



Landscaping and associated Development



A landscaped area is a part of a site area not taken up by buildings, which is mainly landscaped by way of planting of gardens, lawns, shrubs or trees. It encompasses the private open space (usually the backyard), the gardens, driveways, parking areas and utility areas (clothes line, garden shed). It includes soft, hard and deep soil areas.

Building a new house?

A landscape plan is required with the lodgement of a development application for a new dwelling house. *Ryde Development Control Plan 2014 Part 3.3 Dwelling Houses and Dual Occupancies (attached)* requires new houses to provide:-

- A landscaped front garden, with at least 1 canopy tree with a minimum mature height of 10m. The only paving permitted is the driveway and a pedestrian pathway.
- A deep soil zone within the rear yard, with a minimum measurement of 8m x 8m, which is sufficiently large enough to support at least 1 canopy tree with a mature height of 15m.
- Pathways from the front yard to the back yard (900mm wide) to be provided along one side of the dwelling. No structures are to be provided along this path, i.e. water tanks, air conditioning units.
- Retain natural features on site if possible, i.e. rock formations, watercourses and bushland.
- The new dwelling should be designed and located to enable existing trees on site to be retained.

What is the maximum height of a retaining wall that does not require Council approval?

A retaining wall is a structure constructed to support soil at a slope steeper than can naturally be supported. Retaining walls are primarily designed to support soil (they may also be placed under stress from buildings, footings, vehicle loads and/or wind loads on dividing fencing). Some retaining walls are designed to support only soil and not other contributing factors. Retaining walls may be required during the construction of dwellings, subdivisions of land, erection of dividing fences and/or landscaping purposes.

In certain instances, retaining walls can be erected without Council approval under the *SEPP(Exempt and Complying Development Codes) 2008*. These requirements are as follows:

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

- must not be carried out on a site that is a Heritage Item, Draft Heritage Item, flood affected, or classified as an environmentally sensitive area, and
- be located at least 1m from each lot boundary, 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
- be not be 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



Landscaping and associated Development



- 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
- have adequate drainage lines connected to the existing stormwater drainage system for the site, and
- if it involves fill 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*.

If a retaining wall exceeds the above, approval from Council through lodging a Development Application must be obtained prior to any work commencing. Council's requirements are detailed below.

What are Council's requirements for cut & fill?

One of the Council's objectives is to retain natural ground level and existing landform, and minimise the extent of cut and fill. However, cut and/or fill is sometimes necessary when building, and the following controls apply:

The area under the dwelling footprint may be excavated or filled so long as:

- The topography of the site requires cut and/or fill in order to reasonably accommodate a dwelling
- The depth of excavation is limited to 1200mm
- The amount of fill is limited to a height of 900mm

The areas outside the dwelling footprint may be excavated or filled as long as:

- The depth of excavation is limited to a maximum of 900mm
- The amount of fill is limited to a height of 500mm
- The maximum height of retaining walls are 900mm
- Fill is not placed adjacent to side and rear boundaries (this may have an adverse impact on the privacy of neighbours)
- Fill is not to be placed between the boundary and the wall of a dwelling house and not within areas of overland flow. Please consult Council's Development Engineers if you wish to place fill on land affected by overland flow.

The above requirements apply to cut and fill proposed under a Development Application lodged with Council. In addition to the above, you must also consider *Clause 6.2 Earthworks of Ryde Local Environmental Plan 2014*.

What types of landscaping can I do without Council approval?

Everyday maintenance of your private open space can be done without approval, as can the planting of new trees, shrubs and plants. In addition small aviaries, garden sheds, shade sails, BBQ structures, cubby houses, play equipment, clothes lines, decks, a flag pole, ornamental ponds, cabanas, gazebos, glass houses, outdoor lights, pergolas and paving are permissible without Council consent, but only if you meet the requirements set out in *SEPP (Exempt & Complying Development) 2008*. Examples of some of the development types are listed below.



Landscaping and associated Development



Landscaping Structures (including a garden arch)

- must not be constructed or installed on or in a heritage item or a draft heritage item or on land in a foreshore area, and
- be not higher than 2.1m above ground level (existing), and
- be not wider than 1.5m, and
- be located at least 900mm from each lot boundary, and
- not comprise masonry construction higher than 1m from ground level (existing), and
- if it is constructed or installed in a heritage conservation area or a draft heritage conservation area—be located in the rear yard.

Avaries

- must not be constructed or installed on land in a foreshore area, and
- be for residential uses only, and
- not have a floor area of more than 10m², and
- be not higher than 2.4m above ground level (existing), and
- be located in the rear yard and at least 900mm from each side and rear boundary, and
- have an impervious floor, and
- be constructed or installed so that roofwater is disposed of without causing a nuisance to adjoining owners, and
- if it is comprised of metal components—be constructed of low reflective, factory pre-coloured materials, and
- if it is located on bush fire prone land and is less than 5m from a dwelling—be constructed of non-combustible material and
- there must not be more than 2 developments per lot.

Foul and Poultry Houses

- must not be constructed or installed on or in a heritage item or draft heritage item, or on land in a foreshore area, and
- must be constructed or installed in a low density residential area, and
- must not be not higher than 3m above ground level (existing), and
- not have a floor area of more than 15m², and
- be located in the rear yard, and
- be located at least 3m from each lot boundary, and
- if it houses fowls (including guinea fowls) only - be located at least 4.5m from any dwelling, public hall, school or premises used for the manufacture, preparation, sale or storage of food, and
- if it houses other types of poultry—be located at least 30m from any dwelling, public hall, school or premises used for the manufacture, preparation, sale or storage of food, and
- be enclosed to prevent the escape of poultry, and



Landscaping and associated Development



INFORMATION SHEET

- be constructed or installed so that roofwater is disposed of without causing a nuisance to adjoining owners, and
- to the extent it is comprised of metal components—be constructed of low reflective, factory pre-coloured materials if it is located on land in a residential zone, and
- if it is located on bush fire prone land and is less than 5m from a dwelling—be constructed of non-combustible material, and
- if it is constructed or installed in a heritage conservation area or a draft heritage conservation area—be located in the rear yard, and
- must not be more than 1 development per lot.

Barbecues

- must not have an area of more than 4m², and
- be not higher than 1.8m above ground level (existing), and
- be located behind the building line of any road frontage, and
- be located at least 450mm from each lot boundary, and
- not be used for commercial purposes.

Water Features and Ponds (not pools and spas)

- must not be constructed or installed on or in a heritage item or a draft heritage item, and
- not have a water depth of more than 300mm and if it includes a sump below a water depth of 300mm, the sump must be covered with a bolted or anchored grate that is capable of supporting a weight of 150kg, and
- not have a surface area of more than 10m², and
- if it is constructed or installed in a heritage conservation area or a draft heritage conservation area—be located in the rear yard.

City Of Ryde

This information sheet provides a summary of the landscaping requirements. Any person using this document must do so with the understanding that the information is a guide only, and each application is assessed on its merit. For further details in relation to **landscaping** you can refer to **DCP 2014 Part 3.3 – Dwelling House & Dual Occupancy (attached)** and **SEPP(Exempt & Complying Development Codes) 2008**.

Please note that a comprehensive list of the requirements for lodging a Development Application is available at Council's Customer Service Centre or on Council's Website (www.ryde.nsw.gov.au).

Consultation should be undertaken with Council staff prior to lodgement of any application and prior to commencing any work.

City Of Ryde

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