

# Complying Development Checklist

## Swimming Pools and Spas

(includes fences and gates required under the *Swimming Pools Act 1992*).  
WOOLLAHRA LEP 1995

APPLICANT'S  
CHECK

**COMPLYING DEVELOPMENT CERTIFICATE APPLICATION CHECKLIST**  
THIS CHECKLIST **MUST** BE COMPLETED BY THE APPLICANT

PROPERTY ADDRESS: .....

PROPOSAL: .....

Development is complying development if it satisfies:

- all the provisions listed in "A"; and
- all of the general criteria listed in "B"; and
- all of the complying development criteria listed in "C"

**Note: Satisfaction of the above requires the 'yes' box to be ticked**

A tick or cross must be made in either the 'yes' or 'no' box for each point listed in sections "A", "B" and "C".	To be completed by the applicant		Office Use Only	
	Yes	No	Yes	No
<b>A. Qualifying provisions:</b>				
• the development is not State significant development (as defined in Section 76A (7) of <i>The Environment Planning and Assessment Act 1979</i> ;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• the development is not designated development;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• the granting of a development consent does not require the concurrence of a person other than the Council or the Director-General of National Parks and Wildlife for circumstance specified in Section 79B (3) of <i>The Environmental Planning and Assessment Act 1979</i> ;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• the land is not critical habitat;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• the land is not partly or wholly a wilderness area (within the meaning of the <i>Wilderness Act 1987</i> );	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• the land does not comprise or contain an item of environmental heritage that is: (a) subject to an interim heritage order under the <i>Heritage Act 1977</i> , or that is listed on the State Heritage Register under that Act; or (b) identified as such an item in an environmental planning instrument;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• the land is not identified in Woollahra LEP 1995 as an environmentally sensitive area.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>B. General Criteria – Development is complying development <u>only</u> if:</b>				
• it is development of a kind that is otherwise permissible under the relevant environmental planning instrument which applies to the land;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• the development does not require development consent under the provisions of clause 25D – Development on land identified in Acid Sulphate Soils Planning Map in Woollahra LEP 1995;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	To be completed by the applicant		Office Use Only	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• it complies with the development standards specified for the development in Schedule 2 as listed in the DCP;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• it complies with any other development standards specified for development in any environmental planning instrument applying to the land on which the development is proposed to be carried out (except for the maximum height for dwelling-houses, in which case the standard in this Plan prevails);	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• it does not contravene any condition of a development consent applying to the land;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• it complies with any “deemed-to-satisfy” provisions of the Building Code of Australia relevant to the development;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• it complies with Woollahra Municipal Council’s Code for Building Sites (1991);	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• it will not require the removal, lopping or the cutting of roots greater than the specified diameter of a tree protected by Council’s Tree Preservation Order (TPO). Where complying development involves work which will require the removal, lopping or the cutting of roots of a tree protected by the Tree Preservation Order a complying development certificate must not be issued unless approval for the necessary tree removal, lopping or root cutting has been granted;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• it will not restrict any vehicular or pedestrian access to or from the site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• it is located clear of any sewer main or stormwater main by a minimum distance of 1 metre from the main centre line or the equivalent invert depth of the main, whatever is the greater;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• it will not encroach on any easements;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• a certificate of compliance has been obtained for the development, if required, by Sydney Water;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• no environmental planning instrument applying to the land on which the development is proposed to be carried out states that the adequacy of an acid sulfate soils management plan of the proposed development must be considered before consent can be granted to the development;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• it will not be located on land that is identified by Council or in any environmental planning instrument or development control plan as bushfire prone, flood liable or contaminated land, or land subject to subsidence, slip or erosion;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• it will not be located on land that is a site that has previously been used: - as a service station, - for mining or an extractive industry, or - for waste storage or waste treatment, or - for the manufacture of chemicals, asbestos or asbestos products,  and a notice of completion or remediation work for the proposed use has not been given to the Council in accordance with State Environmental Planning Policy No.55 – Remediation of Land.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>C. Complying Development Criteria - as required by Woollahra DCP Exempt and Complying Development. The proposal is:</b>				
• located within a Residential zone ;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• not a heritage item or located within a heritage conservation area or within the foreshore building line or a potential archaeological site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Yes	No	Yes	No
<b>General and siting requirements:</b>				
▪ there is not more than one pool or spa per allotment;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
▪ the allotment of land is at least 450m <sup>2</sup> in area;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
▪ the pool/spa and associated decks and mechanical equipment is located behind the front setback or side setback where on a corner allotment;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
▪ the outer edge of the coping or any other part of the pools or spa is setback at least 1.5 metres from all boundaries;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
▪ the pool/spa is not located within 3 metres of the drip line of a tree protected by Council's tree preservation order;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
▪ in conjunction with other development on the site, the development complies with the numerical requirements for building footprint, unbuilt upon area and landscaped open space as set out in Council's relevant Residential DCP applying to the land;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
▪ inground swimming pool/spa is not elevated by more than 0.5 metres as measured from the existing ground level to the top of the coping or associated decking;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
▪ the top edge of prefabricated above ground pools and spa does not exceed 1.2 metres in height above existing ground level (excludes concrete pools).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### ▼ Declaration by Applicant

I/we declare to the best of my/our knowledge and belief, that the particulars stated on this checklist are correct in every detail and that the information required has been supplied.

Applicant's Name (Printed) .....

Applicant's Signature .....

Warning: Applicants should be aware that if all the required information is not provided, the complying development application will not be accepted at the Customer Service Centre. Further information will be requested if not initially provided.

### ▼ Privacy notification

The personal details requested on this form are required under the *Environmental Planning and Assessment Act 1979* and will only be used in connection with the requirements of this legislation. Access to this information is restricted to Woollahra Municipal Council officers and other people authorised under the Act. Council is to be regarded as the agency that holds the information. You may make application for access or amendment to information held by Council. You may also request Council to suppress your personal information from a public register.

### ▼ Office Use Only

Additional Comments: (Outstanding information, action required)

.....  
 .....

Is the CDC OK for lodgement? ..... YES  NO   
 (Customer Service Officer)

Full name of Assessing Officer: .....

Assessing Officer's Signature: ..... Date .....