

9.4.3 Excavation and filling code

9.4.3.1 Application

This code applies to:

- (1) accepted development subject to requirements and assessable development identified as requiring assessment against the Excavation and filling code in the tables of assessment in Part 5 of this Planning Scheme; and
- (2) all impact assessable development not specifically identified in the level of assessment tables in Part 5 of this Planning Scheme.

When using this code, reference should be made to section 5.3.2 and, where applicable, section 5.3.3, in Part 5.

9.4.3.2 Purpose

The purpose of the Excavation and filling code is to ensure that

- (1) disturbance to the soil surface is appropriately managed to minimise erosion and
- (2) changed patterns of run off and stormwater and
- (3) development is in character with the surrounding area and
- (4) the site is fully rehabilitated.

The purpose of this code will be achieved through the following overall outcomes:

- (1) Filling and excavation does not adversely or unreasonably impact on the natural environment or adjoining properties.
- (2) Filling and excavation limits or minimises the amount of site disturbance;
- (3) Filling and excavation do not result in any contamination of land;
- (4) Filling and excavation do not result in erosion of land and sedimentation of watercourses;
- (5) Development controls runoff and sediment movement and does not cause an increase in flooding or drainage problems;
- (6) Sites are appropriately rehabilitated once filling and excavation is completed;
- (7) Filling and excavation does not cause land instability, or create hazards for the environment, persons or property on the subject site or adjoining sites; and
- (8) Development does not adversely impact on visual character or amenity values.

9.4.3.3 Assessment benchmarks

Table 9.4.3.1 – Excavation and filling code:

- Assessment benchmarks for assessable development and
- Requirements for accepted development

Performance outcomes	Acceptable outcomes
Contamination	
<p>PO 1 Excavation or filling does not result in contamination of land or waters.</p>	<p>AO 1.1 Development that requires filling ensures that no contaminated material is used.</p> <p>AO 1.2 Development that requires excavation ensures that no contaminated material is disturbed or excavated.</p>
Driveways	
<p>PO 2 Excavation or filling does not prevent or create difficult access to the property</p>	<p>AO 2.1 Driveways are not constructed with a slope of greater than 20 per cent or 1 in 5.</p> <p>AO 2.2 Driveways are constructed and maintained in accordance with the requirements of Schedule 6: Engineering works and services planning scheme policy.</p>
Effect on adjoining land	
<p>PO 3 Excavation or filling does not adversely impact on the privacy or visual amenity of the adjoining or surrounding land.</p>	<p>AO 3.1 Filling does not exceed 0.3 metres above <i>natural ground level</i> at any point.</p>
<p>PO 4 Excavation or filling does not impact drainage paths.</p>	<p>AO 4.1 Excavation or filling does not change existing <i>ground levels</i> by 1 metre or more of any part of the land or where any drainage paths are affected.</p>
<p>PO 5 Excavation or filling does not result in any instability, <i>slopewash</i> or any other effect of un-retained earth material on adjoining or surrounding land.</p>	<p>AO 5.1 Where earthworks result in a ground surface level at the boundary of an allotment which differs by more than 100 millimetres from the ground surface level at the corresponding location on an <i>adjoining lot</i>, a retaining structure is to be provided, either to retain the new work to prevent collapse onto <i>adjoining land</i>, or to retain the pre-existing earth material on <i>adjoining land</i> to prevent collapse.</p> <p>AO 5.2 Retaining structures which are equal to or more than 1-metre-high are to be constructed in accordance with a design certified by a RPEQ.</p>
Erosion and sedimentation	
<p>PO 6 Excavation or filling does not result in increased erosion and sedimentation.</p>	<p>AO 6.1 Erosion and sedimentation controls are implemented in accordance with Schedule 6: Engineering works and services planning scheme policy.</p>

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- **Assessment benchmarks for assessable development and**
- **Requirements for accepted development**

Performance outcomes	Acceptable outcomes
Flooding and drainage	
<p>PO 7 Excavation or filling does not result in any increase in flooding or drainage problems.</p>	<p>AO 7.1 Development ensures that:</p> <ul style="list-style-type: none"> (a) water does not pond on any land; and (b) the afflux caused by the works does not affect other land by way of a heightened water level during the 100-year <i>Annual recurrence interval (ARI)</i> flood event as identified in the Flood Hazard Overlay; and (c) there is no loss of floodplain storage below the 100-year <i>Annual recurrence interval (ARI)</i> flood level as identified in the Flood Hazard Overlay; and (d) any runoff diverted by the works must be discharged directly to a point of lawful discharge in such a way that the pre-existing runoff patterns for surface water are not altered.
General	
<p>PO 8 The location and extent of excavation or filling is consistent with the intended use of the <i>site</i>.</p>	<p>AO 8.1 The extent of excavation and filling is in accordance with an existing development approval for a material change of use, reconfiguring a lot or building work (that has not lapsed).</p>
Site rehabilitation	
<p>PO 9 As the excavation and filling of each section of the <i>site</i> is completed it is to be rehabilitated in a manner that results in optimal future land use and that avoids adverse impacts on ecological and hydrological processes.</p>	<p>AO 9.1 The rehabilitation is completed in compliance with an approved <i>site</i> plan</p> <p>AO 9.2 The final surface of the <i>site</i> is topsoiled, sloped, drained and vegetated or otherwise treated to minimise erosion, infiltration and to prevent ponding of stormwater.</p> <p>AO 9.3 Rehabilitation ensures that the <i>site</i> is stable and poses no threat to ground or surface water quality.</p>
Structural stability	
<p>PO 10 All earth structures formed both during and at the completion of the works must be structurally stable.</p>	<p>AO 10.1 Earthworks and retaining walls are designed and constructed by an RPEQ in accordance with Schedule 6: Engineering works and services planning scheme policy.</p>

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- **Assessment benchmarks for assessable development and**
- **Requirements for accepted development**

Performance outcomes	Acceptable outcomes
Excavation and filling near bulk water and high-pressure gas pipelines	
<p>PO 11 Development adjacent or close to bulk water infrastructure and high-pressure gas pipelines maintains integrity of these pipelines and allows for access for required maintenance and upgrade activities.</p>	<p>AO 11.1 No acceptable outcome is prescribed</p>