

Yarra Ranges Shire Planning Scheme

Amendment C225yran

Explanatory Report

Overview

This amendment changes the Erosion Management Overlay mapping and introduces a new Schedule 2 to the Erosion Management Overlay. The current Schedule to the Erosion Management Overlay is renumbered to Schedule 1.

The Incorporated Document “*Requirements for a Geotechnical Assessment, Landslide Risk Assessment or Landslide Hazard Assessment prepared in support of a planning permit application under the Erosion Management Overlay* (Yarra Ranges Shire Council, 2025” is amended to include references to Schedules 1 and 2 and updates the application requirements.

Where you may inspect this amendment

The amendment is available for public inspection, free of charge, during office hours at the following places:

- Lilydale – 15 Anderson Street, Lilydale (open from 8.30am to 5.00pm Monday to Friday and from 9.00am to 12 midday on Saturday)
- Monbulk – 21 Main Road, Monbulk
- Healesville – 110 River Street, Healesville
- Upwey – 40 Main Street, Upwey
- Yarra Junction – 2442-2444 Warburton Hwy, Yarra Junction
- www.yarraranges.vic.gov.au

The amendment can also be inspected free of charge at the Department of Transport and Planning website at <http://www.planning.vic.gov.au/public-inspection> or by contacting the office on 1800 789 386 to arrange a time to view the amendment documentation.

Submissions

Any person may make a submission to the planning authority about the amendment. Submissions about the amendment must be received by TBC.

A submission must be sent to: Design and Place, Yarra Ranges Council, PO Box

105 Lilydale VIC 3140, or at mail@yarraranges.vic.gov.au.

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- Directions hearing: TBC
- Panel hearing: TBC

Details of the amendment

Who is the planning authority?

This amendment has been prepared by Yarra Ranges Council, which is the planning authority for this amendment.

Land affected by the amendment

The amendment applies to various properties and sites across the Yarra Ranges municipality, which is shown on the map at Attachment 1 to this Explanatory Report.

What the amendment does

The amendment changes the Erosion Management Overlay (EMO) mapping by deleting the overlay where it is no longer required, making changes to the existing overlay and introducing the overlay to new properties. A separate planning control (Schedule 2 to the EMO) is proposed to be introduced to identify areas of debris flow susceptibility, which carry a higher risk than other landslide hazards.

The current Schedule to the EMO is renumbered to Schedule 1 and would identify areas prone to landslide. In some cases, Schedule 1 and Schedule 2 apply to properties because both debris flow and landslide hazards are present. Schedule 1 is to be amended to correct grammatical errors and introduce a new planning permit exemption for repair and maintenance works to existing assets by public authorities or utility service providers.

The current Incorporated Document “*Requirements for a Geotechnical Assessment, Landslide Risk Assessment or Landslide Hazard Assessment prepared in support of a planning permit application under the Erosion Management Overlay* (Yarra Ranges Shire Council, 2025” referenced in the Schedule to the EMO is updated to include references to Schedules 1 and 2 and includes additional planning permit application requirements for Landslide Risk Assessments.

Specifically, the amendment proposes to:

- Renumber the current Schedule to Clause 44.01 Erosion Management Overlay to Schedule 1, amend grammatical errors that occurred during the approval of Amendment C217yrn and introduce a new planning permit exemption.

- Introduce Schedule 2 to Clause 44.01 Erosion Management Overlay.
- Amend Planning Scheme Map No's 1, 2, 3, 8, 9, 10, 11, 12, 13, 15, 17, 18, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 66, 67, 68, 69, 70, 71, 72, 73, 75, 76, 77, 78, 79, 82, 83, 84 to delete the Erosion Management Overlay.
- Amend Planning Scheme Map No's 1, 2, 3, 8, 9, 10, 11, 12, 13, 16, 17, 18, 20, 21, 22, 23, 25, 26, 27, 28, 30, 31, 32, 33, 34, 35, 37, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 65, 66, 67, 68, 69, 70, 71, 72, 73, 75, 76, 77, 78, 79, 83, 84 to introduce Schedule 1 and 2 to the Erosion Management Overlay.
- Amend the Schedule to Clause 72.03 What does this Planning Scheme consist of to amend the EMO maps comprised in the planning scheme.
- Amend the Schedule to Clause 72.04 Documents Incorporated in the Planning Scheme with an updated Incorporated Document titled "*Requirements for a Geotechnical Assessment, Landslide Risk Assessment or Landslide Hazard Assessment prepared in support of a planning permit application under the Erosion Management Overlay* (Yarra Ranges Shire Council, 2025).
- Amend the Schedule to Clause 72.08 Background Documents to add reference to "*Erosion Management Overlay – Basis for Mapping Amendment* (WSP Australia, April 2025)" as a background document in the Planning Scheme.

Strategic assessment of the amendment

Why is the amendment required?

Yarra Ranges Council has one of the most extensive areas of EMO in Victoria. Council has an obligation under the *Planning and Environment Act 1987* to keep planning controls up to date, which at the moment are not based on the latest information.

Landslide management was first implemented by the former Shire of Lillydale in the early 1990's through changes to the planning scheme in response to property destruction caused by landslides through the 1980's and early 1990's. The forerunner to the current EMO in the Yarra Ranges Planning Scheme was implemented in 2001 and was based on historic mapping undertaken using topographic information available at the time, mostly 1960's Melbourne Metropolitan Board of Works (MMBW) hand drawn contour plans and through viewing aerial photography.

Yarra Ranges Council engaged a geotechnical practitioner to review the EMO mapping to identify areas where updates are required to align the overlay mapping with technology advances and methodology of landslide risk assessment in Australia.

Notably the development of the *Australian Geomechanics Society Practice Note Guidelines for Landslide Risk Management 2007* (AGS 2007) and three dimensional Light Detection and Ranging (LiDAR) digital mapping information, which is used to more accurately identify landslip prone areas. The findings and recommendations of the EMO mapping review are detailed in the report titled *Yarra Ranges Erosion*

Management Overlay, Basis for Mapping Amendment (WSP, April 2025).

Schedule 2 to EMO will identify debris flow susceptibility areas, as distinct from landslide hazards, that carry a higher risk to human life than landslides. The extent of the debris flow mapping is increasing based on a 2017 University of Melbourne statewide debris flow study. The planning permit requirements for buildings and works in Schedule 2 and more stringent than Schedule 1, which contains more planning permit exemptions for buildings and works.

How does the amendment implement the objectives of planning in Victoria?

The amendment implements the objectives of planning in Victoria, as per section 4(1) of the Act:

- (a) to provide for the fair, orderly, economic and sustainable use and development of land;*
- (b) to provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;*
- (c) to secure a pleasant, efficient, and safe working, living and recreational environment for all Victorians and visitors to Victoria;*
- (e) to protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community;*
- (g) to balance the present and future interests of all Victorians.*

The amendment will implement these objectives by applying appropriate planning controls to areas which are at risk of landslip in order to protect life and property and enabling appropriate development where required.

How does the amendment address any environmental, social and economic effects?

Environmental

The primary environmental effect of the changes will be to manage the risk of landslip and debris flow in the affected areas of Yarra Ranges in locations that currently lack planning controls. Applying Schedules 1 and 2 to the EMO to properties will more accurately identify the type of landslide risk.

Climate change forecasts suggest that whilst rainfall totals in Victoria might reduce in response to climate change, the severity and frequency of extreme weather and climate events is likely to increase. Landslide frequency is expected to increase in response to the predicted climate trends. Social

The amendment will apply appropriate development controls in areas that are at risk of landslip or debris flow, and to mitigate against risk to human life and property.

Revised EMO mapping creates a safer living and working environment for the

occupants of the properties concerned and neighbouring properties. The EMO allows for appropriate development where the risk is tolerable.

There is potential for residents within new mapped debris flow areas and existing EMO areas to be concerned about their ability to rebuild their dwelling if it was destroyed, for example by a fire. This is a current risk for residents in existing mapped areas.

Council has an obligation to act on recommended EMO mapping updates and identify potential hazards through land hazard management overlays.

Economic

The amendment is not expected to have significant adverse economic effects. However, the amendment may have some adverse economic effects to individual landowners such as perceived loss of property value.

Inclusion of a site within the EMO generally does not prohibit changes to that site or buildings, rather it requires a planning permit application for buildings and works (unless exempt) whereby landslip can be considered and responded to appropriately. In most cases an applicant would need to engage a geotechnical practitioner to conduct a geotechnical assessment and landslip risk assessment, unless deemed not required by Council (the responsible authority). The proposed buildings or works would need to be engineered to reduce risk levels within a tolerable limit.

The economic impacts on future development will be offset by protection of landslide and debris flow hazard areas by minimising land disturbance from inappropriate development for the protection of all of the community.

In a small number of cases some properties where the EMO is to be applied may not be able to rebuild if the landslip risk is too great. Properties currently in the EMO which are also in a debris flow susceptibility area may not be able to rebuild due to the risk to human life and property. The introduction of Schedule 2 would not alter this, as geotechnical practitioners can already identify if a property is within a debris flow area and assess whether or not the development can be undertaken at a tolerable risk to human life and property from debris flow.

The introduction of new mapped areas of debris flow susceptibility potentially increases the number of properties that cannot be developed (including a dwelling if it is damaged and needs to be rebuilt) if a tolerable risk to human life and property cannot be achieved. However, Council has an obligation to accurately identify hazards through planning controls.

Landslides across Yarra Ranges have caused damage to the road network, buildings and infrastructure, which results in a significant cost to undertake repairs, as well as having other indirect costs to the community. This can include full or partial road closures, which also has implications on emergency services and businesses.

The economic impacts on future development will be offset by protection of landslide and debris flow hazard areas by minimising land disturbance from inappropriate development for the protection of all of the community.

Does the amendment address relevant bushfire risk?

The amendment will not result in any significant risk to life, property, community infrastructure or the natural environment from bushfire. There is no additional bushfire risk that will be caused as a result of the amendment.

Does the amendment comply with the requirements of any other Minister's Direction applicable to the amendment?

The amendment complies with the requirements of the *Ministerial Direction – The Form and Content of Planning Schemes* (section 7(5) of the Act).

The amendment complies with the requirements of *Ministerial Direction No. 11 Strategic Assessment of Amendments* under section 12 of the Act. The amendment is consistent with this direction which ensures a comprehensive strategic evaluation of a planning scheme amendment and the outcomes it produces. This explanatory report provides a comprehensive strategic evaluation of the amendment and the outcomes it produces.

How does the amendment support or implement the Planning Policy Framework and any adopted State policy?

The objective of Clause 13.04-2S (Erosion and landslip) of the Planning Policy Framework is to protect areas prone to erosion, landslip or other land degradation processes. The strategies identified under this objective are to:

- Identify areas subject to erosion or instability in planning schemes and when considering the use and development of land.
- Prevent inappropriate development in unstable areas or areas prone to erosion.
- Promote vegetation retention, planting and rehabilitation in areas prone to erosion and land instability.

The amendment supports the implementation of these objectives and strategies for landslip by revising the EMO mapping based on technological advancements and providing appropriate controls on areas subject to landslip.

How does the amendment implement the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan?

