

8.2.9 Potential landslide hazard overlay code

8.2.9.1 Application

- (1) This code applies to assessing a material change of use, reconfiguring a lot, operational work or building work within the Potential landslide hazard overlay; if
 - (a) self-assessable or assessable development where the code is identified as being applicable in the Assessment criteria for the Overlay Codes contained in the Levels of Assessment Tables in section 5.6;
 - (b) impact assessable development.
- (2) Land in the Potential landslip hazard overlay is identified on the Potential landslide hazard overlay maps in Schedule 2 and includes the following sub-categories:
 - (a) Places of potential landslide hazard sub-category.
- (3) When using this code, reference should be made to Part 5.

Note – The Potential landslide hazard overlay shows modelled areas where the factors contributing to landslip potential accumulate to provide a moderate or higher risk if certain factors are exacerbated (e.g. factors include significant vegetation clearing, filling and excavation, changes to soil characteristics, changes to overland water flow, or changes to sub-surface water flow). It shows areas that the Council has identified where landslides may occur and where land may be impacted by a landslide, but does not mean that landslides will occur or that the land will be impacted by a landslide. Other areas not contained within the potential landslide hazard overlay may sustain landslides or be impacted by landslides and consideration should be given to this issue, where appropriate.

8.2.9.2 Purpose

- (1) The purpose of the Potential landslide hazard overlay code is:
 - (a) implement the policy direction of the Strategic Framework, in particular:
 - (i) Theme 1: Settlement pattern Element 3.4.7 Mitigation of hazards.
 - (b) enable an assessment of whether development is suitable on land within the Potential landslip hazard overlay.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) development is located, designed and constructed to not put at risk the safety of people, property and the environment;
 - (b) development is not at risk from and does not pose a risk to adjacent and nearby sites from landslides;
 - (c) ensures that community infrastructure is protected from the effects of potential landslides;
 - (d) ensures that vegetation clearing, stormwater management and filling and/or excavation does not create a landslide hazard and/or rectifies potential pre-existing landslide risks;
 - (e) development does not occur where works to provide a solution for safety of people, property or the environment involves complex engineering solutions to overcome the risk, or would result in a built form or outcome that causes an adverse visual impact on the Hillslopes or Landscape values of Douglas Shire.

8.2.9.3 Criteria for assessment

Table 8.2.9.3.a – Potential landslide hazard overlay code – assessable development

Performance outcomes	Acceptable outcomes
For self-assessable and assessable development	
PO1 The siting and design of development does not involve complex engineering solutions and does not create or increase the potential landslide hazard risk to the site or adjoining premises	AO1.1 Development is located on that part of the site not affected by the Potential landslide hazard overlay. or

Performance outcomes	Acceptable outcomes
<p>through:</p> <ul style="list-style-type: none"> (a) building design; (b) increased slope; (c) removal of vegetation; (d) stability of soil; (e) earthworks; (f) alteration of existing ground water or surface water paths; (g) waste disposal areas. 	<p>AO1.2 Development is on an existing stable, benched site and requires no further earthworks</p> <p>or</p> <p>AO1.3 A competent person certifies that:</p> <ul style="list-style-type: none"> (a) the stability of the site, including associated buildings and infrastructure, will be maintained during the course of the development and will remain stable for the life of the development; (b) development of the site will not increase the risk of landslide hazard activity on other land, including land above the site; (c) the site is not subject to the risk of landslide activity on other land; (d) any measures identified in a site-specific geotechnical report for stabilising the site or development have been fully implemented; (e) development does not concentrate existing ground water and surface water paths; (f) development does not incorporate on-site waste water disposal. <p>Note – Planning scheme policy SC6.9 – Natural hazards provides guidance on preparing a site specific geo-technical assessment. Note – Development may alter the conditions of ground water and surface water paths in accordance with a site-specific geotechnical report, but should ensure that its final disbursement is as-per pre-developed conditions. Consideration for location, velocity, volume and quality should be given.</p>
<p>PO2 The siting and design of necessary retaining structures does not cause an adverse visual impact on landscape character or scenic amenity quality of the area.</p>	<p>AO2 Excavation or fill:</p> <ul style="list-style-type: none"> (a) is not more than 1.2 metres in height for each batter or retaining wall; (b) is setback a minimum of 2 metres from property boundaries; (c) is stepped with a minimum 2 metre wide berm to incorporate landscaping in accordance with Planning scheme policy SC6.7 – Landscaping; (d) does not exceed a maximum of 3 batters and 3 berms (i.e. Not greater than 3.6 metres in height) on any one lot.

Performance outcomes	Acceptable outcomes
Additional requirements for Community infrastructure	
<p>PO3 Development for community infrastructure:</p> <ul style="list-style-type: none"> (a) is not at risk from the potential landslide hazard areas; (b) will function without impediment from a landslide; (c) provides access to the infrastructure without impediment from the effects of a landslide; (d) does not contribute to an elevated risk of a landslide to adjoining properties. 	<p>AO3 Development is designed in accordance with the recommendations of a site-specific geotechnical assessment which makes reference to the community infrastructure and its needs and function.</p> <p>Note - A site specific geotechnical assessment will detail requirements that will address the Acceptable Outcomes of this Performance Outcome. Planning scheme policy SC6.9 – Natural hazards provides guidance on preparing a site specific geotechnical assessment.</p>