

Schedule 2 Exempt Development

Note. Clauses 12, 13A and 13B contain further requirements for exempt development.

A-frame advertising boards and structures

- 1) Applies to boards or structures advertising goods at ground level, located outside a shop or business the premises of which are located on land in Zone 8—Urban Centre, Zone 9—Local Centre and Zone 10—Neighbourhood Centre.
- 2) Must meet the standards required under Sutherland Shire Council Environmental Specification—Advertising.
- 3) Must not flash.
- 4) Structures erected on or above any part of a public road not used for the driving or riding of motor vehicles (such as any footpath) must be set back at least 600mm from the edge of the part of the road that is used for the driving or riding of motor vehicles.
- 5) Must not be carried out on bush fire prone land, except if constructed of non-combustible materials.
- 6) Must not be carried out on contaminated risk land, foreshore land or heritage item land.
- 7) Must meet the standards for access, car spaces, excavation, landscaped area, sewer mains, storm water and tree removal and pruning.

Advertisements on bus shelters and seats

- 1) Must meet the standards required under Sutherland Shire Council Environmental Specification—Advertising.
- 2) Must not flash.
- 3) Must not cover mechanical ventilation inlets or outlets.
- 4) Structures erected on or above any part of a public road not used for the driving or riding of motor vehicles (such as any footpath) must be set back at least 600mm from the edge of the part of the road that is used for the driving or riding of motor vehicles.
- 5) Must not be carried out on bush fire prone land, except if constructed of non-combustible materials.
- 6) Must not be carried out on contaminated risk land, foreshore land or heritage item land.
- 7) Must meet the standards for access, car spaces, excavation, landscaped area, sewer mains, storm water and tree removal and pruning.

Advertisements on industrial premises

- 1) Must be no more than 1 advertisement installed on the premises and it must relate to the use of the premises. However, where a site comprises a multiple use occupancy premises, a single freestanding directory board may be erected.
- 2) Must not exceed 5m² in area.
- 3) Must not be located more than 4.5m above ground level or project above the parapet of the building or the eaves line if the building has a pitched roof, whichever is the lesser.
- 4) Must be fixed flush to the front elevation of a building on the premises except where the advertisement is a freestanding directory board for a multiple occupancy premises.
- 5) A freestanding directory board must not result in the removal of landscaping.
- 6) Must not flash or be displayed on, or erected above, the parapet or eaves of a building.
- 7) Must not cover mechanical ventilation inlets or outlets.
- 8) Structures erected on or above any part of a public road not used for the driving or riding of motor vehicles (such as any footpath) must be set back at least 600mm from the edge of the part of the road that is used for the driving or riding of motor vehicles.
- 9) Must not be carried out on bush fire prone land, except if constructed of non-combustible materials.
- 10) Must not be carried out on contaminated risk land, foreshore land or heritage item land.
- 11) Must meet the standards for access, car spaces, excavation, landscaped area, sewer mains, storm water and tree removal and pruning.

Advertisements on roll down blinds and awnings

- 1) Applies to roll down blinds and awnings attached to premises on land in Zone 8—Urban Centre, Zone 9—Local Centre and Zone 10—Neighbourhood Centre.
- 2) Advertisement must not cover more than 20% of the area of the blind or awning.
- 3) Advertisement must relate to the use of premises on which it is installed.

- 4) Must not flash or be displayed on, or erected above, the parapet or eaves of a building.
- 5) Must not cover mechanical ventilation inlets or outlets.
- 6) Structures erected on or above any part of a public road not used for the driving or riding of motor vehicles (such as any footpath) must be set back at least 600mm from the edge of the part of the road that is used for the driving or riding of motor vehicles.
- 7) Must not be carried out on bush fire prone land, except if constructed of non-combustible materials.
- 8) Must not be carried out on contaminated risk land, foreshore land or heritage item land.
- 9) Must meet the standards for access, car spaces, excavation, landscaped area, sewer mains, storm water and tree removal and pruning.

Animal grazing

- 1) May only be carried out on land that is not:
 - a) a wetland, or
 - b) within a foreshore area, or
 - c) on a slope greater than 15%, or
 - d) heritage item land.
- 2) Must not involve more than 1 animal per lot.
- 3) Any stable, corral, exercise yard or the like must be located no closer than 9m from:
 - a. any dwelling, school, shop, office, factory, workshop, church, public hall, or
 - b. any premises used for the manufacture, preparation or storage of food.
- 4) Must be carried out on an area of at least 30m² and a width of at least 3m.
- 5) Trees within animal yards (paddocks) must be fenced off to protect them from damage.
- 6) Must have a 300mm fenced off buffer from a drainage line or bushland
- 7) Must not adversely affect the amenity of the neighbourhood because of the emission of noise, smell, waste water, waste products or otherwise.
- 8) Must not involve the removal or pruning of a tree or other vegetation that requires a permit or development consent for removal or pruning, unless that removal is undertaken in accordance with a permit or development consent.
- 9) Must meet the standards for access, car spaces, excavation, landscaped area, sewer mains, storm water and tree removal and pruning.

