

# LOCAL APPROVALS POLICY

## OBJECTIVES

- 1 To provide a fair and reasonable framework for dealing with applications under the Local Government Act 1993.
- 2 To achieve consistency in assessment of applications for approval by specifying the criteria upon which determinations are made.
- 3 To outline Council's procedural requirements in relation to the application process.

This Local Approvals Policy (LAP) may be amended from time to time by Council. Proposed amendments are required to be advertised and exhibited in draft form and any submissions received must be considered by Council before the amended Plan is adopted. Persons using the LAP should ensure that they have the current copy of the Plan including any amendments. If in doubt, please check with Council's Customer Service Centre.

EFFECTIVE: 21 September , 2009



GENERAL MANAGER

CERTIFIED IN ACCORDANCE WITH THE ENVIRONMENTAL PLANNING AND  
ASSESSMENT ACT 1979 AND REGULATIONS

DATE

14/9/09

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## INTRODUCTION

Wyong Shire Council has prepared this Local Approvals Policy to clarify circumstances where an approval must be obtained from Council prior to the carrying out of any of the activities listed in the Table to Section 68 of the Local Government Act 1993 (**refer Attachment 1**).

In this Policy:

“**Approval**” means approval of an activity listed in the Table to Section 68 of the Local Government Act 1993, which should not be confused with any requirement for a “**Development Consent**” issued in accordance with the provisions of the Environmental Planning and Assessment Act 1979.

The purpose of this Policy is to provide for the regulation and approval of activities which may be carried out in the Shire and to specify where exemptions from the need to obtain approval are provided under any Act, the Regulations or Council’s criteria under this Policy.

The Policy also specifies instances where the relevant application for approval can be made as part of Council’s consideration of a development application for the particular landuse. The issue of Development Consent for that application is deemed to also cover the Local Government Act approval.

Whilst certain activities may be exempt from approval under the Local Government Act 1993, they may still require development consent under the Environmental Planning and Assessment Act 1979. Enquiries in this regard should be directed to Council’s Customer Service Centre on 4350 5555.

This Policy is divided into three parts which address the following matters:

### **Part 1: Exemptions**

This part specifies instances where some activities may be carried out without the need to obtain approval of Council under Section 68 of the Local Government Act 1993. Where criteria for an exemption are not specified for a proposed activity **or** an activity proposed would not strictly conform with the exemption criteria, an application for approval is required to be submitted and approved **prior to** the activity being commenced.

A person who fails to obtain prior approval, or who carries out an activity contrary to an approval or criteria for exemption, is guilty of an offence under Section 626 and Section 627 of the Local Government Act 1993.

### **Part 2 : Assessment Criteria for Approvals**

This part lists the criteria Council must take into consideration in determining whether to give or refuse approval of an application under the Local Government Act 1993.

### **Part 3 : Other Matters**

This part covers other matters relating to approvals, including requests for exemption from application fees, Council's procedures for review of applications and of this Policy.



## PART 1 - EXEMPTIONS

### 1.1 General Provisions

The Local Government Act 1993 requires approval to be granted to a range of activities before they may be undertaken. Attachment 1 to this Policy lists the range of activities, under Section 68 of the Act, that require approval.

Certain activities, listed in Schedule 1.2.1 within this section of the Policy, are exempted from obtaining approval by compliance with the criteria specified within an Act or a Regulation. The relevant criteria and the section or clause number is quoted to enable ease of reference to the relevant legislation if required.

Schedule 1.2.2 identifies activities for which no exemptions exist and for which approval **must** be obtained.

Whilst a person may carry out an exempt activity specified in this Part without requiring approval of Council, this does not prevent a person from applying for approval to carry out an exempt activity specified in this Part.

**It is a condition of exemption that the person carrying out an activity specified in this Part must comply with:**

- (i) The relevant exemption circumstances /requirements listed in the Schedule; **and**
- (ii) The relevant performance standards currently prescribed in the Local Government Act 1993 and its Regulations. This includes the Local Government General Regulation 2005, the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 and the Building Code of Australia (BCA).

