

LOCAL APPROVALS  
POLICY

- 2005 -

# TABLE OF CONTENTS

<u>Page Number</u>	<u>Contents</u>
(i) - (iii)	<b>Explanatory Notes</b>
LAP 1.0.0.	<b>Part 1 - Exemptions Policy</b>
LAP 1.1.1	Exemptions Policy - General Requirements
LAP 1.1.4	Exempt Activity Table
LAP 2.0.0.	<b>Part 2 - Approvals Criteria Policy</b>
LAP 2.1.1	Protection of Footways and Erection of Hoardings
LAP 2.2.1	Clothing Recycling Bins
LAP 3.0.0.	<b>Part 3 - Other Matters Relating to Approvals</b>
LAP 3.1.1	Protection of Footways and Erection of Hoardings
LAP 3.2.1	Clothing Recycling Bins
LAP 3.3.1	Works Zones

## **LOCAL APPROVALS POLICY - EXPLANATORY NOTES**

### **PART 1 - EXEMPTIONS POLICY**

This Part specifies those activities which may be undertaken without obtaining the separate approval of Council. The exemptions apply to those activities which are of a minor or common nature and which have comparatively minimal community impact.

The following Exempt Activity Table indicates those activities which may be undertaken without Council approval, provided each applicable exemption criteria is satisfied.

*Column 1* of the Table describes the type of activity which is granted exemption.

*Column 2* of the Table describes the criteria for exemption.

*Column 3* of the Table may provide additional information which is relevant to the activity.

(Continues next page)

**EXAMPLE:**

	<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
	<b>Type of Activity</b>	<b>Criteria</b>	<b>Advisory Notes</b>
A3	<b>Install a temporary structure on land</b>	<p><b><u>General provisions which are applicable to each installation</u></b></p> <ul style="list-style-type: none"> <li>(a) Not used for human habitation as a dwelling-house.</li> <li>(b) Resist loads determined in accordance with AS 1170 - Minimum Design Loads on Structures.</li> <li>(c) Any liquid waste drained to a public sewer main or a Council approved sewage management system in accordance with AS 3500.2 - National Plumbing and Drainage Code.</li> <li>(d) Possesses the fire hazard properties required by Clause C1.10 of the BCA.</li> <li>(e) Adequate sanitary and washing facilities for any occupants being provided on the land in accordance with Part F of the BCA.</li> <li>(f) Any noise emissions do not exceed the levels stipulated in the Protection of the Environment Operations Act 1997.</li> <li>(g) The supporting ground or surface is sufficiently firm and stable to sustain the structure and is not dangerous by reason of its slope, irregularity or any other reason.</li> <li>(h) Not installed as an alteration, addition or extension to an existing permanent building.</li> <li>(i) Food is not offered for sale.</li> <li>(j) Compliance with any requirements of the WorkCover Authority of NSW (where applicable)</li> </ul>	<p>A temporary structure includes:</p> <ul style="list-style-type: none"> <li>(a) a booth, tent or other temporary enclosure, whether or not a part of the booth, tent or enclosure is permanent; and</li> <li>(b) a mobile structure.</li> </ul> <p>It is noted that the proposed use of the temporary structure may require development consent under the EPAA</p> <ul style="list-style-type: none"> <li>(c) Buses, train carriages and the like to be used as a temporary or permanent structure require the approval of Council prior to installation on any land, private or public.</li> </ul>
	<p><b>A3.2</b> Tent erected on private land and in connection with an existing authorised residential, commercial or industrial building for the purpose of a function or event.</p>	<ul style="list-style-type: none"> <li>(a) Maximum floor area 150m<sup>2</sup>.</li> <li>(b) Erected behind the building line(s) of the existing authorised permanent building or, alternatively, a minimum 20m from any public place.</li> <li>(c) Erected for a maximum period of 7 days.</li> <li>(d) Dismantled within 2 days after the cessation of the function or event.</li> <li>(e) Not used for the conduct of public entertainment.</li> </ul>	<p>Consideration should be given to the privacy and amenity of adjoining occupants.</p>

Reading from the above Table, a resident may erect a marquee for the purpose of providing shelter for a birthday celebration without obtaining Council approval **providing:**

- (a) Each of the general provisions described in Column 2 at Item A3 (which provide generic requirements for the installation of a temporary structure) are satisfied; **and**
- (b) Each of the more specific criteria described in Column 2 at Item A3.2 are satisfied; **and**

(c) The advisory note in Column 3 at Item A3.2 is given due consideration to abate any adverse impact on the neighbourhood.

The exemption provisions limit the type of activity which may be undertaken without first obtaining Council approval. Matters outside or in excess of these provisions or their relevant criteria will require an approval from Council.

Despite the provisions of the Exempt Activity Table, an applicant may still seek Council approval for an exempt activity, if required.

**Should there be any doubt as to whether approval is required for any particular activity, advice should be sought from Council's Information Centre on Phone: 9839 6000.**

## **PART 2 - APPROVALS CRITERIA POLICY**

This Part relates to the standards that Council would require to apply to approvals for the various activities covered by this Part, but only when the activity is not exempt from approval under Part 1 (Exemptions Policy) of the Local Approvals Policy.

However, should an applicant for an activity consider that the standards of the Local Approvals Policy do not make appropriate provision with respect to a particular proposal, then an objection to the nominated standard of the Policy can be submitted to Council in accordance with the provisions of Section 82 of the Local Government Act 1993.

## **PART 3 - OTHER MATTERS**

This Part specifies other matters which are relevant to specific aspects of Council's approval policy.

