

# Appendix D3

## Existing general planning controls

In accordance with Section 3.43 (3) of the *Environmental Planning and Assessment Act 1979*, this Plan adopts by reference, the provisions of the following controls from the *Gosford Development Control Plan 2013* (as amended):

- Part 3 Specific Controls and development type,
- Part 6 Environmental controls, and
- Part 7 General Controls.

This Appendix contains the aforementioned controls in the following parts:

- D1 - Part 3 Specific Controls and development type,
- D2 - Part 6 Environmental controls, and
- D3 - Part 7 General Controls.

Where changes to the existing controls have been made, these are either minor changes, obsolete provisions, or because they are inconsistent with the recommendations of the NSW GA in the UDIF, or the intent of the GCC SEPP or the Chapters of this DCP.

CLEARANCE 2m



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## PART 7: GENERAL CONTROLS

### 7.1 Car Parking

#### 7.1.1 Introduction

##### 7.1.1.1 Where this Chapter Applies

This chapter applies where development occurs within the City of Gosford and a need is thereby created for on-site car parking.

##### 7.1.1.2 Purpose of this Chapter

The purpose of this chapter is to ensure that sufficient, well designed on-site parking provisions are made in all new developments and when changes occur to the existing use/development of premises. It provides details of Council's requirements and guidelines for the planning and design of on-site car parking facilities which satisfy the demand resulting from the development of the site.

##### 7.1.1.3 Objectives

The objectives of this chapter are as follows:

1. To facilitate traffic management and safe traffic movement.
2. To establish an appropriate environmental quality for parking facilities associated with site development
3. To provide parking facilities which are convenient and sufficient for the use of service groups, employees, and visitors.
4. To ensure that a balance is achieved between the needs of the proposed development and its use, and that of vehicular and pedestrian traffic.

#### 7.1.2 Implementation

##### 7.1.2.1 General Principles

In determining the car parking requirements for a development proposal, the following principles shall be followed:

1. The minimum standards as set out in this chapter;
2. The likely demand for on-site parking to be generated by the development;
3. The availability of public transport in the vicinity to service the likely demands to be generated by the development;
4. Traffic volumes on the surrounding street network, including, where relevant, likely future traffic volumes;
5. The probable mode of transport of the users of the development;
6. The likely peak usage times of the development.
7. The provision of alternative private transport arrangements (eg courtesy buses to licensed premises at no charge to users).

### **7.1.2.2 Variations and Compliance**

- ~~1. On site parking will be required in accordance with the standards of this plan except where good cause can be shown as to why strict compliance is unnecessary.~~

~~Requests for variation must be supported by information and data to substantiate that an alternative standard is appropriate. Except for minor variations, this information should take the form of a Traffic Impact Statement and/or Parking Needs Survey carried out by suitably qualified consultants.~~

- ~~2. Compliance with the provisions of this plan will not necessarily constitute sufficient reason for consenting to a development application. Each application must be treated on its individual merits in relation to the general principles (refer paragraph 7.1.2.1) and the Heads of Consideration under Section 79C of the Environmental Planning and Assessment Act 1979.~~
- ~~3. For developments incorporating different categories of uses, a separate calculation will be made for each component. Parking needs will be calculated on peak time. However, where peak demands for each land use component of the development are staggered, and this can be demonstrated to the satisfaction of the Council, a reduction in the total number of spaces required may be accepted.~~

### **7.1.2.3 Existing Development**

- ~~1. Where an existing building is to be replaced by a new building which has a floor area not exceeding the floor area of the existing building and no change of use is proposed, no additional parking is required to be provided. Any existing parking on the site, up to the number of spaces required under this plan for the existing development, or any requirement of the consent for the existing development, must be maintained on the site.~~

- ~~2. Where an existing building is to be replaced by a new building,~~

- ~~1. having a floor area greater than the existing building and / or~~
- ~~2. which will have a different use and/or~~
- ~~3. where renovations, alterations or additions create potential to generate additional visitor and customer demand;~~

~~car parking is to be provided as calculated under this chapter for the new building area and use.~~

### **7.1.2.4 Change of Use**

- ~~1. Where the use of an existing building is to be changed, the Council will require that additional car parking (if any) be provided on the basis of the difference between the requirements for the approved/authorised existing use and the proposed use.~~
- ~~2. Notwithstanding subclause 7.1.2.4.a nothing in this plan shall be applied to require that additional parking is required for the conversion of existing business/office floor space to either retail or restaurant land use in the Gosford Regional City Centre. This saving provision only applies to the Gosford Regional City Centre because of the Gosford Parking Loan Rate which applies to this area.~~

### **7.1.2.5 Renovation of Existing Buildings**

~~Nothing in this chapter requires the provision of additional parking where an existing building is being renovated for its existing use.~~

### **7.1.2.6 Cash Contribution in Lieu**

- ~~1. In a number of commercial centres, a cash contribution may be required or accepted in lieu of the provision of all or some of the car parking requirement being provided on the site.~~

~~The centres where cash contributions are required are listed in **Appendix A** of this chapter.~~

- ~~2.—The sum payable in respect of a parking space in each of the centres identified is determined periodically by the Council. Details can be obtained by reference to the appropriate Section 94 Contribution Plan for the provision of Car Parking.~~

~~In the following commercial centres, no less than two thirds of the calculated parking requirement is to be provided on site, the balance is to be provided by way of cash s94 contribution.~~

- ~~–Terrigal~~
- ~~–Woy Woy~~

~~The two thirds is to be calculated on the total number of spaces required after allowance (if any), for existing development under clause 7.1.2.3 or any similar adjustment.~~

#### ~~7.1.2.7 Car Parking with Persons with Disability~~

~~Provision is to be made for persons with disability in the provision of car parking facilities, and in accordance with Australian Standard AS 2890.6.2009~~

- ~~1.—Where car parking is provided in excess of five (5) spaces, provision shall be made for parking for persons with a disability at the rate of one (1) space per one hundred (100) or part thereof of car spaces provided. A higher proportion of such spaces may be required for uses which are likely to generate a higher demand for such facilities.~~
- ~~2.—The location of spaces designated for persons with disability should be close to an entrance to a building or facility with access from the car space by ramps and/or lifts in accordance with Australian Standard AS 1428.1 and Part D3 of the Building Code of Australia.~~
- ~~3.—Car spaces provided under this provision shall be kept or made available for use by persons with disability as required.~~
- ~~4.—In any residential development, consideration should be given to providing garages in accordance with the dimensions for class 4 spaces under AS 2890.1. This would provide flexibility in making such facilities available for occupants with disability, or if not so used, provide domestic storage space.~~

### ~~7.1.3 Car Parking Requirement for Specific Land Uses~~

#### ~~7.1.3.1 Definitions~~

~~The definitions of the various types of land use and other terms used are to be those used in Gosford LEP 2014 applying to the land. In the absence of an appropriate definition within those instruments, the definition (if any) in the Model Provisions (Environmental Planning and Assessment Act 1979) is to be used. In other instances it is expected that the commonly understood meaning of the terminology will apply.~~

~~In the table "Schedule of Requirements" a reference to parking requirements for:~~

- ~~1.—Resident Manager/Caretaker includes any owner, manager, caretaker or other employee for whom "live-in" accommodation is provided on the premises.~~
- ~~2.—Employee or staff includes the number of staff on the site at any one time during peak operating period, with provision for overlap where shifts are involved.~~
- ~~3.—Except where otherwise indicated, a rate per square metre of floor area shall be calculated on the basis of gross floor area.~~

### 7.1.3.2 Schedule of Requirements

Land-Use	Parking Requirement	Notes
<p><del>1. Residential</del></p> <p>Dwellings</p>	<p>Dwellings less than 125m<sup>2</sup>—1 car parking space</p> <p>Dwellings greater than 125m<sup>2</sup>—2 car parking spaces</p>	<p>One space to be covered (ie carport or garage) set back a minimum of six (6) metres from the frontage of the site.</p>
<p>Dual Occupancy</p>	<p>Dwellings less than 125m<sup>2</sup>—1 car parking space</p> <p>Dwellings greater than or equal to 125m<sup>2</sup>—2 car parking spaces</p>	<p>One space to be covered (ie carport or garage) set back a minimum of six (6) from the frontage of the site.</p>
<p>Multi Dwelling Housing/Residential Flat Building</p>	<p><del>1. Assigned Parking Numbers</del></p> <p><del>Medium density residential development is to provide the following minimum numbers of onsite assigned parking:</del></p> <p><del>* 1.5 car spaces per dwelling, rounded up to the next whole number;</del></p> <p><del>or</del></p> <p><del>* 1 car space per dwelling within 400m of a train station;</del></p> <p><del>2. Assigned Visitor Parking</del></p> <p><del>Visitor spaces, calculated on the basis of 0.2 spaces per dwelling, rounded up to the next whole number, must be provided on site and clearly marked for use by visitors only.</del></p> <p><del>In the area defined as the Peninsula (ie Booker Bay, Blackwall, Ettalong, Umina, Woy Woy) visitor parking and service vehicle access may be provided on the existing street where:</del></p>	

<b><del>Land-Use</del></b>	<b><del>Parking Requirement</del></b>	<b><del>Notes</del></b>
	<p><del>* development contains less than 4 units, or</del></p> <p><del>* unrestricted on-street parking is safely available within 60m of the development;</del></p> <p><del>Visitor Parking spaces are not to be located between the front building line and the front boundary to a street.</del></p>	
<del>Shop Top Housing</del>	<del>1 car space per dwelling</del>	<del>-</del>
<p><del>1. Casual Accommodation</del></p> <p><del>Hotel (Pub) or Motel Accommodation/Tourist and Visitor Accommodation</del></p>	<p><del>-</del></p> <p><del>1 space per accommodation unit, plus 1 space for every 2 persons employed in connection with the development and on duty at any one time.</del></p>	<p><del>-</del></p> <p><del>Reception Office to be located so that entering vehicles travel at least 16m (measured along the centre of the driveway) before being required to stop.</del></p> <p><del>Restaurants etc associated with the development and open to the general public, will require additional parking at the rate for that use in that locality. (See Part C)</del></p>
<del>Tourist and Visitor Accommodation (as Backpacker Accommodation)</del>	<del>1 space for each 5 occupants/lodgers plus 1 space for any resident manager, plus 1 space for each 2 employees.</del>	<del>Applies to uses where the accommodation is directed to travellers, a majority of whom do not use private motor vehicles.</del>
<del>Hospital</del>	<del>1 space per 2 beds and 1 space per 2 employees</del>	<del>-</del>
<p><del>1. Recreation</del></p> <p><del>Pub / Registered Club</del></p>	<p><del>-</del></p> <p><del>1 space per 10 m<sup>2</sup> of gross floor area up to 5000m<sup>2</sup> (including outside seating areas)</del></p> <p><del>1 spaces per 20m<sup>2</sup> of gross floor area over 5000m<sup>2</sup> (including outside seating areas)</del></p>	<p><del>-</del></p> <p><del>Accommodation where provided shall require parking at the appropriate rate under Part B.</del></p>

<b><del>Land-Use</del></b>	<b><del>Parking Requirement</del></b>	<b><del>Notes</del></b>
<del>Restaurants, food and drink premises</del>	<del>The rate applicable to shops where the site is within a centre as listed in Appendix B of this chapter, or elsewhere at the rate of 1 per 16m<sup>2</sup> floor area. Outdoor dining areas require additional parking at the rate applicable for restaurants.</del>	<del>Premises with a drive through facility generally associated with businesses like KFC or McDonald's require a minimum of 30 spaces.</del>
<del>1. Commercial</del>	<del>-</del>	<del>-</del>
<del>Office Premises</del>	<del>1 space per 30m<sup>2</sup> gross floor area in the B5 Enterprise Corridor at Erina, elsewhere 1 space per 40m<sup>2</sup> gross floor area.</del>	<del>-</del>
<del>Medical Centres / Health Consulting Rooms</del>	<del>3 spaces per surgery or consulting room, plus 1 space for each professional practitioner and other staff present at any one time. The rate applicable to office premises applies to where the site is a centre listed in Appendix E of this chapter.</del>	<del>-</del>
<del>Service Stations</del>	<del>1 car parking space per 2 staff plus 3 car parking spaces per work bay plus 1 car parking space per 25sqm of retail convenience store plus 1 space per 16 sqm of food and drink premises including any area for outside dining</del>	<del>-</del>
<del>Vehicle repair station and vehicle body repair workshop</del>	<del>3 spaces per 100m<sup>2</sup> gross floor area or 3 spaces per work bay whichever is the greater.</del>	<del>-</del>
<del>Vehicle Sales or Hire Premises</del>	<del>1.5 spaces per 200m<sup>2</sup> site area used for this purpose, plus 6 spaces per service bay or 1 space for every 2 persons employed in connection with the use.</del>	<del>-</del>
<del>Drive In Liquor Outlet</del>	<del>2 spaces plus 1 space per person employed in connection with the use and on duty at any one time.</del>	<del>These spaces to be exclusive of the driveway area used for queuing and service to customers in their vehicle. Driveways to be a minimum of two lanes width, one way</del>

<b>Land-Use</b>	<b>Parking Requirement</b>	<b>Notes</b>
		circulation. Refer RMS Guidelines.
<b>Bulky Goods Premises</b>	1 space per 45m <sup>2</sup> gross floor area.	-
<b>Shops</b>	1. In the B3 Commercial Core or B4 Mixed Use Zone 1 space per 40m <sup>2</sup> gross floor area, 2. In any other situation 1 space per 30m <sup>2</sup> gross floor area.	-
<b>Markets</b>	1 car parking space per 18sqm	This provision does not apply to approved markets operated by a community organisation for charitable purposes.
<b>Plant Nursery/ Landscape &amp; Garden Supplies</b>	1 space per 30m <sup>2</sup> gross floor area of any building used for the retailing of plants and associated products, plus 1 space per 45m <sup>2</sup> for outdoor areas used for display purposes associated with retail sales, plus 1 space per 200m <sup>2</sup> for areas used exclusively for propagation or storage, whether indoor or outdoor.	Plant Nurseries not retailing or open to the general public are considered as Agriculture.
<b>1. Industrial</b>	1 space per 100m <sup>2</sup> of industrial floor space 1 space per 300m <sup>2</sup> for warehouse/bulk stores/self storage units. 1 space per 40m <sup>2</sup> for ancillary office space. 1 space per 30m <sup>2</sup> for ancillary retail space.	The need for additional car parking for future change of use from a warehouse bulk store should be considered
<b>1. Community Facilities</b>	-	-
Place of Public Worship and Place of Public Entertainment (not elsewhere mentioned)	1 space per 20m <sup>2</sup> gross floor area, or 1 space per 10 seats, whichever is the greater.	
<b>Child Care Centres</b>	1 space per person employed in connection with the use, plus a temporary stand area at the rate of 1 car for each 6 children (a minimum of 5 temporary stand spaces).	The temporary standing area is to be designed so that vehicles can enter or leave the site moving in a forward direction and without



<b>Land-Use</b>	<b>Parking Requirement</b>	<b>Notes</b>
		conflicting with other traffic/parking movements.
Educational Establishments	1 space per 1 staff place 1 space per 10 year 12 students	-
<del>1. Other Uses</del>	Not specified	The Roads and Maritime Services guidelines will be applied to developments of a minor nature including extensions etc, however for a major proposal the application is to be supported by a Traffic Impact Statement with recommendation as to the appropriate provision for on-site car parking.

### **7.1.3.3 Bicycle Parking Facilities**

1. Provision is to be made for cyclists via the installation of bicycle parking facilities in accordance with Australian Standard AS 2890.3.
2. Classes of facilities are defined in **Appendix C** of this chapter.
3. The dimensional requirements for on-site parking facilities and access to parking spaces for all classes of facilities are to be set out in accordance with AS 2890.3.

### **7.1.4 Design Criteria**

#### **7.1.4.1 Location of On Site Parking**

1. Parking facilities are to be located so that their use is encouraged and evident from the street, particularly visitor and customer parking.
2. Parking spaces for employees and for longer duration parking should be located more remotely from the street.
3. So as to achieve an acceptable level of amenity and a satisfactory relationship between adjoining land uses, the location of the parking area(s) within the site shall have regard to:
  1. Site conditions such as slope and drainage;
  2. The relationship of the building to the parking area; and
  3. The proximity of the parking area to any neighbouring residential areas.