The role of the Upper Yarra Valley and Dandenong Ranges Regional Strategy Plan is to ensure that planning in the Region continues to protect the special character and features of the Region in accordance with the Principles of Statement of Planning Policy No 3. It is administered under Section 46F of the P&E Act, which prohibits the Minister for Planning from approving any amendment to the Yarra Ranges Planning Scheme that is inconsistent with the Regional Strategy Plan and its key policy directions.

The Regional Strategy Plan applies to all land within the Shire of Yarra Ranges and

affects properties within the Erosion Management Overlay. The Regional Strategy Plan was prepared to have regard to matters to enable increased protection for the special features and character of the Region. Areas prone to landslip risk and other erosion processes include many sensitive and characteristic areas of the Region.

The amendment complies with the Regional Strategy Plan by carefully considering land use and potential land use within the Region, including redevelopment and renewal of areas and other matters which should be considered to ensure that the planning of the Region proceeds in the best interests of the Region's residents and the community generally. The amendment is consistent with the intent of the Regional Strategy Plan which seeks to implement more restrictive controls associated with its natural environments and significant landscapes, while balancing social and economic outcomes in Yarra Ranges.

The amendment is specifically consistent with:

Section 1: Preface to the Regional Strategy Plan

Section 2: The Region and its Future

Section 4: Landscape Living Policy Areas

Section 5: Rural Policy Areas

Section 7: Management of Sites of Natural Significance

Section 8: Management of Sites of Cultural Significance

Section 10: Floodplain Management

Section 11: Special Study Areas

How does the amendment support or implement the Municipal Planning Strategy?

The amendment is consistent with and supports the Municipal Planning Strategy, particularly Clause 02.03-3 (Environmental risks and amenity) by updating appropriate land management measures in known landslip and debris flow risk areas. This clause identifies priority should be given to the protection of human life in the management of areas that are affected by environmental hazards

The purpose of the updated EMO mapping and introduction of Schedules 1 and 2 is to manage areas that are at risk of landslip or debris flow to protect human life and property from the impact of landslip. Clause 02.03-3 states that by recognising and planning for the risks associated with projected climate changes, the adverse effects of water scarcity, bushfire, flood and landslip events will be minimised.

Council's strategic direction is to locate and design development within areas of landslip risk to minimise the potential risk to life and property. The proposed controls assist Council in appropriately responding to the environmental risk and create a safer

living and working environment for the occupants of the properties concerned and neighbouring properties.

Does the amendment make proper use of the Victoria Planning Provisions?

The Victoria Planning Provisions include land management overlays in its suite of controls. The purpose of the EMO Management Overlay is to protect areas prone to erosion, landslip or other land degradation processes, by minimising land disturbance and inappropriate development.

The amendment will implement updated landslip and debris flow susceptibility areas through revised EMO mapping. The amendment makes appropriate use of the Victoria Planning Provisions through the implementation of Schedules 1 and 2 to the EMO to appropriately guide use and development of the relevant land according to landslip or debris flow hazards.

How does the amendment address the views of any relevant agency?

The prescribed government agencies will be notified of the amendment and will be given an opportunity to make a submission.

Does the amendment address relevant requirements of the Transport Integration Act 2010?

The amendment does not result in any negative impact on the transport system as defined by Section 3 of the *Transport Integration Act 2010*. As the amendment reduces the risk of landslip hazards, it is consistent with Section 13 of the *Transport Integration Act 2010* which seeks to improve the safety of the transport system.

How does the amendment have regard to the principles set out in the *Yarra River Protection (Wilip-gin Birrarung murrn) Act 2017* in relation to Yarra River land and other land, the use or development of which may affect Yarra River land?

The amendment does not result in any negative impact on the Yarra River land as defined by Section 3 of the *Yarra River Protection (Wilip-gin Birrarung murrn) Act 2017*. As the amendment reduces the risk of landslip hazards, it is consistent with Part 2 of the *Yarra River Protection (Wilip-gin Birrarung murrn) Act 2017* which sets out the principles for protecting the Yarra River.

Resource and administrative costs

What impact will the new planning provisions have on the resource

and administrative costs of the responsible authority?

The amendment is expected to improve the administration of the Yarra Ranges Planning Scheme by providing greater certainty for Council, landowners, developers and the community by using Schedules 1 and 2 to more specifically identify the type of hazard that applies to land.

Council received \$300,000 in grant funding under the *National Emergency Management Agency's Preparing Australian Communities Program – Local (PAC)* which was partly used to fund a review of the EMO by a geotechnical practitioner and prepare mapping.

The updated EMO mapping is unlikely to increase the number of planning permit applications, as the majority of development applications would likely require a planning permit under another planning control that already applies to the land. If landowners are proposing to only carry out works that require a planning permit, there may be an increase in the number of planning permit applications. However, this is unlikely to be significant and it is important for these types of works to be assessed by a qualified geotechnical practitioner.

The capacity to assess new applications within the prescribed time should not be affected. There is likely to be an increased cost to Council associated with referring applications (when applicable) within the new mapped areas of EMO to a geotechnical practitioner, as Council does not have geotechnical expertise to undertake these assessments.

In most cases an applicant would need to engage a geotechnical practitioner to conduct a geotechnical assessment and landslip risk assessment, unless deemed not required by Council (the responsible authority). This is an additional cost to landowners in new EMO mapped areas, however the benefit of appropriately assessing the landslip risk of a proposal is considered to outweigh the cost.

Attachment 1 – Mapping

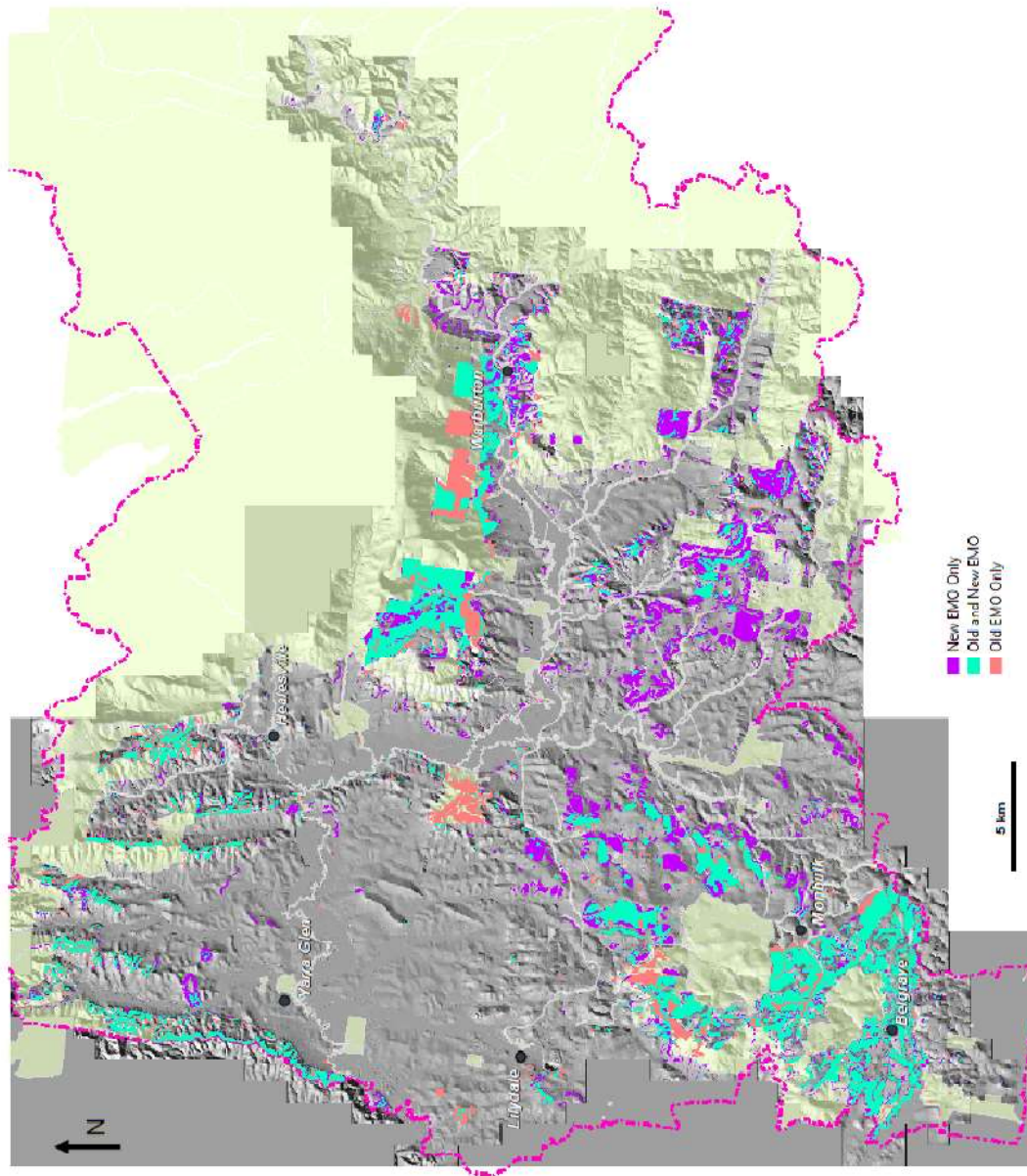


Figure 39: Comparison between existing and proposed EMO at LGA wide scale – includes both landslide and debris flow. Purple areas are proposed EMO only, Teal areas are both old and new EMO. Red areas are existing EMO only. Yellow areas are managed by entities other than YRSC.

Yarra Ranges Planning Scheme

Amendment C225

Instruction sheet

The planning authority for this amendment is Yarra Ranges Council.

The Yarra Ranges Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of 132 attached map sheets.

Overlay Maps

1. Amend Planning Scheme Map Nos. 1EMO, 2EMO, 3EMO, 8EMO, 9EMO, 10EMO, 11EMO, 12EMO, 13EMO, 17EMO, 18EMO, 20EMO, 21EMO, 22EMO, 23EMO, 25EMO, 26EMO, 27EMO, 28EMO, 30EMO, 31EMO, 32EMO, 33EMO, 34EMO, 35EMO, 37EMO, 39EMO, 40EMO, 41EMO, 42EMO, 43EMO, 44EMO, 45EMO, 46EMO, 47EMO, 48EMO, 49EMO, 52EMO, 53EMO, 54EMO, 55EMO, 56EMO, 57EMO, 58EMO, 59EMO, 60EMO, 61EMO, 66EMO, 67EMO, 68EMO, 69EMO, 70EMO, 71EMO, 72EMO, 73EMO, 75EMO, 76EMO, 77EMO, 78EMO, 79EMO, 83EMO, 84EMO in the manner shown on the 126 attached maps marked "Yarra Ranges Planning Scheme, Amendment C225yan".
2. Insert new Planning Scheme Map Nos. 16EMO and 65EMO in the manner shown on the 2 attached maps marked "Yarra Ranges Planning Scheme, Amendment C225yan".
3. Delete Planning Scheme Map Nos. 15EMO, 29EMO, 36EMO and 82EMO in the manner shown on the 4 attached maps marked "Yarra Ranges Planning Scheme, Amendment C225yan".