# **BLACKTOWN CITY COUNCIL**

## **LOCAL APPROVALS POLICY 2005**

### **PART 1**

## **EXEMPTIONS POLICY**

**This Part specifies those circumstances when a person is exempted from the necessity to obtain a particular approval from Council, as set out in the Exempt Activity Table contained in this Part**

**Please note that these exemptions have been granted consent (Consent No. 84) by the Director General, Department of Local Government**

#### **TABLE OF CONTENTS**

#### **1.1 Exemptions Policy**

#### **1.2 Exempt Activity Table**

## **1.1**

## **EXEMPTIONS POLICY**

**1.0 Purpose:** This Policy is designed to outline those activities described in the Table to Section 68 of the Local Government Act 1993, which, under certain circumstances, may be carried out without requiring the approval of Council. This does not, however, prevent any person applying for approval to carry out an activity granted an exemption under this Policy.

**2.0 Scope:** This Policy applies to all land within the City of Blacktown.

**3.0 References:** Council File Number 6-8-421  
Policy adopted by Council at its Meeting on 1 June 2005.

### **4.0 Definitions:**

"small amusement device" means:-

- (a) an amusement device that is designed primarily for the use of children 12 years of age or younger, and may include a:-
  - (i) merry-go-round,
  - (ii) jumping castle,
  - (iii) mini ferris wheel,
  - (iv) battery operated car,
  - (v) miniature railway, and
  - (vi) mini fire engine,

However, in the case of rotating amusement devices, includes only those devices that have a maximum rotation of 14 revolutions per minute.

"Council" means the Council of the City of Blacktown.

"household cleanup" means a Council sponsored service for the removal of waste articles or material that may emanate from the normal residential use of premises, and may include:-

- (a) furniture,
- (b) whitegoods/appliances (with doors removed from any airtight compartment exceeding 0.05 cubic metres in volume),
- (c) tree and garden cuttings tied in bundles not exceeding 1.5m in length,
- (d) carpets and floor coverings tied in rolls not exceeding 1.5 metres in length, and
- (e) loose personal items which are boxed or bagged,

but does **not** include:-

- (a) asbestos materials,
- (b) building materials,
- (c) bulk cardboard,
- (d) cars/motor vehicles,
- (e) car/motor vehicle batteries,
- (f) car/motor vehicle parts,
- (g) concrete/masonry,
- (h) gas bottles,
- (i) non-recyclable glass,
- (j) liquid waste/chemicals,
- (k) thorny bushes,
- (l) metals, and
- (m) oils/paints.

"relocatable home notification" means a written notice lodged in accordance with the provisions of Clause 93 of the Local Government (Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 1995.

"residential 2(a) land" means that land zoning pertaining to land set aside predominately for the purposes of individual housing and associated facilities under the provisions of the Environmental Planning and Assessment Act, 1979, and the current Blacktown Local Environmental Plan."

"site shed" means a prefabricated building designed and constructed for use as an office, workers amenities (including sanitary, bathing, washing or dining facilities), storage or the like in conjunction with a development or activity approved or exempted from approval under the provisions of the Environmental Planning and Assessment Act 1979 or the Local Government Act 1993.

"zone" any reference to a zone in the Exempt Activity Table has the same meaning as the term used in the current Blacktown Local Environmental Plan.

**5.0 Abbreviations:**

"AS/NZS" means an Australian Standard published by Standards Australia, or co-published in conjunction with Standards New Zealand.

"BCA" means the Building Code of Australia produced from time to time by the Australian Building Codes Board.

"CP Regulation" means the Local Government (Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 1995.

"EPAA"	means the Environmental Planning & Assessment Act 1979.
"LGA"	means the Local Government Act 1993.
"m"	means linear dimension expressed in metres.
"m <sup>2</sup> "	means surface area expressed in square metres.
"mm"	means linear dimension expressed in millimetres.
"OHSA"	means the Occupational Health and Safety Act 2000.

### **6.0 General Requirements:**

It is a condition of exemption that the person carrying out an activity specified in the Exempt Activity Table must comply with each of the relevant exemption criteria/requirements listed in the Table.

Due care should be exercised by the proponent to also ensure the exempted activity does not contravene the requirements of any private covenant, lease agreement or other authority or Act.

The exemptions do not apply to consents required under any other legislation, including the Environmental Planning and Assessment Act 1979.

Should there be any doubt as to whether an activity requires approval, consultation with Council's Information Centre (Phone: 9839 6000) is recommended prior to undertaking the activity.

## EXEMPT ACTIVITY TABLE

	Type of Activity	Criteria	Advisory Notes
<b>PART A - STRUCTURES OR PLACES OF PUBLIC ENTERTAINMENT</b>			
<b>A1.</b>	<b>Install a caravan, camper van, or associated structure</b>	<p><b><u>General provisions which are applicable to each installation</u></b></p> <ul style="list-style-type: none"> <li>(a) Not installed on any public place.</li> <li>(b) Caravan or campervan must be registered under the Road Transport (Vehicle Registration) Act 1997.</li> <li>(c) Any liquid waste drained to a public sewer main or a Council approved sewage management system in accordance with AS 3500.2 - National Plumbing and Drainage Code.</li> </ul>	
	A1.1 Dwelling site within a Council approved caravan park	<ul style="list-style-type: none"> <li>(a) Compliance with Part 5 of the CP Regulation.</li> </ul>	
	A1.2 Ancillary to a circus or other commercial function or event conducted on private land	<ul style="list-style-type: none"> <li>(a) Located a minimum 20m from any public place or property boundary.</li> <li>(b) Adequate sanitary and washing facilities for the occupants being provided on the land in accordance with Part F of the BCA.</li> <li>(c) The function or event having consent under the EPAA.</li> </ul>	
	A1.3 Residential 2(a) land	<ul style="list-style-type: none"> <li>(a) A permanent authorised dwelling-house exists on the land.</li> <li>(b) Maximum one (1) on any land.</li> <li>(c) Occupied only by member(s) of the household of the permanent authorised dwelling-house.</li> <li>(d) Located behind the building line(s) of the existing permanent authorised dwelling-house or, alternatively, minimum 20m from any public place.</li> <li>(e) Located minimum 3m from side or rear property boundaries.</li> <li>(f) Complies with the relevant requirements of the CP Regulation.</li> </ul>	Consideration should be given to location, having regard to the amenity of adjoining occupants.
	A1-4 Pastoral or agricultural land	<ul style="list-style-type: none"> <li>(a) Occupied seasonally by persons employed in pastoral or agricultural operations on the land.</li> </ul>	

