SCHEDULE TO THE EROSION MANAGEMENT OVERLAY

Shown on the planning scheme map as **EMO1**

MANAGEMENT OF GEOTECHNICAL HAZARD

1.0 Objectives to be achieved

To ensure that applications for development are supported by adequate investigation and documentation of geotechnical and related structural matters.

To ensure that development is appropriate to be carried out either conditionally or unconditionally, having regard to the results of those geotechnical and related structural investigations.

To ensure that development is only carried out if identified geotechnical and related structural engineering risks are effectively addressed.

2.0 Permit not required

A permit is not required to construct a building or construct or carry out works if a site development plan showing the proposed buildings and works is prepared to the satisfaction of the responsible authority and the site development plan is generally in accordance with a comprehensive development plan incorporated into this scheme. A site development plan must be accompanied by a Preliminary Geotechnical Assessment as described at Clause 3.1.

A permit is not required for the following buildings and works:

- Building alterations (including making or altering the size of any opening in a wall or roof of a building) comprising:
  - non-structural alterations to the exterior of a building; or
  - non-structural alterations to the interior of a building.
- The erection within an existing allotment of:
  - an advertising structure or structures; or
  - non-structural repairs to or maintenance of an existing building.
- Minor earthworks, including landscaping, not involving excavations or fill in excess of one metre (height/depth).

3.0 Site Development Plan and application requirements

A Site Development Plan or an application for a planning permit must be accompanied by a Preliminary Geotechnical Assessment prepared or technically verified by a suitably qualified and experienced geotechnical practitioner.

A suitably qualified and experienced geotechnical practitioner means a specialist Geotechnical Engineer or Engineering Geologist who is degree qualified, is a member of a professional institute, and who has achieved chartered professional status being a Chartered Professional Engineer (CPEng), a Chartered Professional Geologist (CPGeo) or a Registered Professional Geologist (RPGeo) with landslide risk management as a core competence. The practitioner must have or be employed by a corporation which has

professional indemnity insurance of not less than $2 million. It must be demonstrated to the responsible authority that such insurance is in force for the year in which any information is submitted to the responsible authority in accordance with this Schedule.

3.1 Preliminary Geotechnical Assessment

The Preliminary Geotechnical Assessment must include the following:

- A qualitative risk assessment of all geotechnical hazards which have the potential to either individually or cumulatively impact upon people or property upon the site or adjoining property of the proposed development in accordance with the guidelines set out in 'Landslide Risk Management Concepts and Guidelines' published in the Australian Geomechanics Journal, Vol. 37 No. 2 May 2002 or as updated by the Australian Geomechanics Society ("AGS Guidelines"). The assessment should include an assessment of pre, during and post development conditions.
- Plans and sections of the site and related land from survey and field measurements with contours and key features identified, including the locations of the proposed development, buildings/structures on both the subject site and adjoining site, stormwater drainage, sub-surface drainage, water supply and sewerage pipelines;
- A conclusion as to whether the site is suitable for the development proposed to be carried out either with conditions to the satisfaction of the responsible authority or unconditionally. In the event that the development is only appropriate to be carried out on the site subject to conditions, recommendations must be made in respect of all the conditions, which ought to be imposed upon the carrying out of the development, including but not limited to
  - footing levels and foundation materials;
  - degree of earth and rock cut and fill, recommendations for excavations and fill construction;
  - load bearing capacities for use in the design of all structural works including all footings, retaining walls, surface and sub-surface drainage; and
  - recommendations for the selection and design of a building structure system to minimise the effects of all identified geotechnical hazards; and
  - any necessary ongoing mitigation and maintenance measures.
- Verification that the author of the Preliminary Geotechnical Assessment is a suitably qualified and experienced geotechnical practitioner as defined by this Schedule.

Where the risk to property or life is found to be low or very low (as defined by the AGS Guidelines), no further geotechnical analysis is required.

3.2 Quantitative Risk Assessment

Where a Preliminary Geotechnical Assessment identifies risk to property or persons as greater than low (as defined by the Guidelines), a Quantitative or Semi Quantitative Risk Assessment prepared by a suitably qualified geotechnical practitioner must be prepared.

The Quantitative Risk Assessment must contain all items in Section 3.1 of this Schedule.

- The Quantitative Risk Assessment must examine risks to property and risk to persons in accordance with the general methodology set out in the AGS Guidelines.

3.3 Independent Review

The responsible authority, in consultation with the relevant Alpine Resort Management Board may require an independent peer review of any application material at the applicant's cost.

3.4 Use of Existing Geotechnical Data

The liability and responsibility for all information contained in a geotechnical report accompanying a development application shall always remain with the author of that report, regardless of the source of such information. Special attention must also be made to investigate the conditions under which the original investigations, to be relied upon, were made, as these conditions may have changed or not be considered applicable to the specific conditions of the development for which the geotechnical report is being prepared.

4.0 Exemption from notice and review

An application for planning permit is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

5.0 Referrals

An application for planning permit must be referred in accordance with Section 55 of the Act to the referral authority specified in Clause 66.04 or a schedule to that clause.

6.0 Definitions

For the purpose of this Schedule, the following definitions apply:

Hazard - A condition with the potential for causing an undesirable consequence. The description of landslide hazard should include the location, volume (or area), classification and velocity of the potential landslides and any resultant detached material, and the likelihood of their occurrence within a given period of time.

Likelihood – Used as a qualitative description of probability or frequency.

Consequence – The outcomes or potential outcomes arising from the occurrence of landslide expressed qualitatively or quantitatively, in terms of loss, disadvantage or gain, damage, injury or loss of life.

Risk - A measure of the probability and severity of an adverse effect to health, property or the environment.

7.0 Decision Guidelines

Before deciding on an application, the responsible authority must consider, as appropriate:

- The objectives of this schedule.
- The recommendations of any relevant Preliminary Geotechnical Assessment and Quantitative Risk Assessment.
- The advice of any geotechnical practitioner who has reviewed the application.
- The comments of the relevant Alpine Resort Management Board in relation to a Site Development Plan.