

# Bushfire Assessment

LICOLA ROAD, MUSTONS LANE & TYSON ROAD, HEYFIELD



Licola Road East Development

Reference: 27317

APPROVED DEVELOPMENT PLAN  
PLANNING AND ENVIRONMENT ACT  
1987

WELLINGTON PLANNING SCHEME  
Clause 43.04 Schedule 1

DP NAME: Licola Road East

DATE: 2 August 2024

SIGNED: Miriam Turner

OFFICER TITLE: Strategic Planner

(Page: 1 of 24)

**PREPARED BY** [REDACTED] **ON BEHALF OF:**

The owner of 69 Tyson Road, Heyfield

**FORMAL LAND DESCRIPTION:**

- Lot 1 on PS404789Y
- Lot 2 on PS404789Y
- Lot 1 on PS910046
- Lot 2 on PS910046
- Crown Allotment 4 Section B
- Crown Allotment 6 Section B
- Lot 1 on LP82142

**PROPOSAL:**

Licola Road East Development Plan

**AUTHORITY:**

Wellington Shire

**DOCUMENT STATUS:**

Version: Date	Description	Prepared by	Revised by
No 1: October 2023	Prepared for Council submission	[REDACTED]	[REDACTED]

**Copyright**

[REDACTED] provided by the Copyright Act 1968, no part of this publication may be reproduced, stored in a retrieval system or transmitted in any form or by any means without the prior written permission of the publisher.

**Disclaimer:**

This report may be of assistance to you and has been made with careful consideration and with the best

[REDACTED] at the time of writing. Before relying on information in this report, users should carefully evaluate the accuracy, completeness and relevance of the information provided for their purposes.

[REDACTED] responsibility for how you apply or rely on the information in this report.

## CONTENTS

---

CONTENTS .....	1
1 INTRODUCTION .....	2
2 THE SITE .....	3
3 THE PROPOSAL .....	4
4 BUSHFIRE POLICY .....	5
4.1 CLAUSE 71.02 OPERATION OF THE PLANNING POLICY FRAMEWORK .....	5
4.2 PLANNING POLICY FRAMEWORK .....	5
4.3 BUSHFIRE MANAGEMENT OVERLAY .....	7
4.4 BUSHFIRE PRONE AREAS .....	8
5 BUSHFIRE HAZARD LANDSCAPE ASSESSMENT .....	10
5.1 FEATURES .....	10
5.2 LANDSCAPE TYPE .....	11
5.3 BUSHFIRE HISTORY .....	12
5.4 PLANNED BURNS .....	12
5.5 VICTORIAN FIRE RISK REGISTER .....	13
6 BUSHFIRE HAZARD SITE ASSESSMENT .....	14
6.1 LOCAL & NEIGHBOURHOOD CONDITIONS .....	14
6.2 TOPOGRAPHY .....	15
6.3 DEFENDABLE SPACE .....	15
7 SHELTER FROM BUSHFIRE .....	19
8 ACCESS .....	19
9 BIODIVERSITY CONSIDERATIONS .....	20
10 ASSESSMENT AGAINST CLAUSE 13.02 .....	20
11 RECOMMENDATIONS .....	21
12 CONCLUSION .....	22

# 1 INTRODUCTION

---

█ have been engaged to prepare this Bushfire Assessment to support the submission of the *Licola Road East Development Plan* under Development Plan Overlay – Schedule 1 at **LICOLA ROAD, MUSTONS LANE & TYSON ROAD, HEYFIELD.**

This assessment seeks to provide details and discussion in response to Clause 13.02 Bushfire Planning.

This report will assist Council, as the planning authority to consider bushfire risk in relation to the proposed development as required by State Planning Policies.

It is not a BAL assessment and should not be used as part of the building permit process.



## 2 THE SITE

The land subject the Licola Road East Development Plan comprises of several allotments, the majority of which are in different ownerships as follows:

- Lot 1 on PS404789Y
- Lot 2 on PS404789Y
- Lot 1 on PS910046
- Lot 2 on PS910046
- Crown Allotment 4 Section B
- Crown Allotment 6 Section B
- Lot 1 on LP82142

The total area is approximately 15Ha and the land is contained between Licola Road, Mustons Lane and Tyson Road, Heyfield, as shown in Figure 1 below. There are a total of five existing dwellings and a mix of manicured gardens, pasture grass and vegetated areas are present. An un-named waterway dissects the southern part of the site and a dam is present.

There are no restrictions applicable however an electrical easement is present along the north-west corner of Lot 2 on PS404789Y.