	<p>A1.5 Vacant Land (other than Residential 2(a) land)</p>	<ul style="list-style-type: none"> <li>(a) Maximum 2 on any land.</li> <li>(b) Located minimum 100m from any public place or property boundary.</li> <li>(c) Not occupied for more than 2 days at a time.</li> <li>(d) Not occupied for more than 60 days (in total) in any single period of 12 months.</li> <li>(e) Any associated structure(s) having a maximum 10m<sup>2</sup> aggregate floor area.</li> <li>(f) Any associated structure(s) having a maximum 2.4m overall height.</li> <li>(g) Maximum length of any caravan or campervan 4.5m (excluding any draw bar).</li> </ul>	
<p><b>A2</b></p>	<p><b>Install manufactured home or associated structure on a dwelling site within a Council approved caravan park</b></p>	<ul style="list-style-type: none"> <li>(a) Compliance with the relevant requirements of the CP Regulation.</li> <li>(b) Submission of a relocatable home notification to Council within 7 days after the completion of the installation.</li> </ul>	
<p><b>A3</b></p>	<p><b>Install a temporary structure on land</b></p> <p align="center">(continued)</p>	<p><b><u>General provisions which are applicable to each installation</u></b></p> <ul style="list-style-type: none"> <li>(a) Not used for human habitation as a dwelling-house.</li> <li>(b) Resist loads determined in accordance with AS 1170 - Minimum Design Loads on Structures.</li> <li>(c) Any liquid waste drained to a public sewer main or a Council approved sewage management system in accordance with AS 3500.2 - National Plumbing and Drainage Code.</li> <li>(d) Possesses the fire hazard properties required by Clause C1.10 of the BCA.</li> <li>(e) Adequate sanitary and washing facilities for any occupants being provided on the land in accordance with Part F of the BCA.</li> <li>(f) Any noise emissions do not exceed the levels stipulated in the Protection of the Environment Operations Act 1997.</li> </ul>	<p>A temporary structure includes:</p> <ul style="list-style-type: none"> <li>(a) a booth, tent or other temporary enclosure, whether or not a part of the booth, tent or enclosure is permanent; and</li> <li>(b) a mobile structure.</li> <li>(c) Buses, train carriages and the like to be used as a temporary or permanent structure require the approval of Council prior to installation on any land, private or public.</li> </ul> <p>It is noted that the proposed use of the temporary structure may require development consent under the EPAA.</p>

**Blacktown City Council - Local Approvals Policy 2005**

<b>A3</b>	<b>Install a temporary structure on land</b> (continued)	<ul style="list-style-type: none"> <li>(g) The supporting ground or surface is sufficiently firm and stable to sustain the structure and is not dangerous by reason of its slope, irregularity or any other reason.</li> <li>(h) Not installed as an alteration, addition or extension to an existing permanent building.</li> <li>(i) Food is not offered for sale.</li> <li>(j) Compliance with any requirements of the WorkCover Authority of NSW (where applicable).</li> </ul>	
	A3.1 Site shed	<ul style="list-style-type: none"> <li>(a) Located on the relevant site or upon a hoarding approved by Council for that purpose.</li> <li>(b) Not to encroach upon any easement or right of way.</li> <li>(c) Installed in accordance with manufacturer's details/recommendations.</li> <li>(d) Removed from the land within 14 days of the completion of the development or activity.</li> <li>(e) Prefabricated structure only.</li> </ul>	
	A3.2 Tent erected on private land and in connection with an existing authorised residential, commercial or industrial building for the purpose of a function or event	<ul style="list-style-type: none"> <li>(a) Maximum floor area 150m<sup>2</sup>.</li> <li>(b) Erected behind the building line(s) of the existing authorised permanent building or, alternatively, minimum 20m from any public place.</li> <li>(c) Erected for maximum of 7 days.</li> <li>(d) Dismantled within 2 days after the cessation of the function or event.</li> <li>(e) Not used for the conduct of public entertainment.</li> </ul>	Consideration should be given to the privacy and amenity of adjoining occupants.
	A3.3 Stage or public grandstand	<ul style="list-style-type: none"> <li>(a) Maximum height of any walkway or floor above adjacent ground level 1m.</li> <li>(b) Installed in conjunction with a development or activity approved or exempted from approval under the provisions of the EPAA or LGA.</li> <li>(c) Located minimum 20m from any public place.</li> <li>(d) Erected for maximum of 14 days.</li> <li>(e) Maximum area of 50m<sup>2</sup></li> </ul>	