The exemption criteria in this Policy do not apply where buildings or structures are proposed to be erected over an existing sewer main or any easement. Buildings are to be sited clear of:

- (i) Sewer junction shafts and surcharge gullies;
- (ii) Hot water service overflow pipes; and
- (iii) Waste outlet pipes.

Where any of the following activities necessitate removal of any tree protected under Council's Local Environmental Plan and Development Control Plan 2005 Chapter No. 14 - Tree Management, approval will first need to be obtained for the tree removal. The proposal may need to be altered to retain trees.



## 1.2: SCHEDULES OF EXEMPTIONS (SECTION 158(3) LOCAL GOVERNMENT ACT 1993)

### SCHEDULE 1.2.1: ACTIVITIES EXEMPTED FROM COUNCIL APPROVAL BY AN ACT OR REGULATION

PART A - STRUCTURES OR PLACES OF PUBLIC ENTERTAINMENT	Is an exemption provided by any Act? Criteria?	Is an exemption provided by the Regulations? Which Regulation?	Criteria for exemption under that Regulation?
<p><b>1. Install a manufactured home, moveable dwellings or associated structure on land.</b></p>	<p><b>YES</b> EP&amp;AAct,1979: s.78A.</p> <p><b>(Note: s.78A (3) - (6) of the EP&amp;AAct provide that a person (other than the Crown or a person acting on behalf of the Crown) may, as part of a development application to Council under that Act, seek the required LGAct approval. Council, in issuing the development consent, is taken to have granted the relevant approval. Council may apply provisions of the LGAct to its assessment of the development application and may attach conditions authorised by the LGAct to the development consent. Council may also apply conditions either limiting the timeframe of the approval, or providing that the approval is granted to the applicant only and does not attach to or run with the land to which it applies.)</b></p>	<p><b>YES</b> Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005, Part 2, Division 2, Part 3 Division 2 Subdivision 2</p> <p style="text-align: right;">Clause 74</p> <p style="text-align: right;">Clause 77</p> <p style="text-align: right;">Clause 78</p>	<p><b>If:</b></p> <p>(i) The installation of a relocatable home or associated structure is on a dwelling site within a caravan park as long as it is designed, constructed and installed in accordance with the relevant requirements of Part 4 of the Regulation, or</p> <p>(ii) A caravan, tent or annexe is installed on a dwelling site within a caravan park in accordance with the requirements of Part 5 of the Regulation, or</p> <p>(iii) A campervan is installed on a dwelling site within a caravan park or camp site within a camping ground, or</p> <p>(iv) The installation of not more than 2 caravans, campervans or tents on any land not occupied for more than 2 days at a time and not more than 60 days in any single 12 month period, or</p> <p>(v) The installation of not more than 1 caravan or campervan on land occupied by the owner in connection with the owner's dwelling-house if it is used for habitation only by the owner or the owner's household and is maintained in a safe and healthy condition, or</p> <p>(vi) The installation of a caravan or campervan on pastoral or agricultural land occupied seasonally by persons employed in pastoral or agricultural operations on the land, or</p> <p>(vii) The installation of a caravan, campervan or tent on Crown Reserves or on land that is reserved or dedicated under the <i>Forestry Act, 1916</i>.</p>

