

11/12/2014  
C108**SCHEDULE TO THE EROSION MANAGEMENT OVERLAY**

Shown on the planning scheme map as **EMO**.

**MANAGEMENT OF GEOTECHNICAL HAZARD****1.0 Objectives**11/12/2014  
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To ensure that applications for the development of land subject to high or very high geotechnical hazard are accompanied by expert geotechnical risk assessments.

To ensure that development is designed and carried out in accordance with the recommendations of expert geotechnical risk assessments.

To ensure that development does not increase the risk of geotechnical hazard to life or property.

To encourage the rehabilitation of land affected by geotechnical hazard.

**2.0 Permit requirement**11/12/2014  
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No planning permit is required to construct or carry out the following buildings or works:

- A dwelling, including a replacement dwelling, where it is to be the only dwelling on the lot.
- Buildings and works ancillary to an existing dwelling including domestic swimming pools or spas (and associated mechanical and safety equipment) and sheds.
- Buildings and works associated with a dependent person's unit.
- A non-habitable building with a gross floor area that does not exceed 200 square metres.
- Alterations or extensions to existing buildings.
- Water tanks, bores, wind turbines or solar energy facilities associated with accommodation or agriculture uses.
- Agricultural activities such as ploughing, grazing and slashing of substantially cleared areas maintained for pasture or crop raising.
- Buildings and works associated with advertising structures.
- Buildings and works associated with a jetty.
- Earthworks where excavations or fill do not exceed one metre (height or depth).
- Any buildings necessary to prevent soil erosion, or to ensure soil conservation or reclamation.
- For all buildings and works generally in accordance with the approved Brookfield Lakes Development Plan.
- Buildings or works carried out by or on behalf of a public authority, government department or municipal council.

## Vegetation removal

No planning permit is required in any of the following circumstances:

- For the cutting of reasonable amounts of firewood and fencing timber for personal use by the owner or occupier of the subject land.
- For the removal of the minimum extent of vegetation necessary for the establishment and maintenance of fences.
- For the removal of vegetation on a lot in a residential zone with a lot area no larger than 0.4 hectares and where the slope of the site of vegetation removal does not exceed 20 per cent.
- For the removal of no more than five trees on a lot in a rural zone where the slope of the site of vegetation removal does not exceed 20 per cent.
- For the pruning or lopping of vegetation where no more than one-third of the foliage is removed from any individual plant and the trunk is not pruned or lopped.
- For vegetation removal carried out by or on behalf of a public authority, government department or municipal council.

### 3.0

## Application requirements

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In addition to the information required by Clause 44.01-5 an application to develop land and/or remove vegetation must be accompanied by a Site and Surrounds Plan and a geotechnical risk assessment prepared by a suitably qualified and experienced geotechnical practitioner.

## Site and Surrounds Plan

A Site and Surrounds Plan must be drawn to scale with dimensions and show:

- Details of the land and adjoining land including areas of existing erosion, topography, waterways, vegetation, all existing development, retaining walls, drainage, other infrastructure and any other relevant site and locality features.
- All proposed development including details of excavations and fill, vegetation removal, driveways, retaining walls and effluent disposal systems.
- Details of any existing and/or proposed building envelopes on the land.

## Geotechnical risk assessment

The geotechnical risk assessment is to include as appropriate:

- Details of the date and methodology of the geotechnical assessment undertaken.
- Details of the geotechnical hazards relevant to the proposed development and to adjoining land.
- Recommendations about measures to be taken to manage geotechnical hazards including but not limited to:
  - The suitability of the land for the proposed development.
  - Measures to manage geotechnical hazard during the development period.
  - Limitations to excavations and fill.
  - Soil rehabilitation techniques for disturbed areas.
  - Drainage design and capacity.

- Footings and foundation design including any required retaining walls.
  - The design of structural elements including load bearing capacities.
  - Any other measures required to be undertaken on- or off-site to manage geotechnical hazard.
- Recommendations to minimise the residual risk to life and property after the development is completed.

### **Waiver or reduction of application requirements**

If a suitably qualified and experienced geotechnical practitioner demonstrates to the satisfaction of the responsible authority that a geotechnical risk assessment is not relevant to the assessment of an application, the responsible authority may reduce or waive the requirement for a geotechnical risk assessment.

A geotechnical risk assessment is not required to accompany the following applications:

- An application to subdivide land where each proposed lot contains an existing dwelling.
- An application to subdivide land in a rural zone into two lots.

### **4.0 Independent review**

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The responsible authority may require an independent peer review of any application documentation at the applicant's cost.

### **5.0 Decision guidelines**

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Before deciding on a planning permit application, in addition to the decision guidelines of Clause 44.01-7 the Responsible Authority must consider as appropriate:

- The risk to life, property and community infrastructure from geotechnical hazard.
- The recommendations of any geotechnical risk assessment and application documentation.
- The recommendations of any independent review of the geotechnical risk assessment and application documentation.
- The need for any ongoing geotechnical risk management measures.

### **6.0 References**

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- a) Erosion Hazard Map, Bairnsdale Region (1:100,000) based on Aldrick, J. M. et al., A study of the land in the catchment of the Gippsland Lakes (Vols. 1& 2), Department of Conservation and Natural Resources, Victoria, 1992.
- b) A Land Capability Study of the Cassilis Valley, Swifts Creek. Technical Report No. 27, Centre for Land Protection Research, D. M. Rees, Department of Conservation and Natural Resources, Victoria, 1995.
- c) Gippsland Lakes Environs Survey. D. F. Howe and T. Poutsma, Department of Conservation, Forests and Lands, unpublished.
- d) East Gippsland Soil Erosion Management Plan, Department of Primary Industries 2009.