**Blacktown City Council - Local Approvals Policy 2005**

	<p>A3.4 Protective security fence erected on a public footpath</p>	<ul style="list-style-type: none"> <li>(a) Construction complies with the relevant specification of the OHS.</li> <li>(b) Encroaches maximum 1.2m or 25% of the width of the footway, whichever is the lesser.</li> <li>(c) Maximum length 20m.</li> <li>(d) Maximum height 4m.</li> <li>(e) Maximum period of installation 3 months.</li> <li>(f) Not obstruct access to any infrastructure or service utility.</li> <li>(g) Not obstruct access to any adjacent land by emergency services personnel or vehicles.</li> <li>(h) Payment of any fee required by Council's adopted Goods and Services Pricing Schedule.</li> </ul>	<p>Refer also Part 3 of Council's Local Approvals Policy for construction and installation provisions.</p>
	<p>A3.5 Install a Clothing Recycling Bin Within Buildings</p>	<ul style="list-style-type: none"> <li>(a) Maintenance schedule in place to ensure bin and adjacent areas kept clean and tidy.</li> <li>(b) Consent required from owner of building.</li> <li>(c) No interference with required exits, paths of travel to exits and fire fighting services.</li> </ul>	
	<p>A3.6 Install a Clothing Recycling Bin Other than within buildings. <i>(for use by members of the National Association of Charitable Recycling Organisations (NACRO) only)</i></p>	<ul style="list-style-type: none"> <li>(a) Bins to comply with design, location and performance criteria outlined in Part 2 of Council's Local Approvals Policy.</li> <li>(b) Maintenance schedule in place to ensure bin and adjacent areas kept clean and tidy.</li> </ul>	<p>Non-NACRO organisations or individuals are required to obtain a separate approval from Council prior to the installation of a bin.</p>
<p><b>A4</b></p>	<p><b>Use of temporary structure as a place of public entertainment</b></p> <p align="center">(continued)</p>	<ul style="list-style-type: none"> <li>(a) Not used for human habitation as a dwelling-house.</li> <li>(b) Resist loads determined in accordance with AS 1170 - Minimum Design Loads on Structures.</li> <li>(c) Any liquid waste drained to a public sewer main or a Council approved sewage management system in accordance with AS 3500.2 - National Plumbing and Drainage Code.</li> </ul>	<p>The sale of alcohol requires the separate approval of the Liquor Administration Board.</p> <p>A temporary structure accredited under the provisions of Division 5 of Part 1 of Chapter 7 of the Local Government Act, 1993 is taken to be an approved structure for the purposes of conducting public entertainment.</p>

**Blacktown City Council - Local Approvals Policy 2005**

A4	<p><b>Use of temporary structure as a place of public entertainment</b> (continued)</p>	<ul style="list-style-type: none"> <li>(d) Possesses the fire hazard properties required by Clause C1.10 of the BCA.</li> <li>(e) Adequate sanitary and washing facilities for any occupants being provided on the land in accordance with Part F of the BCA.</li> <li>(f) Any noise emissions do not exceed the levels stipulated in the Protection of the Environment Operations Act 1997.</li> <li>(g) The supporting ground or surface is sufficiently firm and stable to sustain the structure and is not dangerous by reason of its slope, irregularity or any other reason.</li> <li>(h) Not installed as an alteration, addition or extension to an existing permanent building.</li> <li>(i) The use has approval under the provisions of the EPAA.</li> <li>(j) The entertainment does not involve open air performances utilising electronic amplifiers.</li> <li>(k) Compliance with the provisions of Schedule 1 of the Local Government (Approvals) Regulation 1999.</li> <li>(l) Compliance with the relevant provisions of Part B1 and NSW Part H102 of the BCA (except that if there is any inconsistency between those provisions of the BCA and the provisions of the Local Government (Approvals) Regulation 1999, the latter prevails).</li> </ul>	
<b>PART B - WATER SUPPLY, SEWERAGE AND STORMWATER DRAINAGE WORK</b>			
B1	<p><b>Carry out stormwater drainage work</b></p>	<p><b><u>General provisions which are applicable to all work</u></b></p> <ul style="list-style-type: none"> <li>(a) Compliance with AS 3500.3 - National Plumbing and Drainage Code and the Plumbing and Drainage Code of Practice.</li> <li>(b) Not to interfere with any other service utility or infrastructure.</li> </ul>	
	<p>B1.1 Private land</p>	<ul style="list-style-type: none"> <li>(a) Compliance with the plans and/or specifications attached to a Construction Certificate or Complying Development Certificate or the activity is in conjunction with exempt development under the provisions of the EPAA.</li> </ul>	

**Blacktown City Council - Local Approvals Policy 2005**

	B1.2 Within road reserve	<ul style="list-style-type: none"> <li>(a) Connecting between private land and adjacent road kerb/gutter.</li> <li>(b) First (sewer) grade pipe.</li> <li>(c) Maximum bore diameter of pipe 100mm.</li> <li>(d) Any damaged or disturbed portion of the footway or road reserve being reinstated by Council at the cost of the owner of the serviced land.</li> <li>(e) Adequate barricades and precautions provided to prevent any injury to any person or damage to any property, all in accordance with AS 1742.3 - Traffic control devices for works on roads.</li> </ul>	
B2	Carry out sewerage work on private land	<ul style="list-style-type: none"> <li>(a) Compliance with AS 3500.2 - National Plumbing and Drainage Code and the Plumbing and Drainage Code of Practice.</li> <li>(b) Not interfere with any other service or infrastructure.</li> <li>(c) Compliance with the plans and/or specifications attached to a Construction Certificate or Complying Development Certificate or the activity is otherwise in conjunction with exempt development under the provisions of the EPAA.</li> </ul>	Contact the Sydney Water Corporation for relevant information.

