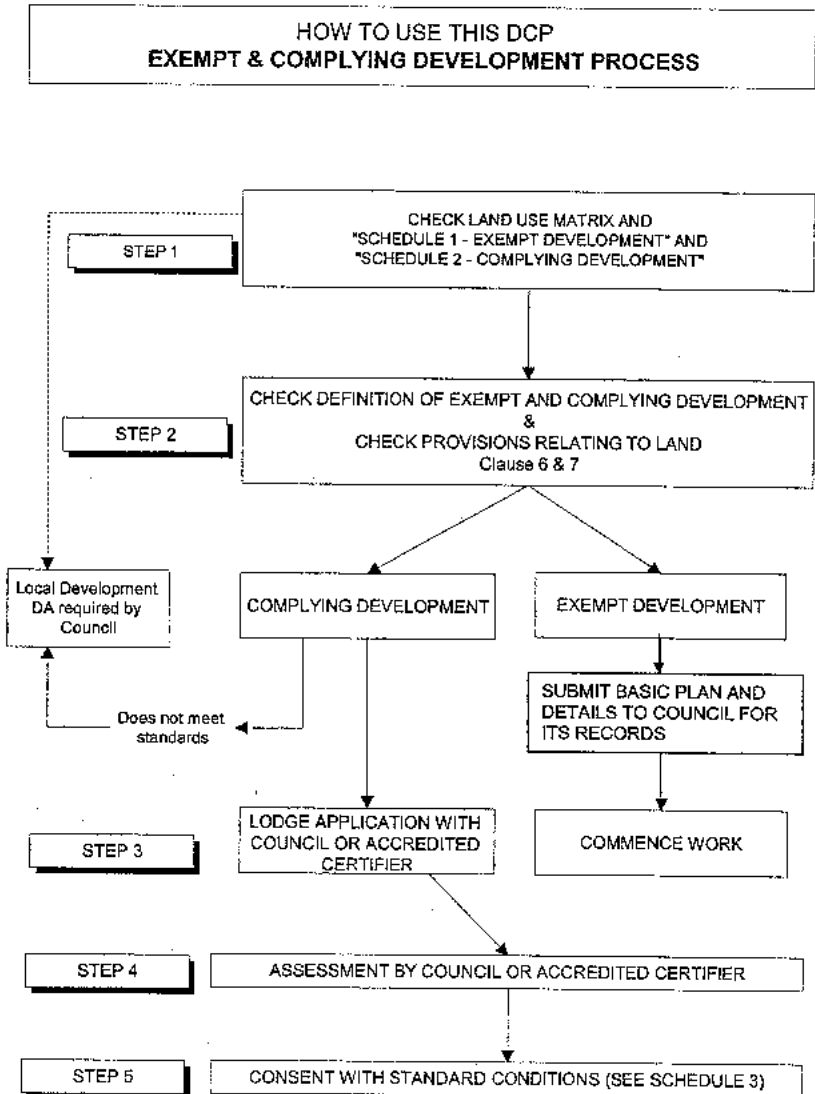
3. LAND TO WHICH PLAN APPLIES

The plan applies to all land within the local government area of Rylstone to which the Rylstone Local Environmental Plan 1996 applies.

4. RELATIONSHIP TO OTHER ENVIRONMENTAL PLANNING INSTRUMENTS

This Plan provides detailed development criteria and performance standards to development identified in the Rylstone LEP 1996 as exempt or complying development. Provisions of this Plan do not prevail over Rylstone LEP 1996.

5. EXEMPT AND COMPLYING DEVELOPMENT PROCESS



PART II

6. What is exempt development?

- (1) Development listed in Schedule 1 is exempt development, except as provided by subclause (2) and (3).
- (2) Development is exempt development only if it:
 - a) is not development that would or could effect an item or land that is listed on the State Heritage Register or to which an interim heritage order applies; and
 - b) does not cause interference with the amenity of the neighbourhood because of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil or otherwise, and
 - c) complies with any deemed-to-satisfy provisions of the Building Code of Australia relevant to the development, and
 - d) complies with the requirements and standards listed in Schedule 1 for the development.
 - e) does not contravene any condition of a development consent applying to the land, and
 - f) does not obstruct drainage of the site on which it is carried out, and
 - g) does not restrict any vehicular or pedestrian access to or from the site, and
 - h) is a building and is constructed with new materials unless otherwise specified in Schedule 1, and
 - i) is a building and is situated at least one metre from any sewer main or easement unless otherwise stated in Schedule 1, and
 - j) does not adversely affect stormwater or sewer services, and
 - k) is positioned behind the building line (excluding fences or flag poles) unless specifically stated otherwise in Schedule 1, and
 - l) is not designated development.
- (3) Development is not exempt development if it is carried out on land that is:
 - a) an Aboriginal place under the *National Parks and Wildlife Act 1974*; or
 - b) 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
 - c) an aquatic reserve declared under the *Fisheries Management Act 1994*; or
 - d) land that is critical habitat under the *Threatened Species Conservation Act 1995*; or
 - e) land that is, or is part of, a wilderness area under the *Wilderness Act 1987*.

7. What is complying development ?

- (1) Development listed in Schedule 2 is complying development if:
- a it is local development of a kind that can be carried out with consent on the land on which it is proposed; and
 - b it is not an existing use, as defined in section 106 of the Act,
- except as provided by sub-clauses (2) and (3).
- (2) Development is complying development only if it:
- a) complies with the deemed-to-satisfy provisions of the Building Code of Australia, and
 - b) will achieve the outcomes listed in Schedule 2 for the development, and
 - c) complies with any other provisions of this plan, and
 - d) is on a site which has been identified as being free from contamination where the site has been used as a service station, for the storage of fuel or chemicals used in agriculture or commercial quantities, mining or extractive industries, and
 - e) complies with the manufacturer's instructions and applicable Australian Standards, and
 - f) is a building and is constructed with new materials unless otherwise stated in Schedule 2, and
 - g) is a building and is not located over a sewer main or within an easement unless approved by Council, and
 - h) is not development that would or could effect an item or land that is listed on the State Heritage Register or to which an interim heritage order applies; and
 - i) is not on land which comprises a heritage item or place as identified in an environmental planning instrument or on land within a Heritage Conservation Area, and
 - j) does not contravene any condition of a development consent applying to the land, and
 - k) 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, and
 - l) complies with covenants, easements and restrictions created pursuant to S.88B of the Conveyancing Act, where Council is nominated as the varying authority, and
 - m) is a dwelling and is not located within a high risk bush fire area.
- (3) Development is not complying development if it is carried out on land that is:

- a) the site of an environmental heritage item identified in an environmental planning instrument unless otherwise stated in Schedule 2; or
 - b) an Aboriginal place under the *National Parks and Wildlife Act 1974*; or
 - c) 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
 - d) an aquatic reserve declared under the *Fisheries Management Act 1994*; or
 - e) land that is critical habitat under the *Threatened Species Conservation Act 1993*; or
 - f) land that is, or is part of, a wilderness area under the *Wilderness Act 1987*.
- (4) A complying development certificate issued for any such development is to be subject to the relevant conditions for development consent specified in Schedule 3.

