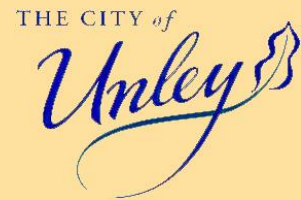


Developments Exempt from Requiring Development Approval



The following do not require Development Approval:

Outbuilding

Subject to the following:

- The site does not contain a State or Local Heritage Place; and
- The site is not within a Flood Prone Area (Contact Council for details); and
- Human activity is secondary; and
- Is detached from and ancillary to another building which is erected on the site; and
- Has a floor area not exceeding 10m² if located within a Residential Historic (Conservation) Zone or Historic (Conservation) Zone – Centre. In any other case, 15m²; and
- Has no span exceeding 3m; and
- Is no higher than 2.5m in height above the natural surface of the ground; and
- Does not have any part in front of the ancillary building and the primary street; and
- Does not have any part within 900mm of a boundary with a secondary street; and
- Is not located within 6m of the intersection of 2 boundaries of the land where those boundaries both face a road, other than where a 4 x 4m corner cut-off has already been provided and is to be preserved.

Flagpole

Subject to the following:

- The site does not contain a State or Local Heritage Place; and
- The flagpole is not attached to a building and not more than 10m in height; or
- The flagpole is attached to a building and is not more than 4m in height above the topmost point of attachment to the building, exclusive of guy wires.

Aerial, Towers etc

Subject to the following:

- The site does not contain a State or Local Heritage Place; and

- The total height of the prescribed infrastructure will not exceed, when not attached to a building, 7.5m or, in the case of prescribed infrastructure to be used solely by a person who holds an amateur licence under the Radiocommunications Act 1992 of the Commonwealth, 10m high; or
- The total height of the prescribed infrastructure will not exceed, when attached to a building, 2m above the topmost point of attachment to the building, disregarding any attachment by guy wires.

Please Note – Prescribed Infrastructure means a non load-bearing aerial, antenna, mast or open-framed tower, or other similar structure (but no including an advertising hoarding).

Satellite Dish

Subject to the following:

- The site does not contain a State or Local Heritage Place; and
- If located within a Residential or Historic (Conservation Zone, the diameter of the dish will not exceed 1.2m; or
- In any other case, the diameter of the dish will not exceed 2.6m.

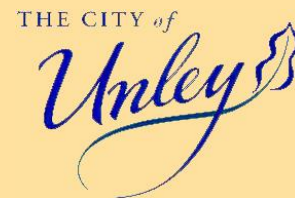
Swimming Pool

Subject to the following:

- The site does not contain a State or Local Heritage Place; and
- Is not within a Flood Prone Area (Contact Council for details); and
- Is to be constructed in association with a dwelling and intended for primary use by the occupants of that dwelling; and
- Does not have a depth exceeding 300mm; or
- In the case of an aboveground or inflatable swimming pool, does not incorporate a filtration system.

Please Note – swimming pool includes a paddling pool.

Developments Exempt from Requiring Development Approval



Spa Pool

Subject to the following:

- The site does not contain a State or Local Heritage Place; and
- Is to be constructed in association with a dwelling and intended for primary use by the occupants of that dwelling; and
- Does not have a maximum capacity exceeding 680 litres.

Retaining Wall

Subject to the following:

- The site does not contain a State or Local Heritage Place; and
- The site is not within a Flood Prone Area (Contact Council for details); and
- Does not exceed 1m in height.

Fence

Subject to the following:

- The site does not contain a State or Local Heritage Place; and
- The site is not within a Residential Historic (Conservation) Zone or Historic (Conservation) Zone – Centre; and
- The site is not within a Flood Prone Area (Contact Council for details); and
- Does not exceed 2.1m in height, measured from the lower of the two adjoining finished ground levels; and
- Does not exceed 1m in height within 6m of an intersection of 2 boundaries of land where those boundaries both face a road, other than where a 4 x 4m corner cut-off has already been provided (and is to be preserved).

Please note - All fencing in the Residential Streetscape (Built Form) Zone situated between the building line and the road onto which the building faces requires Development Approval.

