

SCHEDULE 8—EXEMPT EARTHWORKS

The following are the criteria for exempt Earthworks.

- (1) Earthworks which—
- (a) do not comprise more than 1000m² in area; and
 - (b) do not exceed an average depth of 500mm; and
 - (c) do not exceed a maximum depth of 800mm; and
 - (d) do not involve earth batters with a slope greater than 1 in 8; and
 - (e) do not interfere with the natural flow of stormwater; and
 - (f) are not undertaken in a natural gully or overland flow path or below the adopted flood level; and
 - (g) are not undertaken within a public utilities easement; and
 - (h) are not within 3 metres of an adjoining property; and
 - (i) involve fill material which is clean, dry, solid, inert material; and
 - (j) are not within 3 metres of a Local Government infrastructure item.

NOTE 1

Materials that are considered to be unsuitable for use as fill include—

- (a) organic soils, such as many topsoils, severely root-affected subsoils and peat;
- (b) materials contaminated through past site usage which may contain toxic substances or soluble compounds harmful to water supply or agriculture;
- (c) materials containing substances which can be dissolved or leached out in the presence of moisture (e.g. gypsum), or which undergo volume change or loss of strength when disturbed and exposed to moisture (e.g. some shales and sandstones), unless these matters are specifically addressed in the design;
- (d) silts, or materials that have the deleterious engineering properties of silt;
- (e) other materials with properties that are unsuitable for the forming of structural fill; and
- (f) fill which contains wood, metal, plastic, boulders or other material that may decompose or cause the creation of voids.