**PART C - MANAGEMENT OF WASTE**

C1	Place waste in a public place	<p><b><u>General provisions which are applicable to each placement</u></b></p> <ul style="list-style-type: none"> <li>(a) Ready for removal by a Council-sponsored collection service.</li> <li>(b) Not obstruct pedestrian or vehicular traffic movement.</li> <li>(c) Placed on footway or otherwise in a location approved by Council's Manager Waste Services.</li> </ul>	
	C1.1 Containerised waste collection (mobile waste bin or recycled waste bin)	<ul style="list-style-type: none"> <li>(a) Bin placed not sooner than 1 day prior to the scheduled collection date.</li> <li>(b) Bin removed not more than 1 day after the collection.</li> </ul>	
	C1.2 Household cleanup	<ul style="list-style-type: none"> <li>(a) Placed not sooner than 1 day prior to the scheduled collection date.</li> <li>(b) Placed in a manner to allow easy access and removal by collection staff.</li> </ul>	
	C1.3 Public litter bin	<ul style="list-style-type: none"> <li>(a) Utilised by pedestrians in a public place for the placement of litter or rubbish other than household, commercial or industrial waste.</li> </ul>	

**PART D - COMMUNITY LAND**

	No Exempt Activities		
<b>PART E - PUBLIC ROADS</b>			
E1	<b>Expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhang any part of the road or outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road</b>	<p><b><u>General provisions which are applicable to each article</u></b></p> <ul style="list-style-type: none"> <li>(a) Not to cover, obstruct or interfere with facilities essential to the function or occupation of any building (e.g. ventilation ducts/openings and architectural features).</li> <li>(b) Minimum horizontal distance of 600mm from the road kerb/shoulder.</li> <li>(c) Within Business zones only.</li> <li>(d) Compliance with the plans and/or specifications attached to a Construction Certificate issued under the provisions of the EPAA (where applicable)</li> </ul>	
	E1.1 Erect awning	<ul style="list-style-type: none"> <li>(a) Minimum height of underside of awning above adjacent finished footway level 3m.</li> <li>(b) Maximum height of upperside of awning (excluding overhead support components) above adjacent finished footway level 5m.</li> </ul>	
	E1.2 Erect awning sign	<ul style="list-style-type: none"> <li>(a) One per premises.</li> <li>(b) Resist loads determined in accordance with AS 1170 - Minimum Design Loads on Structures.</li> <li>(c) Maximum area 2m<sup>2</sup>.</li> <li>(d) Under awning sign minimum height of 2.6m above any adjacent footway.</li> <li>(e) Under awning signs to be a minimum of 3m apart.</li> <li>(f) Not to incorporate flashing or moving components.</li> <li>(g) Any structure incorporated in the advertisement to be structurally adequate.</li> </ul>	

<b>PART F - OTHER ACTIVITIES</b>			
<b>F1</b>	<b>Install domestic oil or solid fuel heater (other than portable)</b>	<ul style="list-style-type: none"> <li>(a) Compliance with the manufacturer's installation instructions/recommendations.</li> <li>(b) Heater has a compliance plate stating that it conforms to AS 4013 - Domestic Solid Fuel Burning Appliances - Method for Determination of Flue Gas Emission.</li> <li>(c) Structural integrity of building not adversely affected.</li> <li>(d) Top of chimney/flue minimum 1m and maximum 3m above roof ridge.</li> <li>(e) All installation to be in accordance with the provisions of Part G2 of the BCA or Part 3.7.3 of the BCA Housing Provisions and AS 2918 - Domestic Solid Fuel Burning Appliances - Installation.</li> <li>(f) Any openings created are to be adequately weatherproofed.</li> </ul>	<ul style="list-style-type: none"> <li>(a) Operation should be in accordance with the Environment Protection Authority "Guidelines for Selecting, Installing and Operating Solid Fuel Heaters."</li> <li>(b) Consideration should be given to the location, chimney/flue height and likely smoke effects on adjacent occupants.</li> </ul>
<b>F2</b>	<b>Install or operate amusement devices (within the meaning of Occupational Health and Safety Act 2000) and associated Regulation</b>	<p><b><u>General provisions which are applicable to each installation</u></b></p> <ul style="list-style-type: none"> <li>(a) Amusement devices not required to be registered under the OHSA, such as a giant slide, gyro ball, inflatable ride, jumping castle and the like; <b>OR</b></li> </ul>	<ul style="list-style-type: none"> <li>(a) Compliance with the provisions of criteria (a) or, alternatively, each of the provisions of criteria (b), is required.</li> <li>(b) Each device should be installed and operated in accordance with Australian Standard 3533 – 1997, "Amusement rides and devices" or any succeeding Standard.</li> </ul>
		<ul style="list-style-type: none"> <li>(b) (i) Each amusement device has a current registration certificate issued by WorkCover NSW under the provisions of the OHS Regulation 2001.</li> <li>(ii) Each amusement device is installed, operated and maintained in accordance with AS 3533.2 as required by the OHS Regulation 2001.</li> <li>(iii) A log book is maintained and operating and maintenance manuals for the amusement device are kept with the amusement device in accordance with provisions of the OHS Regulation 2001.</li> <li>(iv) The operator of each amusement device has in force a contract of insurance or indemnity as required by the Local Government authority.</li> </ul>	