Brush Fence

Subject to the following:

- The site does not contain a State or Local Heritage Place; and
- The site is not within a Residential Historic (Conservation) Zone or Historic (Conservation) Zone – Centre; and

- The site is not within a Flood Prone Area (Contact Council for details); and
- Does not exceed 2.1m in height, measured from the lower of the two adjoining finished ground levels; and
- Does not exceed 1m in height within 6m of an intersection of 2 boundaries of land where those boundaries both face a road, other than where a 4 x 4m corner cut-off has already been provided (and is to be preserved); and
- The brush fence is not closer than 3m to an existing or proposed Class 1 or 2 building under the Building Code, with the distance to be measured from any part of the brush fence and from any part of an external wall of the building.

Please note - All fencing in the Residential Streetscape (Built Form) Zone situated between the building line and the road onto which the building faces requires Development Approval.

Masonry Fence

Subject to the following:

- The site does not contain a State or Local Heritage Place; and
- The site is not within a Residential Historic (Conservation) Zone or Historic (Conservation) Zone – Centre; and
- The site is not within a Flood Prone Area (Contact Council for details); and
- Does not exceed 1m in height, measured from the lower of the two adjoining finished ground levels.

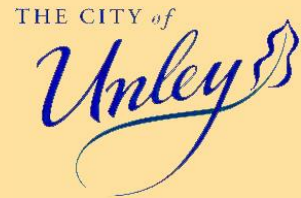
Please note - All fencing in the Residential Streetscape (Built Form) Zone situated between the building line and the road onto which the building faces requires Development Approval.

Post and Wire Fence

Subject to the following:

- The site does not contain a State or Local Heritage Place; and
- The site is not within a Flood Prone Area (Contact Council for details); and
- Is not a chain mesh fence.

Developments Exempt from Requiring Development Approval



Water Tank (and any supporting structure)

Subject to the following:

- The site does not contain a State or Local Heritage Place; and
- Is part of a roof-drainage system; and
- Has a total floor area not exceeding 10m²; and
- Is located wholly above ground; and
- Has no part higher than 4m above the natural surface of the ground.

Deck

Subject to the following:

- The site does not contain a State or Local Heritage Place; and
- The site is not within a Residential Historic (Conservation) Zone or Historic Conservation Zone – Centre; and
- Is to be used in association with an existing dwelling; and
- Will not have any point of the deck higher than 500mm above the natural surface of the ground; and
- Will not have any portion of the deck situated within 900mm of a boundary of the land.

Garage or Carport Door

Subject to the following:

- The site does not contain a State or Local Heritage Place; and
- The site is not within a Residential Historic (Conservation) Zone or Historic Conservation Zone – Centre; and
- The garage or carport already exists; and
 - Is ancillary to another building which is erected on the site; and
 - Does not have any portion in front of any part of the building line of the building to which it is ancillary that faces the primary street.

Shade Sail

Subject to the following:

- The site does not contain a State or Local Heritage Place; and
- The site is not within a Residential Historic (Conservation) Zone or Historic Conservation Zone – Centre; and

- The shade sail is to consist of permeable material; and
- The area of the sail will not exceed 20m²; and
- No part of the sail will be more than 3m above ground or floor level (depending on where it is to be situated); and
- No part of the sail will be in front of any part of the building line of the building to which it is ancillary that faces the primary street.

Pergola

Subject to the following:

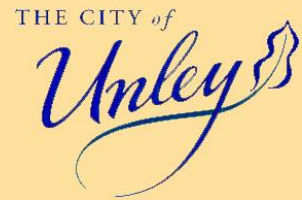
- The site does not contain a State or Local Heritage Place; and
- The pergola is to be associated with an existing dwelling (whether attached to the building or freestanding); and
- Does not have a roof; and
- Each freestanding side is open; and
- No part of which is higher than 4m above the ground; and
- Not constructed so that any part of the pergola will be in front of any part of the building line of the dwelling to which it is ancillary that faces the primary street.