#### **7.1.4.2 Parking Spaces and Driveway Standards**

1. The dimensional requirements for on-site car parking spaces and driveways giving access to parking spaces shall generally be as set out in accordance with the Australian Standard AS 2890.1 except where the requirements are specifically defined in this plan.
2. The grade on any driveway within a development site shall not exceed 1 in 5 (20%) provided that a transitional grade not exceeding 1 in 10 (10%) shall be provided for a distance of 3 metre at either end of the grade which exceeds 1 in 10.
3. The minimum dimension for a covered car space (i.e. carport or garage) serving a residential development shall be:

1. ~~3m x 6m clear internal dimension, except where there is a physical restriction to both sides of the space, in which case the width of the space shall be not less than 3.2m.~~
2. ~~The minimum clear internal dimension of a double garage will be 6m x 6m, excluding any engaged piers, ducting, stairs, splays or any protrusions.~~
4. ~~Where a covered car space is provided in association with a residential development, at or near right angle to the driveway or from a curved driveway from which access is gained, the following minimum dimensions shall apply:~~

Minimum clear width of opening	-Minimum distance of outside edge of driveway from opening		
	-Driveway not greater than 12% slope	-Driveway greater than 12% but not greater than 20% slope	-Driveway greater than 20% slope
<del>2.6m</del>	<del>6.5m</del>	<del>7.0m</del>	<del>7.5m</del>
<del>2.8m</del>	<del>6.0m</del>	<del>6.5m</del>	<del>7.0m</del>
<del>3.3m</del>	<del>5.5m</del>	<del>6.0m</del>	<del>6.5m</del>
<del>3.7m</del>	<del>5.0m</del>	<del>5.5m</del>	<del>6.0m</del>

~~provided that:~~

1. ~~the edge of any driveway adjacent to a property boundary shall be measured not less than 0.2m from the boundary.~~
2. ~~a driveway shall not be less than 3m wide. This may be reduced to 2.7m provided 0.3m either side remains unobstructed.~~
3. ~~the slope of a driveway for the purpose of this subclause shall be the maximum gradient within the vicinity of the car parking space into which the vehicle will be required to make a turning movement.~~
4. ~~the car parking space shall be of such width that the vehicle shall come to rest in the centre of the space.~~
5. ~~a driveway which has a slope greater than 12% shall have a surface treatment which minimises wheel-skid in wet conditions.~~
1. ~~Where a covered space is not at or near right angles to the driveway from which vehicles gain access, the requirements for driveway widths, minimum openings, etc, shall be assessed on its merits.~~
2. ~~Development plans are to show the following information:~~
  1. ~~vehicular swept paths and dimensions of clear manoeuvring areas;~~
  2. ~~a longitudinal section through the centre line of the driveway from the kerb to the proposed garages, showing grades and suitable transition at changes of grade;~~
  3. ~~drainage pits and pipes.~~
  4. ~~a pavement design prepared by a suitably qualified engineer.~~

#### **7.1.4.3 Loading/Unloading**

1. ~~On-site loading and unloading facilities shall be provided for all business, commercial, industrial, office, retail and storage uses and any other use where comparatively regular deliveries of goods are made to or from the site and as may be required by Council.~~
2. ~~The number of loading docks provided shall be determined having regard to the scale and type of use proposed. In this regard full details of the anticipated volume and frequency of deliveries shall be supplied with each development application.~~
3. ~~All loading docks are to be used solely for loading and unloading purposes. No waste products or merchandise are to be stored in the loading dock. The loading dock may be used for the purpose of loading and unloading of waste products to a garbage collection vehicle.~~
4. ~~Loading Bays shall comply with AS 2890:2002:~~
5. ~~The provision of adequate on-site turning facilities will be required for commercial vehicles.~~

~~The location of loading docks which involve the reversing of vehicles either to or from a road,~~

other than a local access lane will not be supported.

Under no circumstances will Council permit the reversing of vehicles onto a Main or Arterial Road or designated future by-pass route.

6. The provision of adequate manoeuvring area to allow safe and convenient turning movements from the street/road onto access driveways/road within the site.

The type and size of delivery vehicles is to be submitted with the development application and will be specifically approved for use with the development.

If "B" type train vehicles are proposed to be used Council will require adequate on-site access, turning and loading facilities and nomination of proposed access routes over public roads.

#### 7.1.4.4 Landscaping

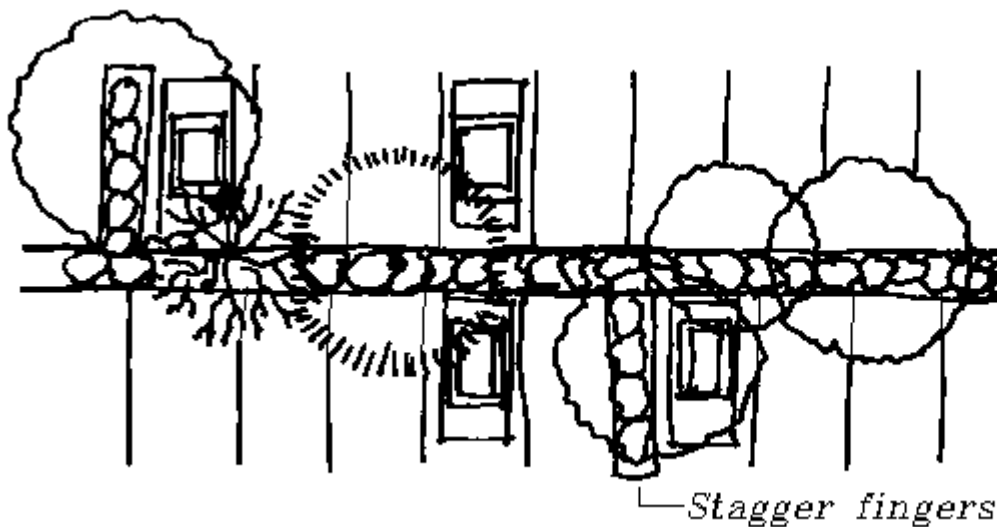
1. Landscaping is to be provided so that there is sufficient planting to achieve a satisfactory appearance of parking areas, particularly those with large areas of bitumen, and to provide shade.

2. A minimum area of 2.5m<sup>2</sup> per car space is required for landscaping within a car park area. This requirement is in addition to the requirement of landscaping around the perimeter of the site.

The vegetation is to be selected so that, at maturity, 50% of the area of the parking spaces is under shade at midday in mid-summer.

#### 3. Arrangement of Planted Area

1. Planting strips between aisles of parking bays:

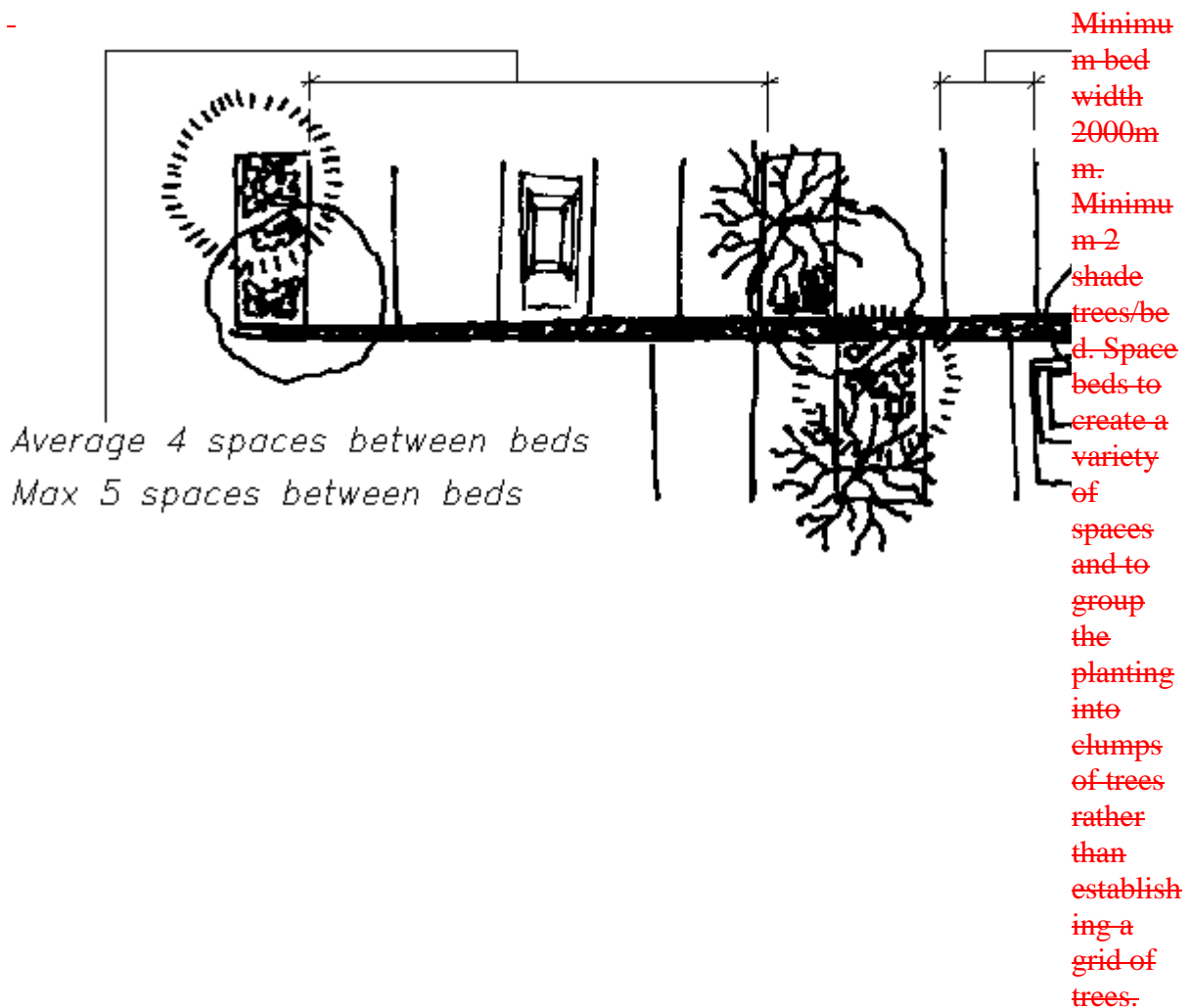


Minimum bed width 1000mm. Fingers can be reduced to 600mm width if tree guards are used. Fingers are not required to extend full-depth of parking-bay planting areas.

1. No planting strip between aisles -  
of parking bays







1. Plants used for landscaping car park areas should, whenever possible, be:

- Native to the region,
- Suitable for the eco-climate produced within the car park
- able to provide foliage at the appropriate height/spread to avoid creating sight distance in security problems, and be able to provide shade to vehicles and pavement areas,
- species which will not damage car surfaces by dropping of fruit etc.

A list of plants suitable for use in car parks is included in **Appendix D** of this chapter.

#### 7.1.4.5 Directional Signs and Marking

1. Clear and precise marking of a parking area is of prime importance in the prevention of choking of the aisles and for the general ease of use of the facility. Details of all proposed signposting and marking for parking areas are to be submitted with the building application for council's approval.
2. Entry/Exit points must be clearly marked so as to avoid any confusion. Within the car park, signs should be located at regular locations so that drivers wishing to leave the car park may do so by the most efficient route. Signposting should be easily seen and understood.
3. One-way markings must be clearly set out on the pavement in such a manner as to be easily legible and understandable to the users of the car park.
4. In certain situations, the installation of signs to Council's satisfaction may be required over and above the normal requirements.
5. Experience has shown that yellow paint is difficult to see under adverse lighting conditions. It is considered that white paint is the most suitable colour for use as a pavement marking.

- ~~6.—All parking bay delineation, arrows and other information for the driver, painted on the pavement are to be marked using white paint. Delineation should not be less than 75mm or greater than 100mm wide.~~

## **7.1.5 Construction Requirements**

### **7.1.5.1 Standards**

~~All driveways, vehicle manoeuvring areas, and car parking spaces are to be properly constructed, graded, drained and sealed with an impervious all-weather material.~~

- ~~1.—The works are to be maintained to a satisfactory standard throughout the term of development and/or use of the land for which the facilities are provided.~~
- ~~2.—Kerb and gutter crossings are to be constructed to Council standards. They are to conform to the levels of the road drainage system. In no case is any crossing to obstruct the flow of water along the gutter.~~
- ~~3.—Vehicle crossings over the footpath and gutter crossings may be constructed by Council or a private contractor.~~
- ~~4.—A written application is to be made to Council for approval to construct by private contractor.~~
- ~~5.—Grades of areas to be used by vehicular traffic are to be equal to or below the maximums shown below in accordance with AS 2890.1-2004~~

### **7.1.5.2 Structure Parking**

- ~~1.—Generally, bay sizes, driveways, access, circulation, pedestrian access, drainage and landscaping requirements are to comply with the guidelines described elsewhere in this document, particularly Australian Standard AS 2890.1.~~
- ~~2.—Design specification requirements:~~

<del>Loading</del>	<del>AS 1170 SAA Loading Code</del>
<del>Steel Structure</del>	<del>AS 1250 SAA Steel Structures Code</del>
<del>Concrete Structure</del>	<del>AS 1480 SAA Concrete Structures Code</del>
	<del>AS 1481 SAA Prestressed Concrete Code</del>
<del>Fire Rating</del>	<del>Building Code of Australia</del>
<del>Ventilation</del>	<del>Building Code of Australia</del>

### **7.1.5.3 Access/Egress to Streets**

- ~~1.—The entry and exit requirements for parking areas may vary in relation to:
  - ~~- the size of vehicles likely to enter the proposed development,~~
  - ~~- the volume of traffic on the streets serving the proposed development,~~
  - ~~- the volume of traffic generated by the proposed development.~~~~
- ~~2.—The standards recommended by the NSW Roads and Maritime Services for traffic generating developments are adopted for the purpose of this Plan.~~
- ~~3.—Gradients of ramps and access driveways should be in accordance with Australia Standard AS 2890.1.~~
- ~~4.—Parking areas are to be designed to enable egress to the street in a forward direction.~~

## **Appendices**

### **Appendix A**

#### **List of Centres referred to under clause 7.1.2.6**

#### **Areas where a Contribution Plan exists for the payment of a s94 contribution in lieu of the provision of on-site parking**

Avoca Beach

East Gosford  
 Ettalong  
 Terrigal  
 Umina  
 Woy Woy

## Appendix B

### List of Centres referred to in Schedule under clause 7.1.3.2

<del>Centre</del>	<del>Land Zoned B1 Neighbourhood Centre or B2 Local Centre located:</del>
<del>Avoca Beach</del>	<del>in the vicinity of Avoca Drive and Ficus Avenue</del>
<del>Copacabana</del>	<del>at Del Monte Place and Pampas Avenue</del>
<del>Daleys Point</del>	<del>at Empire Bay Drive and Peridon Avenue</del>
<del>East Gosford</del>	<del>south of Althorpe Street</del>
<del>Erina</del>	<del>within the main building known as Central Coast Fair</del>
<del>Ettalong</del>	<del>at Ocean View Drive, Memorial Avenue, Picnic Parade</del>
<del>Forresters Beach</del>	<del>adjacent to Forresters Beach Road</del>
<del>Green Point</del>	<del>at Avoca Drive, Bayside Avenue, Orana Street</del>
<del>Kincumber</del>	<del>at Avoca Drive, Bungoona Road</del>
<del>Niagara Park</del>	<del>at Washington Avenue</del>
<del>Saratoga</del>	<del>at Village Road</del>
<del>Terrigal</del>	<del>in the vicinity of The Esplanade, Church Street, Campbell Street</del>
<del>Umina</del>	<del>in the vicinity of West Street</del>
<del>Wamberal</del>	<del>in the vicinity of The Entrance Road, Ghersi Avenue</del>
<del>West Gosford</del>	<del>at Brisbane Water Drive</del>
<del>Woy Woy</del>	<del>at Blackwall Road and in the vicinity of Deepwater Plaza</del>
<del>Wyoming</del>	<del>at the Pacific Highway, Renwick Street, Kinarra Avenue</del>
<del>Gosford</del>	<del>land within the B3 Commercial Core and B4 Mixed Use Zone</del>

