

EXPRESSION OF INTEREST - DISPOSAL OF FILL

Background

Council often has surplus soil fill material resulting from routine road and drainage works throughout the region. This fill may be able to be used by landowners close to the works rather than Council having to haul this material to more distant sites for disposal and reuse.

Availability of Fill

Works that produce excess fill material generally fall into two categories:

1. Routine maintenance works – relatively small quantities of fill throughout the region on a regular basis.
2. Construction works – relatively large quantities of fill but at specific locations and times.

When fill from either source becomes available, landowners in the vicinity who have registered their interest, and have been given approval for receiving fill, will be contacted to confirm details of deliveries (if required).

Where more than one site is available to accept fill, Council reserves the right to determine the quantity to be delivered to each site, but generally this will be based on an equal proportion to each site. Please note Council will generally not split full truckloads of fill.

Fill Information

Fill Description

General fill materials from road reserve areas can be a combination of materials such as gravels, soil, clay, rock, organics (grasses, vegetation matter) concrete and bitumen surface materials.

The landowner acknowledges that any fill materials provided may be a combination of the above listed material types. Council cannot provide guarantee of any specific type of fill material being provided to the landowner.

By accepting Council's offer for supply of material, you acknowledge and accept the material provided.

Cost of Fill

Provided the cost of delivery of the fill to landowners' sites is less than the cost of transport to the nearest Council stockpile site, then the fill will be provided at no cost to the landowner.

If the cost of delivery of the fill to landowners' sites is greater than the cost of disposal at Council sites, fill may still be supplied if the landowner is prepared to pay the difference in the above costs at Council's discretion.

Location of Fill Sites

Council will deliver fill to a pre-determined safe set down area as close to the property entrance as practical.

Access to Fill Sites

It is the responsibility of the landowner to provide access to any fill site suitable for normal tipper trucks. Whilst all care will be taken, any damage to internal access road is the responsibility of the landowner.

Spreading of Fill

Council will deliver the fill to the designated fill site. It is the responsibility of the landowner to arrange for its placement, spreading and compaction as required by the landowner.

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Development Approval

In most cases, the filling of land requires development consent from Council. Landowners seeking to accept fill onto their land will be responsible for obtaining consent prior to the delivery of any material from Council works, this is not necessarily a complex or expensive process depending on the volume of fill and the proposed location.

