

**13.02**

31/07/2018  
VC148

**BUSHFIRE**

**13.02-1S**31/07/2018  
VC148**Bushfire planning****Policy application**

This policy must be applied to all planning and decision making under the *Planning and Environment Act 1987* relating to land that is:

- Within a designated bushfire prone area;
- Subject to a Bushfire Management Overlay; or
- Proposed to be used or developed in a way that may create a bushfire hazard.

**Objective**

To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

**Strategies****Protection of human life**

Give priority to the protection of human life by:

- Prioritising the protection of human life over all other policy considerations.
- Directing population growth and development to low risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire.
- Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision making at all stages of the planning process.

**Bushfire hazard identification and assessment**

Identify bushfire hazard and undertake appropriate risk assessment by:

- Applying the best available science to identify vegetation, topographic and climatic conditions that create a bushfire hazard.
- Considering the best available information about bushfire hazard including the map of designated bushfire prone areas prepared under the *Building Act 1993* or regulations made under that Act.
- Applying the Bushfire Management Overlay to areas where the extent of vegetation can create an extreme bushfire hazard.
- Considering and assessing the bushfire hazard on the basis of:
  - Landscape conditions - meaning conditions in the landscape within 20 kilometres (and potentially up to 75 kilometres) of a site;
  - Local conditions - meaning conditions in the area within approximately 1 kilometre of a site;
  - Neighbourhood conditions - meaning conditions in the area within 400 metres of a site; and
  - The site for the development.
- Consulting with emergency management agencies and the relevant fire authority early in the process to receive their recommendations and implement appropriate bushfire protection measures.
- Ensuring that strategic planning documents, planning scheme amendments, planning permit applications and development plan approvals properly assess bushfire risk and include appropriate bushfire protection measures.
- Not approving development where a landowner or proponent has not satisfactorily demonstrated that the relevant policies have been addressed, performance measures satisfied or bushfire protection measures can be adequately implemented.

### Settlement planning

Plan to strengthen the resilience of settlements and communities and prioritise protection of human life by:

- Directing population growth and development to low risk locations, being those locations assessed as having a radiant heat flux of less than 12.5 kilowatts/square metre under *AS 3959-2009 Construction of Buildings in Bushfire-prone Areas* (Standards Australia, 2009).
- Ensuring the availability of, and safe access to, areas assessed as a BAL-LOW rating under *AS 3959-2009 Construction of Buildings in Bushfire-prone Areas* (Standards Australia, 2009) where human life can be better protected from the effects of bushfire.
- Ensuring the bushfire risk to existing and future residents, property and community infrastructure will not increase as a result of future land use and development.
- Achieving no net increase in risk to existing and future residents, property and community infrastructure, through the implementation of bushfire protection measures and where possible reducing bushfire risk overall.
- Assessing and addressing the bushfire hazard posed to the settlement and the likely bushfire behaviour it will produce at a landscape, settlement, local, neighbourhood and site scale, including the potential for neighbourhood-scale destruction.
- Assessing alternative low risk locations for settlement growth on a regional, municipal, settlement, local and neighbourhood basis.
- Not approving any strategic planning document, local planning policy, or planning scheme amendment that will result in the introduction or intensification of development in an area that has, or will on completion have, more than a BAL-12.5 rating under *AS 3959-2009 Construction of Buildings in Bushfire-prone Areas* (Standards Australia, 2009).

### Areas of biodiversity conservation value

Ensure settlement growth and development approvals can implement bushfire protection measures without unacceptable biodiversity impacts by discouraging settlement growth and development in bushfire affected areas that are important areas of biodiversity.

### Use and development control in a Bushfire Prone Area

In a bushfire prone area designated in accordance with regulations made under the *Building Act 1993*, bushfire risk should be considered when assessing planning applications for the following uses and development:

- Subdivisions of more than 10 lots.
- Accommodation.
- Child care centre.
- Education centre.
- Emergency services facility.
- Hospital.
- Indoor recreation facility.
- Major sports and recreation facility.
- Place of assembly.
- Any application for development that will result in people congregating in large numbers.

When assessing a planning permit application for the above uses and development:

- Consider the risk of bushfire to people, property and community infrastructure.

- Require the implementation of appropriate bushfire protection measures to address the identified bushfire risk.
- Ensure new development can implement bushfire protection measures without unacceptable biodiversity impacts.

### **Policy guidelines**

Consider as relevant:

- Any applicable approved state, regional and municipal fire prevention plan.

### **Policy documents**

Consider as relevant:

- *AS 3959-2009 Construction of Buildings in Bushfire-prone Areas* (Standards Australia, 2009)
- *Building in bushfire-prone areas - CSIRO & Standards Australia* (SAA HB36-1993, 1993)
- Any bushfire prone area map prepared under the *Building Act 1993* or regulations made under that Act

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**Planning in the Bushfire Management Overlay****Policy application**

This policy applies to all land affected by the Bushfire Management Overlay.

**Strategy**

Set back development in the Farming Zone Schedule 2 from any bushfire hazard to achieve a BAL construction standard no higher than BAL-29, unless there are significant siting constraints.

**Policy document**

Consider as relevant:

- *Latrobe City Municipal Fire Management Plan 2018* (Latrobe City Council, 2018)

**13.02-1L**

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Proposed C122latr

**Bushfire prone areas****Policy application**

This policy applies to all land in a designated Bushfire Prone Area as outlined in the *Building Regulations 2006*, that is not already covered by a Bushfire Management Overlay.

**Strategies**

Ensure that development, subdivision and uses identified in Clause 13.02-1S (Use and development control in a Bushfire Prone Area) incorporate measures to mitigate bushfire risk, including:

- For subdivisions of more than 10 lots, a lot layout that responds to the risk and incorporates a perimeter road and two ways in and out of the development.
- A construction standard no higher than BAL-29 unless there are significant siting constraints, with commensurate vegetation management for defensible space.
- A reliable water supply for property protection and fire fighting.
- Adequate access for emergency management vehicles.
- A Bushfire Emergency Management Plan (BEMP), including triggers for closure or restricted operation on days of elevated fire danger.

**Policy guidelines**

Consider as relevant:

- For a subdivision or dwelling within a Bushfire Prone Area that is in a Farming Zone, a section 173 agreement pursuant to *Planning and Environment Act 1987* to ensure ongoing maintenance of defensible space and other bushfire protection measures for bushfire risk mitigation.
- Limiting hours of operation, including maximum daily visitors for tourism development in the Farming Zone Schedule 1 or 2 to minimise bushfire risk.
- The views of the Country Fire Authority on whether an application for tourism accommodation in the Farming Zone Schedule 1 or 2 (other than a dwelling or dependent persons unit) reduces bushfire risk to an acceptable level.

**Policy document**

Consider as relevant:

- *Latrobe City Municipal Fire Management Plan 2018* (Latrobe City Council, 2018)