Container Recycling Equipment in Car Parks – Exempt Development

This Practice Note provides guidance on the application of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (the State Policy) to allow low-impact container recycling equipment as exempt development in car parks.

Introduction

On 14 July 2017, an amendment to the State Policy was made to allow low impact recycling collection infrastructure to be carried out as exempt or complying development to support the Environment Protection Authority's (EPA) Container Deposit Scheme (the Scheme).

The Scheme is being implemented to contribute towards the Premier's Priority for a 40% reduction in litter by 2020.

The purpose of this Practice Note is to provide guidance on the application of the amendment to allow low-impact container recycling equipment as exempt development in car parks.

Container Recycling Equipment in Car Parks

Container recycling equipment means:

- a reverse vending machine (RVM); or
- a container collection cage, or
- a mobile reverse vending machine (RVM)

Container recycling equipment can be carried out in car parks and must meet the relevant development standards in Part 2 Subdivision 12 of the State Policy in order to be carried out as exempt development.

Container recycling equipment can only be installed in car parks with the landowner's consent.

Container recycling equipment must not restrict any vehicular or pedestrian access to or from, or entry to any building on, the land on which the equipment is located.

Area of Container Recycling Equipment

The area occupied by the equipment **must not exceed the greater of the following areas**:

(i)   the area comprising 3 car parking spaces; **or**

(ii) $42m^2$

The equipment can occupy an additional area if the car park provides car parking spaces that exceed the minimum number required under an environmental planning instrument, development control plan or condition of a development consent (in force), provided this additional area also does not exceed the greater of:

(i)   an area comprising not more than 3 of the additional car park spaces, or

(ii) $42m^2$

Additional Requirements for specific Container Recycling Equipment

If it involves the erection of an **RVM**, the machine must not:

- have a floor area of more than $50m^2$; and
- be more than 3m in height, 10m in width or 5m in depth; and
- be erected within 5m of any residential premises; and
- be erected within 2m of any street or right of way.

If it involves the erection of a **container collection cage**, the cage must <u>not</u>:

- have a floor area of more than 15m²; and

- be more than 3m in height; and

- be erected within 2m of any street or right of way.

For full details of the relevant development standards that must be complied with for exempt development, refer to the State Policy at:
https://www.legislation.nsw.gov.au/#/view/EPI/2008/572

Further Information

For further information please call Service NSW on 13 77 88 or email codes@planning.nsw.gov.au.

Department of Planning and Environment circulars are available from planning.nsw.gov.au/circulars

Authorised by:

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