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

4. In **Overlays** – Clause 44.01, delete Schedule and insert a new Schedule 1 in the form of the attached document.
5. In **Overlays** – Clause 44.01, insert a new Schedule 2 in the form of the attached document.

6. In **Operational Provisions** – Clause 72.03, replace the Schedule with a new Schedule in the form of the attached document.
7. In **Operational Provisions** – Clause 72.04, replace the Schedule with a new Schedule in the form of the attached document.
8. In **Operational Provisions** – Clause 72.08, replace the Schedule with a new Schedule in the form of the attached document.

End of document

44.0106/09/2021
VC171**EROSION MANAGEMENT OVERLAY**

Shown on the planning scheme map as **EMO** with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To protect areas prone to erosion, landslip, other land degradation or coastal processes by minimising land disturbance and inappropriate development.

44.01-131/07/2018
VC148**Erosion management objectives and statement of risk**

A schedule to this overlay may contain:

- Erosion management objectives to be achieved.
- A statement of risk.

44.01-214/12/2023
VC253**Buildings and works**

A permit is required to construct a building or construct or carry out works, including:

- Roadworks (other than roadworks constructed or carried out by or on behalf of the Head, Transport for Victoria).
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- Any other matter specified in Clause 62.02-2 if specified in a schedule to this overlay.

This does not apply if a schedule to this overlay specifically states that a permit is not required.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a fence.	Clause 59.05
Construct a building or construct or carry out works for:	Clause 59.05
<ul style="list-style-type: none"> ▪ A carport, garage, pergola, verandah, deck, shed or similar structure. ▪ A rainwater tank. 	
The buildings and works must be associated with a dwelling or a small second dwelling.	

44.01-331/07/2018
VC148**Vegetation removal**

A permit is required to remove, destroy or lop any vegetation. This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- If the table to Clause 44.01-4 specifically states that a permit is not required.
- To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

Table of exemptions

The requirement to obtain a permit does not apply to:	
Emergency works	<p>Vegetation that is to be removed, destroyed or lopped:</p> <ul style="list-style-type: none"> in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.
Extractive industry	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the <i>Mineral Resources (Sustainable Development) Act 1990</i> and authorised by a work authority granted under that Act.</p>
Fire protection	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities:</p> <ul style="list-style-type: none"> fire fighting; planned burning; making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres; making of a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>); is ground fuel within 30 metres of a building and is vegetation other than native vegetation; in accordance with a fire prevention notice issued under either: <ul style="list-style-type: none"> section 87 of the <i>Fire Rescue Victoria Act 1958</i>; section 65 of the <i>Forests Act 1958</i>; or section 41 of the <i>Country Fire Authority Act 1958</i>. keeping vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the <i>Electricity Safety Act 1998</i>; minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by, or on behalf of that authority in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the <i>Road Management Act 2004</i>. <p><i>Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.</i></p>
Geothermal energy exploration and extraction	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Geothermal Energy Resources Act 2005</i>.</p>
Greenhouse gas sequestration and exploration	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Greenhouse Gas Geological Sequestration Act 2008</i>.</p>

YARRA RANGES PLANNING SCHEME

The requirement to obtain a permit does not apply to:

Land management or directions notice	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the <i>Catchment and Land Protection Act 1994</i> .
Land use conditions	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the <i>Catchment and Land Protection Act 1994</i> .
Mineral exploration and extraction	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the <i>Mineral Resources (Sustainable Development) Act 1990</i> :</p> <ul style="list-style-type: none"> ■ that is low impact exploration within the meaning of Schedule 4A of the <i>Mineral Resources (Sustainable Development) Act 1990</i> ; or ■ in accordance with a work plan approved under Part 3 of the <i>Mineral Resources (Sustainable Development) Act 1990</i> . <p><i>Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.</i></p>
Noxious weeds	Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the <i>Catchment and Land Protection Act 1994</i> . This exemption does not apply to Australian Dodder (<i>Cuscuta australis</i>).
Pest animal burrows	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows.</p> <p>In the case of native vegetation the written agreement of an officer of the department responsible for administering the <i>Flora and Fauna Guarantee Act 1988</i> is required before the vegetation can be removed, destroyed or lopped.</p>
Planted vegetation	Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.
Railways	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
Regrowth	<p>Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is:</p> <ul style="list-style-type: none"> ■ bracken (<i>Pteridium esculentum</i>) ; or ■ within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation. <p>This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.</p>
Road safety	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).

The requirement to obtain a permit does not apply to:

Stone exploration	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration.</p> <p>The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:</p> <ul style="list-style-type: none"> ▪ 1 hectare of vegetation which does not include a tree. ▪ 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level. ▪ 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level. <p>This exemption does not apply to costeaning and bulk sampling activities.</p>
Surveying	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the <i>Surveying Act 2004</i>) using hand-held tools to establish a sightline for the measurement of land.</p>
Traditional owners	<p>Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:</p> <ul style="list-style-type: none"> ▪ a natural resources agreement under Part 6 of the <i>Traditional Owners Settlement Act 2010</i> ; or ▪ an authorisation order made under sections 82 or 84 of the <i>Traditional Owner Settlement Act 2010</i> as those sections were in force immediately before the commencement of section 24 of the <i>Traditional owners Settlement Amendment Act</i> in 2016 (1 May 2017).
Tram stops	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria to construct a tram stop, including a tram stop shelter.</p>
Transport land	<p>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria on land in a Transport Zone, or in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority, to construct or maintain transport system infrastructure.</p>

44.01-5
31/07/2018
VC148

Subdivision

A permit is required to subdivide land.

44.01-6
31/07/2018
VC148

Application requirements

An application must be accompanied by any information specified in a schedule to this overlay and information showing:

- The existing site conditions, including land gradient and the extent of any existing erosion, landslip or other land degradation.
- The extent of any proposed earthworks.
- The means proposed to stabilise disturbed areas.
- Any other application requirements specified in a schedule to this overlay.

44.01-715/09/2022
VC225**Exemption from notice and review**

An application under this overlay 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.

44.01-814/01/2025
VC237**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Regional Catchment Strategy (*Catchment and Land Protection Act 1994*).
- *Civil Construction, Building and Demolition Guide* (Publication 1834, Environment Protection Authority, November 2020).
- *Control of Erosion on Construction Sites* (Michael Ransom and Soil Conservation Authority, 1984).
- *Your Dam: an Asset or a Liability* (Department of Conservation and Natural Resources and Rural Water Corporation Victoria, 1993).
- Any proposed measures to manage concentrated runoff and site drainage.
- Any proposed measures to minimise the extent of soil disturbance.
- Whether the removal of vegetation will increase the possibility of erosion, the susceptibility to landslip or other land degradation processes, and whether such removal is consistent with sustainable land management.
- The need to stabilise disturbed areas by engineering works or revegetation.
- Whether the land is capable of providing a building envelope which is not subject to high or severe erosion concern.
- Whether buildings or works are likely to cause erosion or landslip.
- Whether access and servicing of the site or building envelope is likely to result in erosion or landslip.
- Land Capability Report (if prepared) as developed by the Department of Energy, Environment and Climate Action.
- The need to remove, destroy or lop vegetation to create a defensible space to reduce the risk of bushfire to life and property.
- Any technical information or reports required to be provided by a schedule to this overlay.
- Any other matters specified in a schedule to this overlay.

01/03/2024
C217yan**SCHEDULE TO CLAUSE 44.01 EROSION MANAGEMENT OVERLAY**

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

EROSION MANAGEMENT OVERLAY - SCHEDULE**1.0**01/03/2024
C217yan**Erosion management objectives to be achieved**

To ensure that development can be undertaken at a tolerable risk to human life and property from landslip.

2.001/03/2024
C217yan**Statement of risk**

Areas subject to landslip across the Yarra Ranges include the hillsides along the Yarra River valley, the mountains of the Dandenong Ranges and agricultural areas of Silvan, Monbulk and Seville.

The occurrence of landslips within the Yarra Ranges has historically caused damage to property and the environment and presents an ongoing risk to human life. Geotechnical studies have documented historical landslip occurrences and sought to identify areas susceptible to future landslide occurrence.

The control of environmental factors and development relating to vegetation cover, drainage, rock, earthworks, soil disturbance and effluent and stormwater disposal are all important in managing the risk from landslip.

Risk from landslip needs to achieve a Tolerable Risk level to be considered suitable for new development.

Tolerable Risk is a risk within a range that society can live with so as to secure certain net benefits. It is a range of risk that is regarded as non-negligible and requires ongoing review and reduction if possible. The maximum tolerable risk is defined as:

- For loss of life of the individual most at risk, is taken as having a probability of no greater than 10^{-5} (1 in 100,000) per annum calculated in accordance with the Australian Geomechanics Society Practice Note Guidelines for Landslide Risk Management 2007.
- For property loss is assessed qualitatively using the Australian Geomechanics Society Practice Note Guidelines for Landslide Risk Management 2007, specifically Appendix C to that document with the maximum tolerable risk level selected based on type of new development in accordance with Table 1.

Table 1 - Maximum tolerable risk to property

New Development Type	Maximum Qualitative Tolerable Risk
Essential facilities including Hospitals, Medical centre and Emergency services facility. Land uses capable of causing hazardous conditions including Earth and energy resources industry, Freezing and cool storage and Fuel depot.	Low
All other land uses	Moderate

3.001/03/2024
C217yan**Permit requirement**

A permit is required for all subdivision and new buildings and works except for:

- Impervious water holding structures engineer designed or manufactured to an Australian Standard such as domestic rainwater tanks and spas, ponds and rainwater gardens with a capacity not exceeding 5000 litres.

YARRA RANGES PLANNING SCHEME

- Landscaping water features or other non-engineer designed or manufactured water retaining structures provided that do not entail ponding of more than 500 litres.
- A masonry fence, if the height of the fence does not exceed one metre and the fence does not alter surface water drainage.
- A fence of lightweight construction including timber, wire or aluminium where the fence is permeable or the base of the fence is at least 50 mm above the ground surface and does not obstruct surface water flow.
- Earthworks that result in a modified ground surface that is less than 1 metre above or below the natural ground level and does not allow water ponding.
- Alteration or extension to an existing building provided all of the following are met:
 - the floor area of the alteration or extension is not more than 20 square metres;
 - the alteration is connected to a legal point of discharge;
 - there are no existing earthworks higher than 1 metre within 5 metres of the alteration or addition.
- An outbuilding ancillary to a dwelling, provided all the following are met:
 - the building is not used for accommodation;
 - the building is constructed with aluminium, steel or timber;
 - the total area of outbuildings on the lot is 40 square metres or less;
 - the building is connected to a legal point of discharge;
 - there are no existing earthworks higher than 1 metre within 5 metres of the building.
- A building used for agriculture, provided all of the following are met:
 - the building is constructed with aluminium, steel or timber;
 - there are no more than two agricultural buildings on the lot;
 - the building is connected to a legal point of discharge;
 - there are no existing earthworks higher than 1 metre within 5 metres of the building.
- A temporary shed or temporary structure for construction purposes with a floor area of 20 square metres or less.
- A retaining wall associated with new excavation or fill provided all of the following are met:
 - the retaining wall and associated earthworks result in a modified ground surface that is less than 1 metre above or below the natural ground level;
 - the retaining wall is less than 1 metre high;
 - the retaining wall is not attached to or part of a building or structure;
 - the retaining wall does not provide landslip protection for any adjoining land.
- A retaining wall or slope retention to support existing earthworks provided the earthworks were undertaken prior to 2001.
- Remove, destroy or lop vegetation, either separately or as part of building works if any of the following apply:
 - A tree with a trunk circumference of 0.5 metres or less measured 1.3 m above ground level.
 - Vegetation within 2 metres of a building.
 - Dead vegetation where the ground surface is reinstated.
 - Lopping necessary to improve the health or structural stability of a tree.