8. Development that does not require the consent of Council

Development listed in Schedule 4 does not require the consent of Council if:

- a) it is a building and meets the requirements of the Building Code of Australia, and
- b) it complies with the manufacturer's instructions and relevant Australian Standards, and
- c) it is a building and is constructed with new materials unless otherwise specified, and
- d) it is a building and is not situated over a sewer main or within an easement.

9. Land Use Matrix

The Land Use Matrix lists development that may be allowed in each zone. The following symbols are used:

- E** Permissible without consent – Exempt Development –subject to performance standards set out in this DCP
- C** Permissible with Consent – Complying Development subject to performance criteria set out in this DCP
- DA** Development that requires the lodgement and approval of a development application. May include Integrated Development, Designated Development and State Significant Development.

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P Prohibited Development

NA Not applicable

The land use matrix is intended as a guide and should be read in conjunction with Schedule 1 and Schedule 2. In the case of any inconsistency with the Rylstone LEP 1996, the Rylstone LEP 1996 shall prevail to the extent of the inconsistency.

Development may be considered exempt or complying development if it is identified in the matrix below and all standards for that development as outlined in Part II and Schedule 1 and Schedule 2 of this DCP are satisfied.

Land Use Matrix

DEVELOPMENT TYPE	Heritage Item /Heritage Conservation Area	Zone						
		1 (a) Rural	1(c) Rural Residential	1(c1) Rural Retreat	2 (v) Village or Urban	4(a) Industrial	7(a) Environmental Protection	7(c) Water Catchment
Access Ramps	DA	E	E	E	E	E	E	E
Advertisement, Advertising Structure	DA	E	E	E	E	E	E	DA
Ancillary Residential Development *	E or DA**	E	E	E	E	E	E	E
Ancillary Rural Development (including garages and car port in the Rural zones)	DA	E	E	E	NA	NA	E	E
Bed and Breakfast	DA	C	C	C	C	DA	C	C
Boundary Adjustment	E	E	E	E	E	E	E	E
Change of Commercial Use of an existing lawful business	DA	C	C	C	C	C	C	C
Craft establishment	C or DA	C	C	C	C	C	C	DA
Demolition	DA	E	E	E	E	E	E	E
Dwelling (Only applicable to dwellings located outside of the high-risk bush fire hazard areas.	DA	C	C	C	C	DA	C	C
Fence	DA	E	E	E	E	E	E	E
Flag pole	DA	E	E	E	E	E	E	E
Garages / Carports (in Village areas)	DA	NA	NA	NA	C	C	NA	NA
Home Child Care	E	E	E	E	E	E	E	E
Home industry	C	C	C	C	C	C	C	C
Home occupation	E	E	E	E	E	E	E	E
Professional Consulting Room	C or DA	DA	DA	DA	C	DA	DA	DA
Real Estate Sales Sign	E	E	E	E	E	E	E	E
Retail Plant Nursery	DA	E	E	E	C	C	DA	DA
Rural industry	DA	C	C	C	DA	C	C	C
Satellite dish	DA	E	E	E	E	E	E	E
Swimming pool	C	C	C	C	C	C	C	C
Temporary Buildings	E	E	E	E	E	E	E	E
Water Tank	E	E	E	E	E	E	E	E
Windmill	DA	E	E	E	DA	E	E	E

* Ancillary Residential Development includes the following - Aerials, antennae or radio masts, air conditioning units, awning canopies and storm blinds, barbecues, bird aviaries, cabanas, clothes hoist/lines, cubby houses and playground equipment, decks, fowl houses, gardening paving and the like, garden sheds, gazebos, green houses, landscaping, minor residential building alterations, and lattice enclosure, letter box, patio, pergolas, retaining walls, skylights, and water heaters.

** Refer to Schedule 1 for details regarding exempt provisions for Ancillary Residential Development on a heritage item or within a Heritage Conservation Area.

10. Schedules

10.1 Schedule 1 - Exempt Development

Exempt Development	Type or Class	Circumstances for Exemption - Compliance with all criteria necessary
Access Ramps for disabled.	Not including ramps attached to, or within the curtilage of heritage items.	<ul style="list-style-type: none"> • Maximum height: 1 metre above finished ground level, and • the structure to comply with AS 1428.1 – 1998, and • the structure to comply with the Building Code of Australia, and • the development to be located wholly within the boundaries of the allotment.
Advertising, advertising structures and signs – in all zones but excluding signs on or in the vicinity of heritage items or in conservation areas.	Signs in rural areas. (not being Zone 7(a) –Water catchment; nor zone 7(c) - Environmental protection	<ul style="list-style-type: none"> • Advertising signs must describe premises and be located on private land, not in the road reserve, and • The advertising sign must relate to a lawful or approved use of the land and be located on the land where the activity is carried out, and • maximum of one sign per site, and • maximum height of sign and supports of 2.5m, and • maximum area 2 m², and • made of Non-reflective material, and • must be free standing, and • must be set back 3m from the boundary if located on a corner or intersection of a road, and • is not illuminated
	Signs in Industrial Areas	<ul style="list-style-type: none"> • One pole or pylon sign (including directory boards for multiple occupancies) per site not exceeding 5 m² in area and 7m height, and • located wholly within the site, and • complies with the BCA, and • the sign does not flash or include moving components, and • does not obscure entry/exit sight distance from the premises. • For multiple occupancies, one additional sign being for company identification purposes and not exceeding 2m by 0.6m at the entrance to each occupied unit, or • for single occupancies, one additional identification sign affixed to the building with an area that does not exceed 5 m², or • one sandwich board sign per property to be located wholly within the property - maximum size 1.5 m² per side of sign.

Exempt Development	Type or Class	Circumstances for Exemption - Compliance with all criteria necessary
	Real Estate Signs (advertising premises/land for sale or rent)	<ul style="list-style-type: none"> • Residential: only one sign per agent; size: not to exceed 2.5 m²; located wholly within the site; does not pose a risk to public safety. • Industrial /Commercial: one sign per agent; size: not to exceed 3.5m²; located wholly within the site; does not pose a risk to public safety.
	Temporary Signs	<ul style="list-style-type: none"> • Announcing an approved local event on land, and • does not include advertising of a commercial nature, other than the name of the event or sponsors, and • does not pose a risk to the safety of the public, and • is not to be displayed earlier than 28 days prior to the event and is to be removed within 7 days after the event. <p><i>Note: Council reserves the right to require removal of damaged or offensive signs.</i></p>
	Public Information Sign	<ul style="list-style-type: none"> • A public notices sign for public information displayed by the Council giving directions or information about the area and community services provided.
	Traffic Signs on or adjacent to public roads	<ul style="list-style-type: none"> • Street name signs, directional or traffic control signs displayed by the Council, in accordance with AS1742.1 - 1991 Manual of Uniform Traffic Control Devices on a public road being: <ul style="list-style-type: none"> - guide sign; - warning sign; - temporary warning sign; - regulatory sign; - parking sign; - hazardous marker; - service symbol; - tourist information sign.
	Signs in Commercial Areas (not being a Heritage Conservation item or area)	<ul style="list-style-type: none"> • Window signs - Where the sign covers no more than 25% of the glazed area of the window, or • under-awning sign – one per business, minimum height 2.6m above the footpath, not to protrude beyond the edge of the awning, maximum length 3.5 m from the building, or • fascia sign – where painted on the existing fascia of the awning, and • the advertisement replaces one for which consent has been granted and where there is no increase in the area of the sign or intensity of illumination.