**Blacktown City Council - Local Approvals Policy 2005**

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	<p>F2.1 Small amusement device installed on residential or rural zoned land</p>	<ul style="list-style-type: none"> <li>(a) Maximum 4 devices installed on the land at any one time.</li> <li>(b) Located <b>minimum 3m from any public place (including the public footway)</b>.</li> <li>(c) No part of the device, whether stationary or during operation, is to be located closer than 1m from any side or rear boundary of the land.</li> <li>(d) Located outside any fenced swimming pool area.</li> <li>(e) Located minimum 1.2m from any swimming pool child-resistant barrier (safety fence).</li> <li>(f) Operated generally only during daylight hours or up until 10 p.m. with appropriate lighting and if under the supervision of an adult.</li> <li>(g) No device is to operate on the land for more than 1 day on more than <b>6</b> occasions in any one calendar year.</li> <li>(h) Not used for commercial purposes.</li> </ul>	<p>Where any device is installed in the front yard of the premises, an adult should be in attendance at all times to monitor the safety of the riders and to restrict the use of the device to the hirer's guests.</p>
	<p>F2.2 Small amusement device installed on land other than residential or rural</p>	<ul style="list-style-type: none"> <li>(a) Maximum 10 devices installed on the land at any one time.</li> <li>(b) Located behind the existing building line(s) or, alternatively, 20m minimum from any public place.</li> <li>(c) Located minimum 3m from any side or rear property boundary.</li> <li>(d) No device to operate on the land for more than 2 days on more than 6 occasions in any one calendar year.</li> </ul>	

# **BLACKTOWN CITY COUNCIL**

## **LOCAL APPROVALS POLICY 2005**

### **PART 2**

#### **APPROVALS CRITERIA POLICY**

**This Part specifies those matters that Council must consider in determining an application in accordance with the provisions of the Local Government Act 1993 and Regulations thereunder.**

##### **TABLE OF CONTENTS**

- 2.1 Protection of Footways and Erection of Hoardings**
- 2.2 Clothing Recycling Bins**

**2.1**

**PROTECTION OF FOOTWAYS AND  
ERECTION OF HOARDINGS**

**1.0 Purpose:** This policy has been prepared to ensure that adequate provision is made for the convenience and safety of persons using footways adjacent to construction sites.

**2.0 Scope:** This policy applies to all public land within the City of Blacktown.

**3.0 References:** Council File Number: 34-85-1  
Occupational Health and Safety Act 2000.  
Policy adopted by Council at its Meeting on 1 June 2005.

**4.0 Definitions:**

"approval" means an approval under Section 68 of the Local Government Act 1993.

"building" means any building, part of a building and any structure or part of a structure.

"construction work" means

- (a) building and excavation work, including compressed air work and diving work;
- (b) work in or in connection with the construction or maintenance of roads, airfields or airstrips, or of the permanent way of a railway;
- (c) laying, lining or maintenance of pipes or cables;
- (d) earthmoving works involving equipment operated by other than manual power;
- (e) land clearing in association with any work referred to above;
- (f) any work in which explosives are used;
- (g) any other prescribed work.

"hoarding" means an overhead protective structure or protective/security fence complying with Chapter 8 of the Regulation under the OHS Act.

**5.0 Policy:**

Provision of suitable protection to footpaving and pathways must be a consideration for all construction sites and, where required, is to be provided prior to the commencement of any work.

Hoardings must be provided where building work may affect the safety and convenience of the public. Approval for the erection of any hoarding must be obtained from Council's Director Technical and Transport Services, and its construction must be complete prior to the commencement of building or demolition work.

Any application for the erection of a hoarding not exempted in Part 1 of this Local Approvals Policy is to be submitted to Council at least 10 working days before the proposed erection and shall include the following details:

- (a) proposed duration of the work;
- (b) proposed type of hoarding;
- (c) proposed height of the building above footpath level;
- (d) distance from the building to the site boundaries at the street alignment, and any proposed encroachment by the hoarding onto Council's footway;
- (e) proposed method(s) of securing the hoarding;
- (f) proposed method(s) of protecting service utilities and infrastructure, including the footway and road kerb;
- (g) a copy of a current public liability insurance policy to a minimum limit of liability of \$10 million, and
- (h) in the case of an overhead protective structure, practising structural engineer's design/construction documents and certificate of structural adequacy.

Comprehensive details of the matters to be considered in the approval and erection of hoardings are to be found in Part 3 of this Local Approvals Policy.

**2.2**

**CLOTHING RECYCLING BINS**

**1.0 Purpose:** This Policy has been prepared to ensure that clothing recycling bins are installed in a manner so as to:

- (a) minimise any risk to persons or property; and
- (b) minimise any environmental impact; and
- (c) facilitate the operations of the National Association of Charitable Recycling Organisations Incorporated.

**2.0 Scope:** This Policy applies to all land and buildings within the City of Blacktown where it is proposed to install a clothing recycling bin benefiting a registered charity, but does not purport to take precedence over any Commonwealth or State Act or Regulation. Any inconsistency between this Policy and any Act or Regulation shall be void to the extent of the inconsistency.

**3.0 References:** Council's File Number 119-300-1  
Policy adopted by Council at its Meeting on 1 June 2005.

**4.0 Definitions:**

- "approval" means approval under Section 68 of the Local Government Act 1993.
- "bin" means a metal container designed and used for the reception and holding of articles and clothing.
- "bin owner" means the person or organisation identified on the bin or deriving benefit from the function of the bin.
- "NACRO" means the National Association of Charitable Recycling Organisations Incorporated.
- "property owner" includes the owner of land, buildings or premises.

**5.0 Design:**

*Dimensions* - Each bin is to have a maximum capacity of 2.2m<sup>3</sup>.

*Number of Bins* - No more than two bins to be located together. Where more than two clothing bins all belonging to member organisations of NACRO currently contravene this

regulation, such members should reach agreement as to removal of any bins at sites subsequently indicated in writing by Council.

Each grouping of bins to comprise either two different NACRO or non-NACRO organisations.

***Wording on Bins*** - Each bin is to clearly bear the name and telephone number of the organisation and all information as required by legislation under the Charitable Fundraising Act 1993.

***Appearance on Bins*** - All graffiti is to be removed from bins within one week of placement for non-offensive graffiti and the next day in the case of offensive/obscene graffiti.

***Painting of Bins*** - Each bin is to be completely repainted every 2 years unless otherwise required by Council's Director Environmental and Recreational Services.

