

Division 5 – Dams, Filling and Excavation

7.14 Dams, Filling and Excavation Code

The provisions in this division comprise the Dams, Filling and Excavation Code. They are:

- Compliance with the Dams, Filling and Excavation Code (section 7.15);
- Overall outcome of the Dams, Filling and Excavation Code (section 7.16);
- Specific outcomes, acceptable solutions and probable solutions for the Dams, Filling and Excavation Code (section 7.17).

7.15 Compliance with the Dams, Filling and Excavation Code

Development that is consistent with the specific outcomes in section 7.17 complies with the Dams, Filling and Excavation Code.

7.16 Overall Outcomes of the Dams, Filling and Excavation Code

- The overall outcome is the purpose of the Dams, Filling and Excavation Code.
- The overall outcome sought for the Dams, Filling and Excavation Code is:
 - construction of dams, filling and excavation minimises adverse impacts on the amenity, stability, drainage and environmental quality of the premises and the surrounding area.

7.17 Specific Outcomes and Probable Solutions for the Dams, Filling and Excavation Code

The specific outcomes sought for the Dams, Filling and Excavation Code are included in column 1 of table 7.7. Probable solutions for code assessable development are included in column 2 of table 7.7.

Note: Applicants need to be aware that they are to consult with the Department of Primary Industries and Fisheries for any proposed waterway barrier works as defined by the *Fisheries Act 1994*.

Table 7.7 Dams, Filling and Excavation Code (Part 7 Division 5)	
Column 1 Specific outcomes	Column 2 Probable solutions
Activity	
SO1 The construction of a dam does not affect the amenity of adjoining properties. Note: A written letter of support should be obtained from the owner of any adjoining property after viewing plans of the proposal.	S1.1 No solution provided.
SO2 Dams have appropriate setback distances to property boundaries.	S2.1 A dam, including any embankment is not located within ten (10) metres of any adjoining property boundary. S2.2 No part of any dam, including the embankment, is closer than 10.0 metres from a road reserve.
SO3 Material excavated to create dams is kept on the site.	S3.1 Any material excavated to construct the dam is not removed from the site.
SO4 Filling or excavation does not adversely impact on the visual amenity of surrounding areas.	S4.1 Any retaining walls or embankments are set back at least the equivalent height of the wall or embankment from any boundary of the site. S4.2 Any embankments more than 1.0 metre in height are stepped, terraced and landscaped. S4.3 Filling or excavation works are completed within three (3) months of the commencement date.

Table 7.7 Dams, Filling and Excavation Code (Part 7 Division 5)	
Column 1 Specific outcomes	Column 2 Probable solutions
SO5 Filling or excavation does not cause any adverse impacts on utility services or on-site effluent disposal areas.	S5.1 The area subject to filling or excavation does not contain any utility services. S5.2 The distance between the top water level of the dam and the irrigation area of a household sewage treatment plant (secondary treatment) is thirty (30.0) metres. S5.3 The distance between the top water level of the dam and the irrigation area of a septic trench (primary treatment) is fifty (50.0) metres.
Allotment Size	
SO6 Dams are constructed on sites with an adequate site area.	S6.1 Dams are not constructed on sites with an area of less than four thousand (4000) m ² .
Dust	
SO7 The impacts of air emissions (particularly dust) associated with filling or excavation are within acceptable limits.	S7.1 During filling of land or excavation work or until the area is fully grassed or sealed, no dust emissions extend beyond the boundaries of the site.
Hazards	
SO8 Construction of a dam does not result in land instability. <i>Note: All dam construction should be undertaken in accordance with design plans prepared by a Registered Professional Engineer (RPEQ) who has certified that the design complies with the specific outcomes of this code; is in accordance with sound engineering practices; and incorporates satisfactory measures to avoid ground soakage.</i>	S8.1 Construction of dam works is completed within three (3) months of the commencement date. S8.2 Within three (3) months following the completion of construction of dam works, any disturbed areas are grassed to provide a coverage of at least 8m ² in every 10m ² to minimise the potential for erosion or dust. S8.3 Slope of the site is flatter than one (1) vertical in four (4) horizontal.
SO9 The construction of dams takes flood levels into account.	S9.1 Any dams beneath the 100 year ARI flood level do not include embankments. S9.2 No excavated material is placed below the 100 year ARI flood level.
SO10 Filling or excavation does not result in land instability.	S10.1 Within three (3) months following the completion of fill, the area filled or excavated is grassed to provide coverage of at least 8m ² in every 10m ² to minimise the potential for erosion or dust. S10.2 Slope of the site is flatter than one (1) vertical in four (4) horizontal.
Health and Safety	
SO11 The dam overflow is constructed so as to return discharge to sheet flow.	S11.1 The width of the dam overflow is wide enough to provide for sheet flow. S11.2 The overflow of the dam is directed towards any existing flow path.
SO12 The filling or excavation of land does not: (a) Redirect water away from existing	S12.1 All fill material is placed above the 100 year ARI flood level or above a nominated 1 in 100 year flood level, whichever is the highest. S12.2

Table 7.7	
Dams, Filling and Excavation Code (Part 7 Division 5)	
Column 1 Specific outcomes	Column 2 Probable solutions
<p>flow paths;</p> <p>(b) Concentrate stormwater onto an adjacent property;</p> <p>(c) Obstruct flows within dedicated drainage easements; or</p> <p>(d) Encroach onto adjoining properties.</p> <p>Note: All filling and excavation should be undertaken in accordance with design plans prepared by a Registered Professional Engineer (RPEQ) who has certified that the design complies with the specific outcomes of this code and is in accordance with sound engineering practices. The applicant should obtain written certification from a Registered Professional Engineer (RPEQ) that any compaction of filling will be carried out in accordance with Council's Design and Development Manual and that the construction will be undertaken in accordance with the certified design plans.</p> <p>Written letters of support should also be obtained from owners of all adjoining properties after viewing plans of the proposal.</p>	<p>Filling or excavation of land does not obstruct the natural flow of stormwater.</p>
<p>S013</p> <p>Filling or excavation does not result in the contamination of the site.</p>	<p>S13.1</p> <p>All material placed on the site is clean and uncontaminated soil (i.e. no building waste, concrete, green waste or contaminated material etc is used as fill).</p>