Awning fascia advertisements

- 1) Must relate to the use of the premises to which the advertisement is attached.
- 2) Must not flash or be displayed on, or erected above, the parapet or eaves of a building.
- 3) Must not cover mechanical ventilation inlets or outlets.
- 4) Structures erected on or above any part of a public road not used for the driving or riding of motor vehicles (such as any footpath) must be set back at least 600mm from the edge of the part of the road that is used for the driving or riding of motor vehicles.
- 5) Must not be carried out on bush fire prone land, except if constructed of non-combustible materials.
- 6) Must not be carried out on contaminated risk land, foreshore land or heritage item land.
- 7) Must meet the standards for access, car spaces, excavation, landscaped area, sewer mains, storm water and tree removal and pruning.

Banners and flags advertising special events

- 1) Applies to banners and flags displayed on the land on which the special event is to be held.
- 2) Must be constructed of light weight, banner-type material.
- 3) Must not be installed more than 21 days before, and must be removed no later than 2 days after, the special event.
- 4) Must not flash or be displayed on, or erected above, the parapet or eaves of a building.
- 5) Must not cover mechanical ventilation inlets or outlets.
- 6) Structures erected on or above any part of a public road not used for the driving or riding of motor vehicles (such as any footpath) must be set back at least 600mm from the edge of the part of the road that is used for the driving or riding of motor vehicles.

- 7) Must not be carried out on bush fire prone land, except if constructed of non-combustible materials.
- 8) Must not be carried out on contaminated risk land, foreshore land or heritage item land.
- 9) Must meet the standards for access, car spaces, excavation, landscaped area, sewer mains, storm water and tree removal and pruning.

Banners and flags used for promotional purposes

- 1) Applies to banners and flags used for promotional purposes, other than those relating to special events.
- 2) Banner or flag used for promotional purposes (whether the same or a different banner or flag) must not be displayed on the land concerned:
 - (a) for more than 14 consecutive days, or
 - (b) on more than 4 occasions, or
 - (c) for a total of more than 28 days, in any 12-month period.
- 3) Must be removed no later than 2 days after the relevant promotion finishes.
- 4) Must not be displayed on, or erected above, the parapet or eaves of a building.
- 5) Must not cover mechanical ventilation inlets or outlets.
- 6) Structures erected on or above any part of a public road not used for the driving or riding of motor vehicles (such as any footpath) must be set back at least 600mm from the edge of the part of the road that is used for the driving or riding of motor vehicles.
- 7) Must not be carried out on bush fire prone land, except if constructed of non-combustible materials.
- 8) Must not be carried out on contaminated risk land, foreshore land or heritage item land.
- 9) Must meet the standards for access, car spaces, excavation, landscaped area, sewer mains, storm water and tree removal and pruning.

Business identification signs and building identification signs

- 1) Must have an area not greater than the following:
 - (a) in the case of a business identification sign that relates to a home occupation— 0.5m^2 ,
 - (b) in any other case— 2.5m^2 .
- 2) If located over a public road, must be located 2.6m or more above the road.
- 3) Must not protrude more than 300mm from the wall of any building on which the sign is installed.
- 4) Must be no more than 1 business identification sign relating to any home occupation carried out in the dwelling or ancillary building concerned.
- 5) Business identification signs that relate to home occupations must be affixed:
 - (a) to the building concerned, and
 - (b) no higher than 3m above ground or pavement level and below the eaves line of the building.
- 6) Must not flash or be displayed on, or erected above, the parapet or eaves of a building.
- 7) Must not cover mechanical ventilation inlets or outlets.
- 8) Structures erected on or above any part of a public road not used for the driving or riding of motor vehicles (such as any footpath) must be set back at least 600mm from the edge of the part of the road that is used for the driving or riding of motor vehicles.
- 9) Must not be carried out on bush fire prone land, except if constructed of non-combustible materials.
- 10) Must not be carried out on contaminated risk land, foreshore land or heritage item land.
- 11) Must meet the standards for access, car spaces, excavation, landscaped area, sewer mains, storm water and tree removal and pruning.