PART A - STRUCTURES OR PLACES OF PUBLIC ENTERTAINMENT (Cont'd)	Is an exemption provided by any Act? Criteria?	Is an exemption provided by the Regulations? Which Regulation?	Criteria for exemption under that Regulation?
<p><b>1. Install a manufactured home, moveable dwellings or associated structure on land. (Cont'd)</b></p>	<p>YES EP&amp;AAct,1979: s.78A</p>	<p>YES Local Government (Manufactured Home Estates Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 Part 2 Division 2 Subdivision 2 Clause 9</p>	<p><b>If:</b>            (i) It is designed, constructed and installed on land within an estate in accordance with the requirements of Part 4 of the Regulation; and            (ii) It is not occupied by any person until a certificate of completion has been issued            , Or            (b) the installation of an associated structure on land within a manufactured home estate, so long as it is designed, constructed and installed in accordance with the relevant requirements of Division 4.            (2) An exemption provided for by this clause applies in respect of the installation of a manufactured home only if such installation is carried out by or with the consent of the holder of the approval to operate the manufactured home estate concerned.            (3) An exemption provided for by this clause does not apply to the installation of a manufactured home on flood liable land if the council has notified in writing the holder of the approval to operate the manufactured home estate concerned, before that installation, that the land is flood liable land.            (4) An exemption provided for by this clause does not apply to the installation of manufactured homes, or associated structures, of more than one storey in height.</p>

*Note: Approval under the Local Government Act 1993 is not required in Wyong Shire for Items 1, 2, 3, 4 and 6 below. These activities are approved under the Water Management Act 2000.*

<b>PART B - WATER SUPPLY, SEWERAGE AND STORMWATER DRAINAGE WORK</b>	<b>Is an exemption provided by any Act? Criteria?</b>	<b>Is an exemption provided by the Regulations? Which Regulation?</b>	<b>Criteria for exemption under that Regulation?</b>
<b>1. Carry out water supply work.</b>	<b>YES</b> WMAct 2000 & EP&AAct,1979: s.78A	<b>NO</b>	n/a
<b>2. Draw water from a Council water supply or standpipe or sell water so drawn.</b>	<b>YES</b> WMAct 2000 & EP&AAct,1979: s.78A	<b>NO</b>	n/a
<b>3. Install, alter, disconnect or remove a meter connected to a service pipe.</b>	<b>YES</b> WMAct 2000 & EP&AAct,1979: s.78A	<b>NO</b>	n/a
<b>PART B - WATER SUPPLY, SEWERAGE AND STORMWATER DRAINAGE WORK (Cont'd)</b>	<b>Is an exemption provided by any Act? Criteria?</b>	<b>Is an exemption provided by the Regulations? Which Regulation?</b>	<b>Criteria for exemption under that Regulation?</b>
<b>4. Carry out sewerage work.</b>	<b>YES</b> WMAct 2000 & EP&AAct,1979: s.78A	<b>NO</b>	n/a
<b>5. Carry out stormwater drainage work.</b>	<b>YES</b> EP&AAct,1979: s.78A	<b>NO</b>	n/a
<b>6. Connect a private drain or sewer with a public drain or sewer under the control of a Council or with a drain or sewer which connects with such a public drain or sewer.</b>	<b>YES</b> WMAct 2000 & EP&AAct,1979: s.78A	<b>NO</b>	n/a