4.001/03/2024
C217yan**Application requirements**

The following application requirements apply to an application for a permit under Clause 44.01, in addition to those specified elsewhere in Clause 44.01 and elsewhere in the scheme, and must accompany an application, as appropriate, to the satisfaction of the responsible authority.

For an application to construct a building or construct or carry out works:

- Plans drawn to scale and dimensioned, showing as appropriate;
 - The proposed new development, including as appropriate a site plan, land contours, building elevations, access, cut and fill, retaining walls and effluent disposal system.
 - Any existing development, including buildings, water tanks and pools or dams on both the subject lot(s) and adjacent land.
 - Any existing earthworks and water infrastructure on the subject lot(s), including cut and fill, stormwater drainage, subsurface drainage, water supply pipelines, sewerage pipelines or effluent disposal installations and pipelines and any otherwise identified geotechnical hazard.
 - Details and locations of existing vegetation, including any vegetation to be removed.
- A Geotechnical Assessment or Landslide Risk Assessment prepared in accordance with the Incorporated Document 'Requirements for a Geotechnical Assessment, Landslide Risk Assessment or Landslide Hazard Assessment prepared in support of a planning permit application under the Erosion Management Overlay (Yarra Ranges Shire Council, March 2023).'

For an application to subdivide land:

- Plans drawn to scale and dimensioned, showing as appropriate;
 - The proposed subdivision layout and land contours.
 - Any existing development, including buildings, water tanks and pools or dams on both the subject lot(s) and adjacent land.
 - Any existing earthworks or water infrastructure on the subject lot(s), including cut and fill, stormwater drainage, subsurface drainage, water supply pipelines, sewerage pipelines or effluent disposal installations and pipelines and any otherwise identified geotechnical hazard.
 - Details and location of existing vegetation, including any vegetation to be removed.
 - Landslide Hazard Assessment in accordance with the Incorporated Document 'Requirements for a Geotechnical Assessment, Landslide Risk Assessment or Landslide Hazard Assessment prepared in support of a planning permit application under the Erosion Management Overlay (Yarra Ranges Shire Council, March 2023).'
- If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the application requirements.

5.001/03/2024
C217yan**Decision guidelines**

The following decision guidelines apply to an application for a permit under Clause 44.01, in addition to those specified elsewhere in Clause 44.01 and elsewhere in the scheme must be considered, as appropriate, by the responsible authority:

- The statement of risk and whether the risk to human life and property is tolerable.
- The recommendations of the Geotechnical Assessment, Geotechnical Hazard assessment or any Landslide Risk Assessment.
- The need for any ongoing monitoring and maintenance for mitigation measures.

SCHEDULE 1 TO CLAUSE 44.01 EROSION MANAGEMENT OVERLAY

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

EROSION MANAGEMENT OVERLAY - SCHEDULE 1

1.0 Erosion management objectives to be achieved

To ensure that development can be undertaken at a tolerable risk to human life and property from landslip.

2.0 Statement of risk

Areas subject to landslip across the Yarra Ranges include the hillsides along the Yarra River valley, the mountains of the Dandenong Ranges and agricultural areas of Silvan, Monbulk and Seville.

The occurrence of landslips within the Yarra Ranges has historically caused damage to property and the environment and presents an ongoing risk to human life. Geotechnical studies have documented historical landslip occurrences and sought to identify areas susceptible to future landslide occurrence.

The control of environmental factors and development relating to vegetation cover, drainage, rock, earthworks, soil disturbance and effluent and stormwater disposal are all important in managing the risk from landslip.

Risk from landslip needs to achieve a Tolerable Risk level to be considered suitable for new development.

Tolerable Risk is a risk within a range that society can live with so as to secure certain net benefits. It is a range of risk that is regarded as non-negligible and requires ongoing review and reduction if possible. The maximum tolerable risk is defined as:

- For loss of life of the individual most at risk, it is taken as having a probability of no greater than 10^{-5} (1 in 100,000) per annum calculated in accordance with the Australian Geomechanics Society Practice Note Guidelines for Landslide Risk Management 2007.
- For property loss is assessed qualitatively using the Australian Geomechanics Society Practice Note Guidelines for Landslide Risk Management 2007, specifically Appendix C to that document with the maximum tolerable risk level selected based on the type of new development in accordance with Table 1.

Table 1 - Maximum tolerable risk to property

New Development Type	Maximum Qualitative Tolerable Risk
Essential facilities including Hospitals, Medical centres and Emergency services facilities. Land uses capable of causing hazardous conditions including Earth and energy resources industry, Freezing and cool storage and Fuel depots.	Low
All other land uses	Moderate

3.0 Permit requirement

A permit is required for all subdivision and new buildings and works except for:

- Impervious water holding structures engineer designed or manufactured to an Australian Standard such as domestic rainwater tanks and spas, ponds and rainwater gardens with a capacity not exceeding 5000 litres.
- Landscaping water features or other non-engineer designed or manufactured water retaining structures ~~provided~~ that do not entail ponding of more than 500 litres.
- A masonry fence, if the height of the fence does not exceed one metre and the fence does not alter surface water drainage.
- A fence of lightweight construction including timber, wire or aluminium and where the fence is permeable, or where the base of the fence is at least 50 mm above the ground surface and does not obstruct surface water flow.
- Earthworks that result in a modified ground surface that is less than 1 metre above or below the natural ground level and does not allow water ponding.
- Repair or maintenance works to existing assets undertaken by, or on behalf of a municipality, public authority or utility service provider relating to watercourse management, environmental improvements or infrastructure services.
- Alteration or extension to an existing building provided all of the following are met:
 - the floor area of the alteration or extension is not more than 20 square metres;
 - the alteration is connected to a legal point of discharge;
 - there are no existing earthworks higher than 1 metre within 5 metres of the alteration or addition.
- An outbuilding ancillary to a dwelling, provided all of the following are met:
 - the building is not used for accommodation;
 - the building is constructed with aluminium, steel or timber;
 - the total area of outbuildings on the lot is 40 square metres or less;
 - the building is connected to a legal point of discharge;
 - there are no existing earthworks higher than 1 metre within 5 metres of the building.
- A building used for agriculture, provided all of the following are met:
 - the building is constructed with aluminium, steel or timber;
 - there are no more than two agricultural buildings on the lot;
 - the building is connected to a legal point of discharge;
 - there are no existing earthworks higher than 1 metre within 5 metres of the building.
- A temporary shed or temporary structure for construction purposes with a floor area of 20 square metres or less.
- A retaining wall associated with new excavation or fill provided all of the following are met:
 - the retaining wall and associated earthworks result in a modified ground surface that is less than 1 metre above or below the natural ground level;
 - the retaining wall is less than 1 metre high;

- the retaining wall is not attached to or part of a building or structure;
- the retaining wall does not provide landslip protection for any adjoining land.
- A retaining wall or slope retention to support existing earthworks provided the earthworks were undertaken prior to 2001.
- Remove, destroy or lop vegetation, either separately or as part of building works if any of the following apply:
 - A tree with a trunk circumference of 0.5 metres or less measured 1.3 metres above ground level.
 - Vegetation within 2 metres of a building.
 - Dead vegetation where the ground surface is reinstated.
 - Lopping necessary to improve the health or structural stability of a tree.

4.0 Application requirements

The following application requirements apply to an application for a permit under Clause 44.01, in addition to those specified elsewhere in Clause 44.01 and elsewhere in the scheme, and must accompany an application, as appropriate, to the satisfaction of the responsible authority.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the application requirements.

For an application to construct a building or construct or carry out works:

- Plans drawn to scale and dimensioned, showing as appropriate;
 - The proposed new development, including as appropriate a site plan, land contours, building elevations, access, cut and fill, retaining walls and effluent disposal system.
 - Any existing development, including buildings, water tanks and pools or dams on both the subject lot(s) and adjacent land.
 - Any existing earthworks and water infrastructure on the subject lot(s), including cut and fill, stormwater drainage, subsurface drainage, water supply pipelines, sewerage pipelines or effluent disposal installations and pipelines and any otherwise identified geotechnical hazard.
 - Details and locations of existing vegetation, including any vegetation to be removed.
- A Geotechnical Assessment or Landslide Risk Assessment prepared in accordance with the Incorporated Document 'Requirements for a Geotechnical Assessment, Landslide Risk Assessment or Landslide Hazard Assessment prepared in support of a planning permit application under the Erosion Management Overlay (Yarra Ranges Shire Council, 2025 March 2023).'

For an application to subdivide land:

- Plans drawn to scale and dimensioned, showing as appropriate;
 - The proposed subdivision layout and land contours.

- Any existing development, including buildings, water tanks and pools or dams on both the subject lot(s) and adjacent land.
- Any existing earthworks or water infrastructure on the subject lot(s), including cut and fill, stormwater drainage, subsurface drainage, water supply pipelines, sewerage pipelines or effluent disposal installations and pipelines and any otherwise identified geotechnical hazard.
- Details and location of existing vegetation, including any vegetation to be removed.
- ~~Landslide Hazard Assessment in accordance with the Incorporated Document ‘Requirements for a Geotechnical Assessment, Landslide Risk Assessment or Landslide Hazard Assessment prepared in support of a planning permit application under the Erosion Management Overlay (Yarra Ranges Shire Council, March 2023)’.~~
- ~~If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the application requirements.~~

5.0 Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 44.01, in addition to those specified elsewhere in Clause 44.01 and elsewhere in the scheme must be considered, as appropriate, by the responsible authority:

- The statement of risk and whether the risk to human life and property is tolerable.
- The recommendations of the Geotechnical Assessment, Geotechnical Hazard Assessment or any Landslide Risk Assessment.
- The need for any ongoing monitoring and maintenance for mitigation measures.

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Proposed Xxxxxx

SCHEDULE 2 TO CLAUSE 44.01 EROSION MANAGEMENT OVERLAY

Shown on the planning scheme map as **EMO2**.

EROSION MANAGEMENT OVERLAY - SCHEDULE 2

1.0

--/--/---
Proposed Xxxxxx

Erosion management objectives to be achieved

To ensure that development can be undertaken at a tolerable risk to human life and property from debris flow.

2.0

--/--/---
Proposed Xxxxxx

Statement of risk

Debris flow refers to the rapid flow of water saturated debris or earth down a slope, usually channelled within drainage lines and gullies. There are areas within Yarra Ranges subject to debris flow, including the northwest face of Mount Dandenong in the Kalorama and Montrose areas, and north facing slopes south of Warburton and to the south east of The Basin.

