

Cut and fill

Further information

If you are unsure, please ask.
Time spent early may avoid delays later.

Civic Centre:

158 Russell Street
Bathurst

Duty Town Planner:

02 6333 6211

Hours:

8:30 am to 4:45 pm
Monday to Friday

Website:

www.bathurst.nsw.gov.au



**BATHURST
REGIONAL
COUNCIL**

Disclaimer

This fact sheet provides a summary of the major issues concerning cut and fill. Any person using this document must do so on the basis that not every scenario and issue can be addressed, and discussion with relevant staff at Council's Environmental, Planning & Building Services Department should be undertaken. This document is subject to change without notice.

What is meant by cut and fill?

Fill means the depositing of soil, rock or other similar extractive material obtained from the same or another site that materially alters the shape, natural form or drainage of the site, but does not include materials used for garden landscaping.

Cut means the removal of soil, rock or other similar extractive material obtained from the site. It may or may not be used on site as fill.



Is approval from Council required?

Yes, although cut and fill projects less than 1 metre in height may be considered exempt development.

Where cut or fill is required in conjunction with a dwelling, a maximum of 1 metre cut and fill is permissible. If cut or fill is greater than 1 metre then the application cannot be considered as complying development and will require a development application to be lodged.

Where cut or fill is greater than 1 metre a development application is required to be submitted. This application should also include details of how the cut or fill is being retained.

What process must I follow?

- Exempt development
Council must be notified of the proposed works. For works to be exempt they need to be consistent with the criteria listed in Schedule 2 of the Bathurst Regional LEP 2014. A plan must accompany the notification showing the extent of the cut or fill.
- Complying development
A complying development application must be lodged with Council or private certifier. The extent of cut and fill must be illustrated on the plans together with the proposed retain method. A maximum of 1 metre cut and 1 metre fill is allowed under the complying development criteria in Schedule 3 of the Bathurst Regional LEP 2014.

- Development application

A development application for cut or fill greater than 1 metre must be lodged with Council. The extent of cut and fill must be illustrated on the plans together with the proposed retaining method. The proposed cut and fill should be consistent with Chapter 16 Earthworks of the Bathurst Regional Development Control Plan 2014.

Erosion and sediment control

After the cut and fill works have been completed, it is important to install appropriate erosion and sediment control measures to reduce erosion and not cause sediment leaving the site.

Excess soil

Excess soil is not to be stored on adjoining land. It is to be disposed of in a legal manner.