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Exempt Development	Type or Class	Circumstances for Exemption - Compliance with all criteria necessary
	Signs in residential areas (not being a Heritage Conservation item or area)	<ul style="list-style-type: none"> • Must relate to a lawful or approved use of the land, and • must be located wholly within the site, and • must not be illuminated, and • maximum dimension not to exceed 1 metre x 500mm, and • maximum height 1 metre or located on the building below the height of the eave.
<p>Ancillary Residential Development.</p> <p>Where the property contains or is in the vicinity of a Heritage item or within a Heritage Conservation zone, the structure must be free standing and must not affect the setting or any significant landscape feature identified by a Statement of Heritage Significance prepared in relation to that heritage site or item or Heritage Conservation Zone</p>	Aerials/Antennae (not including satellite dishes - dealt with as separate provision below)	<ul style="list-style-type: none"> • For domestic use only, and • maximum height 8m from natural ground level, and • roof or wall mounted in residential and commercial areas.
	Air conditioning units for dwellings (attached to external wall or ground mounted).	<ul style="list-style-type: none"> • If the unit is attached to, or mounted adjacent to a heritage item, it must not be visible from a public place, and • noise level must not exceed 5dBA above ambient noise level measured at property boundary, and • building work must not reduce the structural integrity of the building or reduce the fire resistance level of a structural member, and • any opening created is to be adequately weatherproofed. • does not require any alteration to the building with the exception of fixings or mountings
	Awnings on Dwellings	<ul style="list-style-type: none"> • Maximum area 20m², and • located wholly within property boundaries, and • located at the rear of building, and • minimum side and rear setback 450 mm from boundary.
	Balconies, decks and patios (un-roofed and attached to dwellings)	<ul style="list-style-type: none"> • If building is a heritage item or within a Heritage Conservation Area, the structure is not to be visible from a public place, and • maximum Area: 10m² per dwelling, and • finished surface level not greater than 1m above existing ground level, and • required boundary setbacks to be maintained

Exempt Development	Type or Class	Circumstances for Exemption - Compliance with all criteria necessary
	Barbecues	<ul style="list-style-type: none"> • Maximum area 10m², and • maximum chimney height 2.5m, and • the structure is not located within 900mm of the side or rear boundary and does not contravene the building line.
	Bird Aviaries	<ul style="list-style-type: none"> • Maximum floor area: 10m², and • maximum height: 2.4m, and • located to the rear of the building and not over stormwater access pits, and • limit of one building per property, and • the structure is not located within 900mm of the side or rear boundary.
	Clothes Line/Hoists	<ul style="list-style-type: none"> • Installed to Manufacturers Specification, and • located to rear of building.
	Cubby Houses & Playground Equipment	<ul style="list-style-type: none"> • Maximum height 2.1m, and • maximum Area 10m², and • located to rear of building, and • structurally sound and installed to manufacturers instructions, and • the structure is not located within 900mm of the side or rear boundary.
	Letter Boxes	<ul style="list-style-type: none"> • Maximum height: 1.2m, and • consistent with streetscape and character of the locality, and • located wholly within the site.
	Garden Sheds	<ul style="list-style-type: none"> • Free standing, and • maximum floor area 10m², and • maximum height 2.1m, and • located to the rear of the building, and • made of non-reflective materials, and • the structure is not located within 900mm of the side or rear boundary.

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Exempt and Complying Development

Exempt Development	Type or Class	Circumstances for Exemption - Compliance with all criteria necessary
	Minor alterations to domestic single dwellings	<p>The building is not a heritage item nor within a Heritage Conservation Area, and</p> <p>non- structural work only such as :</p> <ul style="list-style-type: none"> • replacement of doors, walls, ceiling or floor linings: or deteriorated frame members with equivalent or improved quality materials; • renovations of bathrooms, kitchens, inclusion of built-in fixtures such as vanities, cupboards and wardrobes; and • applies only to alterations or renovations to previously completed buildings, and • work not to include changes to the configuration of rooms whether by removal of existing walls, partitions or by other means, and • works not to cause reduced window arrangements for light and ventilation needs, reduced doorways for egress purposes or involve enclosures of open areas.
	Paving (associated with dwellings)	<ul style="list-style-type: none"> • The surface is to be graded to allow water to drain to a drainage system and then discharge into Council's nearest stormwater system, and • at least 50% of the area in front of the building line is retained for lawn and gardens.
	Pergola (open)	<ul style="list-style-type: none"> • Maximum area 20m², and • maximum height 2.4m from natural ground level, and • maintain side and rear setbacks with a minimum 450mm.
	Re-cladding of roofs or walls	<ul style="list-style-type: none"> • Building not to be located within a Heritage Conservation Area or be a heritage item, and • replace existing materials with similar materials, and • re-cladding not to involve structural alterations, and • the external wall of the dwelling shall be a minimum of 900 mm from the rear and side boundaries, with the eave gutter setback to be 450 mm from the side and rear setback.
	Retaining Walls	<ul style="list-style-type: none"> • Maximum height 600mm, and • masonry walls to comply with: AS3700 - Masonry Code AS3600 - Concrete Structures AS1170 - Loading Code, and • Timber Walls to comply with: AS1720 - Timber Structures AS1170 - Loading Code, and • all retaining walls are to be constructed so that they do not prevent the natural flow of stormwater drainage/ run off.
	Water heaters/ water softeners	<ul style="list-style-type: none"> • Installed to manufacturer's specifications and requirements by a licensed person, and • the building work does not reduce the structural integrity of the building or involve structural alterations, and • does not affect the front facade or notable features of a heritage item.