The occurrence of debris flows within the Yarra Ranges has historically caused damage to property and threatened life. Geotechnical studies have documented historical debris flow occurrences and sought to identify areas susceptible to impact from future debris flow. Debris flow can travel up to several kilometres downslope from its landslip source, impacting areas that are not otherwise prone to landslide initiation.

All land included in the EMO2 has been identified as having a sufficiently high risk of potential impact from debris flow to warrant specific review of these risks prior to the issue of a planning permit. Development should be avoided in areas susceptible to debris flow.

Risk from debris flow needs to achieve a Tolerable Risk level to be considered suitable for new development.

Tolerable Risk is a risk within a range that society can live with so as to secure certain net benefits. It is a range of risk that is regarded as non-negligible and requires ongoing review and reduction if possible. The maximum tolerable risk is defined as:

- For loss of life of the individual most at risk, it is taken as having a probability of no greater than 10^{-5} (1 in 100,000) per annum calculated in accordance with the *Australian Geomechanics Society Practice Note Guidelines for Landslide Risk Management 2007*.
- For property loss it is assessed qualitatively using the *Australian Geomechanics Society Practice Note Guidelines for Landslide Risk Management 2007*, specifically Appendix C to that document and the tolerable risk level is selected depending on the type of new development in accordance with Table 1.

Table 1 - Maximum tolerable risk to property

New Development Type	Maximum Qualitative Tolerable Risk
Essential facilities including Hospitals, Medical centres and Emergency services facilities. Land uses capable of causing hazardous conditions including Earth and energy resources industry, Freezing and cool storage and Fuel depots.	Low
All other land uses	Moderate

3.0

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Proposed Xxxxxx

Permit requirement

A permit is required for all subdivision and new buildings and works except for:

- Earthworks that result in a modified ground surface that is less than 600 mm above or below the natural ground level.
- A retaining wall less than 600 mm high.
- Construct a non-habitable structure ancillary to a dwelling, including carports and sheds, provided the ground surface area occupied by all such structures on the property does not exceed 20 square metres.
- Construct or carry out repair or maintenance works undertaken by, or on behalf of a municipality, public authority or utility service provider relating to watercourse management, environmental improvements or infrastructure services.
- Construct a fence.
- Remove, destroy or lop vegetation.

4.0

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Proposed C119c

Application requirements

The following application requirements apply to an application for a permit under Clause 44.01, in addition to those specified elsewhere in Clause 44.01 and elsewhere in the scheme, and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

For an application to construct a building or construct or carry out works:

- Plans drawn to scale and dimensioned, showing as appropriate:
 - The proposed new development, including as appropriate a site plan, land contours, building elevations, access, cut and fill and retaining walls.
 - Any existing development, including buildings, ancillary structures, outbuildings and pools on both the subject lot(s) and adjacent land.
- A Geotechnical Assessment and Landslide Risk Assessment prepared in accordance with the Incorporated Document 'Requirements for a Geotechnical Assessment, Landslide Risk Assessment or Landslide Hazard Assessment prepared in support of a planning permit

application under the Erosion Management Overlay (Yarra Ranges Shire Council, <<date>>). For an application to subdivide land:

- Plans drawn to scale and dimensioned, showing as appropriate:
 - The proposed subdivision layout and land contours.
 - Any existing development, including buildings, ancillary structures and outbuildings on both the subject lot(s) and adjacent land.
- A landslide hazard assessment as required by and prepared in accordance with the Incorporated Document titled 'Requirements for a Geotechnical Assessment, Landslide Risk Assessment or Landslide Hazard Assessment prepared in support of a planning permit application under the Erosion Management Overlay (Yarra Ranges Shire Council <<date>>)' and to the satisfaction of the responsible authority.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the application requirements.

5.0

Decision guidelines

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Proposed Xxxxx

The following decision guidelines apply to an application for a permit under Clause 44.01, in addition to those specified elsewhere in Clause 44.01 and elsewhere in the scheme must be considered, as appropriate, by the responsible authority:

- The statement of risk and whether the risk to human life and property is tolerable.
- The recommendations of the Geotechnical Assessment, Landslide Risk Assessment or, Geotechnical Hazard Assessment.
- The need for any ongoing monitoring and maintenance for mitigation measures.

SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

1.0 Maps comprising part of this planning scheme:

Zoning and Overlay maps:

- 1, 1BMO, 1EMO, 1ESO, 1SLO
- 2, 2BMO, 2EMO, 2ESO, 2HO, 2SLO
- 3, 3RO, 3BMO, 3EMO, 3ESO, 3HO, 3SLO
- 4, 4BMO, 4ESO, 4HO
- 5, 5BMO, 5ESO, 5HO
- 6, 6BMO, 6ESO
- 7, 7HO, 7BMO, 7ESO
- 8, 8SLO, 8DDO, 8BMO, 8ESO, 8EMO, 8HO
- 9, 9SLO, 9DDO, 9HO, 9PAO, 9LSIO, 9BMO, 9EMO, 9ESO
- 10. 10SLO, 10LSIO, 10BMO, 10EMO, 10ESO, 10HO
- 11. 11SLO, 11LSIO, 11RO, 11BMO, 11EMO, 11ESO, 11HO, 11SCO
- 12. 12EAO, 12SLO, 12DDO, 12HO, 12LSIO, 12RO, 12BMO, 12EMO, 12ESO, 12RXO, 12SCO
- 13, 13SLO, 13LSIO, 13BMO, 13EMO, 13ESO, 13HO
- 14, 14BMO, 14ESO, 14HO
- 15, 15BMO, ~~15EMO~~, 15ESO, 15HO, 15LSIO
- 16, 16SLO, 16RO, 16BMO, 16ESO, 16HO, 16EMO
- 17, 17SLO, 17LSIO, 17EMO, 17ESO, 17BMO
- 18, 18SLO, 18DDO, 18HO, 18LSIO, 18BMO, 18EMO, 18ESO
- 19, 19SLO, 19DDO, 19HO, 19PAO, 19LSIO, 19RO, 19ESO, 19SCO
- 20, 20SLO, 20HO, 20LSIO, 20EMO, 20ESO, 20BMO
- 21, 21SLO, 21LSIO, 21EMO, 21ESO, 21HO, 21BMO
- 22, 22SLO, 22DDO, 22HO, 22LSIO, 22RO, 22BMO, 22EMO, 22ESO
- 23, 23SLO, 23HO, 23PAO, 23RO, 23BMO, 23EMO, 23ESO, 23LSIO
- 24, 24BMO, 24ESO, 24HO, 24LSIO
- 25, 25SLO, 25LSIO, 25EMO, 25ESO, 25DPO
- 26, 26SLO, 26HO, 26LSIO, 26EMO, 26ESO, 26DPO, 26BMO, 26SBO
- 27, 27SLO, 27DDO, 27HO, 27LSIO, 27RO, 27EMO, 27ESO, 27BMO, 27SBO, 27EAO
- 28, 28SLO, 28BMO, 28EMO, 28ESO, 28LSIO

- 29, 29SLO, 29LSIO, 29BMO, ~~29EMO~~, 29ESO
- 30, 30SLO, 30LSIO, 30BMO, 30EMO, 30ESO, 30HO
- 31, 31SLO, 31RO, 31BMO, 31EMO, 31ESO, 31HO, 31LSIO
- 32, 32SLO, 32HO, 32RO, 32BMO, 32EMO, 32ESO
- 33, 33SLO, 33LSIO, 33BMO, 33EMO, 33ESO, 33HO
- 34, 34SLO, 34DDO, 34HO, 34LSIO, 34BMO, 34EMO, 34ESO, 34EAO
- 35, 35SLO, 35LSIO, 35RO, 35BMO, 35EMO, 35ESO, 35HO
- 36, 36SLO, 36RO, 36BMO, ~~36EMO~~, 36ESO, 36HO, 36LSIO
- 37, 37SLO, 37PAO, 37RO, 37BMO, 37EMO, 37ESO
- 38, 38BMO, 38ESO
- 39, 39SLO, 39DDO, 39EAO, 39LSIO, 39SBO, 39EMO, 39ESO, 39DPO, 39DCPO, 39SCO
- 40, 40DDO, 40SLO, 40HO, 40PAO, 40LSIO, 40SBO, 40EMO, 40DPO, 40BMO, 40SCO, 40EAO
- 41, 41SLO, 41DDO, 41RO, 41EMO, 41ESO, 41RXO, 41HO, 41BMO, 41LSIO
- 42, 42SLO, 42DDO, 42LSIO, 42EMO, 42ESO, 42HO, 42BMO, 42SBO
- 43, 43SLO, 43DDO, 43LSIO, 43BMO, 43EMO, 43ESO, 43HO
- 44, 44SLO, 44DDO, 44LSIO, 44BMO, 44EMO, 44ESO, 44HO
- 45, 45SLO, 45DDO, 45HO, 45LSIO, 45RO, 45BMO, 45EMO, 45ESO
- 46, 46SLO, 46DDO, 46HO, 46LSIO, 46BMO, 46EMO, 46ESO
- 47, 47SLO, 47DDO, 47HO, 47LSIO, 47RO, 47BMO, 47EMO, 47ESO, 47SCO
- 48, 48SLO, 48DDO, 48HO, 48PAO, 48LSIO, 48RO, 48BMO, 48EMO, 48ESO, 48SCO
- 49, 49SLO, 49LSIO, 49RO, 49BMO, 49EMO, 49ESO
- 50, 50BMO, 50ESO, 50HO
- 51, 51SLO, 51DDO, 51PAO, 51SBO, 51ESO, 51HO, ~~51LSIO~~
- 52, 52DDO, 52DPO, 52SLO, 52HO, 52LSIO, 52SBO, 52RO, 52BMO, 52EMO, 52ESO, 52RXO, 52SCO
- 53, 53SLO, 53LSIO, 53RO, 53BMO, 53EMO, 53ESO, 53RXO, 53HO
- 54, 54SLO, 54DDO, 54EMO, 54ESO, 54HO, 54BMO, 54 LSIO
- 55, 55SLO, 55EMO, 55ESO, 55BMO, 55LSIO
- 56, 56SLO, 56EMO, 56ESO, 56HO, 56BMO, 56LSIO
- 57, 57SLO, 57EMO, 57ESO, 57BMO
- 58, 58SLO, 58BMO, 58EMO, 58ESO, 58RXO, 58HO, 58LSIO
- 59, 59SLO, 59RO, 59BMO, 59EMO, 59ESO, 59HO, 59LSIO