Figure 1: Aerial Image of Study Area

### 3 THE PROPOSAL

The Licola Road East Development Plan (DP) outlines the land use and road layout to direct future subdivisions. The DP is to be approved before a subdivision application can be made.

The DP identifies residential development for the majority of the area, with existing houses retained in larger lifestyle allotments. A lineal reserve network is indicated at the southern part of the land and a road network is shown. This provides connections to Mustons Lane to the north and Tyson Road to the east, with no road access from Licola Road due to its status as a Transport Zone. We understand that the intension is for reserves to be landscaped to low threat conditions to ensure that they do not create any additional bushfire threat.





## 4 BUSHFIRE POLICY

Planning Schemes contain a range of policies that are used to inform decision making and particular emphasis is placed on bushfire risk as outlined below.

### 4.1 CLAUSE 71.02 OPERATION OF THE PLANNING POLICY FRAMEWORK

The Planning Policy Framework provides a context for spatial planning and decision making by planning and responsible authorities. *Integrated Decision Making (71.02-3)* states that:

*Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. However, in bushfire affected areas, planning and responsible authorities must prioritise the protection of human life over all other policy considerations.*

In accordance with this directive, bushfire considerations must be prioritised over all other elements and this emphasis was introduced to the scheme through Amendment VC140 (December 2017) which was a recommendation made by the 2009 Victorian Bushfires Royal Commission.

### 4.2 PLANNING POLICY FRAMEWORK

The Planning Policy Framework is based around a series of themes, which includes *Clause 13 Environmental Risks and Amenities*. *Clause 13.02-1S Bushfire Planning* is of particular relevance to decision making and seeks:

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

A series of strategies are outlined in this clause as follows:

#### **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.*

#### **4.3 BUSHFIRE MANAGEMENT OVERLAY**

The *Bushfire Management Overlay (Clause 44.06) (BMO)* is applied to areas where there is potential for extreme bushfire behaviour, such as a crown fire, extreme ember attack and radiant heat. It seeks:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.*
- *To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.*
- *To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.*

The *BMO* mapping addresses bushfire hazard through assessment of fire behaviour generated from several factors including topography, fire fuel type and load, and weather. A key output is modelled head fire intensity levels which is a measure of the rate of energy release per unit length of fire front expressed as kW/m. The most significant bushfire hazard is where head fire intensity is modelled to be 30,000kW/m or more. This level of hazard informs where the *BMO* applies. (Source: Planning Advisory Note 46 Bushfire Management Overlay Mapping Methodology and Criteria, DTPLI, 2013).

Pursuant to the *BMO* a permit is required to subdivide land and undertake buildings and works associated with a series of specified uses, including accommodation. It applies the requirements of *Clause 53.02 Bushfire Planning* which seek:

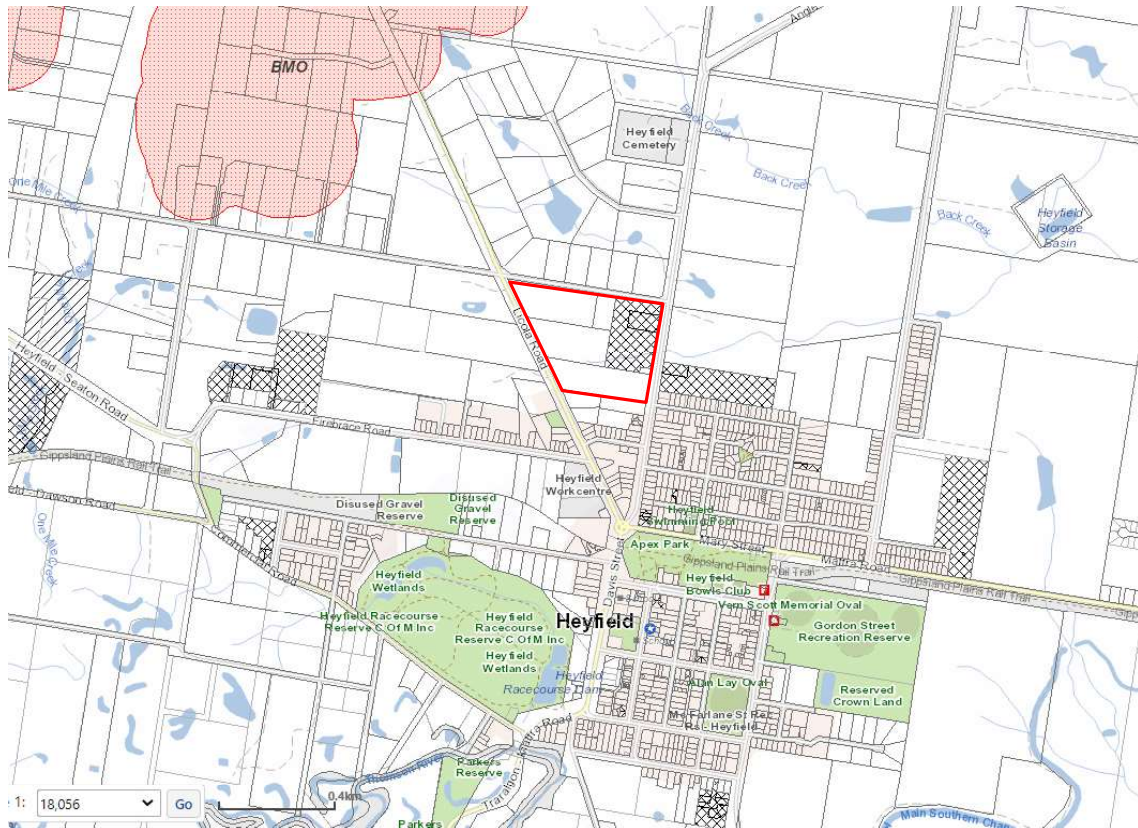
- *To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.*
- *To ensure that the location, design and construction of development appropriately responds to the bushfire hazard.*
- *To ensure development is only permitted where the risk to life, property and community infrastructure from bushfire can be reduced to an acceptable level.*
- *To specify location, design and construction measures for a single dwelling that reduces the bushfire risk to life and property to an acceptable level.*