Exempt Development	Type or Class	Circumstances for Exemption - Compliance with all criteria necessary
	Skylight roof windows (including solar-tube or a similar installation).	<ul style="list-style-type: none"> • Not to be a heritage item nor in a Heritage Conservation Area, and • maximum Area: 1m², and • located not less than 900mm from a boundary and not less than 900mm from a wall separating attached dwellings, and • building work must not reduce the integrity of the building nor involve structural alterations, and • any openings must be waterproofed, and • installation to manufacturers instructions.
Ancillary Rural Development but excluding development on or in the vicinity of heritage items or in heritage conservation areas.	Silos, sheds and stables, stockyards and the like	<ul style="list-style-type: none"> • The structure is set back 10 m from any side boundary and 60 m from the front boundary (except for stockyards), and • the structure does not cover more than 100 m², and • the height of the structure does not exceed 10 m above natural ground level, and • the structure is to be only used for the storage of materials, feed or machinery, and • any spillage from chemicals or fuel stored within the structure will be caught by an adequately sized and constructed bund, and • the structure will not be located on flood liable land, and • the structure is not visible above ridgelines, and • compliance with the deemed-to-satisfy provisions of the BCA, and • in the case of stables, compliance with the Local Government Act and Regulations, and • stockyards not to be located within 50 metres of a dwelling on an adjoining property, and • is not within 100 metres of a heritage site or item.
	Dams	<ul style="list-style-type: none"> • Compliance with Farms Dams Policy (See DLWC) and Water Management Act 2000, and • compliance with Best Practice Notes on Dams formulated by DLWC, and • dams to be set back 50 m from road boundary if located on the up-stream side of a public road. • is not within 100 metres of a heritage site or item.
Boundary Adjustments		<ul style="list-style-type: none"> • The adjustment will not result in any building contravening the deemed-to-comply provisions of the Building Code of Australia, and • the adjustment will not create any additional allotments or dwelling entitlements, and • the adjustment will not change the area of any allotment by more than 10%, and • does not result in an existing dwelling being located closer than 150 m to any agricultural purpose that is not in the same ownership as the land on which the house is located, and • the adjustment will retain all services within the existing allotments, and • the adjustment does not affect the access on to the property or require additional access points.

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Exempt Development	Type or Class	Circumstances for Exemption - Compliance with all criteria necessary
Demolition of Buildings		<ul style="list-style-type: none"> • The building is not a heritage item nor located on the site of a heritage item nor located within a Heritage Conservation Area, and • demolition is to be carried out to Australian Standard AS2601 -1991 Demolition Code, and • all materials to be disposed of at the Rylstone Waste Disposal Depot, or an approved waste management depot or recycling centre, and • approval to be gained pursuant to Section 68 of the Local Government Act.
Fences but excluding fences on or in the vicinity of heritage items or in conservation areas.	Front boundary fences (between the building line and street or any other public place)	<ul style="list-style-type: none"> • Maximum height 1.2 m if constructed of timber, metal or light weight materials, and • front fences must be constructed of materials consistent with streetscape character, and • must not present a danger to the public through the use of barbed wire, electricity or other means.
	Side or rear boundary fences (between the building line and the rear boundary)	<ul style="list-style-type: none"> • Maximum height 1.8m if constructed of timber, sheet metal, colourbond or light weight materials, and • consistent with the Dividing Fences Act 1991, and • where the fence adjoins public land it must not present a danger to the public through the use of barbed wire, electricity or other means.
	Masonry or Brick Fences	<ul style="list-style-type: none"> • Maximum height of 600mm, and • complies with: AS3700- Masonry Code AS3600- Concrete Structures.
	Security fences for industrial and business uses	<ul style="list-style-type: none"> • To be located on industrial zoned land only, and • security fences and gates wholly within the boundary of the property.
	Security Screens, roller /shutter doors in business areas	<ul style="list-style-type: none"> • Surface finish to match shop front/window décor, and • screen must be open weave construction, and • located behind shop front, and • must be installed to the manufacturer's specifications.
Home Child Care		<ul style="list-style-type: none"> • Carried out in a permanent residence, and • provided by a carer licensed by the Department of Community Services.
Flagpoles		<ul style="list-style-type: none"> • Not located within a Heritage Conservation Area nor on a heritage item, and • maximum 6m above natural ground level, and • must be structurally adequate, and • located wholly within the property, and • installed to manufacturer's specifications, and • the number of flag poles does not exceed one per site.

Exempt Development	Type or Class	Circumstances for Exemption - Compliance with all criteria necessary
Home Occupation		<ul style="list-style-type: none"> • The development does not involve: <ul style="list-style-type: none"> - the registration of the building under the Factories, Shops, and Industries Act 1962; - the employment of persons other than residents of the dwelling; - the display of goods, whether in a window or otherwise; - the exhibition of any notice, advertisement or sign (other than a notice on the dwelling to indicate the name and occupation of the resident), or - the sale of items (whether goods or materials) or the exposure or offer for sale items by retail.
Temporary Buildings	Including portable school buildings, site sheds or temporary accommodation on the land while approved work is being carried out on the permanent building.	<ul style="list-style-type: none"> • For or associated with a lawful use of the land, or • Is associated with or is ancillary to an approved development, and • will be removed upon occupation of the replacement permanent structure or within six months which ever occurs first, and • is not located so as to affect approved landscaping, car parking or loading areas, and • the site is reinstated to its original condition or to a condition specified in an approval relating to the development.
Satellite Dishes but excluding dishes on or in the vicinity of heritage items or in heritage conservation areas.		<ul style="list-style-type: none"> • The dish is not mounted on the façade or roof of a building being the front elevation of the building, and • the dish installation is not to project above the ridge line of the building, and • the development does not extend closer than 1 metre from the side or rear boundaries, and • for development on the land within Zone 2(v) - Village, the diameter of the dish does not exceed 900mm, and • maximum of 1 dish per building, and • for development on land within any other zone, the diameter of the dish does not exceed 1.5m.
Water Tanks		<ul style="list-style-type: none"> • Maximum diameter 2m, and • maximum height 2.5m, and • for rural development no size limit, and • located behind the building or between the building and side boundary, and • must be installed to the manufacturer's specifications. • Where the property contains or is in the vicinity of a Heritage item or within a Heritage Conservation zone, the structure must be free standing and must not affect the setting or any significant landscape feature identified by a Statement of Heritage Significance prepared in relation to that heritage site or item or Heritage Conservation Zone

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Exempt Development	Type or Class	Circumstances for Exemption - Compliance with all criteria necessary
Windmills – erection and use of windmills	Located on rural land	<ul style="list-style-type: none"> • The structure is free standing and does not rely on other structures for support, and • the structure has clearance from power lines in accordance with the requirements of the relevant electricity authority, and • must not be visible above the natural ridge line of surrounding lands, and • must be installed to the manufacturer's specifications, and • must be at least 50 m from the boundary of an adjoining property. • Where the property contains or is in the vicinity of a Heritage item or within a Heritage Conservation zone, the structure must be free standing and must not affect the setting or any significant landscape feature identified by a Statement of Heritage Significance prepared in relation to that heritage site or item or Heritage Conservation Zone

10.2 Schedule 2 - Complying Development

Note: See clause 7.(2)(h) re development relating to or in the vicinity of heritage items or places or within heritage conservation areas.