- 60, 60SLO, 60BMO, 60EMO, 60ESO, 60HO, 60LSIO
- 61, 61SLO, 61BMO, 61EMO, 61ESO, 61HO
- 62, 62BMO, 62ESO, 62HO
- 63, 63BMO, 63ESO, 63HO
- 64, 64SLO, 64BMO, 64ESO, 64HO
- 65, 65SLO, 65DDO, 65BMO, 65ESO, 65RXO, 65HO, 65EMO
- 66, 66SLO, 66HO, 66DDO, 66RO, 66BMO, 66EMO, 66ESO, 66EAO, 66RXO, 66LSIO, 66SCO
- 67, 67SLO, 67HO, 67PAO, 67RO, 67BMO, 67EMO, 67ESO, 67RXO, 67DDO
- 68, 68SLO, 68BMO, 68EMO, 68ESO, 68HO, 68DDO, 68SCO
- 69, 69SLO, 69HO, ~~69~~8EMO, 69ESO, 69BMO, 69LSIO
- 70, 70SLO, 70HO, 70BMO, 70EMO, 70ESO
- 71, 71SLO, 71RO, 71BMO, 71EMO, 71ESO, 71LSIO
- 72, 72SLO, 72BMO, 72EMO, 72ESO, 72HO, 72LSIO
- 73, 73SLO, 73HO, 73RO, 73BMO, 73EMO, 73ESO, 73LSIO
- 74, 74BMO, 74ESO, 74HO
- 75, 75SLO, 75HO, 75PAO, 75LSIO, 75RO, 75BMO, 75EMO, 75ESO, 75RXO
- 76, 76SLO, 76DDO, 76HO, 76LSIO, 76RO, 76BMO, 76EMO, 76ESO, 76RXO, 76DPO, 76SCO
- 77, 77SLO, 77HO, 77RO, 77BMO, 77EMO, 77ESO, 77LSIO
- 78, 78SLO, 78HO, 78RO, 78BMO, 78EMO, 78ESO, 78LSIO
- 79, 79BMO, 79EMO, 79ESO, 79HO, 79SLO
- 80, 80SLO, 80BMO, 80ESO
- 81, 81BMO, 81ESO
- 82, 82EAO, 82SLO, 82LSIO, ~~82EMO~~, 82ESO, 82HO, 82BMO
- 83, 83EAO, 83SLO, 83LSIO, 83RO, 83BMO, 83EMO, 83ESO, 83HO, 83DDO
- 84, 84BMO, 84EMO, 84ESO, 84SLO

SCHEDULE TO CLAUSE 72.04 INCORPORATED DOCUMENTS

1.0 Incorporated documents

Name of Document	Introduced by
13 Green Street, Healesville Incorporated Document, December 2020	c187yran
261 Mount Dandenong Tourist Road, Ferny Creek, Development and Use of Land for a Restaurant and a Caretaker's House, November 2013	C129
30-32 Melba Highway, Yering, July 2016	C160
361-365 Mt Dandenong Tourist Road, Sassafras, Specific Controls Incorporated Document, June 2023	C186yran
Alta Dena, 1 Montrose Road, Montrose Statement of Significance May 2023	C210yran
Amendment L145 to the former Lillydale Planning Scheme (Heritage Golf Course, Hughes Road, Chirnside Park)	NPS1
Amendment L3 to the former Healesville Planning Scheme (15 Healesville-Kooweerup Rd and 16 Airley Rd, Healesville)	NPS1
Amendment L33 to the former Upper Yarra Planning Scheme (Warburton Mountain Resort, Martyr Road, Warburton)	NPS1
Amendment L4 to the former Upper Yarra Planning Scheme (Warburton Chalet, Scotchmans Creek Road, Warburton)	NPS1
Billanook College Master Plan October 2011	C123
Cement Creek Plantation, Cement Creek Road, East Warburton - Statement of Significance, October 2022	C197yranPt2
Chirnside Park Major Activity Centre Development Contributions Plan (Urban Enterprise, December 2023)	VC249
Concept Plan – Healesville Mandarin by G Burgess & K Taylor dated February 1989 (Pt CAs 163 & 163A, Maroondah Hwy and Mt Riddell Rd, Healesville)	NPS1
Concept Plan Nos CP-3-5 by Mark Burns, dated June 1996 (140 Yarra Glen Road, Healesville)	NPS1
Document Incorporated under the Schedule to Clause 52.03 (Specific Sites and Exclusions) of the Yarra Ranges Planning Scheme, March 2017	C162
Eastern Golf Club Yering, February 2013	C130
Former Lillydale Quarry Comprehensive Development Plan, October 2021 (Amended August 2022)	C213yran

Healesville Commercial Precinct – February 2015	C131
Kaufland Supermarket and complementary uses, 266-268 Maroondah Highway, Chirnside Park, Incorporated Document, March 2019	GC123
Lilydale Cemetery Incorporated Management Plan (August 2006)	C16(Part 2)
Lilydale Street Trees Incorporated Management Plan (August 2007)	C63
Little Yarra Steiner School Special Use Zone 8 Master Plan Mar 2009	C82
Manchester Road, Mooroolbark Level Crossing Removal Project Incorporated Document, February 2020	GC152
Maroondah Highway, Lilydale Level Crossing Removal Project Incorporated Document, February 2020	GC152
Montrose Intersection Upgrade Project Incorporated Document, February 2022	C200yran
Overall Development Plan by Fulcrum Town Planners dated October 1996 (“The Country Place”, 180 Olinda Creek Road, Kalorama)	NPS1
Permit PS/5416 dated 30 January 1979 and Plan 865AP dated 13 September 1978 by Paul Millar & Associates, modified by Permit PS/8024 and PS/8209 Coldstream Airfield)	NPS1
Plan No C6007 by Plan Printing & Drafting, dated September 1985 (Lilydale Airfield)	NPS1
Powerline Bushfire Safety Program - Native Vegetation Removal Code of Practice, August 2016	GC57
Proposed 10 Year Development Plan 1991-2001, prepared by Michol Design and dated 25 July 1990 (Life Ministry Centre, Old Melbourne Road, Chirnside Park)	NPS1
Requirements for a Geotechnical Assessment, Landslide Risk Assessment or Landslide Hazard Assessment prepared in support of a planning permit application under the Erosion Management Overlay (Yarra Ranges Shire Council, March 2023 2025)	C217yran C225yran
Restructure Plan for Old and Inappropriate Subdivisions in the Yarra Ranges Council (Yarra Ranges Council, May 2023)	C211yran
Section 1A of Schedule 2 – Restricted Uses in Chapter 5 (Upper Yarra District) of the former Yarra Ranges Planning Scheme (Little Yarra Road, Gilderoy)	NPS1
St Hubert’s Stables and Wine Cellar (Ruins) Incorporated Plan June 2007	C60
Small Lot Housing Code (Victorian Planning Authority, November 2019)	C203yran

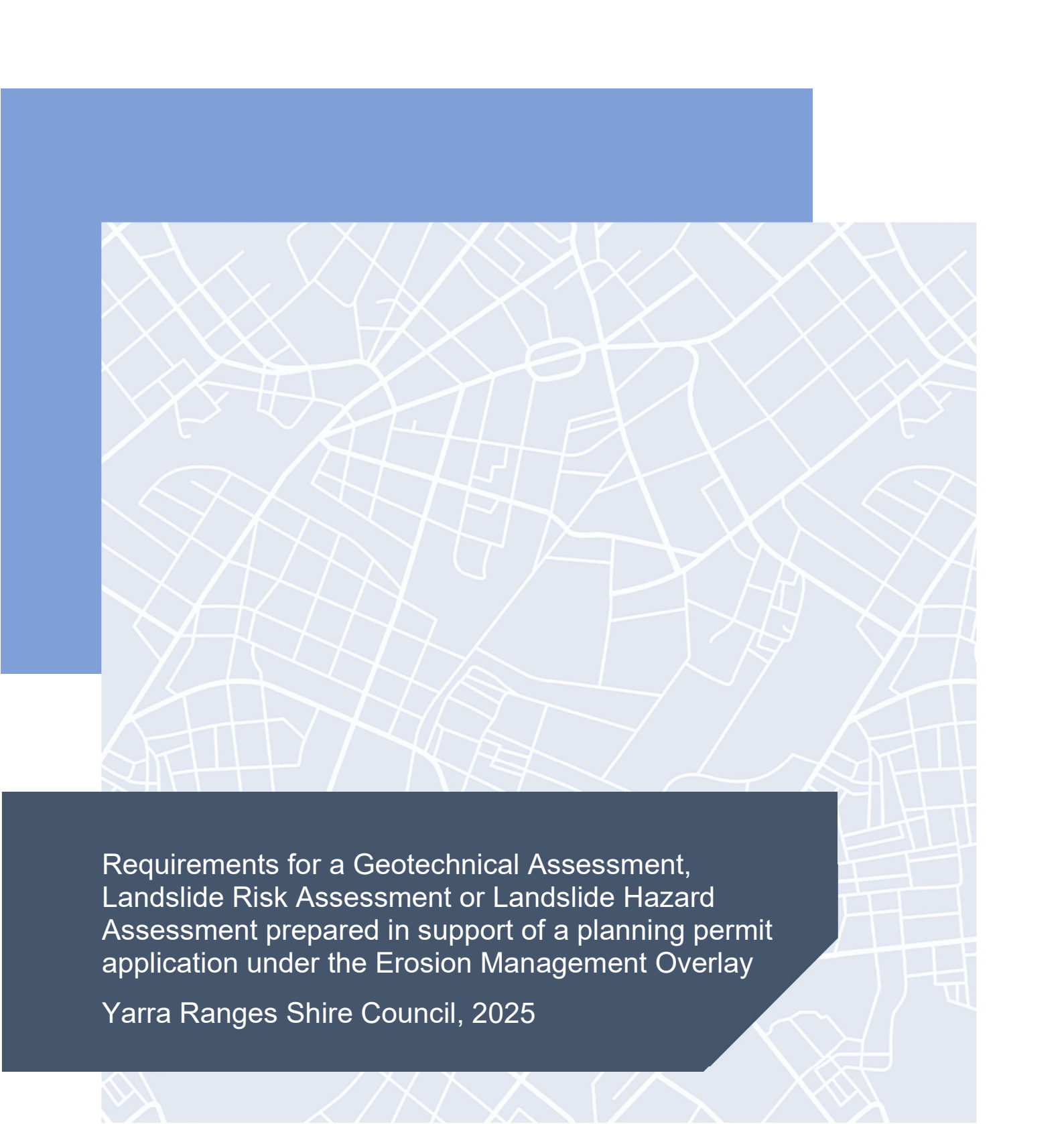
Symons Street Healesville Residential Precinct – February 2015	C131
Warburton Mountain Bike Destination Project (Southern Network) Incorporated Document (Department of Transport and Planning, October 2023)	C222yan
Yarra Glen Cemetery Incorporated Management Plan (April 2005)	C51
Yarra Ranges Council – List of Environmental Weeds 2019	C148yan

SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS

1.0 Background documents

Name of background document	Amendment number - clause reference
Belgrave Commercial Precinct (Lovell Chen, 2009)	
Brocklesby House Ladies Rest Home (Trevor Westmore, 2009)	
Cave Hill Quarry Conservation Management Plan (Lovell Chen, 2015)	
Cement Creek Plantation, Cement Creek Road, East Warburton Heritage Citation (Extent Heritage Pty Ltd, October 2022)	C197yranPt2 - Clause 43.01
Chirnside Park Urban Design Master Plan (Woods Bagot, September 2010)	
Coldstream Structure Plan (Yarra Ranges Council 2016)	
Conservation of Historic Sites and Structure of Historical and Architectural Significance in the Upper Yarra Valley and Dandenong Ranges Region October (Upper Yarra and Dandenong Ranges Regional Authority, 1978)	
Erosion Management Overlay – Basis for Schedule Amendment (WSP Australia, formerly Golder Associates, May 2023)	C217yran
<u>Erosion Management Overlay – Basis for Mapping Amendment (WSP Australia, April 2025)</u>	<u>C225yran</u>
Former Lilydale Quarry Heritage Interpretation Strategy (Lovell Chen & Biosis, 2020)	
Former Lilydale Quarry Integrated Transport Plan (Cardno, 2020)	
Former Lilydale Quarry Integrated Water Management Strategy (Incitus, 2020)	
Former Lilydale Quarry Stormwater Strategy (Incitus, 2020)	
Former Lilydale Quarry Sustainability Framework (WSP, 2020)	
Healesville Structure Plan (Yarra Ranges Council, 2016)	
Heritage Citation - Individual Place - Alta Dena, 1 Montrose Road Montrose (Extent Heritage, May 2023)	C210yran Clause 43.01
Lilydale Historic Houses Precinct Methodology and Heritage Precinct Report (Lovell Chen, 2011)	

