8.2.14 Landslide overlay code

8.2.14.1 Application

1. This code applies to assessing development in the Landslide overlay if:
2. accepted development subject to compliance with identified requirements, where acceptable outcomes of this code are identified requirements in a table of assessment for an overlay ([section 5.10](../../../../../City%20Plan%202014/CURRENT%20CITY%20PLAN%20UPDATE_ADOPTED/CITY%20PLAN%202014_Text/Part%205%20-%20Tables%20of%20assessment/Part5Overlays.docx)); or
3. assessable development, where this code is an applicable code identified in the assessment benchmarks column of a table of assessment for an overlay ([section 5.10](Part5Overlays.docx)); or
4. impact assessable development.
5. Land in the Landslide overlay is identified on the [Landslide overlay map](http://www.brisbane.qld.gov.au/planning-building/planning-guidelines-tools/brisbane-city-plan-2014/city-plan-2014-mapping) and is included in the Landslide susceptibility area sub-category.

Note—The Landslide overlay area is a ‘landslide hazard area’ for the purposes of the [State Planning Policy.](Appendix1IndexGlossary.docx#SPP) Within this area, susceptibility to landslide has been identified. The area identified in the [Landslide overlay map](http://www.brisbane.qld.gov.au/planning-building/planning-guidelines-tools/brisbane-city-plan-2014/city-plan-2014-mapping) may not reflect the full extent of the area that may be affected by landslide.

1. When using this code, reference should be made to [section 1.5](Part1.docx#Part1Pt5) and [section 5.3.3](Part5TablesOfAssessmentIntro.docx#Part533).

Note—The following purpose, overall outcomes, performance outcomes and acceptable outcomes comprise the assessment benchmarks of this code.

Note—Where this code includes performance outcomes or acceptable outcomes that relate to determining requirements for managing landslide risk, guidance is provided in the [Landslide planning scheme policy](LandslideHazardPSP.docx).

Editor's note—For a proposal to be accepted development subject to compliance with identified requirements, it must meet all the identified acceptable outcomes of this code that relate to the applicable sub-category and any other applicable code. Where it does not meet all identified acceptable outcomes, the proposal becomes assessable development and a development application is required. Where a development application is triggered, only the specific acceptable outcomes that the proposal fails to meet need to be assessed against the corresponding assessable acceptable outcomes or performance outcome and relevant overall outcomes. Other identified acceptable outcomes that are met are not assessed as part of the development application.

8.2.14.2 Purpose

1. The purpose of the Landslide overlay code is to:
2. Implement the policy direction in the [Strategic framework](../Part%203%20-%20Strategic%20framework/Part3StrategicFramework.docx), in particular:
3. [Theme 2: Brisbane’s outstanding lifestyle](Part3Theme2.docx) and [Element 2.3 – Brisbane’s healthy and safe communities](Part3Theme2.docx#Part344Element23);
4. [Theme 4: Brisbane’s highly effective transport and infrastructure networks](Part3Theme4.docx) and [Element 4.3 – Brisbane’s coordinated infrastructure planning and delivery](Part3Theme4.docx#Part364Element43).
5. Provide for assessment of the suitability of development in the Landslide overlay.
6. The purpose of this code will be achieved through the following overall outcomes:
7. Development and infrastructure in an area at risk of landslide is located, designed and constructed not to adversely impact the safety of people, public infrastructure, private property and the environment.
8. Development is not at risk from and does not pose a risk to an adjacent or nearby site from landslide.
9. Development involving the storage and handling of [hazardous](Definitions.docx#HazMaterials) chemicals is not at risk from landslide.
10. Development ensures that vegetation clearing, stormwater management and [filling or excavation](Definitions.docx#FillOrExc) on a site does not increase the risk of landslide.

8.2.14.3 Performance outcomes and acceptable outcomes

Table 8.2.14.3.A—Performance outcomes and acceptable outcomes

| Performance outcomes | Acceptable outcomes |
| --- | --- |
| Section A—If accepted development subject to compliance with identified requirements (acceptable outcomes only) or assessable development where for [filling or excavation](Definitions.docx#FillOrExc) |
| PO1Filling or excavation:1. maintains the safety of people and property on the site and neighbouring sites from landslides;
2. ensures acceptable risk during all phases of construction and use.
 | AO1Filling or excavation is designed in compliance with the recommendations of a site-specific geotechnical assessment prepared in accordance with the [Landslide planning scheme policy.](LandslideHazardPSP.docx) |
| PO2Filling or excavation does not create or increase the risk of landslides on the site or neighbouring sites by changing the hydrology of the site. | AO2Filling or excavation does not create or increase the risk of landslide by redirecting the flow or concentrating surface water or groundwater on the site or an adjoining site. |
| Section B—If accepted development subject to compliance with identified requirements (acceptable outcomes only) or assessable development involving the storage or handling of hazardous chemicals |
| PO3Development protects the safety of people and property and the environment from the impacts of landslide on [hazardous chemicals](Definitions.docx#HazardousChemical) stored or handled on the sites.Note—A site-specific geotechnical assessment report prepared in accordance with the [Landslide planning scheme policy](LandslideHazardPSP.docx) can assist in demonstrating achievement of this performance outcome. | AO3Development either:1. does not include the storage or handling of hazardous chemicals that are equivalent to or exceed the threshold quantities set out in [Table 8.2.14.3.B](#Table82143b); or
2. incorporates design measures to ensure:
3. the long-term stability of the development site considering the full nature and end use of the development;
4. site stability during all phases of construction and development;
5. that the development is not adversely affected by landslide activity originating on sloping land above the site;
6. emergency access and egress from the site for the public and emergency vehicles is available and is not at risk from landslide.