Type of Development	Development Standards
<p>Bed & Breakfast Accommodation – in existing buildings.</p> <p>Excluding development on or in the vicinity of heritage items or in heritage conservation areas.</p>	<ul style="list-style-type: none"> • Does not affect the fabric or integrity of a heritage item or place, and • No more than four bedrooms are provided for the use of paying guests in an existing, free-standing dwelling house (does not include semi-detached or attached dwellings), and • a minimum of two bathrooms are provided, and • a smoke detection system that complies with AS 3786-1993 Smoke Alarms and AS 3000-1991 Electrical Installations – Buildings Structures and Premises (known as the SAA wiring rules) has been installed in the house, and • a fire extinguisher and fire blanket are provided in the kitchen, and • the building complies with the Local Government and Shires Association's <i>Guidelines for Bed and Breakfast Operations</i>, and • the premises to have a reliable, potable water supply, and • the premise are connected to a reticulated sewerage system or an approved on-site sewage management system.
<p>Change of use of an existing lawful business – a different use of a building but not including alterations unless allowed by other provisions in this Schedule</p> <p>Excluding development on or in the vicinity of heritage items or in heritage conservation areas.</p>	<ul style="list-style-type: none"> • The new use is consistent with the classification of the building under the Building Code of Australia and replaces a former use being carried out in accordance with a development consent, and: <ul style="list-style-type: none"> * it is not actually or potentially a hazardous or offensive industry, and * it is not actually or potentially a hazardous or offensive storage establishment, and * it does not involve the preparation of food for sale or consumption, and * it is not prohibited by any provision. • the new use results from a change of building use from a shop to an office or from an office to a shop that is not in the business of preparing food for sale or consumption, where: <ul style="list-style-type: none"> * the new use replaces a former use being carried out in accordance with a development consent, * the use of not more than 200 square metres of floor-space is changed, and * the new use is not prohibited by any provision.

Type of Development	Development Standards
<p>Commercial Building Alterations Internal alterations (and any necessary demolition associated with the alteration.)</p> <p>Excluding development on or in the vicinity of heritage items or in heritage conservation areas.</p>	<ul style="list-style-type: none"> • The building is not a heritage item nor in a conservation area, and • the proposal does not involve external alteration to the building, and • the total floor area involved is not more than 200 m², and • if a change of building use, the new use must replace a former use carried out in accordance with an existing development consent, and • complies with any existing development consent conditions, and • internal fit-out only which does not increase the gross floor area of the building.
<p>Craft Establishments</p> <p>Excluding development on or in the vicinity of heritage items or in heritage conservation areas.</p>	<p>The craft is carried out in a building or part of a building, subject to compliance with the following:</p> <ul style="list-style-type: none"> • the craft establishment does not occupy a floor space exceeding 40 square metres and is part of a dwelling or is erected within the curtilage of a dwelling occupied by the person undertaking the industry or on adjoining land owned by that person, and • the craft establishment does not interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or other wise, and • the craft establishment does not involve the exposure to view from any adjacent premises or from any public place of any unsightly matter, and • the craft establishment does not require the provision of any essential service main of a greater capacity than that available in the locality, and • the craft establishment will not generate in excess of 10 traffic movements per day nor involve regular visits to the site of clients or the general public.

Type of Development	Development Standards
<p>Dwellings – Construction, Additions and Alterations Urban – Dwellings located in the 2(v) zone including</p> <ol style="list-style-type: none"> 1. detached single storey house (including single storey additions and alterations to detached single storey houses), or 2. development related to detached single storey houses where not previously addressed in this DCP. (for example carports and garages.) <p>Excluding development on or in the vicinity of heritage items or in heritage conservation areas.</p>	<p>Site Requirements:</p> <ul style="list-style-type: none"> - the development is not a heritage item nor within the vicinity of a heritage item nor within a Heritage Conservation Area, and - the development is proposed on a legally created allotment, and - carrying out the development will not result in more than one dwelling house on the land, and - cut and fill shall not exceed 1 metre. <p>Streetscape:</p> <ul style="list-style-type: none"> - compliance with the building line, and - external materials have non reflective surface finish, and - carports and garages located at the rear of the building, and - where a building has a sub floor area facing the street the area, together with a 2 m return, shall be enclosed with solid materials, and - the proposal does not include transportable or relocated dwellings. <p>Bulk and Scale:</p> <ul style="list-style-type: none"> - the maximum distance between the floor level of the structure at any point and the natural ground level is not more than 1 metre, and - the height between the floor and ceiling is not more than 2.7 metres (except the garage), and - any openings in the roof are parallel with the pitch and extend not more than 150mm outside of the roof, and - for at least 3 hours between 9am and 5pm on June 21 at least 50 % of the neighbouring properties' main area of private open space is not in shadow, or where this standard cannot be met, no additional overshadowing occurs, and - the external walls of the house are at least 900 mm from the side and rear boundaries and that all related development is at least 450mm from the side and rear boundaries. <p>Open Space and Landscaping:</p> <ul style="list-style-type: none"> - a minimum of 20% of the rear of the lot is soft landscaped (i.e. not a hard surface), and - no more than 30% of the front yard is paved or sealed.

Type of Development	Development Standards
<p>Dwellings – Construction, Additions and Alterations Rural Residential – Dwellings located in 1(c) zone including: detached single storey house (including single storey additions and alterations to detached single storey houses); or development related to detached single storey houses where not previously addressed in this DCP. (for example carports and garages.)</p> <p>Excluding development on or in the vicinity of heritage items or in heritage conservation areas.</p>	<p>Minimum lot sizes for houses:</p> <ul style="list-style-type: none"> – the area of the lot is equal to or more than the relevant minimum lot standards specified in Rylstone LEP 1996, and <p>Streetscape:</p> <ul style="list-style-type: none"> – minimum setback from the road boundary is 20 metres in the 1(c) zone, and – side and rear setbacks a minimum of 10 metres. <p>Bulk and Scale:</p> <ul style="list-style-type: none"> – the maximum distance between the floor level of the structure at any point and the natural ground level is not more than 1 metre, and – the height between the floor and ceiling is not more than 2.7 metres (except the garage). <p>Open Space and Landscaping:</p> <ul style="list-style-type: none"> – no more than 30% of the front yard is paved or sealed, and <p>Not within 100 metres of a heritage item or place.</p>
<p>Dwellings – Construction, Additions and Alterations Rural Dwellings in the low and medium fire risk areas as depicted on Map No. 1 of the DCP and located within – 1(a), 1(c1), 7(a), 7(c) zones including</p> <p>detached single or two storey house (including single or two storey additions and alterations to detached houses), or development related to detached single or two storey houses where not previously addressed in this DCP.</p> <p>Excluding development on or in the vicinity of heritage items or in heritage conservation areas.</p>	<p>Minimum lot sizes for houses:</p> <ul style="list-style-type: none"> – the area of the lot is equal to or more than the relevant minimum lot standards specified in Rylstone LEP 1996. <p>Visual Amenity:</p> <ul style="list-style-type: none"> – minimum setback from the road boundary is 60 metres with a maximum setback of 500 metres, and – roofline of the proposed dwelling is located below the top of the landscape ridgeline. <p>Buffers:</p> <ul style="list-style-type: none"> – there is a minimum distance of 150 metres between the house and any land used for agricultural purposes that is not in the same ownership as the land on which the house is to be built, and – the dwelling is located at least 100 metres from any high hazard fire zone. (See Map No. 1) <p>Site Access:</p> <ul style="list-style-type: none"> – minimum site distance at point of access to public road 170 metres. <p>Site Matter:</p> <ul style="list-style-type: none"> – the natural slope of the site does not exceed 20 degrees, and – the proposed location of the dwelling is not closer than 40 metres of a water course.
<p>Fire alarm systems Connection to private sector monitoring system</p>	<p>Installed and monitored in accordance with requirements of the BCA.</p>