## Appendix C

### Classes of Bicycle Parking Facility referred to under clause 7.1.3.3

<del>Facility class</del>	<del>Security arrangements</del>	<del>Surveillance</del>	<del>Application</del>
<del>1</del>	<del>Bicycles are stored in a completely enclosed individual locker such that the bicycle is protected from and hidden from view. A unique key is provided.</del>	<del>Direct surveillance is not normally required but lockers should be located in a reasonably well lit public place to deter vandalism.</del>	<del>All day parking where owner continues on to a remote location eg as a public transport commuter. The facility is exposed to the general public and no close surveillance is available.</del>
<del>2</del>	<del>Bicycles are stored in a secure communal compound, protected from the weather but not necessarily from view, and accessed via an attendant or by use of duplicate keys. Compounds have rails or fixtures where bicycles can be secured with the owners lock. Entrance gates are</del>	<del>Where available to the general public or in large workplaces or institutions, some level of direct surveillance (Note 1) may be necessary to ensure that there is no theft among users.</del>	<del>All day parking where the owner may continue on to a remote location eg as a public transport commuter; or to a nearby location eg a workplace or school; and some surveillance can be provided so as to ensure satisfactory operation.</del>

	<del>self-closing and self locking.</del>		
<del>3</del>	<del>Bicycles are locked to a support rail to which there is open access. The rail is designed so that it supports the whole bicycle and the frame and both wheels can be locked to it using the owner's own chains and locks.</del>	<del>If to be used as a long-term parking facility, direct surveillance will be required (Note 1). Short-term facilities in well lit and highly visible public places may achieve a reasonable level of security without direct surveillance (Note 2).</del>	<del>Short-term parking on-street or off-street at eg shopping centres without direct surveillance, or for longer-term parking at eg workplaces or schools, where direct surveillance is provided.</del>

- ~~Notes:~~
- ~~1. Direct surveillance means either constant surveillance, or at least consistent surveillance at critical times, by an interested person, e.g. a paid attendant as part of other regular duties, who has a view of the bicycle parking facility adequate for the purpose.~~
  - ~~2. Wherever practicable, Class 3 facilities should be located where there is some passing pedestrian traffic. This will provide a form of supervision which may reduce the likelihood of theft and vandalism.~~

## **Appendix D**

### **List of plants referred to under clause 7.1.4.4**

#### **Suitable Plants for Landscaping Car Parks**

~~E = Evergreen~~

~~N = Native~~

~~D = Deciduous~~

~~I = Imported~~

#### **Shade Trees**

~~Angophora Floribunda (Rough Bark Apple) 12-20m EN~~  
~~Callistemon Viminalis (Bottlebrush) 3-9m EN~~  
~~Calodendrum Capense (Cape Chestnut) 9-15m EI~~  
~~Celtis Australis (Nettle Tree) 9-15m DI~~  
~~Eucalyptus Botryoides (Mahogany Gum) 12-25m EN~~  
~~Eucalyptus Cladocalyx (Sugar Gum) 15-30m EN~~  
~~Eucalyptus Gummifera (Bloodwood) 12-30m EN~~  
~~Eucalyptus Haemastoma (Scribbly Gum) 9-15m EN~~  
~~Eucalyptus Leucoxydon (Whitewood) 9-15m EN~~  
~~Eucalyptus Mannifera Subsp Maculosa (Red Spotted Gum) 6-18m EN~~  
~~Eucalyptus Robusta (Swamp Mahogany) 9-15m EN~~  
~~Eucalyptus Scoparia (Willow Gum) 9-15m EN~~  
~~Eucalyptus Sideroxydon "Pink" (Pink Flowered Iron Bark) 9-15m EN~~  
~~Fraxinus Oxycarpa (Desert Ash) 9-15m DI~~  
~~Fraxinus "Raywoodii" (Claret Ash) 9-15m DI~~  
~~Gleditsia Triacanthos (Honey Locust) 9-15m DI~~  
~~Sapium Sebifrum (Chinese Tallow) 8m DI~~  
~~Tristania Conferta (Brush Box) 9-30m EN~~  
~~Ulmus Procera (English Elm) 30m DI~~  
~~Ulmus Parvifolia (Chinese Elm) 9m EI~~

#### **Screen Planting**

~~Acacia Fimbriata (Fringed Wattle) 2.5-3.5m EN~~



~~Acacia Floribunda (Gossamer Wattle) 3 – 8 m EN~~  
~~Acacia Howittii (Sticky Wattle) 3 – 8 m EN~~  
~~Acacia Longifolia (Golden Wattle) 4 – 5 m EN~~  
~~Acacia Spectabilis (Mudgee Wattle) 3 m EN~~  
~~Acacia Terminalis (Cedar Wattle) 15m EN~~  
~~Banksia aemula (Wummam Banksia) 3m EN~~  
~~Banksia Ericifolia (Heath Banksia) 2.5 – 4 m EN~~  
~~Banksia Spinulosa (Hairpin Banksia) 1 – 5 m EN~~  
~~Callistemon "Kings Park Special" 3 – 4 m EN~~  
~~Callistemon Salignus (Pine Tips) 2 – 8 m EN~~  
~~Callistemon Viminalis "Dawson River" 5m EN~~  
~~Casuarina Glauca (Swamp Oak) 12m EN~~  
~~Casuarina Torulosa (Forest Oak) 15m EN~~  
~~Dodonea Viscosa (Sticky Hopbush) 2 – 5 m EN~~  
~~Grevillea "Honey Gem"~~  
~~Grevillea "Ivanhoe"~~  
~~Grevillea "Hookeriana"~~  
~~Grevillia "Porinda Blondie"~~  
~~Grevillia "Rosmarinifolia"~~  
~~Hakea Saligna (Willow Leaf Hakea) 3 – 6 m EN~~  
~~Leptospermum Laevigatum (Coastal Tea Tree) 4m EN~~  
~~Leptospermum Petersonii (Lemon Scented Tea Tree) 4m EN~~  
~~Melaleuca Armillaris (Honey Myrtle) 4 – 8m EN~~  
~~Melaleuca Bracteata (Revolution Green) 2m EN~~  
~~Melaleuca Ericifolia (Swamp Paperback) 3 – 5m EN~~  
~~Melaleuca Hypericifolia 4 – 6 m EN~~  
~~Melaleuca Nesophila (Showy Honey Myrtle) 4m EN~~  
~~Pittosporum Undulatum (Sweet Pittosporum) 8m EN~~

### **Ground Covers**

~~Clivea Miniata (Bush or Kaffir Lily)~~  
~~Grevillea "Porinda Royal Mantle"~~  
~~Grevillea Juniperina "Trinerva"~~  
~~Grevillea Laurifolia Laurel Leaf Grevillia~~  
~~Grevillea Obtusiflora "Little Thicket"~~  
~~Grevillea Obtusifolia Gingin Gem~~  
~~Grevillea Gaudichaudii~~  
~~Hardenbergia Violacea (Native Sasparilla)~~  
~~Juniperus Conferta (Shore Juniper)~~  
~~Leptospermum Juniperinum Horizontalis (Prickly Tea Tree)~~  
~~Myoporum Parvifolium (Creeping Boobiella)~~

### **Appendix E**

#### **List of Centres referred to in Schedule under clause 7.1.3.2**

<del>Erina</del>	<del>within the main building known as Central Coast Fair</del>
<del>Gosford</del>	<del>Gosford CBD in B3 and B4 zones</del>
<del>Umina</del>	<del>in the vicinity of West Street</del>
<del>Woy Woy</del>	<del>at Blackwall Road and in the vicinity of Deepwater Plaza</del>

## **7.2 Waste Management**

### **Introduction**

#### **7.2.1 Name of Chapter**

This Chapter is titled Waste Management.

#### **7.2.2 Site Waste Minimisation and Management**

Waste and resource consumption is a major environmental issue and a priority for all levels of government within Australia. This is particularly the case as landfill sites become scarce and the environmental and economic costs of waste generation and disposal rise. Government and society alike are exposed to the issue of managing the increasingly large volumes of waste generated by our society.

Sustainable resource management and waste minimisation has emerged as a priority action area and a key in the quest for Ecologically Sustainable Development (ESD). Critical actions in this regard include the following (moving from most desirable to least desirable):

- avoiding unnecessary resource consumption
- recovering resources for reuse
- recovering resources for recycling or reprocessing
- disposing of residual waste (as a last resort).

The building and construction industry in particular is a major contributor to waste, much of which is still deposited to landfill. The implementation of effective waste minimisation strategies has the potential to significantly reduce these volumes.

Effective waste planning and management can also benefit the builder/developer. Some of the benefits of good waste planning and management include:

- reduced costs
- improved workplace safety
- enhanced public image
- compliance with legislation such as the Protection of the Environment Operation Act 1997 that requires waste to only be transported to a place that can lawfully accept it.

#### **7.2.3 Purpose of this Chapter**

##### **7.2.3.1 Aims**

This Chapter aims to facilitate sustainable waste management within the Gosford Local Government Area in a manner consistent with the principles of ESD.

##### **7.2.3.2 Objectives**

The objectives in pursuit of sustainable waste management include:

##### **Waste minimisation**

- To assist applicants in planning for suitable waste management, through the preparation of a waste management plan.
- To minimise resource requirements and construction waste through reuse and recycling and the efficient selection and use of resources.
- To minimise demolition waste by promoting adaptability in building design and focusing upon end of life deconstruction.
- To encourage building designs, construction and demolition techniques in general which minimise waste generation.
- To maximise reuse and recycling of household waste and industrial/commercial waste.

##### **Waste management**

- To assist applicants in planning for sustainable waste management, through the preparation of a waste management plan.
- To assist applicants to develop systems for waste management that ensure waste is transported and disposed of in a lawful manner.
- To provide guidance in regards to space, storage, steep narrow allotments, amenity and management of waste management facilities.
- To ensure waste management systems are compatible with collection services.
- To minimise risks associated with waste management at all stages of development.

#### **7.2.4 Types of Development Covered**

This Chapter applies to the following types of development that may only be carried out with development consent or a complying development certificate.

- demolition
- construction
- change in use

A Waste Management Plan is required to be submitted to Council for all developments as detailed and in accordance with the Gosford City Council Development Application Guide.

#### **7.2.5 The Development Approval Process**

##### **7.2.5.1 Development that Requires Consent**

When determining a development application under Section 79C of the *Environmental Planning and Assessment Act, 1979* (as amended) (The Act), Council must consider the contents of this Chapter.

Compliance with the minimum provisions herein does not, however, necessarily mean that an application will be approved, as each application will be considered on its merits.

It is accepted that optimum waste minimisation and management will necessitate site specific and sometimes unique solutions. As a result, Council may approve on its merits an application that proposes a variation to the controls, provided it can be demonstrated that the objectives herein will be achieved.

##### **7.2.5.2 Complying Development**

The Council or an accredited certifier must have regard to the provisions of this Chapter in issuing a complying development certificate.

##### **7.2.5.3 Exempt Development**

Preparation of a Waste Management Plan is not required for exempt development (as defined by Council). However, persons carrying out exempt development are encouraged to minimise the generation of waste in the construction and operation of any such use or activity and deal with any waste generated in accordance with the objectives herein.

##### **7.2.5.4 State Significant Development/Major Projects**

The Major Projects State Environmental Planning Policy establishes the Minister (or by delegation the Department of Planning and Infrastructure) as the consent authority for development categorised as Major Projects/State Significant Development.

Council will liaise with the Department of Planning (representing the Minister for Planning and Infrastructure) to ensure appropriate outcomes in respect of waste minimisation and management.

The minimum requirements for such forms of development will be compliance with the aims and objectives of this Chapter.

##### **7.2.5.5 Departures from the Controls of this Chapter**

Council may approve variations to the provisions herein in accordance with the principles of merit-based assessment.

Any request for variation to the provisions must be in writing and comprise part of the application. The request shall clearly demonstrate that:

- the aims and objectives are met, and
- compliance with the relevant provisions is unreasonable or unnecessary in the circumstances of the case.

### **7.2.6 Enforcement**

This Chapter is enforced through the development assessment and approval process of Section 79 of The Act.

Subsequent non-compliance with approvals is pursued under Section 121B, Part 6 of the Act, by way of the issue of relevant orders requiring compliance and subsequent legal action for non-compliance.

### **7.2.7 The Responsible Authority**

Council or an accredited certifier (as defined under the *Environmental Planning and Assessment Amendment Act, 1979*) is responsible for enforcing the observance of the provisions of this Chapter.

### **7.2.8 Use and Interpretation of this Chapter**

This section outlines how to interpret and apply the provisions herein for the planning and designing of site waste minimisation and management.

#### **7.2.8.1 Abbreviations**

A list of abbreviations has been adopted. The relevant abbreviations are detailed below.

<b>BCA</b>	Building Code of Australia
<b>CC</b>	Construction Certificate
<b>DA</b>	Development Application
<b>DCP</b>	Development Control Plan
<b>EPA</b>	Environment Protection Authority
<b>ESD</b>	Ecologically Sustainable Development
<b>GCC</b>	Gosford City Council
<b>LGA</b>	Local Government Area
<b>MGB</b>	Mobile Garbage Bin
<b>MUD</b>	Multi-unit Dwelling
<b>SEE</b>	Statement of Environmental Effects
<b>The Act</b>	Environmental Planning and Assessment Act, 1979 (as amended)
<b>WMP</b>	Waste Management Plan
<b>DECC</b>	Department of Conservation Office of Environment and Heritage

#### **7.2.8.2 Summary Guide to Using This Chapter**

This Chapter shall be generally used as follows:

##### **Read Section 1 - Introduction**

This section provides a background to waste minimisation and management, details aims and objectives of waste minimisation and management associated with local development and the application of the Chapter.

##### **Read Section 2- Submission Requirements**

This section provides specific advice in respect of information to accompany submission of a Development Application (DA) and highlights the requirements of a Waste Management Plan.

##### **Read Section 3 and 4 - Assessment Criteria/Controls**

These sections detail the criteria/controls Council will consider in assessing the adequacy of the Waste Management Plan, in addressing the principles of sustainable waste management. Section 3 details general criteria and controls for all demolition and all constructions, while Section 4 adds



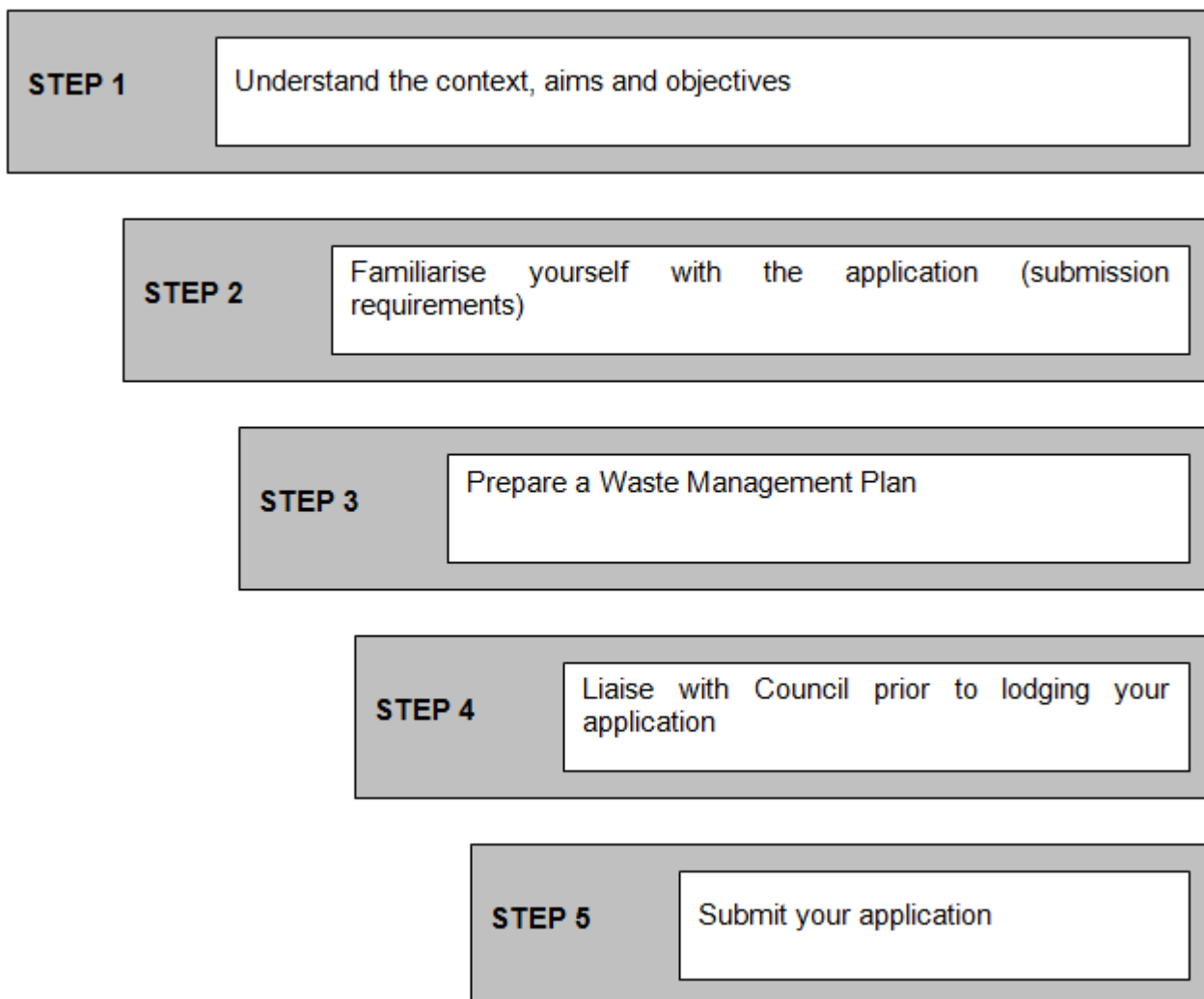
additional criteria and controls for specific types of constructions.