PART C - MANAGEMENT OF WASTE	Is an exemption provided by any Act?	Is an exemption provided by the Regulations? Which Regulation?	Criteria for exemption under that Regulation?
1. For fee or reward, transport waste over or under a public place.	YES EP&AAct,1979: s.78A	YES Local Government (General)Regulation Part 2 Division 4 Subdivision 8 Clause 48(a)	<b>If:</b> (i) The activity is liable to be licensed under the <i>Protection of the Environment Operations Act 1997</i> , or (ii) n/a (applies to Sydney metropolitan area) (iii) The waste is being transported through the area of the council and is not being collected or deposited in that area.
2. Place waste in a public place.	YES EP&AAct,1979: s.78A	YES Local Government (General) Regulation Part 2 Division 4 Subdivision 8 Clause 48(b)	<b>If done:</b> In accordance with arrangements instituted by the Council.
3. Place a waste storage container in a public place.	YES EP&AAct,1979: s.78A	NO	
4. Dispose of domestic waste into a sewer of the Council.	YES EP&AAct,1979: s.78A	YES Local Government (General) Regulation Part 2 Division 4 Subdivision 8 Clause 48(c)	<b>If:</b> Septic tank effluent only and if the premises are within a Common Effluent Drainage District declared by the Council.
PART C - MANAGEMENT OF WASTE (Cont'd)	Is an exemption provided by any Act?	Is an exemption provided by the Regulations? Which Regulation?	Criteria for exemption under that Regulation?
5. Install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility.	YES EP&AAct,1979: s.78A	YES Local Government (Approvals) Regulation Part 4 Division 9 Clause 51(e) Local Government (General) Regulation Part 2 Division 4 Subdivision 8 Clause 48(e)	<b>If done:</b> (i) Under the authority of a licence in force under the <i>Protection of the Environment Operations Act 1997</i> , or (ii) In a vessel used for navigation, or (iii) In a motor vehicle registered under the <i>Road Transport (Vehicle Registration) Act 1997</i> that is used primarily for road transport.
6. Operate a system of sewage management (within meaning of Section 68A of the LGAct)	NO	YES Local Government (General) Regulation Part 2 Division 4 Subdivision 8 Clause 48(f)	<b>If done:</b> (i) Under the authority of a licence in force under the <i>Protection of the Environment Operations Act 1997</i> , or (ii) In a vessel used for navigation, or (iii) In a motor vehicle registered under the <i>Road Transport (Vehicle Registration) Act 1997</i> that is used primarily for road transport.

<b>PART D - COMMUNITY LAND</b>	<b>Is an exemption provided by any Act?</b>	<b>Is an exemption provided by the Regulations? Which Regulation?</b>	<b>Criteria for exemption under that Regulation?</b>
1. Engage in a trade or business.	NO	NO	n/a
2. Direct or procure a theatrical, musical or other entertainment for the public.	NO	NO	n/a
3. Construct a temporary enclosure for the purpose of entertainment.	NO	NO	n/a
4. For fee or reward, play a musical instrument or sing.	NO	NO	n/a
5. Set up, operate or use a loudspeaker or sound amplifying device.	NO	YES Local Government (General) Regulation Part 2 Division 4 Subdivision 8 Clause 49	<b>If:</b> It is done in accordance with a notice erected on the land by Council
6. Deliver a public address or hold a religious service or public meeting.	NO	NO	n/a

<b>PART E - PUBLIC ROADS</b>	<b>Is an exemption provided by any Act?</b>	<b>Is an exemption provided by the Regulations? Which Regulation?</b>	<b>Criteria for exemption under that Regulation?</b>
1. Swing or hoist goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway.	YES EP&AAct,1979: s.78A	NO	n/a
2. Expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhang any part of the road or outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road.	NO	NO	n/a

PART F - OTHER ACTIVITIES	Is an exemption provided by any Act?	Is an exemption provided by the Regulations? Which Regulation?	Criteria for exemption under that Regulation?
1. Operate a public carpark.	YES EP&AAct,1979: s.78A	YES Local Government (General) Regulation Part 2 Division 5 Subdivision 3 Clause 66	<b>If:</b> Approval for its erection or operation has been given by Council in relation to another approval or development consent and the carpark complies with any applicable conditions.
2. Operate a caravan park or camping ground.	YES EP&AAct,1979: s.78A	NO	n/a
3 Operate a manufactured home estate.	YES EP&AAct,1979: s.78A	NO	n/a
4. Install a domestic oil or solid fuel heating appliance, other than a portable appliance.	YES EP&AAct,1979: s.78A	YES Local Government (General) Regulation Part 2 Division 5 Subdivision 4 Clause 70	<b>If:</b> Details of the appliance are included in plans and specifications for the relevant building approved under Part 4A of the EP&A Act, 1979
5. Install or operate amusement devices (within the meaning of the Construction Safety Act 1912).	YES EP&AAct,1979: s.78A	NO	n/a