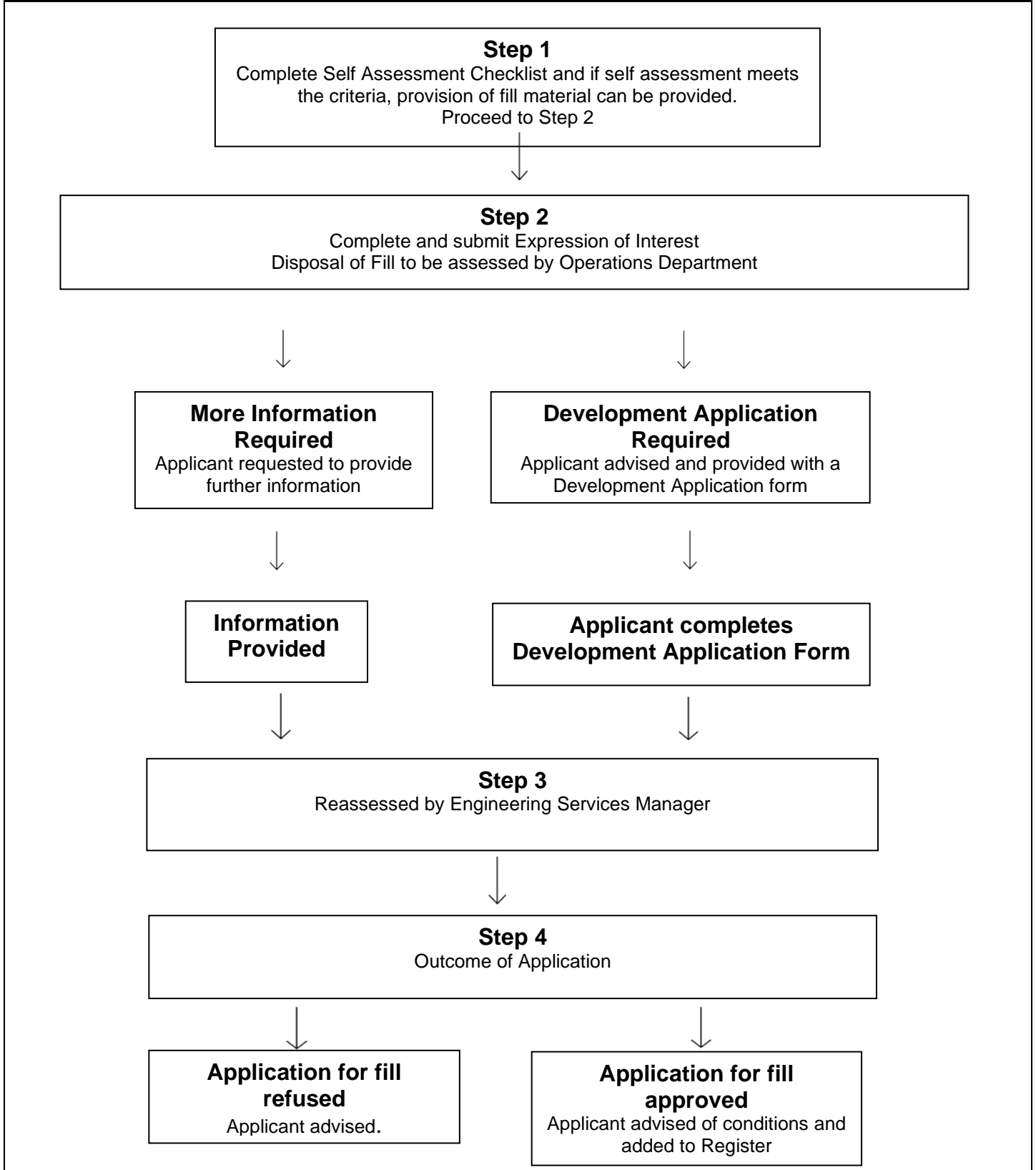
It is recommended that landowners refer to the attached **Filling and Excavation Planning Information Sheet, December 2022** and **Filling and Excavation Self Assessment Checklist** to determine if they require development consent from Council.

How to register your interest in obtaining fill: *(Refer to the flow chart included in this package)*

Step 1	<p>Complete the “Expression of Interest – Disposal of Fill” form and “Filling and Excavation Self-Assessment Checklist and return it to Council.</p> <p>If you need assistance with completion of the form, please contact Council’s Operations Department on 5424 4000.</p> <p>Return completed form to:</p> <p>Chief Executive Officer Somerset Regional Council P O Box 117 ESK QLD 4312</p> <p>Email – mail@somerset.qld.gov.au</p>
Step 2	<p>Your expression of interest will be assessed by Council’s Engineering Services Manager. Possible outcomes of the assessment are:</p> <ul style="list-style-type: none"> Your application can be approved without the need for further information. A reply will be sent to you advising of any conditions of the exempt approval. More information is required to enable the application to be assessed. A reply will be sent to you requesting the additional information. If assistance is required, please contact Council’s Operations Department on 5424 4000. If you need to submit a development application, a reply will be sent to you including a development application form and advising of the need for you to complete and submit the application. Your application may be refused at the time of assessment due to no material being available or suitable, however it will be added to Council’s register for future consideration when material becomes available.
Step 3	<p>Your application will either be approved with conditions or refused. You will be advised in writing.</p>

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Disposal of Fill Flowchart



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Filling and Excavation *Planning Information Sheet, December 2022*

What is filling and excavation?

Filling and excavation means removal or importation of material to, from, or within a lot that will change the ground level of the land.

Filling and excavation does not include top-dressing the ground, or using fill for garden beds, provided those works do not materially affect the premises. Please note that even though these works may not need approval, you still have obligations to ensure no actionable nuisance occurs through directing or redirecting stormwater.

Filling and excavation also does not include undertaking extractive industry activities. This is considered as a material change of use and is not covered by this information sheet.

When do I need approval?

Works for filling and excavation require approval from Council unless the works comply with all the requirements on the attached self-assessment checklist.

Where the works do not meet all of the requirements on the checklist, an approval from Council is required.