### **Read the Appendices - Further Information**

This section provides useful information in interpreting this Chapter, understanding the waste minimisation and management environment and documenting the central submission requirement – a Waste Management Plan.

#### **7.2.8.3 Steps in the Preparation and Submission of an Application**

The actions involved in preparing and submitting a development application, which satisfactorily addresses waste minimisation and management obligations are summarised in the following chart.



### **Submission/Application Requirements**

#### **7.2.9 Documentation to be Submitted to Comply with the Requirements of this Chapter**

All applications for development, including demolition, construction and the ongoing use of a site/premise, must be accompanied by a Statement of Environmental Effects (SEE). This Statement is to include a WMP as the central document of compliance with this Chapter's requirements.

In addition to submission of a WMP (as part of the SEE), the waste management facilities proposed as part of the development, shall be clearly illustrated on the plans of the proposed development, accompanying the development application (DA).

#### **7.2.10 Waste Management Plans**

A Waste Management Plan (WMP) outlines measures to minimise and manage waste generated during:

- demolition
- construction
- ongoing use of the site/premises.

In doing so, the WMP nominates:

- volume and type of waste and recyclables to be generated
- storage and treatment of waste and recyclables on site
- disposal of residual waste and recyclables
- operational procedures for ongoing waste management once the development is complete.

The WMP highlights the method of recycling or disposal and the waste management service provider.

**Appendix A** provides a template for the compilation of a WMP.

## **7.2.11 Submission of WMP**

### **7.2.11.1 Development Generally**

A WMP must be submitted for all types of development including demolition, construction and ongoing use of the site/premises; including local development, integrated development and state significant/major project development (as defined by the Environmental Planning and Assessment Act and Amendments). More details are required in WMPs for larger and more complex developments. The amount of supporting information and diagrams also increases.

Where a DA is required, with or without the need for a Construction Certificate (CC), a WMP must be submitted at development application stage. Where only a CC is required, a WMP shall be submitted at the construction certificate stage. Maximum waste minimisation and management benefits are achieved when the WMP is considered from the earliest stages of the development. It is for this reason that a WMP is required with the earliest approval application.

### **7.2.11.2 Complying Development**

A Waste Management Plan (WMP) is required for development identified as Complying Development in accordance with Council's adopted Exempt and Complying Development criteria. Site waste minimisation and management must be carried out in accordance with an approved WMP and docket retained on site to show to where any construction and or demolition waste has been transported.

### **7.2.11.3 Exempt Development**

A WMP is not required in association with Exempt Development carried out in accordance with Council's adopted Exempt and Complying Development criteria.

However, a person carrying out exempt development should seek to minimise the generation of waste in the construction and operation of any such use or activity and deal with any waste generated in accordance with the objectives herein.

## **7.2.12 Waste/Recycling Generation Rates**

In the absence of project specific calculations, the rates specified in Appendix B Waste/Recycling Generation Rates and Council's current rate of provision of services to residential properties can be used when compiling a WMP.

## 7.2.13 Demolition of Buildings or Structures

### 7.2.13.1 General

The demolition stage provides great scope for waste minimisation. Proponents are actively encouraged to consider possible adaptive reuse opportunities of existing buildings/structures, reuse of materials or parts thereof.

### 7.2.13.2 Aims

The principal aim of managing this activity is to maximise resource recovery and minimise residual waste from demolition activities.

### 7.2.13.3 Objectives

- Optimise adaptive reuse opportunities of existing building/structures.
- Minimise waste generation.
- Ensure appropriate storage and collection of waste.
- Minimise the environmental impacts associated with waste management.
- Avoid illegal dumping.
- Promote improved project management.

### 7.2.13.4 Controls/Requirements

- A completed Waste Management Plan (WMP) Appendix A shall accompany the demolition application.
- Pursue adaptive reuse opportunities of buildings/structures.
- Identify all waste likely to result from the demolition, and opportunities for reuse of materials. Refer to Table 1.
- Facilitate reuse/recycling by using the process of 'deconstruction', where various materials are carefully dismantled and sorted.
- Reuse or recycle salvaged materials onsite where possible.
- Allocate an area for the storage of materials for use, recycling and disposal (giving consideration to slope, drainage, location of waterways, stormwater outlets, vegetation, truck and operator access and handling requirements).
- Provide separate collection bins or areas for the storage of residual waste.
- Clearly 'signpost' the purpose and content of the bins and storage areas.
- Implement measures to prevent damage by the elements, odour and health risks, and windborne litter.
- Minimise site disturbance, limiting unnecessary excavation.

When implementing the WMP the applicant must ensure:

- Footpaths, public reserves, street gutters are not used as places to store demolition waste or materials of any kind without Council approval.
- Any material moved offsite is transported in accordance with the requirements of the *Protection of the Environment Operations Act 1997*.
- Waste is only transported to a place that can lawfully be used as a waste facility.
- Generation, storage, treatment and disposal of hazardous waste and special waste (including asbestos) is conducted in accordance with relevant waste legislation administered by the EPA and relevant Workplace and Safety legislation administered by SafeWorkNSW.
- Evidence such as weighbridge dockets and invoices for waste disposal or recycling services is retained.

### Note

Materials that have an existing reuse or recycling market should not be disposed of in a landfill. Refer to Council's website or contact Council for details. Figure 1 provides a list of some potential reuse/recycling options. Reuse and recycling opportunities are decreased when asbestos is not carefully removed and segregated from other waste streams.

Material	Reuse/recycling potential
Concrete	Reused for filling, levelling or road base

Bricks and Pavers	Can be cleaned for reuse or rendered over or crushed for use in landscaping and driveways
Roof Tiles	Can be cleaned and reused or crushed for use in landscaping and driveways
Untreated Timber	Reused as floorboards, fencing, furniture, mulched or sent to second hand timber suppliers
Treated Timber	Reused as formwork, bridging, blocking and propping, or sent to second hand timber suppliers
Doors, Windows, Fittings	Sent to second hand suppliers
Glass	Reused as glazing or aggregate for concrete production
Metals (fittings, appliances and wiring)	Removal for recycling
Synthetic Rubber (carpet underlay)	Reprocessed for use in safety devices and speed humps
Significant Trees	Relocated either onsite or offsite
Overburden	Power screened and used as topsoil
Garden Waste	Mulched, composted
Carpet	Can be sent to recyclers or reused in landscaping
Plasterboard	Removal for recycling, return to supplier

**Table 1: Examples of demolition materials and potential reuse/recycling opportunities**  
(based on the Combined Sydney Regional Organisation of Councils Model DCP 1997)

When calculating the tonnages the following conversion table may be used for 1m<sup>3</sup> of material:

One Cubic Metre	Tonnes (Estimate Only)
Excavation Material	1.0
Bricks	1.3
Concrete	2.3
Timber	1.6
Metals	3.0

## 7.2.14 Construction of Buildings or Structures

### 7.2.14.1 General

Attention to design, estimating of materials and waste sensitive construction techniques and management practices can achieve significant rewards in managing waste.

### 7.2.14.2 Aim

The principal aim of managing this activity is to maximise resource recovery and minimise residual waste from demolition activities.

### 7.2.14.3 Objectives

- Maximise reuse and recycling of materials.
- Minimise waste generation.
- Ensure appropriate collection and storage of waste.
- Minimise the environmental impacts associated with waste management.
- Avoid illegal dumping.
- Promote improved project management.
- Optimise adaptive reuse opportunities of existing building/structures.

### 7.2.14.4 Controls/Requirements

- A completed Waste Management Plan WMP shall accompany the application.

### Note

The type of construction determines whether a development application, construction certificate or complying development statement is required. In all cases a WMP must be completed. Maximum



waste minimisation and management benefits are achieved when the WMP is considered from the earliest stages of the development.

- Estimate volumes of materials to be used and incorporate these volumes into a purchasing policy so that the correct quantities are purchased. For small-scale building projects see the rates in the table in Appendix B Waste/Recycling Generation Rates for a guide.
- Identify potential reuse/recycling opportunities of excess construction materials.
- Incorporate the use of prefabricated components and recycled materials.
- Arrange for the delivery of materials so that materials are delivered 'as needed' to prevent the degradation of materials through weathering and moisture damage.
- Consider returning excess materials to the supplier or manufacturer.
- Allocate an area for the storage of materials for use, recycling and disposal (considering slope, drainage, location of waterways, stormwater outlets, truck and operator access and vegetation).
- Arrange contractors for the transport, processing and disposal of waste and recycling. Ensure that all contractors are aware of the legal requirements for disposing of waste.
- Promote separate collection bins or areas for the storage of residual waste.
- Clearly 'signpost' the purpose and content of the bins and storage areas.
- Implement measures to prevent damage by the elements, odour and health risks, and windborne litter.
- Minimise site disturbance and limit unnecessary excavation.
- Ensure that all waste is transported to a place that can lawfully be used as a waste facility.
- Retain all records demonstrating lawful disposal of waste and keep them readily accessible for inspection by regulatory authorities such as council, OEH or WorkCover NSW.

## **7.2.15 Dual Occupancy and Secondary Dwellings**

### **7.2.15.1 General**

The design of waste and recyclables storage areas within the home and property affect ease of use, amenity, the movement and handling of waste for the life of the development.

### **7.2.15.2 Aim**

To encourage source separation of waste, reuse, and recycling by ensuring appropriate storage and collection facilities for waste, and quality design of waste facilities.

### **7.2.15.3 Objectives**

- Maximise reuse and recycling of materials.
- Minimise waste generation.
- Ensure appropriate collection and storage of waste.
- Minimise the environmental impacts associated with waste management.
- Avoid illegal dumping

### **7.2.15.4 Controls/Requirements**

- A completed Waste Management Plan shall accompany the application.

### **Note**

The type of construction determines whether a development application, construction certificate or complying development statement is required. In all cases a WMP must be completed. Maximum waste minimisation and management benefits are achieved when the WMP is considered from the earliest stages of the development.

- Plans submitted with the WMP must show:
  - The location of an onsite waste/recycling storage area for each dwelling, that is of sufficient size to accommodate Council's waste, recycling and garden organic bins having a Council Collection service frequency of once per week. Indicative bin sizes are shown in **Appendix C Indicative Bin Sizes**.
  - An identified kerbside for the collection and emptying of Council's waste, recycling and garden waste bins.
- Waste containers are to be stored in a suitable location so as to avoid vandalism, nuisance and adverse visual impacts.

- Where possible, the waste/recycling storage area should be located in the rear yard or garage and minimise the distance of travel to the collection point.
- The waste storage area is to be easily accessible and have unobstructed access to Council's usual collection point.
- Consideration should be given to providing sufficient space within the kitchen (or an alternate location) for the interim storage of waste and recyclables.
- The placement of bins for collection at the nominated collection point should ensure that adequate traffic, pedestrian safety and access is maintained.

**Note**

It is the responsibility of dwelling occupants to move bins to the identified collection point no earlier than the evening before collection day and return the bins to their storage area no later than the evening of collection day. Bins are to remain in their on-site storage area at all other times.

**7.2.16 Residential Development (Residential Flat Buildings, Multi Dwelling Housing)**

**7.2.16.1 General**

The design of waste and recycling storage areas within the unit and property affects ease of use, amenity, access, movement and handling of waste for the life of the development. Multiple households within the property increase challenges with regard to waste volumes, ease of access and operation of waste sorting and removal systems. Resources such as the Better Practice Guide for Waste Management in Multi-Unit Dwellings (produced by former Department of Environment and Climate Change NSW now NSW Office of Environment and Heritage) may be used to inform design solutions of multi-unit dwellings except for the technical requirements covered by this chapter.

**7.2.16.2 Aim**

To encourage source separation of waste, reuse, and recycling by ensuring appropriate storage, access and collection facilities for waste, and quality design of waste facilities.

**7.2.16.3 Objectives**

- Ensure appropriate waste storage and collection facilities.
- Maximise source separation and recovery of recyclables.
- Ensure waste management systems are as intuitive for occupants as possible and are readily accessible.
- Ensure appropriate resourcing of waste management systems, including satisfactory servicing.
- Minimise risk to health and safety associated with handling and disposal of waste and recycled material, and ensure optimum hygiene.
- Minimise adverse environmental impacts associated with waste management.
- Discourage illegal dumping by providing onsite storage, and removal services.

**7.2.16.4 Controls/Requirements**

- A completed Waste Management Plan WMP shall accompany the development application.
- **Plans submitted with a development application must show:**
  - Consideration of a location of an indoor waste/recycling cupboard (or other appropriate storage space) for each dwelling.
  - The location of individual waste/recycling storage areas (such as for townhouses and villas) or a communal waste/recycling storage room(s) able to accommodate Council's waste, recycling and garden waste bins.
  - The layout of bulk bins within storage areas/rooms including space between the bins. Bulk bins are not to be placed at the kerbside.
  - The location of any garbage chute(s) and interim storage facilities for recyclable materials.
  - The location of any service rooms (for accessing a garbage chute) on each floor of the building.
  - An identified collection point for the collection and emptying of Council's waste, recycling and garden waste bins, for a once a week collection service unless otherwise approved by Council.

- The path of travel for moving bins from the storage area to the identified collection point (if collection is to occur away from the storage area).
- The traced path of travel for collection vehicles (if collection is to occur on-site), taking into account accessibility, width, working height, pavement type and strength and grade. See Appendix H - Waste Management Servicing.
- Systems should be designed to maximise source separation and recovery of recyclables.
- Waste management systems should be designed and operated to prevent the potential risk or injury or illness associated with the collection, storage and disposal of wastes.
- **Residential developments having 18 units or less:**
  - Unless there are special circumstances MGB's will be serviced in line at the kerbside, once per week by a waste truck. Its bin lifting arm is located on the left hand side of the truck.
  - Bin storage area or enclosures are not to be located in basements of buildings 3 storeys or less and are to be located at front of the development and serviced appropriately.
  - The use of mobile bins on an individual or shared basis is determined whether there is sufficient allotment width and kerbside space, number of bins and space between them (approximately 1m for bin and space), driveway width and landscaping. Bin stacking is not permitted. MGB's should be presented at the kerbside provided there is sufficient allotment width and kerbside space available. Allow 1m per bin when calculating space availability. Bin stacking is not permitted.
  - If allotment width and kerbside space is not sufficient then the following options may be available:
    - Shared bins with a twice per week service with bins presented at kerbside by caretaker or residents
    - Shared bins that are serviced by the waste contractor as part of a wheel out and wheel back service
    - The above options must be discussed with Council's Waste Section prior to the lodgement of a development application.
  - If wheel out wheel back service is required the following requirements need to be complied with:

**Table 3: Wheel Out and Wheel Back Criteria**

Issue	Criteria
Distance to enclosure	The enclosure will be within 6m of the front boundary
Slope	Level or up to a 1 to 8 grade
Obstructions	The pathway will be free of obstructions eg overhanging bushes
Indemnity	Where entry within the site is necessary to provide the waste and recycling collection service the owner is required to provide an indemnity to Council and Council's contractors

- Return of Bins
- If mobile bins need to be moved from on-site storage areas to the kerbside for collection purposes, it is the responsibility of the residents or agents of the owners' corporation to move the bins to the collection point no earlier than the evening before collection day and then return the bins to their storage areas no later than the evening of collection day. Bins are to remain in their on-site storage areas at all other times.
- **Residential Developments greater than 18 units:**
  - Waste collection requires an on-site storage point accessible by waste collection vehicle, collection services on a once per week basis.
  - The design of on-site storage collection area or room are to comply with the access and engineering, occupational health and safety requirements of Appendix H - Waste Management Servicing.