Type of Development	Development Standards
<p>Home Industry</p> <p>Excluding development on or in the vicinity of heritage items or in heritage conservation areas.</p>	<p>The industry is carried out in a building other than a dwelling, subject to compliance with the following:</p> <ul style="list-style-type: none"> • the building does not occupy a floor space exceeding 50 square metres and is erected within the curtilage of a dwelling occupied by the person undertaking the industry or on adjoining land owned by that person, and • the industry does not interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or other wise, and • the industry does not involve the exposure to view from any adjacent premises or from any public place of any unsightly matter, and • the industry does not require the provision of any essential service main of a greater capacity than that available in the locality, and • the industry will not generate in excess of 5 traffic movements per day nor involve regular visits to the site of clients or the general public.

Type of Development	Development Standards
<p>Industrial and Warehouse buildings within an industrial zone- (Complying Development relates to the erection of the building and not the use. Industrial use of the building may require development consent.)</p> <p>Excluding development on or in the vicinity of heritage items or in heritage conservation areas.</p>	<p>Setback:</p> <ul style="list-style-type: none"> - each part of the structure is set back not less than 10 metres from the front boundary. <p>Floor Space Ratio:</p> <ul style="list-style-type: none"> - the floor space ratio (ratio of the total floor space in the buildings to the site area) is not more than 1:1. <p>Building height:</p> <ul style="list-style-type: none"> - the height of any wall is not greater than 7.2 metres above ground level excluding any parapet, and - the site is not cut or filled so as to alter its level by more than 1 metre. <p>Drainage:</p> <ul style="list-style-type: none"> - all roof and surface water is drained to a drainage system and then discharged into the Council's nearest stormwater drainage system, and - the drainage system is designed for a 1 in 20 year storm event, and so that any excess water will flow over land to the street. <p>Garbage and Storage areas:</p> <ul style="list-style-type: none"> - garbage and storage areas are on site, behind the building line and adequately screened from public view. <p>Landscaping:</p> <ul style="list-style-type: none"> - a landscaped strip of at least 3 metres in width to each road frontage is planted with trees and shrubs, and - the driveway is a maximum width of 7 metres. <p>Parking Loading and Unloading:</p> <ul style="list-style-type: none"> - car parking on-site is provided at the rate of at least one space for each 70 m² of gross floor area, or one space for every two employees, whichever is the greater, and all spaces are separately accessible, and - there is adequate space for the loading and unloading of vehicles on site, and - driveway widths and turning circles on site comply with the Road and Traffic Authority standards, and - all vehicles can enter and leave the site in a forward manner.

Type of Development	Development Standards
<p>Professional Consulting Rooms (Note: see model provisions for definition of ‘Professional consulting rooms’)</p> <p>Excluding development on or in the vicinity of heritage items or in heritage conservation areas.</p>	<p>The profession is carried out in a building or part of a dwelling, subject to compliance with the following:</p> <ul style="list-style-type: none"> • not more than 1 professional and 1 employee are engaged in the business, and • the building or section of the dwelling used for the profession does not occupy a floor space exceeding 40 square metres and is erected within the curtilage of a dwelling occupied by the person undertaking the profession or on adjoining land owned by that person, and • the profession does not interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or other wise, and • the profession does not involve the exposure to view from any adjacent premises or from any public place of any unsightly matter, and • the profession does not require the provision of any essential service main of a greater capacity than that available in the locality, and • the profession will not generate in excess of 10 traffic movements per day nor involve regular visits to the site of clients or the general public.
<p>Rural Industry – other than agriculture or intensive agriculture.</p> <p>Excluding development on or in the vicinity of heritage items or in heritage conservation areas.</p>	<p>The industry is carried out in a building other than a dwelling, subject to compliance with the following:</p> <ul style="list-style-type: none"> • the building does not occupy a floor space exceeding 50 square metres and is erected within the curtilage of a dwelling occupied by the person undertaking the industry or on adjoining land owned by that person, and • the industry does not interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or other wise, and • the industry does not involve the exposure to view from any adjacent premises or from any public place of any unsightly matter, and • the industry does not require the provision of any essential service main of a greater capacity than that available in the locality, and • the industry will not generate in excess of 5 traffic movements per day nor involve regular visits to the site of clients or the general public.

Type of Development	Development Standards
<p>Swimming pools</p> <p>Excluding development on or in the vicinity of heritage items or in heritage conservation areas.</p>	<ul style="list-style-type: none"> • Ancillary to a dwelling house for private use only, and • the structure complies with the Swimming Pool Act 1992 and Swimming Pool Regulations of 1998 as amended, including appropriate fencing, and • located behind the front building line of the dwelling house, and • coping and decking around the pool is no more than 750mm above natural ground level, and • the pool is at least 900mm from the side and rear boundaries, and • the noise level of any filtration equipment and pumps does not exceed 5dBA above ambient background level measured at the property boundary, and • The installation and construction of the pool complies, where relevant with: <ul style="list-style-type: none"> AS/NZS 1838:1994 – Swimming Pools – Premoulded fibre –reinforced plastics – Design and Fabrication, and AS/NZS:1839:1994 – Swimming Pools – Premoulded fibre –reinforced plastics- Installation, or AS 2783-1992 – Use of reinforced concrete for small swimming pools. • The pool and surrounding structures comply with AS 1926.2-1995 – Swimming Pool safety – Location of fencing for private swimming pools.

10.3 Schedule 3. - Complying development conditions

1. Before you begin work

.01 Two days before any site works, building or demolition begins, the applicant must:

- forward *Notice of Commencement of Work and Appointment of Principal Certifying Authority* (Form 7 of Regulation) to the Council; and
- notify the adjoining owners that work will commence.

