

COMMON EXEMPT DEVELOPMENTS

RAINWATER TANKS RETAINING WALLS

Make sure you have the right information before you start.



To undertake any work as exempt development under the *State Environmental Planning Policy (Exempt & Complying Development Codes 2008 - the CODES SEPP)* you must meet all of the:

- **General Requirements for exempt development**, and
- **Development Standards** for each type of development

GENERAL REQUIREMENTS

- ☐ Works must be structurally adequate, meet the deemed-to-satisfy provisions of the BCA, & not cause an existing building to contravene the BCA,
- ☐ Be installed in accordance with manufacturer's specifications
- ☐ Works must not involve the removal or pruning of a tree or other vegetation that requires a permit or approval
- ☐ Works relating to an existing Class 1b or 2-9 building are exempt only if the building has a current fire safety certificate or fire safety statement, or if no fire safety measures are currently implemented, required or proposed.
- ☐ Works must not be on land that is;
 - ☐ A declared area of outstanding biodiversity value, or
 - ☐ a critical habitat, or
 - ☐ part of a wilderness area,
 - ☐ on which there is, an item that is listed on the State Heritage Register or that is subject to an interim heritage order

RAINWATER TANKS (below ground)

- ☐ Is constructed or installed on land in RU1, RU2, RU3, RU4, RU6 or R5
- ☐ Is not constructed or installed on land that is identified on an Acid Sulphate Map as being Class 1-5, and
- ☐ It is not constructed or installed on land that is identified as an environmentally sensitive area.
- ☐ Must be fitted with a first-flush device that causes initial run off rainwater to bypass the tank, and
- ☐ Have a 'rainwater' sign, and
- ☐ Be constructed or installed to prevent mosquitoes breeding in it, and
- ☐ Have an overflow to the existing stormwater that does not discharge to adjoining properties or cause a nuisance
- ☐ If located on or in a heritage item or draft heritage item - be located in the rear yard
- ☐ Pumps must be soundproofed
- ☐ Must not be interconnected with any drinking water supply unless it complies with Council requirements.

(There are some exemptions to the above. Please contact Council if you have any queries)

RAINWATER TANKS (above ground)

- ☐ Not on or in an environmentally sensitive area
- ☐ If it is on land other than RU1, RU2, RU3, RU4, RU6, R5, E2, E3 or E4
 - Not have a capacity more than 10,000L
 - Be located at least 450mm from the boundary if the tank is more than 1.8m above existing ground level
- ☐ If it is on RU1, RU2, RU3, RU4, RU6, R5, E2, E3 or E4, be 10m from the boundary and
- ☐ Be located behind the building line of any road frontage
- ☐ Not rest on the footings of the existing building
- ☐ Not require cut and fill of more than 1m
- ☐ Be fitted with a screened rain head
- ☐ Be fitted with a first flush device
- ☐ Be constructed or installed with inlets and outlets designed to prevent mosquitoes breeding
- ☐ Have an overflow to the existing stormwater that does not discharge to adjoining properties or cause a nuisance
- ☐ Have a 'rainwater' sign
- ☐ If located on or in a heritage item or draft heritage item - be located in the rear yard
- ☐ Pumps must be soundproofed
- ☐ Must not be interconnected with any drinking water supply unless it complies with Council requirements.

Need help?

Council provides building certification services that are flexible and personalised.

If you have any further questions, please contact Council's Planning, Building and Compliance team on 1300 459 689 or mail@cgrc.nsw.gov.au

Disclaimer

Any person using this document must do so on the basis that, not every scenario and issue can be addressed, and discussion with relevant staff at Council should be undertaken. This document is subject to change without notice.

EARTHWORKS, RETAINING WALLS AND STRUCTURAL SUPPORT

- ☐ Not on or in a Heritage Item, draft heritage item, a flood control lot or in an environmentally sensitive area
- ☐ Not be a cut or fill of more than 600mm below or above ground level (existing), and
- ☐ Be located at least 1m from each lot boundary, and
- ☐ 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
- ☐ be located at least 40m from a waterbody (natural), and
- ☐ not redirect the flow of any surface water or ground water or cause sediment to be transported onto an adjoining property, and
- ☐ If it is a retaining wall or structural support for excavation or fill, or a combination of both -
 - Be not more than 600mm high, measured vertically from the base of the development to its uppermost portion, and
 - Be separated from any retaining wall or other structural support on the site by at least 2m, measured horizontally, and
 - Be located at least 1m from any registered easement, sewer main or water main, and
 - Have adequate drainage lines connected to the existing stormwater drainage system for the site and
- ☐ If the fill is more than 150mm deep - not occupy more than 25% of the area of the lot, and
- ☐ 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
- ☐ If the land is in a rural zone - not be fill of more than 100 cubic metres on each lot.



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