You may also require approval from other entities, for example where the works take place in a watercourse.

What sort of application is required?

If you do not meet the criteria on the attached self-assessment checklist, you will need a Development Permit for Operational Works for Filling and Excavation from Council.

What is the application assessed against?

Applications are assessed against the following assessment benchmarks from the planning scheme:

- Filling and excavation code; and
- Any applicable overlay codes.

These applications can also require assessment for matters listed in the *Planning Regulation 2017*, including referring the application to other agencies for their assessment.

How do I find out zoning, overlays or flooding information?

Please visit somerset.qld.gov.au/planning to use our eServices Property Enquiry Tool which will provide you this information.

Need more information?

For more information, including the full details of the planning scheme provisions, please refer to the *Somerset Region Planning Scheme* at somerset.qld.gov.au/planning. Alternatively, contact Council on (07) 5424 4000 or email your enquiry to mail@somerset.qld.gov.au.

Disclaimer

This information sheet is designed to be a guide to the planning scheme and planning application process. This information does not consider the individual circumstances of any property nor cover all matters from the applicable planning instruments.

Please note this information sheet may be updated by Council at any time with the most recent version available on Council's website. If you have a printed copy, please see Council's website to ensure you have the latest version.

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Filling and Excavation Self-Assessment Checklist

Filling and excavation, other than where for a dam	
	Requirement
	Is your property within a Fire Ant Zone and what zone? If unsure, refer to Fire ant biosecurity zones National Fire Ant Eradication Program (fireants.org.au) for further information.
	The works change the natural ground level by less than 1 metre in depth.
	Less than 500m ³ of material is filled or excavated in the Rural zone or Emerging community zone where the site is greater than 4 hectares in area.
	Less than 200m ³ of material is filled or excavated in the Rural zone or Emerging community zone where the site is less than 4 hectares in area.
	Less than 50m ³ of material is filled or excavated in any other zone.
	The works are for non-structural fill.
	The works are not undertaken within a public utilities' easement or within three metres of a public infrastructure item.
	The works are not undertaken within three metres of an adjoining property.
	The fill is clean.
	Batters do not exceed 1 in 8.
	The works are not undertaken within an overland flow path and all stormwater drains to the same locations as the natural flow path as it leaves the property.
	The works are not undertaken within an Extreme flood hazard area or High flood hazard area identified on the Flood hazard overlay map or an area that is below the adopted flood level.
	The works are not undertaken within a landslide hazard area shown on the Landslide hazard overlay map .
	The works do not involve land on a local heritage place shown on the Local heritage overlay map or a State heritage place.
	The works are not undertaken within the high scenic amenity area, other scenic mountains, scenic route section as shown on the Scenic amenity overlay map .
Filling and excavation for a dam	
	Requirement
	The land has 4 hectares or more in area.
	The dam will have a height of 10 metres or less.
	The dam will have a capacity of 750 megalitres or less.
	The dam, include batters, will be located 5m or more from an adjoining property.
	The works are not undertaken within an Extreme flood hazard area or High flood hazard area identified on the Flood hazard overlay map .
	The works are not undertaken within a landslide hazard area shown on the Landslide hazard overlay map .
	The works do not involve land on a local heritage place shown on the Local heritage overlay map or a State heritage place.
	The works are not undertaken within the high scenic amenity area, other scenic mountains, scenic route section as shown on the Scenic amenity overlay map .

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Owners Details	
Name:	
Address:	City/Town:
	Postcode:
Phone:	Mobile:
Email:	

Details of Land to be Filled			
Street/Road:		House Number:	
Locality:			
Lot:	Section:	DP:	
Approximate quantity of fill required (please circle)	Tonne	Cubic metres	Truck loads

Provide a detailed description of what the fill will be used for (e.g., fill in drain, build a farm dam, levelling of block, etc.) and the current land use associated with this proposal.

Sketch of site (details to include dimensions of the area, depth, location of fill, distance from lot boundaries, creeks and drainage lines.) This can be drawn on a separate page/s.

Declaration:	
I, _____ the owner of the above property, hereby agree to conform with the conditions and procedures stated in Somerset Regional Council's "Expression of Interest, Disposal of Fill".	
Signature:	Date: