

OPERATIONAL WORKS INFORMATION SHEET

EARTHWORKS (EXCAVATION, FILLING AND RETAINING WALLS)

This information sheet provides an overview of the planning scheme requirements for Earthworks (also referred to as site works).

What are Earthworks

Earthworks refer to any excavation or filling works that result in changes to the ground level of your property, such as importing of fill, excavation of material from a site, building a retaining wall that materially affects the premises (and that is not directly associated with and required for a building) or constructing a dam.

Earthworks in the Planning Scheme

The planning scheme outlines criteria to determine whether a development application is required to be lodged. Under the Livingstone Planning Scheme 2018, Earthworks may be either:

- Accepted, subject to requirements – does not require an application to be made if the earthworks meet all the acceptable outcomes of the Development works code and/or any relevant Overlay code. Refer to the Earthworks checklist to determine if the proposed earthworks meet the Acceptable Outcomes.
- Assessable development, code assessable – requires an application to be made to Council if the earthworks do not meet the requirements of the Development works code assessment, and/or the works are located within a mapped overlay area which triggers code assessable development or the development does not meet the requirements of the Overlay code.

Overlays

Overlay Mapping in the Planning Scheme may influence whether operational works approval is required for earthworks. For example, the Biodiversity overlay code may increase the category of assessment from accepted development to assessable development.

The best way to check whether a property is affected by an Overlay, is to view the Planning Scheme Overlay mapping online.

What if I can't meet the 'Acceptable Outcomes' requirements?

You are required lodge an application for a development permit for operational works for earthworks. This provides Council an opportunity to undertake a site specific assessment in relation to your proposal.

How do I receive further assistance?

Council offers a range of free and paid development and town planning advice services. The advice services provide information on Council's planning scheme and delivers feedback about specific development-related matters and development proposals.

While Council aims to assist applicants through the process, many applications are complicated and deserve the attention of a consultant (town planner, surveyor or other appropriately qualified professional) for help with the proposal.

The Livingstone Planning Scheme 2018 and interactive zone and overlay mapping can be found on Council's website here.

Related Websites and Information

Development Application Forms

<https://planning.statedevelopment.qld.gov.au>

Livingstone Shire Councils Fees and Charges

<https://www.livingstone.qld.gov.au/fees-and-charges>

Livingstone Shire Councils Planning Scheme and mapping

<https://www.livingstone.qld.gov.au>

Pre-Lodgement or Specific Written Advice

<https://www.livingstone.qld.gov.au>