PART F - OTHER ACTIVITIES (Cont'd)	Is an exemption provided by any Act?	Is an exemption provided by the Regulations? Which Regulation?	Criteria for exemption under that Regulation?
<p>6. Install or operate amusement devices prescribed by the regulations under the LGAct 1993 in premises.</p>	<p>NO</p>	<p><b>YES</b>  Local Government (General)  Regulation Part 2 Division 5  Subdivision 4  Clause 71</p> <p>Local Government (Approvals)  Regulation Part 5, Division 5  Clause 78 Local Government  (General)  Regulation Part 2 Division 5  Subdivision 4  Clause 75</p>	<p><b>If:</b>  The device is not required to be registered under the <i>Occupation Health and Safety Regulation 2001</i>.</p> <p>A small amusement device may be installed or operated without the prior approval of Council.</p> <p><b>If:</b>  (i) The ground or other surface on which the device is to be or has been erected is sufficiently firm to sustain the device while it is in operation and is not dangerous because of its slope or irregularity or for any other reason, and  (ii) The device is registered under the <i>Occupation Health and Safety Regulation 2001</i>, and  (iii) The device:  - is to be or has been erected, and  - is to be or is being operated  in accordance with all conditions relating to its erection or operation set out in the current certificate of registration issued for the device under those Regulations, and  (iv) There exists for the device a current log book within the meaning of those Regulations, and  (v) In the case of a device that is to be or is installed in a building, fire egress is not obstructed, and  (vi) There is in force a contract of insurance or indemnity for the device that complies with clause-<del>77</del> 74.</p> <p><b>Small amusement device</b> means an amusement device that is designed primarily for the use of children 12 years of age or under (includes such amusement devices as mini-Ferris wheels, battery operated cars and miniature railways but, in the case of rotating amusement devices, includes only those devices that have a maximum rotation of 14 revolutions per minute).</p>

PART F - OTHER ACTIVITIES (Cont'd)	Is an exemption provided by any Act?	Is an exemption provided by the Regulations? Which Regulation?	Criteria for exemption under that Regulation?
7. Use a standing vehicle or any article for the purpose of selling any article in a public place.	NO	NO	n/a
8. Operate an undertaker's business.	NO	NO	n/a
9. Operate a mortuary.	NO	NO	n/a
10. Carry out an activity prescribed by the regulations or an activity of a class or description prescribed by the regulations.	YES EP&AAct,1979: s.78A	YES Local Government (General) Regulation Part 2 Division 4 Subdivision 8 Clause 48(f)	So much of the operation of a system as is limited to such action carried out: (i) Under the authority of a licence in force under the <i>Protection of the Environment Operations Act 1997</i> , or (ii) In a vessel used for navigation, or (iii) In a motor vehicle registered under the <i>Road Transport (Vehicle Registration) Act 1997</i> that is used primarily for road transport.

## **SCHEDULE 1.2.2: ACTIVITIES FOR WHICH NO EXEMPTIONS EXIST AND FOR WHICH APPROVAL MUST BE OBTAINED**

### **ACTIVITIES FOR WHICH NO EXEMPTIONS EXIST AND FOR WHICH APPROVAL MUST BE OBTAINED**

#### **PART D - COMMUNITY LAND:**

1. Engage in a trade or business.
2. Direct or procure a theatrical, musical or other entertainment for the public.
3. Construct a temporary enclosure for the purpose of entertainment.
4. For fee or reward, play a musical instrument or sing.
6. Deliver a public address or hold a religious service or public meeting.

#### **PART E - PUBLIC ROADS:**

2. Expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhang any part of the road or outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road.

#### **PART F - OTHER ACTIVITIES:**

7. Use a standing vehicle or any article for the purpose of selling any article in a public place.

## PART 2 - ASSESSMENT CRITERIA FOR APPROVALS

### 2.1 Introduction

In its assessment and determination of any application made under the Local Government Act 1993, Council will take into consideration the following criteria as appropriate to the site and the activity being the subject of the application.

