

# COFFS HARBOUR DEVELOPMENT CONTROL PLAN 2013

## COMPONENT C6 MINOR EARTHWORKS REQUIREMENTS

### Applies to

Development that will involve earthworks of a minor nature, through either filling or excavation.

**Note** that Local Environmental Plan 2013 has been deferred in some locations of the Local Government Area. This Development Control Plan does not apply to those deferred locations.

### Date adopted by Council

13 December 2012

### Effective Date

2 October 2013

### Amendments

Nil

### Disclaimer

The hyperlinks to various State or Federal Government legislation have been included in this Development Control Plan in good faith and were current at the time that this document was prepared.

Applicants, landowners and any person(s) using the hyperlinks should ensure that the relevant legislation or policy is the most up-to-date version. This information may be obtained from the relevant government authority administering the legislation.

*This Component provides the requirements for earthworks that are considered to be of a minor nature undertaken within the Coffs Harbour Local Government Area for other than domestic purposes (see Note 1).*

### Note:

1. [State Environmental Planning Policy \(SEPP\) \(Exempt and Complying Codes\) 2008](#) (Codes SEPP) outlines the requirements for earthworks that are for domestic purposes (associated with a dwelling).
2. It is recommended that the NSW Office of Environment and Heritage be consulted prior to any landform modification regarding Aboriginal cultural heritage considerations.
3. All development is to also comply with the provisions of Component C8 (Integrated (Natural) Water Cycle Management) and Component D1 (Erosion and Sediment Control) of this DCP.
4. Clause 7.7 of LEP 2013 outlines requirements for earthworks and should also be consulted for possible relevant considerations.

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## C6.1 CONTROLS

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### a) Earthworks of a Minor Nature

- i) Earthworks restricted to the following criteria are considered to be minor in nature and do not require the approval of the Consent Authority.
- ii) Minor earthworks must:
  - be for agricultural, industrial or commercial purposes only;
  - be located at least 900mm from each lot boundary;
  - if a retaining wall:
    - be not higher than one metre (including the height of any batters) above existing natural ground level;
    - if it is on a sloping site and stepped to accommodate the fall in the land, not be higher than one metre above existing natural ground level at each step;
    - have adequate drainage lines behind it;
  - be on land possessing a slope less than 15%;
  - not involve more than 100m<sup>3</sup> of material in an Environmental Protection zone or 1,000m<sup>3</sup> of material in any other zone;
  - not involve greater than one metre cut or fill at any point below or above the existing natural ground profile;
  - not redirect the flow of surface water onto an adjoining property;
  - cause surface water to be disposed of without causing a nuisance to adjoining owners;
  - be located at least one metre from any registered easement, sewer main or water main;
  - be located at least 40 metres from a river, creek or stream;
- not be located on flood-prone land, adjoining the Solitary Islands Marine Park, or east of the foreshore building line;
- not be located on land identified by the [Environment Protection Authority](#) or the Consent Authority as potentially contaminated or containing Class 1 or Class 2 acid sulphate soil; and
- incorporate appropriate controls so that there are no adverse erosion and sedimentation issues.
- iii) Earthworks that are not in accordance with the above-mentioned controls will require development consent.