Note—A site-specific geotechnical assessment report prepared in accordance with the [Landslide planning scheme policy](LandslideHazardPSP.docx) can assist in demonstrating achievement of this acceptable outcome.  |
| Section C—If reconfiguring a lot |
| PO4Development ensures that on all new lots:1. need for excessive work or change to the finished landform to reasonably construct a building or vehicular access route within the locations nominated is avoided;
2. the building footprint is not located in any part of the site subject to landslide;
3. the future [development footprint](Definitions.docx#DevtFootprint) will not be adversely affected by, or be at unacceptable risk from, landslide activity originating on sloping land above the site.

Note—A site-specific geotechnical assessment report or landslide risk assessment prepared in accordance with the [Landslide planning scheme policy](LandslideHazardPSP.docx) can assist in demonstrating achievement of this performance outcome. | AO4.1Development ensures that the resulting slope of a building footprint and access way does not exceed 15%. |
| AO4.2Development provides a [development footprint plan](Definitions.docx#DevtFootprintPlan) for all new lots, which is free from the risk of landslide. |

Table 8.2.14.3.B—Threshold quantities for hazardous chemicals

|  |  |  |
| --- | --- | --- |
| Item | Description of hazardous chemical | Threshold quantity |
| 1 | Flammable gases | Category 1 | 5,000L |
| 2 | Gases under pressure | With acute toxicity, categories 1, 2, 3 or 4 | 500L |
| 3 |  | With skin corrosion categories 1A, 1B or 1C | 500L |
| 4 |  | Aerosols | 10,000L |
| 5 |  | Not stated elsewhere in this table | 10,000L |
| 6 | Flammable liquids | Category 1 | 500L |
| 7 |  | Category 2 | 2,500L |
| 8 |  | Category 3 | 10,000L |
| 9 |  | Any combination of chemicals from items 6 to 8 where none of the items exceeds the threshold quantities on their own | 10,000L |
| 10 |  | Category 4 | 100,000L |
| 11 | Self-reactive substances | Type A | 50kg or 50L |
| 12 |  | Type B | 500kg or 500L |
| 13 |  | Type C to F | 2,500kg or 2,500L |
| 14 | Flammable solids | Category 1 | 2,500kg |
| 15 |  | Category 2 | 10,000kg |
| 16 |  | Any combination of chemicals from items 12 to 15 where none of the items exceeds the threshold quantities on their own | 10,000kg or 10,000L |
| 17 | Pyrophoric liquids and pyrophoric solids | Category 1 | 500kg or 500L |
| 18 | Self-heating substances and mixtures | Category 1  | 2,500kg or 2,500L |
| 19 |  | Category 2 | 10,000kg or 10,000L |
| 20 |  | Any combination of chemicals from items 17 to 19 where none of the items exceeds the threshold quantities on their own | 10,000kg or 10,000L |
| 21 | Substances which in contact with water emit flammable gas | Category 1 | 500kg or 500L |
| 22 |  | Category 2 | 2,500kg or 2,500L |
| 23 |  | Category 3 | 10,000kg or 10,000L |
| 24 |  | Any combination of chemicals from items 21 to 23 where none of the items exceeds the threshold quantities on their own  | 10,000kg or 10,000L  |
| 25 | Oxidising liquids and oxidising solids | Category 1 | 500kg or 500L |
| 26 |  | Category 2 | 2,500kg or 2,500L |
| 27 |  | Category 3 | 10,000kg or 10,000L |
| 28 |  | Any combination of chemicals from items 25 to 27 where none of the items exceeds the threshold quantities on their own | 10,000kg or 10,000L |
| 29 | Organic peroxides | Type A | 50kg or 50L |
| 30 |  | Type B | 500kg or 500L  |
| 31 |  | Type C to F | 2,500kg or 2,500L |
| 32 |  | Any combination of chemicals from items 30 and 31 where none of the items exceeds the threshold quantities on their own | 10,000kg or 10,000L |
| 33 | Acute toxicity | Category 1 | 500kg or 500L |
| 34 |  | Category 2 | 2,500kg or 2,500L |
| 35 |  | Category 3 | 10,000kg or 10,000L |
| 36 |  | Any combination of chemicals from items 33 to 35 where none of the items exceeds the threshold quantities on their own | 10,000kg or 10,000L |
| 37 | Skin corrosion | Category 1A | 500kg or 500L |
| 38 |  | Category 1B | 2,500kg or 2,500L |
| 39 |  | Category 1C | 10,000kg or 10,000L |
| 40 | Corrosive to metals | Category 1 | 10,000kg or 10,000L |
| 41 |  | Any combination of chemicals from items 37 to 40 where none of the items exceeds the threshold quantities on their own | 10,000kg or 10,000L |

Notes—

* In item 2, gases under pressure with acute toxicity, category 4, only applies up to a LC50 of 5000 ppmv. This is equivalent to dangerous goods of Division 2.3 as defined in the [Australian code for the transport of dangerous goods by road and rail.](http://www.ntc.gov.au/)
* Item 4 includes flammable aerosols.
* If a flammable liquid category 4 is used, handled or stored in the same spill compound as 1 or more flammable liquids of categories 1, 2 or 3, the total quantity of flammable liquids categories 1, 2 or 3 must be determined as if the flammable liquid category 4 had the same classification as the flammable liquid in the spill compound with the lowest flash point. Example: For placarding and manifest purposes, a spill compound containing 1000L of flammable liquid category 1 and 1000L of flammable liquid category 4 is considered to contain 2000L of flammable liquid category.