The *BMO* and subsequently *Bushfire Planning* are therefore applicable when land is covered by the overlay.

As shown in Figure 3 below, the subject site is not covered by the *BMO* and as such these requirements are not applicable to a future subdivision application. The closest *BMO* mapping is



located more than 600m north-west covering the vegetation within the Glenmaggie National Conservation Reserve and Regional Park.



#### 4.4 BUSHFIRE PRONE AREAS

Bushfire Prone Areas (BPA) are locations that are subject to, or likely to be subject to bushfires and are determined by the Minister for Planning for the purposes of the building control system. Specific bushfire construction standards apply in designated BPA in Victoria and these are aimed at improving bushfire protection for residential buildings.

BPA mapping includes all areas mapped by the BMO and extend to wider areas where moderate bushfire hazard can be expected. These are areas with head fire intensity modelled to be between 4,000kW/m and 30,000kW/m. (Source: Planning Advisory Note 46 Bushfire Management Overlay Mapping Methodology and Criteria, DTPLI, 2013).

A minimum construction standard applies to new residential buildings, schools, child care centres, hospitals, aged care facilities and associated buildings in designated Bushfire Prone Areas. Landowners are required to build to a minimum Bushfire Attack Level of 12.5.

A Bushfire Attack Level (BAL) is a way of measuring the severity of a building's potential exposure to ember attack, radiant heat and direct flame contact. There are six Bushfire Attack Levels that form part of the Australian Standard for construction of buildings in bushfire prone areas (AS 3959-2009); BAL-LOW, BAL-12.5, BAL-19, BAL-29, BAL-40 and BAL-FZ (Flame Zone), as shown in Figure 6 below.



Figure 4: Building Impact (source BMO Technical Guide, DELP, 2017)

The requirements of the BPA are applied at building permit stage under the *Building Regulations, 2018*.

The subject land is wholly contained within the BPA (see Figure 5 below), however the established urban areas of Heyfield are not within the mapped areas and as such are BAL-LOW locations. Given that the land is zoned for residential purposes, abuts the existing BAL-LOW areas and the DP shows a standard subdivision layout, it is anticipated that the BPA mapping may be removed from this area once development has occurred.