.02 Before any site works, building or demolition begins, the applicant must:

- notify the Council of the name, address, phone number and licence number of the builder; and
- erect a sign at the front of the property with the builder's name, licence number, site address and consent number; and
- provide a temporary on-site toilet if access to existing toilet is not adequate; and
- protect and support any neighbouring buildings and land; and
- protect any public place from obstruction or inconvenience or damage due to the carrying out of the development; and
- prevent any substance from falling onto a public place; and
- pay any Section 94 contributions if required by a contribution plan applying to the land, and
- pay any contributions for water and sewerage required under Section 64 of the Local Government Act.
- comply with any other conditions prescribed by the Environmental Planning and Assessment Act 1979 or the Regulations.

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

2. Site management

.01 Run-off and erosion control works must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment onto surrounding land, as follows:

- divert uncontaminated run-off around cleared or disturbed areas; and

- erect a silt fence where necessary to prevent debris escaping into drainage systems or waterways; and
- prevent tracking of sediment by vehicles onto roadways; and
- stockpile topsoil, excavated material, construction and landscaping supplies and debris wholly within the site.

.02 Removal or disturbance of vegetation and topsoil must be confined to within 3 metres of the proposed development.

3. Demolition

.01 Any demolition works authorised by the certificate are to be carried out in accordance with *AS 2601-1991 – The Demolition of Structures* and comply with any policy on waste management.

.02 Disposal of all building refuse to the Rylstone Waste Disposal Depot or an approved waste disposal facility.

4. Drainage

.01 Stormwater drainage shall be collected and drained to Council's drainage system or an approved discharge point.

5. Inspections during construction

.01 The applicant must notify the Principal Certifying Authority in advance (at least 48 hours in writing) to inspect the following:

- placement of piers or foundation(s) before pouring footings; and
- steel reinforcing before placing concrete; and
- framework of structure before lining or cladding is fixed; and
- stormwater drainage and on-site detention before backfilling; and
- wet areas treated and sealed before lining or tiling, and
- internal and external drainage prior to covering or backfilling, and
- pool fencing before filling the pool with water, and
- final inspection for issue of Occupation Certificate.

NOTE: The applicant shall not proceed with the next stage of the construction without a satisfactory compliance certificate for the previous stage.

6. Hours of work

.01 Any building work must be carried out between 7:00am and 6:00pm Monday to Fridays and 7.00am to 5.00pm Saturdays but not on Sundays or public holidays.

7. Construction within boundaries

- .01 The owner of the property is to ensure that any structure is constructed :
- (a) to meet the setback requirements of the approved plans, and
 - (b) to be located within the confines of the lot.

8. Reticulated Water and Sewerage

- .01 Where available, the development shall be connected to the reticulated water and sewerage systems.

9. Site Access

- .01 If kerb and guttering is provided, driveways are to be a minimum of 500 mm clear of all drainage structures on the kerb and gutter and are not to interfere with the existing public utility infrastructure, including council drainage structures, unless prior approval is obtained from the relevant authority.
- .02 Where fronting an arterial road the access is to comply with Roads and Traffic Authority requirements.
- .03 In the case of a dwelling house in rural zones, the following conditions apply:
- (a) legal and practical access to the dwelling house must coincide; and
 - (b) all weather, two wheel drive access provided to the dwelling from the public road system to meet the following standard:
- Clearing 4m from the centre line (total 8m clearing)
 - Pavement Width 3.6m
 - Depth of Gravel 100mm compacted
 - Passing bays to be provided at 300 m intervals.
- .04 The provision of a splay gated entrance in accordance with Council's guidelines; and
- .05 Minimum width of gates and openings in fences to be 3 m to ensure access for Emergency vehicles; and
- .06 Access gate to be located a minimum of 9 metres from any road intersection.

10. Rural Dwelling

- .01 On site water storage is to be provided for both domestic and fire fighting purposes prior to occupation or use of the proposed dwelling. Total storage capacity is to be a minimum of 45 000 litres including a minimum 10 000 litres fire fighting reserve. Storage capacity may be in ground or above ground provided that, with respect to the 10 000 litres reserved for fire fighting, the following is observed:

- That where in ground storage is provided, access for pumping water into a fire fighting unit must be provided. In this regard, a standard suction hose is usually 6 metres in length.
 - Where above ground storage is provided the outlet for domestic supplies is to be located at a level above that of the 10000 litres reserved for fire fighting purposes and that the outlet be fitted with a 65 mm Storz type full flow tap with cap and stop valve.
- .02 Scrub and undergrowth to be cleared within a radius of 30 metres of the dwelling to reduce fire hazard. Substantial trees to be retained and appropriate landscaping provided. Such works to be undertaken prior to occupation or use of the dwelling.
- .03 To reduce fire hazard a 20 m radius fuel free zone shall be provided around the dwelling. Substantial trees and low hazard landscaping may be retained. Such work is to be undertaken prior to occupation or use of the dwelling.
- .04 To ensure that reasonable precautions are taken to minimise the risk of loss of property and life in the event of bushfire, the following works are to be undertaken in respect to the dwelling:
- Any ventilation or similar openings in external walls is to be protected against the entry of wind blown embers.
 - The area at the junction of any eaves, verandah overhang and the external wall is to be adequately sealed to prevent the entry of wind blown embers into the roof space.
 - Any opening at the exposed ends of any metal roof sheeting are to be adequately sealed. Similarly any other openings affording external access to the roof cavity should be sealed.
 - Flame retarded sarking material is to be used beneath the roof.
 - The entire sub-floor area is to be enclosed with masonry or such other approve materials which will effectively secure the area against the entry of wind blown embers (Note: this does not relate to decks and the like.)
 - The construction materials of the dwelling are to be of a fire and spark retardant nature and -
 - (a) All eaves are to be fully closed in.
 - (b) Underfloor to be fully closed in.
 - (c) All windows are to be fitted with metal based flyscreens.
 - (d) External cladding to be of a fire retardant nature.
- .05 Adequate provision is to be made for on-site sewage disposal in accordance with Council's Management Strategy for on-site sewage management.
- .06 Installation of a 5 hp. petrol/diesel pump tank (separate to the water pump that serves the dwelling) with 38mm outlet and hoses. Equipment and installation to be approved by Council's Fire Control Officer prior to occupation of the dwelling.

11. Rural Development

- .01 Rural outbuildings are not to be used for residential, commercial or industrial purposes.

12. Safety

- .01 Fire safety measures must be included.

10.4 Schedule 4 - Development that does not require the consent of Council

1. Development by public authorities

.01 Development by or on behalf of a public authority comprising:

(a) Use of existing buildings of the crown.

(b) Works for the purpose of:

- utility undertakings for the provision of water, sewerage, drainage, electricity or gas service.
- railways on railway land including buildings for any purpose within the environs of an existing railway station, but excluding buildings for purposes other than railway purposes with access to a public place.
- roads by roads authorities on public roads or land reserved for the purpose of public roads,
- improving and maintaining travelling stock, camping and water reserves by a Rural Lands Protection Board but which does not include the erection of buildings,
- soil conservation works, flood mitigation, water conservation or river improvement by, or authorised by the Department of Land and Water Conservation.
- cemetery undertakings by, or on behalf of the Council on cemetery land.

