9.4.4 Excavation and filling code

9.4.4.1 Application

(1) This code applies to development identified as requiring assessment against the Excavation and filling code by the Tables of Assessment in Part 5.

(2) When using this code, reference should be made to Part 5.

9.4.4.2 Purpose

(1) The purpose of the Excavation and filling code is to ensure that excavation and filling occurs in a manner that does not adversely impact upon character and amenity, environmental values, flooding and drainage and land stability.

(2) The purpose of the code will be achieved through the following overall outcomes:
   (a) the character and amenity of the site and the surrounding area is protected;
   (b) works do not detrimentally impact upon the environment;
   (c) flooding and drainage problems do not result as a consequence of the works;
   (d) works do not create land instability;
   (e) works do not involve complex engineering solutions.

9.4.4.3 Criteria for assessment

Part A - Criteria for assessable development

Table 9.4.4.3.a – Excavation and filling code – assessable development

<table>
<thead>
<tr>
<th>Performance outcomes</th>
<th>Acceptable outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>For self-assessable and assessable development</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Amenity and slope stability</strong></td>
<td></td>
</tr>
<tr>
<td>PO1</td>
<td>AO1.1</td>
</tr>
</tbody>
</table>

**Excavation or filling:**
(a) avoids adverse impacts on the amenity, safety, privacy, stability or function of the site or adjoining premises;
(c) is not visually intrusive;
(d) does not rely on complex engineering solutions;
(e) incorporates landscaping to visually soften built form elements;
(f) avoids adverse impacts on landscape values and excessive changes to the natural landform as a result of the location, position on site, scale, design, extent and alignment of earthworks, roads, driveways, retaining walls and other on-ground or in-ground infrastructure.

**Excavation or fill:**
(a) is not more than 1.8 metres in height for each batter or retaining wall;
(b) is set back a minimum of 2 metres from property boundaries;
(c) is stepped with a minimum 2 metre wide berm to incorporate landscaping in accordance with the requirements of Planning scheme policy - Landscaping;
(d) does not exceed a maximum of 2 batters and 2 berms (i.e. not greater than 3.6 metres in total height) on any one lot.

Note – Planning Scheme Policy - FNQROC Regional Development Manual contains requirements for the design and specification for excavation and filling associated with batters and retaining walls.

**AO1.2**
Soil used for filling or spoil from excavation is not stockpiled for a period exceeding one month from the commencement of the excavation or filling, in locations that can be viewed from:
(a) adjoining premises; or
(b) a road frontage.
### Performance outcomes

| AO1.3 | Retaining walls:  
|       | (a) do not exceed 1.8 metres in height except where incorporated within a level change within a building;  
|       | (b) do not exceed 20 metres in cumulative length, where not incorporated within a level change within a building;  
|       | (c) where multiple retaining walls are used a landscaped separation of at least 2 metres is used between retaining walls.  
|       | Note – Cumulative is calculated upon the total length of retaining walls on site.  

| PO2 | Excavation or filling does not result in the instability of a site or adjacent land.  
| AO2.1 | All earthworks batters steeper than 1 in 2 (50%) and higher than 1.5 metres require geotechnical certification.  
| AO2.2 | Excavation or filling does not exceed 40% of the site area or 500 m² whichever is the lesser.  

### Amenity

| PO3 | Excavation and filling incorporates construction materials and external finishes that are compatible with the landscape values and amenity of the locality.  
| AO3.1 | The surface treatment of retaining walls has a subdued and non-reflective palette.  
|       | Note – Examples of suitable colours include shades of green, olive green, blue green, grey green, green blue, indigo, brown, blue grey, and green yellow.  

### Environmental performance

| PO4 | Excavation or filling does not adversely impact on other premises as a result of storm water drainage flows or flooding.  
| AO4.1 | Stormwater drainage flows are taken to a lawful point of discharge and have a no worsening effect on downstream or upstream properties.  
| AO4.2 | Excavation or filling does not result in:  
|       | (a) the ponding of water; or  
|       | (b) an erosive velocity of overland flow, on the site or adjoining premises.  
| AO4.3 | All berms:  
|       | (a) are graded towards the upwards slope;  
|       | (b) contain adequate drainage infrastructure to accommodate the changed drainage flows.  
| AO4.4 | Excavation or filling does not result in an increase in the volume of water or concentration of water in:  
|       | (a) overland flow paths of the site and other sites;  


<table>
<thead>
<tr>
<th>Performance outcomes</th>
<th>Acceptable outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(b) waterways.</td>
</tr>
<tr>
<td><strong>AO4.5</strong></td>
<td>Excavation or filling does not occur:</td>
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<td></td>
<td>(a) within a waterway; or</td>
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<td></td>
<td>(b) within a riparian corridor.</td>
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<td>Note – Planning scheme policy - FNQROC Regional Development Manual provides design guidelines for excavation and filling.</td>
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<tr>
<td><strong>PO5</strong></td>
<td>Excavation or filling does not result in a reduction of the water quality of receiving waters.</td>
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<td><strong>AO5.1</strong> Water quality is maintained by compliance with the Design guidelines set out in section D5 of the Planning scheme policy - FNQROC Regional Development Manual.</td>
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<td></td>
<td>Note – An Environmental Management Plan may be required to demonstrate how the impacts of works are controlled.</td>
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<tr>
<td><strong>Environmental considerations and public amenity</strong></td>
<td></td>
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<tr>
<td><strong>PO6</strong></td>
<td>Excavation or filling does not result in any contamination of land.</td>
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<tr>
<td></td>
<td><strong>AO6.1</strong> No contaminated material is:</td>
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<td></td>
<td>(a) used as fill;</td>
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<td></td>
<td>(b) excavated or disturbed.</td>
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<tr>
<td><strong>Protection of public utilities</strong></td>
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<td><strong>PO7</strong></td>
<td>Excavation and filling does not have a detrimental impact on Public Utilities.</td>
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<td></td>
<td><strong>AO7.1</strong> Excavation and filling is clear of the zone of influence of public utilities.</td>
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</tbody>
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