### 2.2 Legislative Criteria

All relevant matters prescribed in the Local Government Act 1993 and its associated Regulations, including the Building Code of Australia.

Specific criteria include:

(\*Local Government (General) Regulation, 2005)

2.2.2	<i>Approvals relating to Management of Waste</i>	Clause 31 of LG (General) Regulation 1999
2.2.3	<i>Approval to Operate a System of Sewage Management</i>	Clause 44 of LG (General) Regulation 1999
2.2.4	<i>Approvals relating to Activities on Public Roads</i>	Clause 51 of LG(General) Regulation 1999
2.2.5	<i>Approval to Operate a Public Carpark</i>	Clause 55 of LG (General) Regulation 1999
2.2.6	<i>Approval to Install a Domestic Oil or Solid Fuel Heating Appliance</i>	Clause 68 of LG (General) Regulation 1999
2.2.7	<i>Approvals to Install or Operate an Amusement Device</i>	Clause 73 of LG (General) Regulation 1999

### 2.3 Council Criteria - General

2.3.1 The conditions imposed by any development consent applying to the land.

2.3.2 The extent to which the application is compatible with the public interest in terms of its impact on the following:

- The natural and built environment;
- Public health, safety and convenience;
- Any items of cultural or heritage significance;
- Energy efficiency;
- Odour, noise and lighting impacts; and
- The likely effect of the building or structure on the streetscape and visual appearance of the locality.

2.3.3 Any adopted Council Policy, including those listed below. Where any Council policy has been superseded and/or repealed by the adoption of a Development Control Plan, the relevant principles contained within the Development Control Plan will be applied to assessment of the application for s.68 Approval. Council's officers should be consulted to determine applicable policies:

- Aboriginal Heritage Policy No. A3
- Use of Council Reserves Policy No. C2
- Erosion and Sediment Control from Building Sites Policy No. E1
- Filling of Land Policy No. F3
- Financial Assistance for Sewer/Septic Tank Connection to Private Premises Policy No. F4
- Flood Prone Land Development Policy No. F5
- Operation of Temporary Food Premises Policy No. F6
- Keeping of Animals Policy No. K1
- Landscape Policy No. L1
- Long Term Caravan Parks Policy No. L3
- Outdoor Eating Areas Policy No. O2

## **2.3 Council Criteria – General (Cont’d)**

### **2.3.3 (Cont’d)**

- Potentially Contaminated Land Policy No. P1
- Relatives Accommodation Policy No. R3
- Sporting Fields Policy No. S2
- Trade Waste Disposal Policy No. T2
- Vehicle Access Crossings Policy No. V1
- Water Catchment Areas Development Policy No. W1
- Waterfront Structures Policy No. W2

**2.3.4** Any application for approval made as part of a Development Application in accordance with s.78A (3-6) of the Environmental Planning and Assessment Act 1979 will also be subject to assessment under the provisions of any adopted Development Control Plan.

## **2.4 Council Criteria in relation to Approvals under Part E2 - Street Vendors**

In considering applications for approval to offer goods or articles for sale from a standing vehicle on a public road (includes the footpath) or to expose (whether for sale or otherwise) any article so as to overhang any part of the footpath or road, or outside a shop window, doorway or from an awning overhanging that road, Council shall have regard to the *Guidelines for the Control and Operation of Street Vending* published by the Roads and Traffic Authority in conjunction with the Department of Local Government.

## **2.5 Variations to this Policy**

Where an applicant considers that the Regulations or any standard contained in this Policy, do not make appropriate provision with respect to that activity, or that compliance with any provision of the Regulations or this Policy is unreasonable or unnecessary, they may apply for variation or exemption from these provisions (Section 82 of the Local Government Act 1993).

A written submission specifying the variation or exemption sought for the provision, supported by details of the grounds of objection to that provision, must accompany the application. The objection will then be considered by the Council in determination of the application.

