

Area E Urban Release Development Code - Section 4.2 Cut and Fill Practice Note

Development Control 1 of Section 4.2 Cut and Fill states:

1. All natural ground levels are to be maintained except where land reforming is necessary to allow the building and approved buildings or structures in which case excavation is limited to the width of the building footprint rather than the width of the site.

For the purpose of the Code the following definitions are provided:

Building footprint is defined as the area of the building to the extent of the edge of the roof line (gutter).

Structures includes but is not limited to driveways, paths, steps, bbq areas, swimming pools, decks, gazebo's, external shade structures, garden sheds, clothes drying areas and the like.

Note: the size and depth of the excavations in association with both the building footprint and 'structures' will be based on a merits assessment.

State Environmental Planning Policy - Exempt and Complying Development Code

Further to the above, applicants are able to cut/fill their site by a further 600mm without requiring consent under the State Environmental Planning Policy - Exempt and Complying Development Code (SEPP E & C) which could be used for the purposes of creating a small yard space, external living spaces, clothes drying and the like.

Under the SEPP E & C there is no limit to the number of 600mm excavations (cut/fill) which can be carried out across the site. Therefore on a sloping block, a series of 600mm excavations and retaining walls could be achieved. This ensures that the scale of excavation is appropriate to a residential allotment by avoiding single deep excavation cuts and large retaining walls that can lead to increased interface and amenity issues including overshadowing, overlooking and drainage. Smaller tiered retaining walls also provide opportunity for landscaping between each of the tiers to further mitigate visual impacts of earthworks. Site modifications should be made in accordance with sound site planning.