Change of use of premises resulting from a change from one kind of restaurant to another kind of restaurant

- 1) Hours of operation must be between 6 am and 9 pm on any day
- 2) Must be no change to the area of any floor space or to parking, landscaping or waste facilities the subject of consent by the consent authority and in existence before the use is changed.
- 3) Changed use must 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, traffic, parking or otherwise.
- 4) Must not be carried out on foreshore land or heritage item land.

Community advertisements and notices

- 1) In the case of a community advertisement or notice intended to be temporary (other than a beach, motor vehicle or boat advertisement or notice):
 - a) must not be installed on the land concerned for more than 21 consecutive days, or for a total of more than 28 days, in any 12-month period, and
 - b) must not exceed 2.5m² in area, and
 - c) sponsorship details must take up no more than 30% of the advertisement or notice.
- 2) In the case of a community advertisement or notice intended to be permanent (other than a beach, motor vehicle or boat advertisement or notice):
 - a) must not exceed 3.5m in height from ground level and 5m² in area, and
 - b) sponsorship details must take up no more than 30% of the advertisement or notice, and
 - c) if the advertisement or notice relates to a building, it must be attached to the building.
- 3) In the case of a beach advertisement or notice:
 - a) must be displayed only at entrances to beaches fronting Bate Bay and on surf lifesaving towers, and
 - b) sponsorship details must take up no more than 10% of the advertisement or notice.
- 4) In the case of a motor vehicle or boat advertisement or notice, the vehicle or boat must principally be used for the conveyance of goods or passengers
- 5) Must not flash or be displayed on, or erected above, the parapet or eaves of a building.
- 6) Must not cover mechanical ventilation inlets or outlets.
- 7) Structures erected on or above any part of a public road not used for the driving or riding of motor vehicles (such as any footpath) must be set back at least 600mm from the edge of the part of the road that is used for the driving or riding of motor vehicles.
- 8) Must not be carried out on bush fire prone land, except if constructed of non-combustible materials.
- 9) Must not be carried out on contaminated risk land, foreshore land or heritage item land.
- 10) Must meet the standards for access, car spaces, excavation, landscaped area, sewer mains, storm water and tree removal and pruning.

Events (community and fundraising)

- 1) Must not exceed 1 day.
- 2) If not on community land, only 2 days per year.
- 3) May only operate between 8 am and 9:30 pm.
- 4) Must have portable water and toilet facilities within 200m.
- 5) The noise level of any open air entertainment must not exceed the background noise level by more than 5dB(A) when measured at the nearest residential boundary.
- 6) Must provide adequate artificial lighting, if necessary, to permit safe movement of patrons.
- 7) Must have adequate and suitable waste containers for the removal of waste at the conclusion of the event.

Horse stabling

- 1) Horses must not be kept on a wetland.
- 2) Must be no more than 1 horse per lot.
- 3) Must not be kept, and any part of any stable, corral, exercise yard or the like must not be located, closer than 9m from:
 - (a) any dwelling, school, shop, office, factory, workshop, church, public hall, or
 - (b) any premises used for the manufacture, preparation or storage of food.
- 4) Each horse must be provided with a yard having an area of at least 30m² and a width of at least 3m.
- 5) Bushland within horse yards (paddocks) must be fenced off to protect the vegetation from damage.
- 6) Horse yards or paddocks that contain, or are adjacent to, drainage lines, or are adjacent to bushland, must have a 300mm fenced off buffer from the drainage line or bushland.
- 7) Horse stabling must 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, traffic, parking or otherwise.
- 8) Must not be carried out on foreshore land or heritage item land.
- 9) Must meet the standards for tree removal and pruning.

- 10) Must meet the standards for access, car spaces, excavation, landscaped area, sewer mains, storm water and tree removal and pruning.

Inflatable structures used for promotional purposes

- 1) Applies to inflatable structures displayed on the land on which the promotion is to be held.
- 2) Inflatable structure (whether advertising the same or a different promotion) must not be displayed on the land concerned:
 - (a) for more than 14 consecutive days, or
 - (b) on more than 4 occasions, or
 - (c) for a total of more than 28 days, in any 12-month period.
- 3) Must be removed no later than 2 days after the relevant promotion finishes.
- 4) Must not flash or be displayed on, or erected above, the parapet or eaves of a building.
- 5) Must not cover mechanical ventilation inlets or outlets.
- 6) Structures erected on or above any part of a public road not used for the driving or riding of motor vehicles (such as any footpath) must be set back at least 600mm from the edge of the part of the road that is used for the driving or riding of motor vehicles.
- 7) Must not be carried out on bush fire prone land, except if constructed of non-combustible materials.
- 8) Must not be carried out on contaminated risk land, foreshore land or heritage item land.
- 9) Must meet the standards for access, car spaces, excavation, landscaped area, sewer mains, storm water and tree removal and pruning.