Where the application involves objection to a provision contained in this Policy, it may be determined by Council. However, where the objection relates to Local Government Regulations, it must be forwarded by Council with Council’s recommendation on the matter to the Department of Infrastructure, Planning and Natural Resources / Department of Local Government for the Director General’s concurrence prior to Council’s approval.

The Department of Infrastructure, Planning and Natural Resources / Department of Local Government will apply a fee, which is to be submitted with the application to Council, so that Council can forward the fee with the associated documentation. Council's officers should be consulted to determine the current fee applicable.

## **PART 3 - OTHER MATTERS RELATING TO APPROVALS**

### **3.1 Exemption of Application Fees**

Consideration will be given by Council to the waiving of application fees in relation to community based projects. These may include applications made by non-profit organisations and applications for community facilities, community activities and events, and places of worship. A written request stipulating the reason for waiving of fees is to be submitted with the application.

### **3.2 Reconsideration of Applications**

Where an applicant formally requests Council, under Section 100 of the Local Government Act, to review a determination of an application, the request must be made in writing within 28 days of Council's determination providing justification for Council's review and is to be accompanied by the appropriate fee. Council may review the determination and may confirm or change the determination. The review would be conducted by a higher delegate of the Council, or the Council. The determination of the review is final.

### **3.3 Review of this Policy**

To satisfy the provisions of the Local Government Act 1993, this Policy must be reviewed and a revised version adopted within 12 months of a new Council being elected.

## ATTACHMENT 1 - ACTIVITIES THAT REQUIRE COUNCIL APPROVAL

### PART A - BUILDINGS, TEMPORARY STRUCTURES OR MOVEABLE DWELLINGS

- 1 Install a manufactured home, moveable dwellings or associated structure on land.

### PART B - WATER SUPPLY, SEWERAGE AND STORMWATER DRAINAGE WORK

- 1 Carry out water supply work.
- 2 Draw water from a Council water supply or standpipe.
- 3 Install, alter, disconnect or remove a meter connected to a service pipe.
- 4 Carry out sewerage work.
- 5 Carry out stormwater drainage work.
- 6 Connect a private drain or sewer with a public drain or sewer under the control of a Council or with a drain or sewer which connects with such a public drain or sewer.

**Note:** Approval under the Local Government Act 1993 is not required for activities specified in Item 1, 2, 3, 4 or 6 of Part B in the above table in Wyong Shire. These activities are subject to the provisions of the *Water Management Act 2000*.

### PART C - MANAGEMENT OF WASTE

- 1 For fee or reward, transport waste over or under a public place.
- 2 Place waste in a public place.
- 3 Place a waste storage container in a public place.
- 4 Dispose of waste into a sewer of the Council.
- 5 Install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility.
- 6 Operate a system of sewer management (within the meaning of Section 68A)

### PART D - COMMUNITY LAND

- 1 Engage in a trade or business.
- 2 Direct or procure a theatrical, musical or other entertainment for the public.
- 3 Construct a temporary enclosure for the purpose of entertainment.
- 4 For fee or reward, play a musical instrument or sing.
- 5 Set up, operate or use a loudspeaker or sound amplifying device.
- 6 Deliver a public address or hold a religious service or public meeting.

### PART E - PUBLIC ROADS

- 1 Swing or hoist goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway.
- 2 Expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhang any part of the road or outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road.

### PART F - OTHER ACTIVITIES

- 1 Operate a public carpark.
- 2 Operate a caravan park or camping ground.
- 3 Operate a manufactured home estate.
- 4 Install a domestic oil or solid fuel heating appliance, other than a portable appliance.
- 5 Install or operate amusement devices (within the meaning of the Construction Safety Act 1912).
- 7 Use a standing vehicle or any article for the purpose of selling any article in a public place.
- 10 Carry out an activity prescribed by the regulations or an activity of a class or description prescribed by the regulations.