Solar Panels

Subject to the following:

- The site does not contain a State Heritage Place; and
- The solar photovoltaic system does not exceed 100 kilograms unless -
 - The weight load does not exceed 100 kilograms at any point of attachment to the roof; and
 - The panels (and any associated components) do not overhang any part of the roof; and
 - The panels are fitted parallel to the roof with the underside surface of the panels being not more than 100 millimetres above the surface of the roof; and
 - The panels are installed by a person who holds an accreditation under a scheme recognised by the Minister.
- If the panels are to be installed on a Local Heritage Place they must not be able to be seen by a person standing at ground level in a public street.

Developments Exempt from Requiring Development Approval



Air Conditioning Unit

Subject to the following:

- The site does not contain a State Heritage Place; and
- The air conditioning unit is mounted on a wall, window or domestic floor; or
- Does not exceed 100kg and is installed within the ceiling space.

Please note – if the site contains a Local Heritage Place, Development Approval is not required subject to the above and where the item to be installed does not encroach on a public street or affect the ability of the place to resist the spread of fire; and will not when installed be seen by a person standing at ground level in a public street.

Home Activity

Subject to the following:

- The site does not contain a State Heritage Place; and
- The carrying out of a home activity on land used for residential purposes.

A home activity means a use of a site by a person resident on the site –

- (a) that does not detrimentally affect the amenity of the locality or any part of the locality; and
- (b) that does not require or involve any of the following:
 - (i) assistance by more than 1 person who is not a resident in the dwelling;
 - (ii) use (whether temporary or permanently) of a floor area exceeding 30m²;
 - (iii) the imposition on the services provided by a public utility organisation of any demand or load greater than that which is ordinarily imposed by other users of the services in the locality;
 - (iv) the display of goods in a window or about the dwelling or its curtilage;
 - (v) the use of a vehicle exceeding 3 tonne tare in weight.

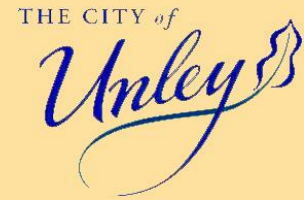
Change in Land Use

Please contact Council before the commencement of your business or use of land to ensure that if you are changing the use a Development Approval is obtained prior to its commencement.

A Development Approval is required if:

- You propose to use the land in a way which differs from its approved land use. For example, you wish to use the office as a consulting room.
- You propose a land use which is additional to a previously established use.
- You propose to revive a land use following a period of non-use (2 years).
- The change constitutes a change in building classification.

Developments Exempt from Requiring Development Approval



6—Concept of change in the use of land and Existing Use Rights

- (1) For the purpose of determining whether a change in the use of land has occurred, the commencement or revival of a particular use of the land will, subject to subsection (2), be regarded as a change in the use of the land if—
 - (a) the use supersedes a previous use of the land; or
 - (b) the commencement of the use or the revival of the use follows upon a period of non-use; or
 - (c) the use is additional to a previously established use of the land which continues despite the commencement of the new use.
- (2) The revival of a use of land after a period of discontinuance will be regarded as the continuation of an existing use unless—
 - (a) the period intervening between the discontinuance and revival of the use exceeds two years; or
 - (b) during the whole or a part of the period intervening between its discontinuance and revival, the use was superseded by some other use; or
 - (c) the Development Assessment Commission or a council has made a declaration under subsection (3) and the declaration remains unrevoked.
- (3) Where—
 - (a) a particular use of land has been discontinued for a period of six months or more (being a period that extends up to the date on which the Development Assessment Commission or a council acts under this subsection); and
 - (b) the revival of that use would in the opinion of the Development Assessment Commission or council be inconsistent with the relevant Development Plan and have an adverse effect on the locality in which the land is situated, the Development Assessment Commission or council may, by notice in writing served on the owner and the occupier of the land, declare that a revival of the use will be treated, for the purposes of this Act, as a change in the use of the land.
- (4) The owner or occupier may, within one month after service of a notice under subsection (3), or such extended period as may be allowed by the Court, appeal to the Court against the declaration.
- (5) On an appeal under subsection (4), the Court may confirm or revoke the declaration.
- (6) For the purposes of this section, a particular use of land will be disregarded if the extent of the use is trifling or insignificant.