***Landscaping of Bins*** - Landscaping suitable to Council is to be provided to reduce the visual impact of each bin.

## **6.0 Location:**

### ***Approved Locations***

Bins can be placed with the owners' consent in the following locations subject to the bin loading mouth facing away from a public road or reserve:

- Car parking areas subject to no bin being placed on designated car park spaces or defined traffic flow/circulating areas.
- Existing landscaped areas subject to no damage to such landscaping.
- Private land adjoining commercial properties.
- Church or other community organisation property.

### ***Prohibited Locations***

- Footpaths or road reserves.
- Any location that could require a vehicle to use a public road as a parking area to enable placement of clothing into bins where parking at that point would be contrary to RTA and Council signs.

***Bin Group Spacing*** - To minimise the adverse visual impact of a large number of bins, a minimum separation distance of 100m is to occur unless an exemption is made in the individual case or bins are placed within Church or other community organisation property.

***Foundations*** - Bins are to be placed on a solid level or near-level foundation in an upright position with a securing method to prevent bins from being tipped over.

**Parking** - There must be an adequate space in close proximity to each bin for patron parking.

**Bin Security** - Bin locations must be open to public view and, where necessary, well illuminated to discourage vandalism and rubbish dumping.

**7.0 Performance:**

**Cleaning Around Bin** - Clothing and other goods left in and around the bin shall be the responsibility of the organisation. The area around the bin shall be cleaned of any discarded clothing or other material at least weekly. When necessary, the area will be cleaned on a more frequent basis. Should Council need to clean the area around any bin then Council's costs will be met by that organisation.

**8.0 Approval:** Approval application procedures and requirements are contained in Part 3 of this Local Approvals Policy.

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# **BLACKTOWN CITY COUNCIL**

## **LOCAL APPROVALS POLICY 2005**

### **PART 3**

## **OTHER MATTERS RELATING TO APPROVALS**

**This Part specifies other matters which are relevant to specific aspects of Council's approval policies**

#### **TABLE OF CONTENTS**

- 3.1 Protection of Footways and Erection of Hoardings**
- 3.2 Clothing Recycling Bins**
- 3.3 Approval of Works Zones**

### **3.1**

## **PROTECTION OF FOOTWAYS AND ERECTION OF HOARDINGS**

### **1.0 Protective Footway Crossings:**

Prior to the commencement of construction on the building site, any adjacent footway shall be protected by the construction of a timber crossing to the satisfaction of Council.

Footway crossings shall not be constructed over manhole covers positioned in the footway unless the covers are adequately protected to the satisfaction of the responsible authority.

No building materials, plant or the like shall be stored on the road or footpath and the footpath shall be kept in a clean, tidy and safe condition during building works. Any building materials or plant placed on the footpath or road shall be impounded at the Council Works Depot, and the costs applicable to recovery of same shall be borne by the builder/applicant.

An application for approval should include, but not be limited to, the following details:-

- (a) method of securing the footway crossing;
- (b) duration of the installation;
- (c) proposed signage or barricades to ensure the safe passage of pedestrians; and
- (d) a copy of a current public liability insurance policy to a minimum limit of liability of \$10 million.

### **2.0 Hoardings:**

Hoardings shall be constructed to Council's satisfaction, and in accordance with the design criteria and specification for hoardings as set down by the WorkCover Authority. Any alternatives to approved methods are to be designed to the applicable Codes, including AS 1170 - 1989, and approval obtained from WorkCover prior to construction.

A minimum of protective/security fence hoarding shall be constructed in commercial areas, and an overhead protective structure hoarding shall be constructed in the following circumstances:

- (a) Where the proposed building or demolition works are greater than one storey above footpath level, and less than 4 metres from the street alignment;
- (b) Where material is to be hoisted over a public way;
- (c) Where the height of the building, or the position of the site is such that danger is likely to occur from falling objects; or
- (d) Where Council's Director of Technical and Transport Services deems that a hoarding is necessary for the protection of the public.

Protective/security fence hoardings shall be allowed to encroach upon the public way, up to a maximum distance of 1.2 metres from the street alignment/property boundary, or 25%

of the footway width, whichever is the lesser, however a greater distance from the street alignment/property boundary may be approved at the discretion of Council's Director of Technical and Transport Services, in order to ensure adequate footpath width for pedestrians. Should the required setback impede the construction or demolition works, consideration may be given to an encroachment within the required 1.2m subject to additional works such as the provision of roadway barriers to enable pedestrian access.

### **3.0 General:**

Hoardings shall remain in place until work is completed.

Hoardings shall generally be painted white or whitewashed, and kept clean to the satisfaction of Council's Director of Technical and Transport Services. If whitening is used, it shall include a provision to prevent the whitewash being taken off by brushing.

Suitable lighting is to be provided and maintained for the illumination of the footpath and hoarding from sunset to sunrise, so as to reduce hazard to persons using the footpath or surroundings.

No advertisements of any kind shall be affixed to the hoardings, excepting a board not exceeding 2.4m x 1.8m, on which may be shown the architect's and builder's names, particulars in respect of the subject building, and notices in respect of the existing or future occupancies of the building.

A sign "Bill Posters will be Prosecuted" shall be displayed on the front elevation of the hoarding.

Where any signs are attached to the hoarding that project more than 2 metres above ground level, the fence shall be adequately strengthened to resist any added wind loading.

Hydrants or other service access points shall not be covered in any way, and access to same must be kept clear at all times.

Uprights shall be tenoned into soleplates and shall not be inserted into the roadway or footpath surface.

The hoarding shall be constructed in a good and workmanlike manner, and kept in a state of good and safe repair at all times.