The following minimum collection and storage facilities shall be provided:

- Consideration of an indoor waste/recycling cupboard (or other appropriate storage space) for the interim storage of a minimum one day's garbage and recycling generation, in each dwelling.
- Residential Developments must include communal waste/recycling storage facilities designed in accordance with **Appendix D Waste Recycling/Storage Rooms in Multi-Unit Dwellings**
- Residential Developments in the form of townhouses and villas must include either individual waste/recycling storage areas for each dwelling or a communal facility designed in accordance with **Appendix D Waste Recycling/Storage Rooms/Areas in Multi-Unit Dwellings**
- The waste/recycling storage area(s) or room(s) must be of a size that can comfortably accommodate separate garbage, recycling and garden waste containers with the appropriate spacing as required by Appendix D Waste Recycling/Storage Rooms/Areas in Multi-Unit Development.
- Residential Developments over 18 units must provide for bulk bin collection service. All bulk bins are to be stored and serviced within the property.

The following location and design criteria shall apply to collection and storage facilities:

- Townhouse and villa developments with individual waste/recycling storage areas are to be located and designed in a manner which reduces adverse impacts upon neighbouring properties and upon the appearance of the premises.
- Consideration should be given to providing an unobstructed and Continuous Accessible Path of Travel (as per Australian Standard 1428 Design for Access and Mobility - 2001) from the waste/recycling storage area(s) or room(s) to:
  - the entry to any Adaptable Housing (as per Australian Standard 4299 Adaptable Housing - 1995)
  - the principal entrance to each residential flat building
  - the point at which bins are collected/emptied.

In instances where a proposal does not comply with these requirements, Council will consider alternative proposals that seek to achieve a reasonable level of access to waste/recycling storage area(s) or room(s), provided there are no obstructions such as, barrier kerb, steps, grills, columns and the like.

- Communal waste storage areas should have adequate space to accommodate and manoeuvre Council's required number of waste and recycling containers.
- Each service room and storage area must be located for convenient access by users, be well ventilated and well lit.
- Where site characteristics, number of bins and length of unobstructed street frontage allow, bins may be collected from a kerbside location. In instances where kerbside bin collection is not appropriate, bins must be collected onsite. Bins that are collected onsite are to be collected either from their storage point located inside the property boundary and as close as possible to a property entrance.
- Where bins cannot be collected from a kerbside location the development must be designed to allow for on-site access by garbage collection vehicles (of dimensions detailed at **Appendix E Garbage Truck Dimensions for Residential Waste Collection**). In these instances, the site must be configured so as to allow collection vehicles to enter and exit the site in a forward direction and so that collection vehicles do not impede general access to, from or within the site. Access driveways to be used by collection vehicles must be of sufficient strength to support such vehicles. Refer Appendix H - Waste Management Servicing.
- Should a collection vehicle be required to enter a property, access driveways and internal roads must be designed in accordance with Australian Standard 2890.2 Parking Facilities – Off-Street Commercial Vehicle Facilities – 2002, for heavy rigid vehicles.
- If Council waste collectors and/or waste collection vehicles are required to enter a site for the purpose of emptying bins, then site specific arrangements must be in place.
- If mobile bins need to be moved from normal storage areas to the kerbside for collection purposes, it is the responsibility of the residents or agents of the owners' corporation to move

the bins to the collection point no earlier than the evening before collection day and to then return the bins to their storage areas no later than the evening of collection day. Bins are to remain in their on-site storage areas at all other times.

- Residents should have access to a cold water supply for the cleaning of bins and the waste storage areas. Storage areas should be constructed and designed to be weather proof and easy to clean, with wastewater discharged to sewer.
- The design and location of waste storage areas/facilities should be such that they compliment the design of both the development and the surrounding streetscape.
- Developments containing four or more storeys should be provided with a suitable waste storage area for the transfer of waste and recyclables from each storey to waste storage/collection areas.
- Garbage chutes must be designed in accordance with **Appendix F Garbage Chutes**, the Building Code of Australia and Better Practice Guide for Waste Management in Multi-Unit Dwellings (DECC). Garbage chutes are not suitable for recyclable materials and must be clearly labelled to discourage improper use. Alternative interim disposal facilities for recyclables should be provided at each point of access to the garbage chute system.

The following management responsibilities shall be addressed:

- Agents of the owners' corporation must take responsibility for the management of waste and recyclable materials generated upon the site. Arrangements must be in place in regards to the management, maintenance and cleaning of all waste/recycling management facilities.
- Traffic warning devices including mirrors, lights, and signage may need to be installed to reduce the frequency of accidents.
- Internal management must provide for temporary storage areas and the transporting waste/recyclables from one area to another eg lifts, forklifts, tractors, trucks and the like.

## **Indemnity**

Council will require indemnity for all waste collectors and/or waste collection vehicles that are required to enter a site to collect waste. The indemnity will be against claims for loss or damage to the pavement or other driving surface, liabilities, losses, damages and any other demands arising from any on-site collection service. This will be required to be undertaken by the creation of a S88B instrument under The Conveyancing Act, 1946 with all costs being met by the applicant. This is to occur prior to occupation certificate.

## **7.2.17 Commercial Developments and Change of Use (Shops, Offices, Food Premises, Hotels, Motels, Licensed Clubs, Education Establishments, Entertainment Facilities and Hospitals)**

### **7.2.17.1 General**

Council does not provide a commercial collection service. However, a waste management plan is required to be submitted in accordance with the following requirements as of this section. Commercial premises are predominantly serviced by a commercial waste operator although some minor servicing is provided (check with Council). A Waste Management Plan is required.

A range of non-residential uses present an array of unique waste minimisation opportunities and management requirements. Flexibility in size and layout is often required to cater for the different needs of multiple tenants as well as future changes in use.

### **Note**

Storage and disposal of liquid waste, such as oils and chemicals, are not covered by this Waste Management Chapter.

### 7.2.17.2 Aim

To ensure new developments and changes to existing developments are designed to maximise resource recovery (through waste avoidance, source separation and recycling); and to ensure appropriate well-designed storage and collection facilities are accessible to occupants and service providers.

### 7.2.17.3 Objectives

- Ensure appropriate waste storage and collection facilities.
- Maximise source separation and recovery of recyclables.
- Ensure waste management systems are as intuitive for occupants as possible and readily accessible to occupants and service providers.
- Ensure appropriate resourcing of waste management systems, including servicing.
- Minimise risk to health and safety associated with handling and disposal of waste and recycled material and ensure optimum hygiene.
- Minimise adverse environmental impacts associated with waste management.
- Discourage illegal dumping by providing on site storage, and removal services.

### 7.2.17.4 Controls/Requirements

- A completed Waste Management Plan (WMP) shall accompany the application.

#### Note

The nature of the development or change in use will determine whether a development application or construction certificate is required. In all cases a WMP must be completed. Maximum waste minimisation and management benefits are achieved when the WMP is considered from the earliest stages of the development.

- Plans submitted with the WMP must show:
  - The location of the designated waste and recycling storage room(s) or areas, sized to meet the waste and recycling needs of all tenants.
  - The location of temporary waste and recycling storage areas within each tenancy. These are to be of sufficient size to store a minimum of one day's worth of waste.
  - An identified collection point for the collection and emptying of waste, recycling and garden waste bins.
  - An identified collection point for the collection and emptying of waste, recycling and garden waste bins.
  - The path of travel for moving bins from the storage area to the identified collection point (if collection is to occur away from the storage area).
  - The on-site path of travel for collection vehicles (if collection is to occur on-site).
- There must be convenient access from each tenancy to the waste/recycling storage room(s) or area(s). There must be obstruction free access between the point at which bins are collected/emptied and the waste/recycling storage room(s) or area(s).
- All bulk bins are to be stored and collected within the property.
- Every development must include a designated waste/recycling storage area or room(s) (designed in accordance with **Appendix G Commercial/Industrial Waste and Recycling Storage Areas**).
- Depending upon the size and type of the development, it may be necessary to include a separate waste/recycling storage room/area for each tenancy.
- All commercial tenants must keep written evidence on site of a valid contract with a licensed waste contractor for the regular collection and disposal of waste and recyclables that are generated.
- Between collection periods, all waste/recyclable materials generated on site must be kept in enclosed bins with securely fitting lids so the contents don't leak or overflow. Bins must be stored in the designated waste/recycling storage room(s) or area(s).
- Arrangements must be provided in all parts of the development for the separation of recyclable materials from general waste and for their transfer to the main waste/recycling storage room/area. For multiple storey buildings, this might involve the use of a goods lift.



- The waste/recycling storage room/area must be to accommodate bins that are of sufficient volume to contain the quantity of waste generated (at the rate described in **Appendix B Waste/Recycling Generation Rates**) between collections.
- The waste/recycling storage room/area must provide separate containers for the separation of recyclable materials from general waste. Standard and consistent signage on how to use the waste management facilities should be clearly displayed.
- The type and volume of containers used to hold waste and recyclable materials must be compatible with the collection practices of the nominated waste contractor.
- Waste management facilities must be suitably enclosed, covered and maintained so as to prevent polluted wastewater runoff from entering the stormwater system.
- The size and layout of the waste/recycling storage room/area must be capable of accommodating reasonable future changes in use of the development.
- A waste/recycling cupboard must be provided for each and every kitchen area in a development, including kitchen areas in hotel rooms, motel rooms and staff food preparation areas. Each waste/recycling cupboard must be of sufficient size to hold a minimum of a single day's waste and to hold separate containers for general waste and recyclable materials.
- Premises that discharge trade wastewater must do so only in accordance with a written approval from the Gosford City Council. In this regard an application for approval is required to be obtained from Council prior to the commencement of any works. Trade waste water is defined as "any liquid and any substance contained in it, which may be produced at the premises in an industrial and commercial activity, but does not include domestic waste water (eg from hand basins, showers and toilets)."
- Premises which generate at least 50 litres per day of meat, seafood or poultry waste must have that waste collected on a daily basis or must store that waste in a dedicated and refrigerated waste storage area until collection.
- Arrangements must be in place regarding the regular maintenance and cleaning of waste management facilities. Tenants and cleaners must be aware of their obligations in regards to these matters.
- Any garbage chutes must be designed in accordance with the requirements of Appendix F Garbage Chutes, the Building Code of Australia and Better Practice Guide for Waste Management in Multi-Unit Dwellings (DECC). Garbage chutes are not suitable for recyclable materials and must be clearly labelled to discourage improper use.
- Traffic warning devices including mirrors and lights should be considered to reduce the likelihood of accidents occurring.
- Community sharps containers should be installed in appropriate circumstances.

## **7.2.18 Mixed Use Developments (Residential/Non-Residential)**

### **7.2.18.1 General**

Council only provides a residential collection service and does not operate a commercial collection service. The commercial component of the development is required to be submitted in accordance with the following requirements.

Where residential and commercial land uses occur within the one building or development the waste management will necessitate a balancing of variable demands, including preservation of residential amenity.

### **7.2.18.2 Aim**

To ensure new developments and changes to existing development are designed to maximise resource recovery (through waste avoidance, source separation and recycling) and to ensure that appropriate, well-designed storage and collection facilities are accessible to occupants and service providers.

### **7.2.18.3 Objectives**

- Ensure appropriate waste storage and collection facilities.
- Maximise source separation and recovery of recyclables.
- Ensure waste management facilities are safely and easily accessible to occupants and service providers.
- Ensure appropriate resourcing of waste management systems, including servicing.
- Minimise risk to health and safety associated with handling and disposal of waste and recycled material and ensure optimum hygiene.
- Minimise adverse environmental impacts associated with waste management.
- Discourage illegal dumping by providing on site storage, and removal services.

### **7.2.18.4 Controls/Requirements**

A completed Waste Management Plan and Waste Management Strategy shall accompany the application.

The controls at Section 7.2.16 Residential Developments apply to the residential component of mixed-use development must be designed for Council's residential collection service. Private waste contractors are not permitted to collect residential waste.

The controls at Section 7.2.17 Commercial Developments apply to the non-residential component of mixed-use development.

Mixed Use development must incorporate separate and self-contained waste management systems for the residential component and the non-residential component. In particular, the development must incorporate separate waste/recycling storage rooms/areas for the residential and non-residential components. Commercial tenants must be prevented (via signage and other means), from using the residential waste/recycling bins and vice versa.

The residential waste management system and the non-residential waste management system must be designed so that they can efficiently operate without conflict. Conflict may potentially occur between residential and non-residential storage, collection and removal systems, and between these systems and the surrounding land uses. For example, collection vehicles disrupting peak residential and commercial traffic flows or causing noise issues when residents are sleeping.

Separate residential and commercial waste management systems are needed to minimise conflict arising from inappropriate vehicular movement. Servicing waste trucks should operate outside of peak traffic times and not when residents are sleeping.

Separate enclosures are required for commercial and domestic waste to avoid unauthorised usage.

## **7.2.19 Industrial**

### **7.2.19.1 General**

Council does not have an industrial collection service however a waste management plan and waste management strategy is required to be submitted.

Industrial developments typically produce a diverse range of waste products. Some of these waste products may be hazardous and require compliance with established laws/protocols that are additional to this chapter. Other waste products are similar in nature to commercial and domestic waste streams. Mixing waste products limits potential reuse and recycling opportunities and may distribute toxic material through a larger volume of wastes.

### **7.2.19.2 Aim**

To ensure new developments and changes to existing developments are designed to maximise resource recovery (through waste avoidance, source separation and recycling) and to ensure appropriate, well-designed storage and collection facilities are accessible to occupants and service providers.

### **7.2.19.3 Objectives**

- Ensure appropriate waste storage and collection facilities.
- Maximise source separation and recovery of recyclables.
- Ensure waste management facilities are as intuitive for occupants as possible and readily accessible to occupants and service providers.
- Ensure appropriate resourcing of waste management systems, including servicing.
- Minimise risk to health and safety associated with handling and disposal of waste and recycled material and ensure optimum hygiene.
- Minimise adverse environmental impacts associated with waste management.
- Discourage illegal dumping by providing on site storage, and removal services.

### **7.2.19.4 Controls/Requirements**

A completed Waste Management Plan (WMP) shall accompany the application.