2. Subdivision for the purpose of:

- widening a public road by a roads authority,
- excising from an allotment, land which is, or is intended to be used for public purposes, including drainage purposes, bushfire or other rescue service purposes or public conveniences.

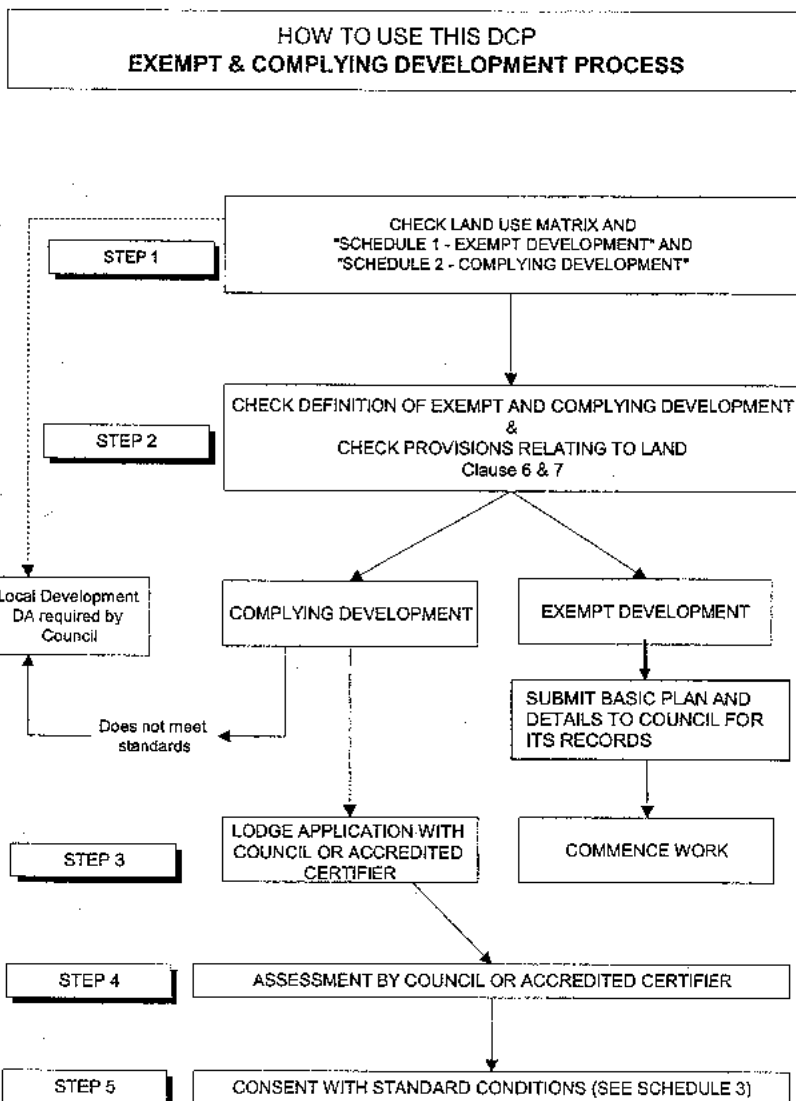
3. Bushfire hazard reduction

Bushfire hazard reduction carried out in accordance with a plan of operations approved by the rural fires authority for the area.

4. Use of crown reserves

Use of Crown Land or Crown Reserves for the purpose for which the land is so dedicated or reserved but excluding the erection of buildings or the creation of access to a public road.

1. EXEMPT AND COMPLYING DEVELOPMENT PROCESS



PART II

2. What is exempt development?

- (1) Development listed in Schedule 1 is exempt development, except as provided by subclause (2) and (3).
- (2) Development is exempt development only if it:
 - a) is not development that would or could effect an item or land that is listed on the State Heritage Register or to which an interim heritage order applies; and
 - b) does not cause interference with the amenity of the neighbourhood because of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil or otherwise; and
 - c) complies with any deemed-to-satisfy provisions of the Building Code of Australia relevant to the development; and
 - d) complies with the requirements and standards listed in Schedule 1 for the development.
 - e) does not contravene any condition of a development consent applying to the land; and
 - f) does not obstruct drainage of the site on which it is carried out; and
 - g) does not restrict any vehicular or pedestrian access to or from the site; and
 - h) is a building and is constructed with new materials unless otherwise specified in Schedule 1; and
 - i) is a building and is situated at least one metre from any sewer main or easement unless otherwise stated in Schedule 1; and
 - j) does not adversely affect stormwater or sewer services; and
 - k) is positioned behind the building line (excluding fences or flag poles) unless specifically stated otherwise in Schedule 1; and
 - l) is not designated development.
- (3) Development is not exempt development if it is carried out on land that is:
 - a) an Aboriginal place under the *National Parks and Wildlife Act 1974*; or
 - b) 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
 - c) an aquatic reserve declared under the *Fisheries Management Act 1994*; or
 - d) land that is critical habitat under the *Threatened Species Conservation Act 1995*; or
 - e) land that is, or is part of, a wilderness area under the *Wilderness Act 1987*.

Extracts from:
 Rylstone Shire Council ~ Development Control Plan No. 3 - Exempt and Complying Development

<p>Ancillary Rural Development</p> <p>but excluding development on or in the vicinity of heritage items or in heritage conservation areas.</p>	<p>Silos, sheds and stables, stockyards and the like</p>	<ul style="list-style-type: none"> • The structure is set back 10 m from any side boundary and 60 m from the front boundary (except for stockyards), and • the structure does not cover more than 100 m², and • the height of the structure does not exceed 10 m above natural ground level, and • the structure is to be only used for the storage of materials, feed or machinery, and • any spillage from chemicals or fuel stored within the structure will be caught by an adequately sized and constructed bund, and • the structure will not be located on flood liable land, and • the structure is not visible above ridgelines, and • compliance with the deemed-to-satisfy provisions of the BCA, and • in the case of stables, compliance with the Local Government Act and Regulations, and • stockyards not to be located within 50 metres of a dwelling on an adjoining property, and • is not within 100 metres of a heritage site or item.
	<p>Dams</p>	<ul style="list-style-type: none"> • Compliance with Farms Dams Policy (See DLWC) and Water Management Act 2000, and • compliance with Best Practice Notes on Dams formulated by DLWC, and • dams to be set back 50 m from road boundary if located on the up-stream side of a public road. • is not within 100 metres of a heritage site or item.
<p>Water Tanks</p>		<ul style="list-style-type: none"> • Maximum diameter 2m, and • maximum height 2.5m, and • for rural development no size limit, and • located behind the building or between the building and side boundary, and • must be installed to the manufacturer's specifications. • Where the property contains or is in the vicinity of a Heritage item or within a Heritage Conservation zone, the structure must be free standing and must not affect the setting or any significant landscape feature identified by a Statement of Heritage Significance prepared in relation to that heritage site or item or Heritage Conservation Zone