Any roofed structure placed on top of the hoarding shall slope toward the building site, the hoarding itself is to be made waterproof so as to enable all runoff water to be carried onto the building site, or disposed of so as not to cause nuisance to persons using the footpath.

A water channel associated with the hoarding shall not be obstructed in any way and shall be kept clean and free of debris.

Entry points to the site are to be kept clear of debris, loose materials and obstructions at all times, and are to be provided with gates which open inwards in all cases. Vertical posts at entry points shall be effectively braced and reinforced to prevent dislodgment by reason of collision with vehicles.

Hoardings shall be constructed so as not to obstruct the motorist's or pedestrian's view of traffic lights, and pedestrian crossings are to be freely accessible and visible at all times.

Any gap between the top of a protective/security fence hoarding and the underside of an overhead protective structure hoarding is to be infilled in accordance with the requirements of the WorkCover Authority.

Approval to erect a hoarding does not confer the right to use the roadway for the loading and unloading of goods, nor the positioning of cranes upon a public way. Enquiries with respect to these matters should be addressed to Council's Director Technical and Transport Services.

Kerb stones shall not be cut or damaged in any way, and wheel or track type vehicles shall not cross over the kerb stone unless the kerb has been properly protected against damage or interference.

Excavations within the footpath and adjacent to the roadway, where necessary, shall be carried out and backfilled and compacted to existing levels within the same day. Barricades shall be erected whilst the excavation is open in order to provide protection to the public, and shall be placed so as to provide safe pedestrian and vehicular access around the excavation.

The applicant shall be responsible for any damage or accident which may occur on account of the roadway or footway being occupied for this purpose. The applicant shall be required to pay for the reinstatement of any portion of the footway or roadway which may be disturbed or injured by building work, remove all building material, and leave the premises in a good order and condition, to the satisfaction of Council's Director of Technical and Transport Services.

The applicant shall also secure a public risk policy to a minimum limit of liability of \$10 million in favour of the Council to indemnify Council in the event of any member of the public suffering injury or property damage by reason of the presence of the hoarding.

**3.2**

**CLOTHING RECYCLING BINS**

**1.0 APPROVAL**

Prior to installation of a clothing recycling bin not exempted at Part 1 of this Local Approvals Policy or in the Exempt Development Table of the Blacktown Local Environmental Plan, an approval shall be obtained from Council, as indicated in this Part.

**2.0 APPLICATION FOR APPROVAL**

A written application for the installation of each bin (a "temporary structure" for the purposes of the Table to Section 68 of the Local Government Act 1993) must be submitted to Council by the bin owner together with:

- (a) Site plan in duplicate to a suitable scale showing the location of each bin on the property, vehicle parking arrangements and any adjoining buildings;
- (b) Plans in duplicate of the elevation of each bin including colour and wording details;
- (c) Property owners' written consent for placement of each bin;
- (d) Proposed schedule of bin contents, removal and site clean-up including days and times;
- (e) Proposed schedule for graffiti removal, maintenance and repainting of bins;
- (f) The bin owners' written indemnity to indemnify Council and private property owners (where applicable) against any suit or action arising from or incidental to the placement and/or servicing of the bin;
- (g) Written evidence of Public Liability Insurance providing the bin owner a limit of indemnity not less than five million dollars (\$5,000,000);
- (h) The bin owners' written acceptance of responsibility for any damage done to any public road, kerb, footway or landscaping from the placement, use and servicing of the bin; and
- (i) Applicable fee.

### **3.0 PERIOD OF APPROVAL**

#### **Initial Approval:**

Any approval to install a bin will lapse 5 years from the date of approval. A condition of approval will require an annual inspection of each bin by an Officer of Council.

#### **Annual Inspection:**

Council will cause an annual inspection of each bin to be conducted to ensure compliance with this Policy.

#### **Inspection Fee:**

The annual inspection fee determined by Council is the responsibility of the bin owner and failure to pay the fee will result in action pursuant to Clause 4.0.

### **4.0 BIN REMOVAL**

Should an approval lapse or bin not be placed or maintained in accordance with the approval or criteria, action will be taken by Council to order the relocation, maintenance or removal of the bin.

Failure to comply with an order could result in legal proceedings being instituted in accordance with Section 626 or 627 of the Local Government Act 1993 or for the temporary structure to be removed in accordance with the provisions of Section 678 of the Act.



**3.3**

**APPROVAL OF WORKS ZONES**

- 1.0 Purpose:** This policy has been prepared to ensure the timely approval of Works Zones and provide an efficient customer service to the contractors carrying out work in buildings in locations where parking may not be available.
- 2.0 Scope:** This policy is made pursuant to the provisions of the Australian Road Rules and the Roads and Traffic Authority's guidelines for the implementation of regulatory signposting.
- 3.0 References:** Council File Number 2-160-3  
Roads and Traffic Authority Technical Direction 99/27 - "Standard Zone Symbol Parking Signs - Part 2".  
Australian Road Rule 181.
- 4.0 Definitions:**
- "Works Zone" means a length of a road to which a "works zone sign" (as depicted in Australian Road Rule 181) applies.
- 5.0 Policy:**
- (a) The Director Technical & Transport Services has delegated authority to approve the installation of Works Zones subject to concurrence of the Police (Traffic) from the relevant Patrol and the Roads and Traffic Authority representative on the Local Traffic Committee.
  - (b) The application is to be submitted on the standard form at least 10 working days in advance of when the zone is required to allow for the approval process and the erection.
  - (c) A bond is to be provided to cover damage to the civil infrastructure where a relevant bond has not been required as a result of a Development Application process.
  - (d) The applicant is to pay the relevant fee to cover the cost of approval, installation, rental and removal of the Works Zone.
-