- Plans submitted with the WMP must show:
  - The location of designated waste and recycling storage room(s) or areas sized to meet the waste and recycling needs of all tenants. Waste should be separated into at least 4 streams, paper/cardboard, recyclables, general waste, industrial process type wastes.
  - The on-site path of travel for collection vehicles.
  - Evidence of compliance with any specific industrial waste laws/protocols. For example, those related to production, storage and disposal of industrial and hazardous wastes as defined by the Protection of the Environment Operations Act 1997.
  - There must be convenient access from each tenancy and/or larger waste producing area of the development to the waste/recycling storage room(s) or area(s). There must be step-free access between the point at which bins are collected/emptied and the waste/recycling storage room(s) or area(s).
  - Every development must include a designated general waste/recycling storage area or room(s) (designed in accordance with Appendix G Commercial/Industrial Waste & Recycling Storage Areas), as well as designated storage areas for industrial waste streams (designed in accordance with specific waste laws/protocols).
  - Depending upon the size and type of the development, it might need to include separate waste/recycling storage room/area for each tenancy and/or larger waste producing areas.
  - All tenants must keep written evidence on site of a valid contract with a licensed waste contractor for the regular collection and disposal of all the waste streams and recyclables which are generated on site.
  - Between collection periods, all waste/recyclable materials generated on site must be kept in enclosed bins with securely fitted lids so the contents are not able to leak or overflow. Bins must be stored in the designated waste/recycling storage room(s) or area(s).
  - Arrangements must be in place in all parts of the development for the separation of recyclable materials from general waste including the movement of recyclable materials and general waste to the main waste/recycling storage room/area.
  - The waste/recycling storage room/areas must be able to accommodate bins that are of sufficient volume to contain the quantity of waste generated between collections.
  - The type and volume of containers used to hold waste and recyclable materials must be compatible with the collection practices of the nominated waste contractor.
  - Waste management storage rooms/areas must be suitably enclosed, covered and maintained so as to prevent polluted wastewater runoff from entering the stormwater system.
  - A waste/recycling cupboard must be provided for each and every kitchen area in the development. Each waste/recycling cupboard must be of sufficient size to hold a

minimum of a single day's waste and to hold separate containers for general waste and recyclable materials.

- Premises that discharge trade wastewater must do so only in accordance with a written approval from Gosford City Council. In this regard an application for approval is required to be obtained from the Council prior to the commencement of any works. Trade waste water is defined as 'any liquid, and any substance contained in it, which may be produced at the premises in an industrial and commercial activity, but does not include domestic waste water (eg from hand basins, showers and toilets)'.
- Arrangements must be in place regarding the regular maintenance and cleaning of waste management facilities. Tenants and cleaners must be aware of their obligations in regards to these matters.
- Production, storage and disposal of hazardous wastes (such as contaminated or toxic material or products) require particular attention. The appropriate laws and protocols should be observed.

## Appendices

### Appendix A - Waste Management Plan Template

Applicant and Project Details (All Developments)	
Applicant Details	
Application No.	
Name	
Address	
Phone number(s)	
Email	
Project Details	
Address of development	
Existing buildings and other structures currently on the site	
Description of proposed development	
<i>This development achieves the waste objectives set out in the DCP. The details on this form are the provisions and intentions for minimising waste relating to this project. All records demonstrating lawful disposal of waste will be retained and kept readily accessible for inspection by regulatory authorities such as council, OEHL or WorkCover NSW.</i>	
Contact Name (in Block Letters)	
Signature	
Date	

### Demolition (All Types of Developments)

Address of development: \_\_\_\_\_

Refer to Section 7.2.13 of the DCP for objectives regarding demolition waste.

most favourable  least favourable

	Reuse	Recycling	Disposal	
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Type of waste generated	Estimate Volume (m3) or Weight (t)	Estimate Volume (m3) or Weight (t)	Estimate Volume (m3) or Weight (t)	Specify method of on site reuse, contractor and recycling outlet and /or waste depot to be used
Excavation material				
Timber (specify)				
Concrete				
Bricks/pavers				
Tiles				
Metal (specify)				
Glass				
Furniture				
Fixtures and fittings				
Floor coverings				
Packaging (used pallets, pallet wrap)				
Garden organics				
Containers (cans, plastic, glass)				
Paper/cardboard				
Residual waste				
Hazardous/special waste e.g. asbestos (specify)				
Other (specify)				

**Construction (All Types of Developments)**

Address of development: \_\_\_\_\_

Refer to Section 7.2.14 of the DCP for objectives regarding construction

most favourable  least favourable

	Reuse	Recycling	Disposal	
Type of waste generated	Estimate Volume (m3) or Weight (t)	Estimate Volume (m3) or Weight (t)	Estimate Volume (m3) or Weight (t)	Specify method of on site reuse, contractor and recycling outlet and /or waste depot to be used
Excavation material				
Timber (specify)				
Concrete				
Bricks/pavers				
Tiles				
Metal (specify)				
Glass				
Plasterboard (offcuts)				
Fixtures and fittings				
Floor coverings				
Packaging (used pallets, pallet wrap)				
Garden organics				

Containers (cans, plastic, glass)				
Paper/cardboard				
Residual waste				
Hazardous/special waste (specify)				

**Ongoing Operation (Residential, Multi Unit, Commercial, Mixed Use and Industrial)**

Address of development: \_\_\_\_\_

Show the total volume of waste expected to be generated by the development and the associated waste storage requirements.

	Recyclables		Compostables	Residual waste*	Other
	Paper/ cardboard	Metals/ plastics/glass			
Amount generated (L per unit per day)					
Amount generated (L per development per week)					
Any reduction due to compacting equipment					
Frequency of collections (per week)					
Number and size of storage bins required					
Floor area required for storage bins (m2)					
Floor area required for manoeuvrability (m2)					
Height required for manoeuvrability (m)					

\* Current "non-recyclables" waste generation rates typically include food waste that might be further separated for composting.

<b>Construction Design (All Types of Developments)</b>
Outline how measures for waste avoidance have been incorporated into the design, material purchasing and construction techniques of the development (refer to Section 3.2 7.2.14 of the DCP):
Materials
Lifecycle

<b>Detail the appropriate needs for the ongoing use of waste facilities including the transfer of waste between the residents or tenancy units, the servicing of waste location and frequency of waste transfer and collection. If truck access is required then engineering details are required.</b>

**Plans and Drawings (All Developments)**

The following checklists are designed to help ensure WMP are accompanied by sufficient information to allow assessment of the application.

Drawings are to be submitted to scale, clearly indicating the location of and provisions for the storage and collection of waste and recyclables during:

- demolition
- construction
- ongoing operation.

**Demolition**

Refer to Section 7.2.13 of the chapter for specific objectives and measures.  
Do the site plans detail/indicate:

	Tick Yes
Size and location(s) of waste storage area(s)	
Access for waste collection vehicles	
Areas to be excavated	
Types and numbers of storage bins likely to be required	
Signage required to facilitate correct use of storage facilities	

**Construction**

Refer to Section 7.2.15 – 7.2.19 of the chapter for specific objectives and measures.  
Do the site plans detail/indicate:

	Tick Yes
Size and location(s) of waste storage area(s)	
Access for waste collection vehicles	
Areas to be excavated	
Types and numbers of storage bins likely to be required	
Signage required to facilitate correct use of storage facilities	



## Ongoing Operation

Refer to Section 7.2.15 - 7.2.19 of the chapter for specific objectives and measures.

Do the site plans detail/indicate:

	Tick Yes
<b>Space</b>	
Size and location(s) of waste storage areas	
Recycling bins placed next to residual waste bins	
Space provided for access to and the manoeuvring of bins/equipment	
Any additional facilities	
<b>Access</b>	
Access route(s) to deposit waste in storage room/area	
Access route(s) to collect waste from storage room/area	
Bin carting grade not to exceed 10% and travel distance not greater than 100m in length	
Location of final collection point	
Clearance, geometric design and strength of internal access driveways and roads	
Direction of traffic flow for internal access driveways and roads	
<b>Amenity</b>	
Aesthetic design of waste storage areas, including being compatible with the main building/s and adequately screened and visually unobtrusive from the street	
Signage – type and location	
Construction details of storage rooms/areas (including floor, walls, doors, ceiling design, sewer connection, lighting, ventilation, security, wash down provisions, cross & longitudinal section showing clear internal dimensions between engaged piers and other obstructions, etc)	

## Appendix B - Waste/Recycling Generation Rates

### Construction Waste

The following construction waste estimates are applicable for renovations and small home building

- Timber 5-7% of material ordered
- Plasterboard 5-20% of material ordered
- Concrete 3-5% of material ordered
- Bricks 5-10% of material ordered
- Tiles 2-5% of material ordered

Source: Waste Planning Guide for Development Application, Inner Sydney Waste Board, 1998

### Ongoing Operation

Premises type	Waste generation	Recyclable material generation
Multi-Unit Dwelling	120L/unit/week	120L/unit/week
Backpackers' Hostel	40L/occupant space/week	20L/occupant space/week
Boarding House, Guest House	60L/occupant space/week	20L/occupant space/week
Food premises:	80L/100m <sup>2</sup> floor area/day	Variable
Butcher	80L/100m <sup>2</sup> floor area/day	Variable
Delicatessen	80L/100m <sup>2</sup> floor area/day	Variable
Fish Shop	240L/100m <sup>2</sup> floor area/day	120L/100m <sup>2</sup> floor area/day

Greengrocer	10L/1.5m <sup>2</sup> floor area/day	2L/1.5m <sup>2</sup> floor area/day
Restaurant, Café	240L/100m <sup>2</sup> floor area/day	240L/100m <sup>2</sup> floor area/day
Supermarket	80L/100m <sup>2</sup> floor area/day	Variable
Takeaway food shop		
Hairdresser, Beauty Salon	60L/100m <sup>2</sup> floor area/week	Variable
Hotel, Licensed Club, Motel	5L/bed space/day 50L/100m <sup>2</sup> bar area/day 10L/1.5m <sup>2</sup> dining area/day	1L/bed space/day 50L/100m <sup>2</sup> bar area/day 50L/100m <sup>2</sup> dining area/day
Offices	10L/100m <sup>2</sup> floor area/day	10L/100m <sup>2</sup> floor area/day
Shop less than 100m <sup>2</sup> floor area	50L/100m <sup>2</sup> floor area/day	25L/100m <sup>2</sup> floor area/day
Shop greater than 100m <sup>2</sup> floor area	50L/100m <sup>2</sup> floor area/day	50L/100m <sup>2</sup> floor area/day
Showroom	40L/100m <sup>2</sup> floor area/day	10L/100m <sup>2</sup> floor area/day

NOTE: 120L/unit/week is equivalent to 0.12m<sup>3</sup>/unit/week.

Sources: Adapted from *Waverley Council Code for the Storage and Handling of Waste*.

## Appendix C - Indicative Bin Sizes

### MOBILE GARBAGE BINS (MGB's)

Bin Type	Height	Depth	Width
140 Litre Bin	940mm	560mm	485mm
240 Litre Bin	1080mm	735mm	580mm

### BULK BINS

Bin Type	Height	Depth	Width
1.1m <sup>3</sup>	1300mm	1100mm	1200mm
1.5m <sup>3</sup>	1200mm	1300mm	2000mm

These dimensions are only a guide and differ slightly according to manufacturer, if bins have flat or dome lids and are used with different lifting devices.

## Appendix D - Waste Recycling/Storage Rooms/Areas in Residential Developments

### Building Code of Australia

Waste/recycling storage rooms must be constructed in accordance with the requirements of the *Building Code of Australia (BCA)*.

### Location and Appearance

Waste/recycling storage rooms/areas must be integrated into the design of the overall development and such rooms be located behind the front building line. Rooms in a basement location are not permitted in a building of 3 storeys or less. Materials and finishes visible from outside should be similar in style and quality to the external materials used in the rest of the development.

Waste/recycling storage rooms must be located and designed in a manner that reduces adverse impacts upon the inhabitants of any dwellings on the site and upon neighbouring properties. The location and design of the room should minimise adverse impacts associated with:

the proximity of the room to any dwellings

- the visibility of the room
- noise generated by any equipment located within the room
- noise generated by the movement of bins into and out of the room
- noise generated by collection vehicles accessing the site; and
- odours emanating from the room.

## Size

Waste/recycling storage rooms/areas must be of adequate size to comfortably accommodate all waste and recycling bins associated with the development.

## Layout

The gradient of waste/recycling storage rooms/areas floors for servicing purposes must be 3% or less and the gradient of any associated access ramps must be 1.8 or less sufficiently level enabling access for the purpose of emptying containers can occur in accordance with WorkCover and NSW Occupational Health and Safety requirements.

Waste/recycling storage rooms/areas, containers used for the storage of recyclable materials should be kept separate from (but close to) general waste containers — so that the potential for contamination of recyclable materials is minimised.

## Waste Enclosure Requirements for up to 18 Multi-unit Dwellings

Enclosures are to be a maximum dimension of 4m x 2.5m.

The dimensions of the enclosure are based on the following;

- Length = 0.65m x No. of units
- Depth/Width = 1.5m for 1 row and 2.5m for 2 rows between engaged peers or other obstructions within the enclosure

Residential developments up to 6 units may store their bins in their garage or courtyard or provide individual or shared bins in an enclosure.

Residential developments of 7 to 12 units may store their bins in their garage or courtyard or provide individual or shared bins in an enclosure.

Internal resident access to the enclosure shall have a gradient not exceeding 10% and should not exceed 100m in length.

Access between the bin enclosure and the kerbside is to be free of obstructions.

Waste enclosure requirements for Multi-unit Dwellings greater than 18 units:

Enclosure dimensions for the following bulk bin types

Bin Type	Depth/Width	Length
1.1m <sup>3</sup>	1.35 x No. of rows plus No. of 1m corridor spaces	1.45 x No. of bins
1.5m <sup>3</sup>	1.55 x No. of rows plus No. of 1m corridor spaces	2.25 x No. of bins

## Indemnity

Council will require an indemnity against claims for loss or damage to the pavement or other driving surfaces against liabilities, losses, damages and any other demands arising from any on site collection service.

This will be provided prior to the issue of an occupational certificate together with the creation of an instrument.

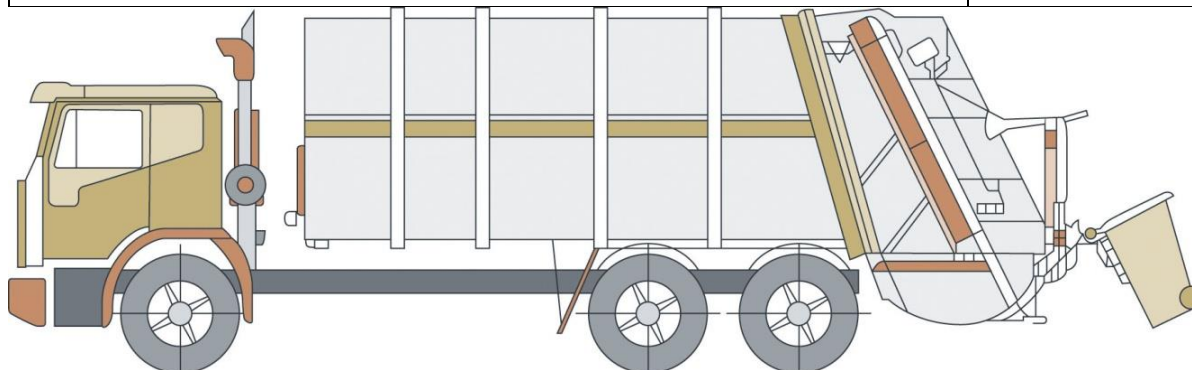
## Appendix E - Garbage Truck Dimensions for Residential Waste Collection

This page includes information regarding the dimensions of garbage trucks that are typically used for the collection of residential waste. Developments that require Council garbage trucks to enter the site for the collection of residential waste must be designed to accommodate on-site truck movement.

Requirements regarding vehicle turning circles and driveway width/gradient are contained in *Australian Standard 2890.2 2002/Planning Facilities — off street commercial vehicles*.

It is recommended that an applicant speak with Council's Waste Services Coordinator in regards to the design of development proposals that involve garbage trucks entering the site. Services will not be provided where there are undue risks and must meet the following truck specifications.

Typical Council Garbage Truck used for Domestic Waste Collection	
Length overall	12.5 metres
Width overall	2.5 metres
Operational height	4.0 metres
Travel height	4.0 metres
Weight (vehicle and load)	22.5 tonnes
Turning Circle	25.0 metres



rearloader garbage truck

*Example of a Council garbage truck*

Source of diagram: Better Practice Guide for Waste Management in Multi-Unit Dwellings, former DECC 2008.

