

# State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

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## Subdivision 15 Earthworks, retaining walls and structural support

### 2.29 Specified development

Earthworks and the construction or installation of a retaining wall or other form of structural support is development specified for this code if it is not carried out, constructed or installed on or in a heritage item or a draft heritage item, on a flood control lot or in an environmentally sensitive area.

### 2.30 Development standards

The standards specified for that development are that the development must—

- (a) not be a cut or fill of more than 600mm below or above ground level (existing), and
- (b) be located at least 1m from each lot boundary, and
- (c) if it is carried out, constructed or installed in a heritage conservation area or a draft heritage conservation area—be located in the rear yard, and
- (d) be located at least 40m from a waterbody (natural), and
- (e) not redirect the flow of any surface water or ground water or cause sediment to be transported onto an adjoining property, and
- (f) if it is a retaining wall or structural support for excavation or fill, or a combination of both—
  - (i) be not be more than 600mm high, measured vertically from the base of the development to its uppermost portion, and
  - (ii) be separated from any retaining wall or other structural support on the site by at least 2m, measured horizontally, and
  - (iii) be located at least 1m from any registered easement, sewer main or water main, and
  - (iv) have adequate drainage lines connected to the existing stormwater drainage system for the site, and
- (g) if the fill is more than 150mm deep—not occupy more than 25% of the area of the lot, and
- (h) if the fill is imported to the site—be free of building and other demolition waste, and only contain virgin excavated natural material (VENM) as defined in Part 3 of Schedule 1 to the [Protection of the Environment Operations Act 1997](#), and
- (i) if the land is in a rural or conservation zone—not be fill of more than 100 cubic metres on each lot.

Note.

It is an offence to transport waste to a place other than an appropriate and lawful waste facility (see section 143 of the [Protection of the Environment Operations Act 1997](#)).