Luminous Pole Advertising

- 1) Shall not exceed 5.5m in height.
- 2) Shall not exceed 1.5m in width.
- 3) Shall not obstruct sight lines to traffic signals or intersections.
- 4) Clearance between structure and kerb shall allow for heavy vehicle overhang at intersections.
- 5) Shall not obstruct existing footpaths.
- 6) Where no footpath exists, a minimum of 1.5m clearance for pedestrian access within the nature strip should be maintained at all times.
- 7) There shall be no more than two structures per intersection.
- 8) Must be constructed by or on behalf of Sutherland Shire Council.
- 9) Must not flash.
- 10) Structures erected on or above any part of a public road not used for the driving or riding of motor vehicles (such as any footpath) must be set back at least 600mm from the edge of the part of the road that is used for the driving or riding of motor vehicles.
- 11) Must not be carried out on bush fire prone land, except if constructed of non-combustible materials.
- 12) Must not be carried out on contaminated risk land, foreshore land or heritage item land.
- 13) Must meet the standards for access, car spaces, excavation, landscaped area, sewer mains, storm water and tree removal and pruning.

Outdoor eating areas

- 1) Applies to outdoor eating areas on public land and is limited to locations immediately in front of a lawful food shop or restaurant premises
- 2) Must comply with the Roads Act 1993
- 3) Must comply with the Local Government Act 1993
- 4) Must meet the standards required under Sutherland Shire Council Environmental Specification—Outdoor Eating Areas.
- 5) Must not be carried out on foreshore land or heritage item land.
- 6) Must meet the standards for access, car spaces, excavation, floor area, landscaped area, sewer mains, storm water and tree removal and pruning.

Real estate advertisements

- 1) Applies to advertising that the premises are for sale or lease.
- 2) Must be displayed on the premises to which it relates.
- 3) Must be no more than 1 real estate advertisement displayed on the premises.

- 4) Must not exceed 2.5m² in area.
- 5) Must be removed no later than 14 days after the completion of the sale or the granting of the lease to which the advertisement relates.
- 6) Must not flash or be displayed on, or erected above, the parapet or eaves of a building.
- 7) Must not cover mechanical ventilation inlets or outlets.
- 8) Structures erected on or above any part of a public road not used for the driving or riding of motor vehicles (such as any footpath) must be set back at least 600mm from the edge of the part of the road that is used for the driving or riding of motor vehicles.
- 9) Must not be carried out on bush fire prone land, except if constructed of non-combustible materials.
- 10) Must not be carried out on contaminated risk land, foreshore land or heritage item land.
- 11) Must meet the standards for access, car spaces, excavation, landscaped area, sewer mains, storm water and tree removal and pruning.

Suspended under awning advertisements

- 1) Must be no more than 1 suspended under awning advertisement for each premises to which the advertisement relates.
- 2) Must not exceed 1.5m² in area.
- 3) If located over a public road, must be located 2.6m or more above the road.
- 4) Must relate to the use of premises on which the advertisement is installed.
- 5) Must not flash or be displayed on, or erected above, the parapet or eaves of a building.
- 6) Must not cover mechanical ventilation inlets or outlets.
- 7) Structures erected on or above any part of a public road not used for the driving or riding of motor vehicles (such as any footpath) must be set back at least 600mm from the edge of the part of the road that is used for the driving or riding of motor vehicles.
- 8) Must not be carried out on bush fire prone land, except if constructed of non-combustible materials.
- 9) Must not be carried out on contaminated risk land, foreshore land or heritage item land.
- 10) Must meet the standards for access, car spaces, excavation, landscaped area, sewer mains, storm water and tree removal and pruning.

Under awning shop front advertising on building facades

- 1) Must relate to the use of the building
- 2) Must be located below the awning level.
- 3) Must not flash or be displayed on, or erected above, the parapet or eaves of a building.
- 4) Must not cover mechanical ventilation inlets or outlets.
- 5) Structures erected on or above any part of a public road not used for the driving or riding of motor vehicles (such as any footpath) must be set back at least 600mm from the edge of the part of the road that is used for the driving or riding of motor vehicles.
- 6) Must not be carried out on bush fire prone land, except if constructed of non-combustible materials.
- 7) Must not be carried out on contaminated risk land, foreshore land or heritage item land.
- 8) Must meet the standards for access, car spaces, excavation, landscaped area, sewer mains, storm water and tree removal and pruning.