## Appendix F - Garbage Shutes

### Garbage chute design

- Garbage chutes must be constructed in accordance with the requirements of the *Building Code of Australia (BCA)*.
- Garbage chutes must be located and insulated in a manner that reduces noise impacts.
- Chutes, service openings and charging devices must be constructed of material (such as metal) that is smooth, durable, impervious, non-corrosive and fire resistant.
- Chutes, service openings and charging devices must be capable of being easily cleaned.
- Chutes must be cylindrical and should have a diameter of at least 500mm.
- There must not be any bends (or sections of reduced diameter) in the main shaft of the chute.
- Internal overlaps in the chute must follow the direction of waste flow.
- Chutes must deposit rubbish directly into a bin or compactor located within a waste/recycling storage room.
- A cut-off device must be located at or near the base of the chute so that the bottom of the chute can be closed when the bin or compacting device at the bottom of the chute is withdrawn or being replaced.
- The upper end of a chute should extend above the roofline of the building.
- The upper end of a chute should be weather protected in a manner that doesn't impede the upward movement of air out of the chute.

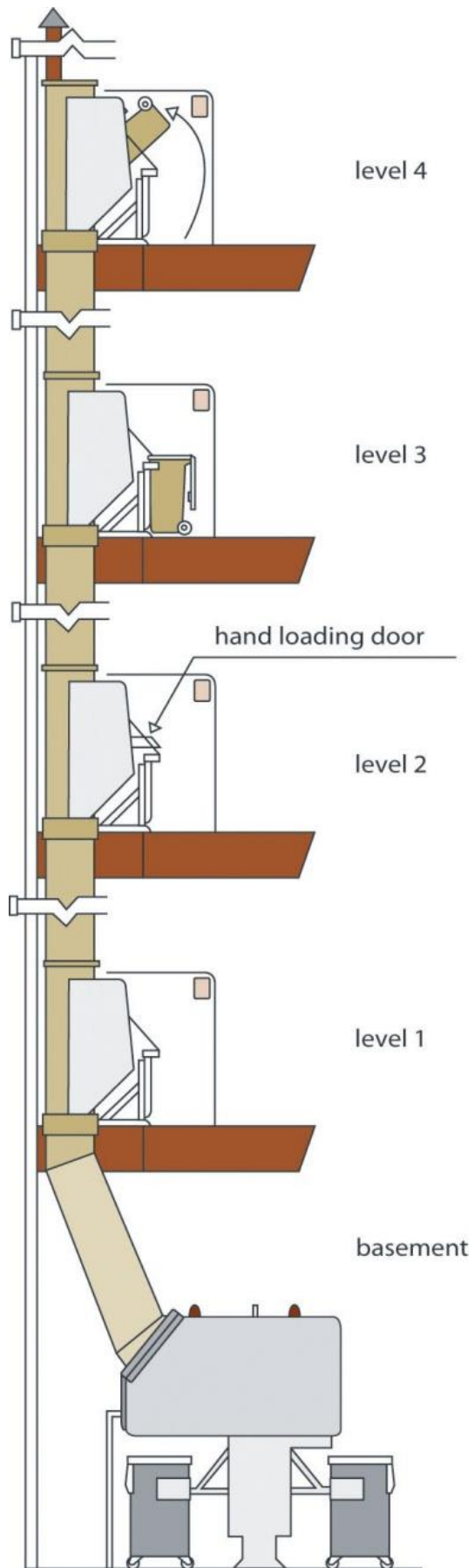
### Garbage chute service room design

- The service opening (for depositing rubbish into the main chute) on each floor of the building must be located in a dedicated service room.
- The charging device for each service opening must be self-closing and must not project into the main chute.
- Branches connecting service openings to the main chute are to be no more than 1m long.

- Each service room must include containers for the storage of recyclable materials. Signage regarding the materials that can be recycled should be displayed near these containers.
- Each service room must be located for convenient access by users and must be well ventilated and well lit.
- The floors, walls and ceilings of service rooms must be finished with smooth, durable materials that are capable of being easily cleaned.
- Service rooms must include signage that clearly describes the types of materials that can be deposited into the garbage chute and the types of materials which should be deposited into recycling bins.

### **Management**

- Garbage chutes are not to be used for the disposal of recyclable materials. Signage to this effect should be displayed near service openings.
- Arrangements must be in place for the regular maintenance and cleaning of garbage chutes and any associated service rooms, service openings and charging devices.
- Arrangements must be in place for the regular transferral of recyclable materials (which are stored in service rooms) to the main waste/recycling storage room.



*Example of a garbage chute system*

Source: *Better Practice Guide for Waste Management in Multi-Unit Dwellings*, former DECC, 2008.

## **Appendix G - Commercial/Industrial Waste and Recycling Storage Areas**

## **Building Code of Australia**

- Waste/recycling storage areas must be constructed in accordance with the requirements of the Building Code of Australia (BCA).

## **Location and appearance**

- Waste/recycling storage areas must be integrated into the design of the overall development. Materials and finishes that are visible from outside should be similar in style and quality to the external materials used in the rest of the development.
- Waste/recycling storage areas must be located and designed in a manner that reduces adverse impacts upon neighbouring properties and the streetscape. The location and design of the areas should minimise adverse impacts associated with:
  - the proximity of the area to dwellings
  - the visibility of the area
  - noise generated by any equipment located within the area
  - noise generated by the movement of bins into and out of the area
  - noise generated by collection vehicles accessing the site; and
  - odours emanating from the area.

## **Size**

- Waste/recycling storage areas must be of adequate size to comfortably accommodate all waste and recycling bins associated with the development.
- Waste/recycling storage areas must be able to accommodate separate general waste bins and recycling bins which are of sufficient volume to contain the quantity of waste generated (at the rate described in **Appendix B**) between collections.

## **Layout**

- The gradient of waste/recycling storage area floors and the gradient of any associated access ramps must be sufficiently level so that access for the purpose of emptying containers can occur in accordance with WorkCover NSW Occupational Health and Safety requirements.
- Within waste/recycling storage areas, containers used for the storage of recyclable materials should be kept separate from (but close to) general waste containers — so that the potential for contamination of recyclable materials is minimised.

## **Access: waste/recycling collection**

- The development must be designed to allow access by collection vehicles used by the nominated waste contractor. Wherever possible, the site must be configured to allow collection vehicles to enter and exit the site in a forward direction and so collection vehicles do not impede general access to, from and within the site. Access driveways to be used by collection vehicles must be of sufficient strength to support such vehicles.
- Servicing arrangements for the emptying of bins must be compatible with the operation of any other loading/unloading facilities on-site.
- Access for the purpose of emptying waste/recycling storage containers must be able to occur in accordance with WorkCover NSW Occupational Health and Safety requirements.

## **Access: general**

- In commercial development, public buildings and industrial development, there must be convenient access from each tenancy to the waste/recycling storage area(s). There must be step-free access between the point at which bins are collected/emptied and the waste/recycling storage area(s).
- Arrangements must be in place so that the waste/recycling storage area is not accessible to the general public.
- Vermin must be prevented from entering the waste/recycling storage area.

## **Surfaces**



- Waste/recycling storage areas must have a smooth, durable floor and must be enclosed with durable walls/fences that extend to the height of any containers which are kept within.

### **Doors/gates**

- Doors/gates to waste/recycling storage areas must be durable. There must be a sign adjacent to the door/gate that indicates that the door/gate is to remain closed when not in use. All doors/gates are to open from both inside and outside the storage area and must be wide enough to allow for the easy passage of waste/recycling containers.

### **Services**

- Waste/recycling storage areas may be serviced by hot and cold water provided through a centralised mixing valve. The hose cock must be protected from the waste containers and must be located in a position that is easily accessible when the area is filled with waste containers.
- The floor must be graded so that any water is directed to a water authority approved drainage connection located upon the site. Prior approval from Council is required before connection to Council's sewer system.

### **Signage**

- Waste/recycling storage areas must include signage that clearly describes the types of materials that can be deposited into recycling bins and general garbage bins.

### **Management**

- Arrangements must be in place for the regular maintenance and cleaning of waste/recycling storage areas. Waste/recycling containers must only be washed in an area which drains to a water authority approved drainage connection. Prior approval from Council is required before connection to Council's sewer system.
- The *Better Practice Guide for Waste Management in Multi-Unit Dwellings* gives detailed information about waste recycling/storage rooms and facilities. The Guide was substantially reviewed in 2007 and is available on the Office of Environment and Heritage NSW website ([www.epa.nsw.gov.au](http://www.epa.nsw.gov.au)). Further updates will be published as further information from social research and waste stream audits becomes available.

## **Appendix H - Waste Management Servicing**

### **Access and Engineering**

In meeting the service requirements for a development greater than 18 units, access and engineering requirements will be met by adopting the Australian Standards AS2890.1 – 2004 and AS2890.2.2002, as amended.

For developments over 18 units a waste truck will enter and exit a development in a forward manner to service bulk waste and recycling bins from the enclosure. The applicant needs to demonstrate that there is sufficient clearance free of any obstructions including adjacent buildings, overhanging trees and landscaping. The applicant needs to demonstrate that the servicing grades are satisfactory.

### **Indemnity**

Council will require an indemnity against claims for loss or damage to the pavement or other driving surfaces against liabilities, losses, damages and any other demands arising from any on site collection service.

This will be provided prior to the issue of an occupational certificate together with the creation of an instrument.

### **Demonstrating access**

A truck turning template needs to be used to trace the SWEPT truck turning path for a HRV Council truck having a turning radius of 12.5m. The AUSTRROADS template as shown in the figure will enable

this requirement to be achieved.

### **Intermediate collection points**

Intermediate collection points may be needed for larger developments where residents have to walk more than 70m to unload their waste, recyclables or garden organic material. For this to be managed properly, a person such as a janitor or caretaker is required to collect this material and take it to the major servicing area.

Special equipment may be required, in which case qualified staff need to be employed to address OH & S issues e.g. fork lift equipment to lift bins.

### **Uses for the truck turning template**

The traced truck path may also be used for situations such as:

- Entry into/out of the development showing entrance splays, external road, connection etc.
- 3 point turns.
- Truck manoeuvring within a development.
- Cul-de-sac design.

### **Grades**

Gradients must be 3% or less for the following:

- Floor within the enclosure
- For bulk bin roll out pads
- Truck servicing grades comprising a distance of 13m which includes the truck length and the bulk bin manoeuvring area

Ramp gradients will be 1 in 8 or less and meet the requirements of:

- AS2890.2 including bottoming out

### **Internal road widths**

Internal roads will be wide enough to enable cars to pass a HRV servicing waste.

### **Internal road strength**

The internal road will be of industrial road strength capable of withstanding a loading of at least 22.5 tonnes garbage truck.

### **Road surface**

The internal road surface travelled by the waste truck will be of concrete construction to minimise tyre scuffing of a turning waste truck.

### **Vertical height restrictions**

A clear internal vertical height of 4m is required that is free of obstructions including roof piping or electrical wiring, road humps and any other obstructions restricting waste truck movement.

### **Contingency plans**

The applicant will provide written advice on any contingency plans should there be a breakdown of transporting equipment e.g. a replacement fork lift alternatives where internal lifts are provided, garbage chutes etc.

### **Other matters**

Movement of the bulk bins

If bulk bins are to be moved from one area to another then advice on the method of transporting these bins is to be provided e.g. tractor, fork lift, lifts etc

### **Security gates**

If the truck needs to enter the development then truck access through the security gate needs to be arranged with the contractor prior to occupation of the development eg keys or security codes.

### **OH&S Requirements**

In assessing a development application Council has a duty to care in ensuring that OH&S concerns are addressed. Satisfactory planning is needed to minimise the risk of personal injury or damage to public property when addressing common law and regulative standards or policies. Some of these are listed below.

- OH&S Act 2000.
- OH&S Regulations 2000.
- Collection of Domestic Waste - SafeWork Document.
- Council's Integrated Management System (IMS).

Matters relating to safety, health and indemnity considerations included:

### **Satisfactory sight distance**

A satisfactory sight distance is necessary to minimise the potential of injury to pedestrians from contact with on-coming vehicles. Effective sight distance standards need to comply with AS 2890.2.

Some acceptable solutions to minimising risk include introducing:

- Mirrors
- Internal traffic signals
- Effective signage

### **Manoeuvring of bins**

The manual manoeuvring of bins may cause injury if bin lifting is required or excessive heavy bulk bins are pushed/hailed. Some of the acceptable solutions are as follows:

Maximum bulk bin size: The maximum bulk bin size used will be 1.5m<sup>3</sup> or less to minimise personal injury associated with pushing/dragging bulk bins.

Wheel in wheel back service: The standards addressing obstructions, slope and distance need to meet the criteria discussed for 18 units or less.

Lifting of bins: Mechanical bin lifters may need to be used for lifting waste/recyclable mobile bins into the bulk bins.

### **Transporting bulk bins**

The transporting of bulk bins excessive distances or from one level grade to another need to be performed using appropriate equipment e.g. forklift, tractor etc. Where bulk bins are transferred to a different floor level then a special lift may need to be providing and contingency plans provided for any potential breakdown.

### **Health**

Provision for ventilation within a waste enclosure is needed to plan against unsatisfactory waste odours.

### **Indemnity**

Council will require an indemnity against claims for loss or damage to the pavement or other driving surfaces against liabilities, losses, damages and any other demands arising from any on site collection service. This will be provided prior to the issue of an occupational certificate together with the creation of an instrument.

## 7.3 Notification of Development Proposals

### 7.3.1 Introduction

#### 7.3.1.1 Objectives of the Chapter

The aim of this Chapter is to identify requirements for the notification and advertising of development and other applications by:

- enabling potentially affected persons to be notified of development applications and approvals;
- enabling consideration of comments from potentially affected persons;
- assisting Council's, or any other relevant Consent Authority's, assessment of development proposals; and
- identifying the administrative procedures for notification of applications and consents.

#### 7.3.1.2 Application of this Chapter

In circumstances where there may be any inconsistency between the requirements contained in this Chapter and any other, the provisions of this Chapter shall apply.

#### 7.3.1.3 Glossary

**Adjoining property** means land that shares a common property boundary with the subject site.

**Council** means Central Coast Council.

**Consent Authority** has the same meaning in the Environmental Planning and Assessment Act, 1979 (EP&AAct 1979)

**Development Application (DA)** means an application made to a consent authority, generally Council, to enable development to be carried out in accordance with Part IV of the EP&AAct 1979.

**Petition** means a written submission that is signed by three (3) or more people and provides the objectors name and address, whether lodged electronically or in a physical format.

**Submission** means a written response received by Council as a result of the public notification of a Development Application which includes the objectors name and address, whether lodged electronically or in a physical format.

### 7.3.2 Notification of Development Proposals

#### 7.3.2.1 Where these Provisions Apply

The public notification provisions contained in this Chapter apply to:

- development applications for local development including development under s.78A (3)-(6) of the EP&AAct 1979 and
- integrated development under s.91 of the EP&AAct 1979. (except nominated integrated development);
- review of determination' requests under s.82A of the EP&AAct 1979;
- applications for amendments to existing development consents under s.96(1A) and s. 96(2) of the EP&AAct 1979.
- development consents; and
- issuing of complying development certificates by Council.

The Chapter does not apply to development applications for:

- designated development;
- advertised development;

- state significant development and state significant advertised development;
- other advertised development including nominated integrated development.

The above categories of development will be notified in accordance with the relevant provisions of the Environmental Planning and Assessment Regulation 2000 (EP&AR 2000).

### **7.3.2.2 Land Owners to be Notified – General Coverage**

1. Where required by this plan, written notice of a development application received will be sent to the owners of land adjoining the land which is the subject of the application (except where land is held in common ownership with the subject land). This includes persons who own land that share a common property boundary with the site and land directly on the opposite side of a creek, road, pathway or similar thoroughfare.
2. Where adjoining land is within an adjoining Local Government Area (LGA), notification will be sent to the Council of that LGA.
3. Where adjoining or neighbouring land is owned under Strata Title or Community Title, notification shall be sent to the Manager or Secretary of the Owners Corporation or Association. In these cases, it is the responsibility of the Manager or Secretary of the Owners Corporation or Association to make residents aware of the development proposal.
4. The Council will not separately notify the tenants of adjoining or neighbouring land of applications received. However, tenants or any member of the public may make a submission to Council on a development proposal.
5. Where adjoining or neighbouring land is owned by more than one person, a notice to one owner will satisfy the requirements of this Chapter.
6. Notification will be sent to the mailing address details within Council's Name and Address Register.