Lilydale Major Activity Centre Structure Plan (Yarra Ranges Council, 2006)	
Lilydale Urban Improvement Project (Planisphere, 2008)	
Mooroolbark Activity Centre Structure Plan (Yarra Ranges Council, 2011)	
The Bend Heritage Precinct Citation (Lovell Chen, 2011)	
Vision 2020 by Design – A Built Environment Framework for Yarra Ranges (Yarra Ranges Council, 2008)	
Yarra Ranges Shire Council Gambling Planning Policy Framework - Options Paper (Symplan Consulting, 2007)	
Yarra Ranges Shire Council Gambling Planning Policy Framework - Discussion Paper (Symplan Consulting, 2007)	
Yarra Ranges Green Wedge Management Plan (Yarra Ranges Council, 2010)	
Yarra Ranges Housing Strategy (Yarra Ranges Council, 2009)	
Yarra Ranges Activity Centre Network Strategy (Essential Economics, 2012)	



Requirements for a Geotechnical Assessment,
Landslide Risk Assessment or Landslide Hazard
Assessment prepared in support of a planning permit
application under the Erosion Management Overlay

Yarra Ranges Shire Council, 2025

YARRA RANGES PLANNING SCHEME

Incorporated Document

This document is an incorporated document in the
Yarra Ranges Planning Scheme pursuant to section
6(2)(j) of the Planning and Environment Act 1987



[OPTIONAL - Insert Author Logo]

OFFICIAL

1.0 INTRODUCTION

This document is an Incorporated Document to the Schedule to Clause 44.01 and Clause 72.04 of the Yarra Ranges Planning Scheme (the Scheme), pursuant to section 6(2)(j) of the *Planning and Environment Act 1987* (the Act).

This document sets out the requirements for geotechnical assessments, landslide risk and landslide hazard assessments and associated reporting in support of planning applications required under the provisions of the Schedule to the Yarra Ranges Erosion Management Overlay.

The documentation described herein is to be prepared by a Geotechnical Practitioner, being an Engineer or Engineering Geologist who has experience in the management of slope stability problems and landslide risk management as a core competence, is degree qualified, and who has current professional status as a:

- Chartered Professional Engineer (CPEng); or
- Registered Professional Engineer, Victoria (meaning a person who is registered under Part 2 of the Victorian Professional Engineers Registration Act 2019); or
- Chartered Professional Geologist (CPGeo); or
- Registered Professional Geologist (RPGeo).

There are different assessment and reporting requirements for Subdivision and Buildings and Works, where:

- Subdivision – is a subdivision as specified in the *Subdivision Act 1988*;
- Buildings and works – is Buildings or Works as specified in the *Planning and Environment Act 1987*.

The geotechnical documentation required to inform the assessment of landslide risk for subdivision or buildings and works is set out below. If there is any inconsistency between the specific controls in this document and the general provisions of the Scheme, the specific controls will apply.

2.0 LAND DESCRIPTION

This Incorporated Document applies to all land covered by the Erosion Management Overlay (Schedule 1 and Schedule 2) in the Yarra Ranges Planning Scheme.

3.0 APPLICATION OF PLANNING SCHEME PROVISIONS

In the event of any inconsistency between the specific controls contained in this document and general provisions of the scheme, the specific controls contained in this document will prevail.

4.0 EXPIRY OF THIS SPECIFIC CONTROL

No expiry provisions apply.

5.0 PURPOSE

The purpose of this document is to provide additional detail on Application Requirements to the requirements of Clause 44.01-6 of the Erosion Management Overlay and Clause 4.0 of the Erosion Management Overlay – Schedule 1 (EMO1)

and Schedule 2 (EMO2).

6.0 CONTROLS

6.1 Buildings and works

6.1.1 Assessment Requirements

If the geotechnical practitioner assesses that the site has:

- A slope angle of less than 9 degrees at and within 20 m of the proposed new development; and
- Has not previously been affected by landslide or debris flow, and;
- There are no credible landslide or debris flow hazards that could affect the proposed development;

a Geotechnical Assessment (as described at 6.1.2) and/or Landslide Risk Assessment (as described at 6.1.3) may not be required. However, the Geotechnical Practitioner should provide written advice stating that these requirements have been met. Written evidence should include a site description and evidence to support the advice. Where these requirements have not been met, a Geotechnical Assessment and/or landslide risk assessment is required.

A written Landslide Risk Assessment prepared in accordance with the requirements of Section 6.1.3 is required in addition to a Geotechnical Assessment if any of the following apply:

- The site is susceptible to debris flow and therefore subject to the provisions of EMO2.
- The Geotechnical Assessment or other landform data (a detailed site survey) indicates natural slopes on or immediately adjacent to the subject lot which:
 - are steeper than 11 degrees (20%) in areas underlain by Tertiary Older Volcanics or Quaternary Colluvium; or
 - are steeper than 22 degrees (40%) in all other geologies including the spatially extensive Devonian Volcanics; or
 - exhibit evidence of possible or past landsliding on or immediately adjacent to the site; or
 - the Geotechnical Assessment concludes there are landslide or debris flow hazards affecting the new development that require a Landslide Risk Assessment; or
 - in the opinion of the Responsible Authority, the Geotechnical Assessment is not sufficient to determine that the development can be carried out in a manner which will not adversely increase the landslide risk to life or property affecting the subject lot or adjoining or nearby land.

6.1.2 Geotechnical Assessment

Where a Geotechnical Assessment is required, it must be prepared in accordance with the methodology described below and with reference to the Australian Geomechanics Society Practice Note Guidelines for Landslide Risk Management 2007. The Geotechnical Assessment must be for the development proposed in the application, and include:

- Details of the Geotechnical Practitioner and their qualifications and experience including but not limited to experience in the management of slope instability problems and landslide risk management.
- A statement that the assessment is based on field survey measurements undertaken not more than 12 months prior to the relevant application for development.
- A detailed site description.
- Site assessment plans and cross-sections of the subject lot and relevant surrounds for the area potentially subject to landslide or debris flow hazards. Plans and cross sections are to be based on field measurements, with measured ground slopes shown and drawn to scale and dimensioned. Where applicable, plans should show the areas of the site subject to landslide or debris flow hazards.
- A detailed assessment of subsurface conditions, including the underlying geology.
- A statement indicating whether there are natural slopes on or immediately adjacent to the subject lot which exhibit evidence of landslide potential, or past landslide.
- Relevant entries in the Yarra Ranges landslide inventory.
- Details of all site investigations and any other information used in preparation of the Geotechnical Assessment.
- A statement indicating whether subsurface investigation involving boreholes and/or test pit excavations or other methods is necessary to assess the geotechnical/geological model for the subject lot and details of all such investigations, boreholes, test pits or other methods.
- A statement indicating that in the opinion of the Geotechnical Practitioner, the proposed new development is not subject to significant landslide or debris flow hazards and is not expected to be subject to significant landslide or debris flow hazards over the design life of the development such that a Landslide Risk Assessment (as described in the following section) is not required. Where significant landslide hazards are identified and this statement cannot be made, a Landslide Risk Assessment undertaken in accordance with the requirements of Section 6.1.3 is required and a statement should be made in the Geotechnical Assessment that a Landslide Risk Assessment is required.
- A statement indicating whether or not new development should only be approved subject to conditions, and if so recommend what conditions are required that may be related but not limited to:
 - The positioning of buildings and works on site to avoid landslide and debris flow

hazards.

- The provision of appropriate footing types and base levels and foundation materials in any structural works, including all retaining walls.
 - The location/s of and depth/s of soil and rock cut and fill.
 - The construction of any excavations and fill and the method of retention of such works.
 - Any details of surface and sub-surface drainage.
 - The selection and design of a building structure system.
 - Retention, replanting and new planting of vegetation.
 - Any effluent drainage and discharge.
 - Any necessary ongoing mitigation and maintenance measures and any recommended periodic inspections, including performance measures and thresholds.
 - The time within which works must be completed after commencement and the location/s and maximum time period that materials associated with the development can be stockpiled.
 - Any requirements for geotechnical inspections and approvals to be incorporated into a construction work plan for building approval.
- Be accompanied by a Geotechnical Declaration and Verification Form (Form A).

6.1.3 Landslide Risk Assessment

A written Landslide Risk Assessment is to be prepared by a suitably qualified and experienced Geotechnical Practitioner in accordance with the methodology set out in the Australian Geomechanics Society Practice Note Guidelines for Landslide Risk Management 2007. The Landslide Risk Assessment must be for the new development proposed in the application and include:

- A copy of the Geotechnical Assessment prepared for the subject land and proposal and, if not prepared by the Geotechnical Practitioner preparing the Landslide Risk Assessment, contain a response by the Geotechnical Practitioner preparing the Landslide Risk Assessment, agreeing with the findings and conclusions of the Geotechnical Assessment.
- If reported in conjunction with a Geotechnical Assessment, include all the requirements of a Geotechnical Assessment as set out in Section 6.1.2 in addition to those of a Landslide Risk Assessment.
- If the Geotechnical Practitioner preparing the Landslide Risk Assessment does not support with the findings and conclusions of the Geotechnical Assessment for new development, the Geotechnical Practitioner must prepare an additional Geotechnical Assessment.
- An assessment supported by field observations and measurements that have

been undertaken not more than 12 months prior to the lodgement of the application for a planning permit.

- A full assessment of the risk posed by all reasonably identified landslide, debris flow and slope degradation hazards which could impact or be caused by the new development and which have the potential to either individually or cumulatively impact upon people or property, in accordance with the AGS 2007 Guidelines.
- An assessment of the risk posed by potential future vegetation removal, including by bushfire or for bushfire protection if undertaken to the maximum extent permissible under the conditions of any planning permit and under permit exemptions in the Planning Scheme.
- A statement indicating that in the opinion of the Geotechnical Practitioner, the proposed new development can be undertaken such that the risk to life and property does not exceed a tolerable level and will not exceed a tolerable level over the life of the proposed development.
- Be accompanied by a Geotechnical Declaration and Verification Form (Form A).

6.1.4 Sites subject to both EMO1 and EMO2

Where a site is subject to the requirements of both EMO1 and EMO2, only a single geotechnical or landslide risk assessment is required which addresses both landslide and debris flow hazards as appropriate.

6.2 **Subdivision**

Where subdivision is proposed, a Landslide Hazard Assessment should be prepared by a Geotechnical Practitioner in accordance with the methodology set out in the Australian Geomechanics Society Guidelines for Landslide Susceptibility, Hazard and Risk Zoning for Land Use Planning 2007. The objective of the Landslide Hazard Assessment is to identify hazards affecting future development within a proposed subdivision and to recommend constraints on subdivision and future development. The Landslide Hazard Assessment should include as a minimum:

- A definition of scope establishing the purpose and scope of the hazard assessment.
- A data gathering / desktop phase assembling relevant data and recording the sources of the data. The Yarra Ranges landslide inventory should be consulted as part of the desktop study.
- Completion of investigations sufficient to establish a geotechnical model, identify geomorphic processes and associated process rates.
- Inspection of the site and surrounds including field mapping of the geomorphic features.
- A landslide inventory map covering the proposed subdivision and relevant surrounding areas and associated information on landslides in the inventory (if available) such as classification, location, time of sliding (if known), volume and a description of validation and limitations of the inventory.
- Landslide susceptibility zoning maps prepared in accordance with the AGS 2007 Guidelines including related information on how susceptibility was determined and

a description of validation and limitations of the zoning.

- General commentary regarding the nature of the landslide or debris flow hazards, frequency and potential impacts or consequences and their implications for levels of associated risk.
- Recommendations as to whether the proposed subdivision is viable in its current format and an indication of areas that in the opinion of the geotechnical practitioner:
 - are not suitable for development;
 - are suitable for development subject to constraints or risk mitigation and an indication of those constraints;
 - are suitable for development without constraints.
- Discussion of potential impacts to adjacent land.
- Be accompanied by a Geotechnical Declaration and Verification Form (Form A).

7.0 REFERENCES

- Guidelines for Landslide Susceptibility, Hazard and Risk Zoning for Land Use Planning, Journal of Australian Geomechanics Society, Vol. 42: No 1, March 2007.
- Commentary on Guidelines for Landslide Susceptibility, Hazard and Risk Zoning for Land Use Planning, Journal of Australian Geomechanics Society, Vol. 42: No 1, March 2007.
- Practice Note Guidelines for Landslide Risk Management 2007, Journal of Australian Geomechanics Society, Vol. 42: No 1, March 2007.
- Commentary on Practice Note Guidelines for Landslide Risk Management 2007, Journal of Australian Geomechanics Society, Vol. 42: No 1, March 2007.

END OF DOCUMENT

Strategic Assessment Guidelines Checklist – C225yran

This checklist is a tool that provides a quick snapshot of the abovementioned information. It may be useful to use while preparing an amendment assessment.

Note: In the 'Comment' field, you must click in the top left part of the field to enter any comments.

Strategic Consideration		Yes	No	N/A	Comment
Why is an amendment required?	<ul style="list-style-type: none"> What does the amendment intend to do and what is its desired outcome? 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The amendment updates outdated Erosion Management Overlay (EMO) mapping based on the recommendations from WSP in a report titled <i>Yarra Ranges Erosion Management Overlay: Basis for Mapping Amendment</i> (April 2025).
	<ul style="list-style-type: none"> How does it intend to do it? 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The amendment proposes to delete the EMO from 1,185 properties and introduce the EMO to 3,172 properties (a net increase of 1,987 properties). In addition, the amendment makes changes to the existing EMO mapping on properties where the overlay is still required. A separate planning control (Schedule 2 to the EMO) is proposed to be introduced to identify areas of debris flow susceptibility, which carry a higher risk than other landslide hazards. The current Schedule to the EMO is renumbered to Schedule 1 and would identify areas prone to landslides. Schedule 1 is to be amended to correct grammatical errors and introduce a new planning permit exemption for repair and maintenance works to existing assets by public authorities or utility service providers.</p> <p>The amendment proposes to update the Schedule to Clause 72.03 to update the EMO maps comprised in the planning scheme.</p> <p>In addition, the amendment proposes to amend the current Incorporated Document referenced in the Schedule to the EMO and Schedule to Clause 72.04. The Incorporated Document is amended to include references to Schedules 1 and 2 and include additional planning permit application requirements for Landslide Risk Assessments.</p> <p>The amendment amends the Schedule to Clause 72.08 Background Documents to insert <i>Erosion Management Overlay: Basis for Mapping Amendment</i> (April 2025) as a background document in the Planning Scheme.</p>
	<ul style="list-style-type: none"> Is it supported by or is it a result of any strategic study or report? 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The amendment has been considered following a storm event of June 2021, which damaged and destroyed many dwellings in Yarra Ranges, some because of landslip associated with the storm.</p> <p>Council requested financial assistance to assist with a number of matters arising from the storms including the need to bring forward a review the Erosion Management Overlay (EMO) due to changed land conditions. Council received \$300,000 in grant funding under the National</p>

Strategic Consideration		Yes	No	N/A	Comment
	<p>Emergency Management Agency's Preparing Australian Communities Program – Local to prepare the review of the EMO in Yarra Ranges.</p> <p>With the grant funding received, Council engaged an expert Geotechnical engineering consultant to review and advise on changes required to the EMO in the Yarra Ranges Planning Scheme. The reports prepared by the consultant are titled <i>Shire of Yarra Ranges Erosion Management Overlay: Basis for Schedule Amendment</i>, May 2023 and <i>Yarra Ranges Erosion Management Overlay: Basis for Mapping Amendment</i>, April 2025.</p> <p>A review report has now provided to Council. The review recommends updates to the EMO mapping and introduction of a separate Schedule to the EMO for areas susceptible to debris flow.</p> <p>In 2023 Council decided, following advice from the State Government, that the implementation of new EMO provisions for Yarra Ranges and updated EMO mapping be implemented in two parts.</p> <p>The purpose of the first amendment (Amendment C217) was to update key definitions to be consistent with the industry standard Australian Geomechanics Society (AGS) definitions and make associated changes to the provisions of the existing Schedule to the EMO. This amendment was approved by the Minister for Planning on 1 March 2024.</p> <p>The updated EMO mapping and introduction of a new schedule to the EMO will be the second amendment (C225).</p>				
	<ul style="list-style-type: none"> Will the planning policy, provision or control result in the desired planning outcome? Will the amendment have a net community benefit? Will the community benefit outweigh the cost of the new control? Does the amendment repeat provisions already in the scheme? Is the planning scheme the most appropriate means of controlling the issue or can other existing regulatory or process mechanisms deal with the issue? Is the matter already dealt with under other regulations? 	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	
Does the amendment implement the objectives of	<ul style="list-style-type: none"> Does the amendment implement the objectives of planning in Victoria? (Refer to section 4 of the <i>Planning and Environment Act 1987</i>) 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Strategic Consideration		Yes	No	N/A	Comment
planning and any environmental, social and economic effects?	<ul style="list-style-type: none"> Does the amendment adequately address any environmental effects? Does the amendment adequately address any social effects? Does the amendment adequately address any economic effects? 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Does the amendment address relevant bushfire risk?	<ul style="list-style-type: none"> Does the amendment meet the objective and give effect to the strategies to address the risk to life as a priority, property, community infrastructure and the natural environment from bushfire in the Planning Policy Framework (Clause 13.02 of the planning scheme)? 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The amendment will not result in any significant risk to life, property, community infrastructure or the natural environment from bushfire. There is no additional bushfire risk that will be caused as a result of the amendment. However, the relevant fire authority will be notified of the proposed amendment during the exhibition process.
	<ul style="list-style-type: none"> Has the view of the relevant fire authority been sought in formulating the amendment? 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<ul style="list-style-type: none"> If the planning scheme includes a Local Planning Policy Framework at Clause 20, is the amendment consistent with the Local Planning Policy Framework objectives and strategies that apply to bushfire risk? 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<ul style="list-style-type: none"> Is local policy for bushfire risk management required to support the amendment? 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Does the amendment comply with all the relevant Minister's Directions?	<ul style="list-style-type: none"> Does the amendment comply with the requirements of the Ministerial Direction - The Form and Content of Planning Schemes? 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<ul style="list-style-type: none"> Do any other Minister's Directions apply to the amendment? If so, have they been complied with? 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<ul style="list-style-type: none"> Is the amendment accompanied by all of the information required by a Minister's Direction? 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Does the amendment support or implement the PPF?	<ul style="list-style-type: none"> Does the amendment support or give effect to the PPF? 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<ul style="list-style-type: none"> Are there any competing PPF objectives and how are they balanced? 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<ul style="list-style-type: none"> Does the amendment support or give effect to any relevant adopted state policy? 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	If the planning scheme includes a Municipal Planning Strategy (MPS) at Clause 02 and the amendment seeks to introduce or amend a local planning policy in the PPF:				

Strategic Consideration		Yes	No	N/A	Comment
	<ul style="list-style-type: none"> Is a local planning policy necessary OR is the issue covered by another planning tool or decision guideline? 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Does the amendment support or implement the MPS? *This strategic consideration only applies if the planning scheme includes an MPS at Clause 02	<ul style="list-style-type: none"> How does the amendment seek to implement or support the MPS? Does the amendment seek to change the strategic directions of the MPS? If so, what is the change? What effect will any change to the MPS have on the rest of the MPS? <ul style="list-style-type: none"> Is the amendment consistent/inconsistent with strategic directions elsewhere in the MPS? Is the amendment consistent/inconsistent with strategic directions elsewhere in the MPS? What is the cumulative effect of this amendment on the other directions in the MPS? 	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	Refer to Explanatory Report The amendment is consistent with strategic directions. The amendment is consistent with strategic directions.
Does the amendment make proper use of the VPP?	<ul style="list-style-type: none"> Does the amendment use the most appropriate VPP tool to achieve the strategic objective of the scheme? Does the amendment affect, conflict with or duplicate another existing provision in the planning scheme that deals with the same land, use or development? If so, have the provisions been reconciled? Does the control capture matters that do not specifically relate to the purpose or objectives of the control or matters that should not be dealt with under planning? Does the amendment make any existing provision in the planning scheme redundant? Is the amendment consistent with any relevant planning practice note? 	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
How does the amendment address the views of any relevant agency?	<ul style="list-style-type: none"> Have the views of any relevant agency been addressed? 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Any relevant agencies will be notified of the proposed amendment during the exhibition process.
Does the amendment address the requirements of the Transport Integration Act 2010 (TIA)?	<ul style="list-style-type: none"> Is the amendment likely to have a significant impact on the transport system as defined by section 3 of the TIA? <p>If so, explain how the amendment addresses the transport system objectives and decision-making principles set out in Part 2, Divisions 2 and 3 of the TIA.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Refer to Explanatory Report

Strategic Consideration		Yes	No	N/A	Comment
	<ul style="list-style-type: none"> Are there any applicable statements of policy principles prepared under section 22 of the TIA? <p>If so, assess how the amendment addresses any specified policy principles that apply to the proposal.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?	<ul style="list-style-type: none"> Has the council considered the cost implications in implementing and administering the new planning provisions including: <ul style="list-style-type: none"> – estimated increase in number of planning permit applications – planning staff resources – other miscellaneous costs including legal or other professional advice, for example, heritage advisers – capacity to consider the new application within the prescribed time? 	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	