### **7.3.2.3 Applications Requiring Notification**

1. Notification or advertising will be required for development applications for a development of a type listed in the Notification Table (Appendix A).
2. In instances where a proposed land use is not mentioned in the Notification Table and/or Council is of the opinion a proposal will have little or no environmental impact, public notification will not be required.

### **7.3.2.4 Public Interest Notification**

Where the Council or other consent authority considers that any development application or proposal may impact the amenity of an area or be of significant community interest, the Council or other consent authority may notify surrounding land owners, relevant interest groups, organisations or agencies.

### **7.3.2.5 Form of Notice**

1. The written notice to be forwarded by Council or other consent authority under this Chapter shall contain the following information:
  1. the applicant's name;
  2. the application number;
  3. the description of the land and address to which the application relates including street address and any known and commonly used property name;
  4. a description of the proposal;
  5. the officer dealing with the application or other appropriate contact;
  6. the time within which written submissions will be considered;
  7. an invitation to inspect plans and documents and details of when and where such plans may be inspected; and

2. Development applications that are required to be notified under this policy shall be published on Council's website.

### **7.3.2.6 Exhibition of Applications**

1. Plans, models and any written material submitted with a development application that has been notified will be available for inspection during office hours by any person free of charge for the period identified and from the date of notice.
2. A copy of plans (other than floor plans) will be made available on request subject to payment of the fee established by Council for copying of development application plans and the copyright of the plans being protected.
3. Where a notified development application is accompanied by a written request to justify the contravention of a development standard under cl. 4.6 of the relevant Local Environmental Plan, the written request shall be exhibited with the application and copies made available.

### **7.3.2.7 Form and Timing of Submissions**

1. The period of notice for any development application will be as listed in the Notification Table (Appendix A) or as otherwise specified under the Environmental Planning and Assessment Regulation 2000 (EP&AR 2000) and EP&AAct 1979.
2. Submissions on development applications must be made in writing and lodged with the Council within the period specified in the notice (the exhibition period).
3. Any person may make a written submission within the specified time period. Submissions must clearly state the grounds on which the submission is being made i.e.: the reasons for support or objection to the proposal.
4. Council or other consent authority may provide an extension of time to lodge a submission to a person who requests such extension within the specified time period. Any extension granted will be on the basis that the timing of determination of the development application is not unreasonably affected.
5. Council provides no guarantee that submissions received after the end of the exhibition period will be considered where no extension to the exhibition period has been sought and granted.
6. The preferred method of lodgement of submissions is online via Council's Website at [www.centralcoast.nsw.gov.au](http://www.centralcoast.nsw.gov.au) Use of this method of lodgement enables the publishing of the submission attachment only with the name and personal details on the form not being published. Note that all submissions are published to Council's website.
7. Submissions will also be received by hand or mail.
8. Submissions must be received by 5.00pm on the last day of the notification/submission period.

### **7.3.2.8 Acknowledgement of Receipt of Submissions**

All submissions received within the specified time period that have provided a mailing address, will be acknowledged in writing by Council. In the case of any petition received, only the person identified as the main proponent or the first addressee will be acknowledged.

### **7.3.2.9 Consideration of Submissions**

1. Council will consider all submissions received within the specified period in its assessment of the relevant development application.
2. Anonymous submissions may be given less weight (or no weight) in the consideration of the application.
3. Council will not provide applicants with copies of submissions made by others except as required under the Government Information (Public Access) Act, 2009, and in the prescribed manner.

### **7.3.2.10 Notification of Proposals Amended Prior to Determination**

1. An applicant may amend a development application prior to the determination of the application. In these instances if the original development application was notified or advertised Council will, prior to Council's determination of the development application, readvertise and/or re-notify:
  - those persons previously notified of the original development application;
  - those persons who made submissions to the original development application; and
2. The notification period for an amended development application is the same as the original notification.
3. Irrespective of "a" above, if in the opinion of Council or staff with the appropriate delegated authority the amendments are minor, or will result in no additional impacts, the amendments will not require re-advertisement or re-notification.

### **7.3.2.11 Notice of Determination**

Council will give notice of the determination of an application to each person who made a submission and to the person identified as the main proponent of any petition received.

This notification is in addition to the public notification prescribed in cl.124 and cl.137 of the EP&AR 2000 to confirm the validity of a development consent or a complying development certificate pursuant to s.101 of EP&AAct 1979.

### **7.3.2.12 Request for Review of a Determination**

1. Development Applications Generally

Under s. 82A of the EP&AAct 1979, an applicant may request Council or other consent authority to review its determination of a development application. If Council decides to undertake the review, then it will notify all those persons who were notified of the original application.

*Note: The submission of the s.82A request does not guarantee that the application will be approved. Assessment of the original application and additional information submitted will be based on the merits of the proposal; therefore the original determination may be upheld.*

### **7.3.2.13 Section 96 Applications**

Section 96 of the EP&AAct 1979, provides that Council may, on application being made by the applicant or any other person entitled to act on a consent, subject to and in accordance with the EP&AR 2000, modify the consent if it is satisfied that the proposed modification is of minimal environmental impact, and it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted.

#### **7.3.2.13.1 Examples of the Different Types of Section 96 Modifications**

1. Section 96(1) - Modifications involving minor error, misdescription or miscalculation such as:
  - approved development where dimensions of plans may be incorrect;
  - description of development may be incorrect, such as, "Hairdressing Salon" should have read "Hairdressing and Beauty Salon".
2. Section 96(1A) - Modifications involving minimal environmental impact such as:
  - alterations to room layout for dwelling, dual occupancy, commercial buildings;
  - changes to car parking layout for dual occupancy, residential flat building, and commercial building;
  - minor change to external facade, roofline, window positions, building finishes (including colours).



3. Section 96(2) - Other modifications such as:
  - internal and external alterations which may impact on privacy or solar access to adjoining properties, such as relocation of a courtyard in a dual occupancy;
  - substantial alterations to larger developments, which do not significantly change the development, such as increased floor space to a warehouse;
  - alteration to the number of lots in a subdivision.

### **7.3.2.13.2 Circumstances where Public Notification of Modification Applications is Required**

1. Public notification of applications lodged under s.96(1) is not required.
2. Public notification of applications lodged under s.96(1A) will generally not be required unless Council or staff with the appropriate delegated authority is of the opinion it may impact on an adjoining property and submissions were received to the original application.
3. Public notification of applications lodged under s.96(2) will generally not be required unless Council or staff with the appropriate delegated authority is of the opinion it may impact on an adjoining property and submissions were received to the original application.
4. Where Council considers that notification is necessary, Council will notify any owner of adjoining land.

### **7.3.3 Other Matters**

#### **7.3.3.1 Complying Development Certificates**

Cl. 137 of the EP&AR 2000 prescribes the public notification requirements to confirm the validity of a Complying Development Certificate pursuant to s.101 of the EP&AAct 1979.

When Council issues a Complying Development Certificate, it will notify in accordance with cl.137 of the EP&AR 2000.

#### **7.3.3.2 Advertisement of Consents and Certificates**

Council will publish the following information in a local newspaper and on Council's website on a regular basis:

1. development consents issued;
2. complying development certificates approved by Council; and
3. Building Certificates (s.149A – s.194G EP&AAct 1979) for unauthorised works.

### **Appendix A - Notification Table**

Development within a heritage conservation area Development within a heritage conservation area Type of Notification	Notice in Newspaper	Notice to Adjoining Owners	Submission Period
Advertisements and Advertising Structures on land zoned residential, or on land adjoining land zoned residential	Yes	Yes	14 days
Amusement Centre/Entertainment Facilities	Yes	Yes	14 days
Boarding House	Yes	Yes	21 days
Change of Use in Industrial and Business Zones	No	Yes	N/A
Child Care Centres	Yes	Yes	21 days
Crematoriums/cemeteries	Yes	Yes	14 days

Development within a heritage conservation area Development within a heritage conservation area Type of Notification	Notice in Newspaper	Notice to Adjoining Owners	Submission Period
Commercial Building within a commercial zone	No	No	N/A
Commercial Building Work – new or alterations and additions where adjoining land zoned residential or existing residential development	No	Yes	14 days
Demolition	No	No	N/A
Drug Rehabilitation Facilities	Yes	Yes	21 days
Dual Occupancy – including alterations and additions	Yes	Yes	14 days
Dwelling houses, ancillary development or additions- where setback, site coverage, floor space ratio and building height requirements are complied with.	No	No	N/A
Dwelling houses ancillary development or additions - where setback or site coverage or floor space ratio or building height requirements are not complied with or where in the opinion of Council the proposal may have undue impact on the amenity of surrounding properties	No	Yes	14 days
Educational Establishment excepting proposals in a business, industrial or special use zone	Yes	Yes	21 days
Food and drink premises located on footpaths excepting proposals in a business, industrial or special use zone	Yes	Yes	14 days
Funeral chapel, funeral home excepting proposals in a business, industrial or special use zone	Yes	Yes	14 days
Group Home	Yes	Yes	14 days
<i>Development involving a heritage item</i>	Yes	Yes	14 days
<i>Development within a heritage conservation area</i>	Yes	Yes	14 days
Home Industry, home business	No	Yes	14 days
Hospital if proposed on land zoned residential or land adjoining land zoned residential	Yes	Yes	21 days
Hostel	Yes	Yes	14 days
Industrial Building Work excepting proposals in a business or industrial zone	No	Yes	14 days
Internal Fit Outs/Alterations	No	No	N/A
Land Subdivision– resulting in 1 to 9 lots (except where as a result of approved development)	Yes	Yes	14 days
Land Subdivision– resulting in 10 or more lots (except where as a result of approved development)	Yes	Yes	21 days
Non-residential uses in residential zones	No	Yes	14 days
Place of Public Worship excepting proposals in a business, industrial or special use zone	Yes	Yes	21 days
Private waterfront developments (including jetties, boat ramps etc.)	No	Yes	21 days

Development within a heritage conservation area Development within a heritage conservation area Type of Notification	Notice in Newspaper	Notice to Adjoining Owners	Submission Period
Pub	Yes	Yes	21 days
Residential Flat Building/Multi Dwelling Housing – including alterations and additions	Yes	Yes	21 days
Secondary Dwellings where setback and building height requirements are complied with	No	No	N/A
Secondary Dwellings where setback and building height requirements are not complied with	No	Yes	14 days
Seniors Living	Yes	Yes	21 days
Sex Services Premises & Restricted Premises	Yes	Yes	14 days
Shop-Top Housing	Yes	Yes	21 days
Subdivision of an approved Dual Occupancy	No	No	N/A
Strata Subdivision of Existing Building	No	No	N/A
Telecommunication Facilities	Yes	Yes	14 days
Tourist and visitor accommodation except in a business or special use zones	Yes	Yes	14 days
All other Development	Yes	Yes	14 days

## 7.4 Complying Development Conditions

### 7.4.1 Where this Chapter Applies

This chapter applies to all development that is declared by an Environmental Planning Instrument, applicable to the City of Gosford, to be Complying Development.

A person may carry out Complying Development if the Development is carried out in accordance with a Complying Development Certificate for the land and the provisions of this Chapter.

### 7.4.2 Purpose of this Chapter

The purpose of this chapter is to provide specify conditions applicable to Complying Development Certificates.

### 7.4.3 Objectives

The objectives of this chapter are:

1. To provide specific conditions applicable to the carrying out of Complying Development.
2. To ensure that any Complying Development will comply with all development standards applicable to the development and is consistent with Council's plans and policies.

### 7.4.4 Specific Requirements

#### 7.4.4.1 Before Work Begins

1. Two days before any site works, building or demolition begins, the applicant must forward a *Notice of Work and Appointment of Principal Certifying Authority (Form 7 of the Environmental Planning & Assessment Act Regulations)* to the Council, and inform the adjoining owners in writing that work will commence.
2. Before any site works, building or demolition begins, the applicant must:
  1. notify the Council of the name, address, phone number and licence number of the builder; and
  2. erect a sign at the frontage of the property with the builder's name, licence number, site address and consent number; and
  3. provide a temporary toilet on-site if access to existing toilet facilities is not adequate; and
  4. protect and support any neighbouring land or buildings; and
  5. protect any public land or place from obstruction, inconvenience or damage due to the carrying out of the development; and
  6. prevent any substance from falling onto any public land or place; and
  7. pay any Section 94 contributions if required by a contributions plan applying to the land; and
  8. comply with any other conditions prescribed by the Environmental Planning and Assessment Act Regulations.

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

3. Any structures designed within the Zone of Influence of a Council sewer or water main must be in accordance with Council's Guidelines for Building Over/ Near Sewer and Water Mains.

Where concrete encasement of sewer or water mains is required by the Guidelines, the applicant must have Engineering plans detailing the proposed encasement stamped and approved by Council's Water and Sewer Section prior to the commencement of any work.

4. Any structure designed within the zone of influence of a Council stormwater easement or stormwater line must be in accordance with Council's Guidelines for Building Near Stormwater Easements and Lines.

A structure is not to be erected over any Council stormwater easement or stormwater drainage line.

5. Where sewer is not available, before any site works, building or demolition begins the applicant must obtain approval from Council for any installation, construction or alterations of an on-site sewerage management facility.

#### **7.4.4.2 Site Management**

1. Erosion and Siltation control measures shall be undertaken in respect to any part of the land where the natural surface is disturbed or earthworks are carried out in accordance with the Erosion and Sedimentation Control chapter of this DCP.

Erosion and Sedimentation Control in accordance with the Erosion and Sedimentation Control chapter of this DCP must be in place prior to the commencement of work.

2. The street number of the property is to be prominently displayed in an appropriate location.
3. Water Cycle Management shall be designed and installed in accordance with the Water Cycle Management chapter of this DCP and Council's Water Cycle Management Guidelines.
4. Building materials must not be stored on Council's footpath or grass verges and a suitable sign to this effect should be erected adjacent to the street alignment. No construction work is to take place on the footpath.

#### **7.4.4.3 Drainage**

1. The land surrounding any structures must be graded to divert surface water to the street or Council's drainage system. It must be clear of existing and proposed structures and adjoining premises.
2. Where the gradient of the land restricts the disposal of water to Council's street drainage system or to an inter allotment drainage system, an on-site disposal system is to be provided. For dwellings the system is to be designed by a practising engineer experienced in hydraulics and must cater for a 1:20 AEP storm event. Dwelling additions and outbuildings may be connected to an existing stormwater disposal system where such a system exists on site.

#### **7.4.4.4 Hours of Work**

Any clearing of land, excavation, and/or earthworks, building works, and the delivery of building materials is to be carried out between the following hours of work.

Mondays to Fridays – 7.00am to 6.00pm

Saturdays – 8.00am to 4.00pm

No work is to be carried out on Sundays or Public Holidays.

#### **7.4.4.5 Survey Certificate**

1. The following survey certificates must be given to the Principal Certifying Authority for all single dwelling houses at the following stages:
  1. On completion of the floor slab formwork or footings before concrete is poured, detailing the location of the structure to the boundaries of the site; and
  2. At completion of the lowest floor, confirming that levels are in accordance with the certificate (Levels must relate to the datum on the certificate).
2. The owner of the property is to ensure that any structure is constructed:
  1. to meet the setback requirements of the approved plans; and
  2. to be located within the confines of the lot

#### **7.4.4.6 Site Access**

Where kerb and gutter is already provided:

1. Driveways are to be a minimum of 500mm clear of all drainage structures on the kerb and gutter and are not to interfere with the existing public utilities infrastructure, including Council drainage structures, unless prior approval is obtained from the relevant authority.
2. Driveways are to be sited a minimum of 6 metres from road intersections.
3. All existing levels on the road footpath area are to be maintained and no cut or fill material is to extend beyond the road reserve boundary.
4. Garage floor slab level is to be located at the normal 6 metre building line and must not exceed 1140mm above or 910mm below the existing adjacent top of kerb level. Other building line setbacks will require a driveway design within the property to ensure that the maximum driveway gradient of 1 in 4 is not exceeded and a minimum 2.5m transition in grade is provided.
5. A separate application must be submitted to Gosford City Council for the construction of a vehicular crossing within the road reserve.

#### **7.4.4.7 External Finishes**

The external colours and finishes of the building are to be chosen having due regard to the streetscape and the surrounding natural environment. Dark, lower reflective materials are to be used unless the dominant streetscape dictates the use of lighter colours.

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