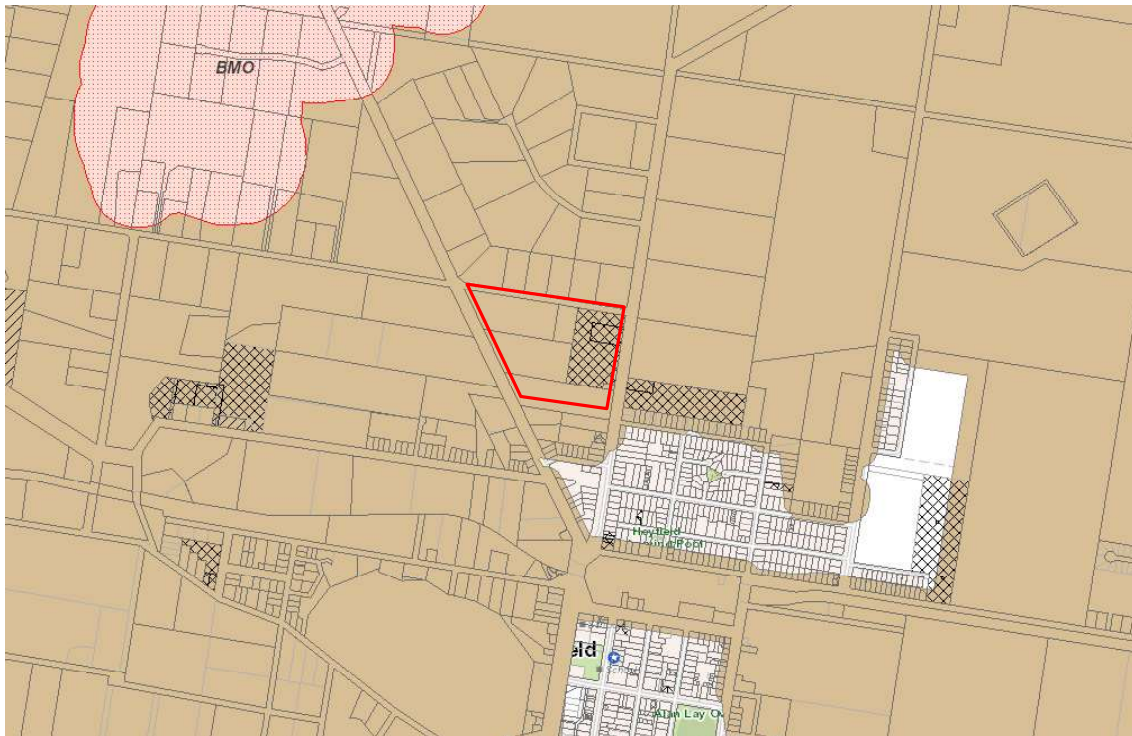


Figure 5: Bushfire Prone Area Mapping (source: mapshare.vic.gov.au)

## 5 BUSHFIRE HAZARD LANDSCAPE ASSESSMENT

The bushfire hazard landscape assessment provides information on the bushfire hazard for 20km (or greater) around a development site. Considering bushfire from this broader landscape perspective is important as it affects the level of bushfire risk a development and its future occupants may be exposed to. The landscape assessment seeks to:

- Provide factual information on the bushfire hazard (vegetation extent and slope)
- Provide information on key features of the general locality that are relevant to better understanding the protection provided by the location
- Provide contextual information on a site

(Source: *Planning Permit Applications Bushfire Management Overlay, Technical Guide, DELWP, 2017*).

The broader landscape and the potential size or scale of a bushfire is an important consideration for decision makers as the likelihood of a bushfire, its severity and intensity, and the potential impact on life and property varies depending on where a site is located in the surrounding landscape.

Bushfire is a dynamic hazard and can be highly unpredictable. Because of this the factors that contribute to the bushfire risk are diverse. The purpose of the landscape assessment is not to predict the outcome of a bushfire event but to provide information that builds a better understanding of the bushfire risk in a location and to help make informed decisions. (Source: *Planning Permit Applications Bushfire Management Overlay, Technical Guide, DELWP, 2017*).

The following sections provide an assessment against the bushfire hazard landscape around the subject site.

### 5.1 FEATURES

The wider landscape is divided into three distinct areas as follows:

- **Urban Areas:**  
There are small urban settlements across the landscape and the larger centre of Maffra is located to the east. This centre and the urban areas of Heyfield offer BAL-LOW conditions and have been excluded from the BPA. The urban areas do not pose a bushfire risk.
- **Farming Areas:**  
Cleared farming land dominates the eastern, southern and south-western portions of the landscape assessment. There is very little vegetation within these locations aside from grassland which would cause a risk during the summer months. The site is protected from direct interface with landscape scale grassland risk to the north, east and west due to the existing road network.
- **Forested Areas:**  
The northern and north-western parts of the landscape assessment area are dominated by Forest vegetation. The Glenmaggie Conservation Reserve and Regional Park are located south of Glenmaggie and this area is within 2km of the site. North of the lake (10km away) are forested areas of State Forest and these span to the west. A forest fire run in excess of 10km could occur in this location and would generate dangerous fire behaviour due to the long fire runs and steep topography. The townships within these areas would be directly impacted and extensive destruction would occur. There are areas of grassland between the forested areas and the northern edge of the Heyfield township.



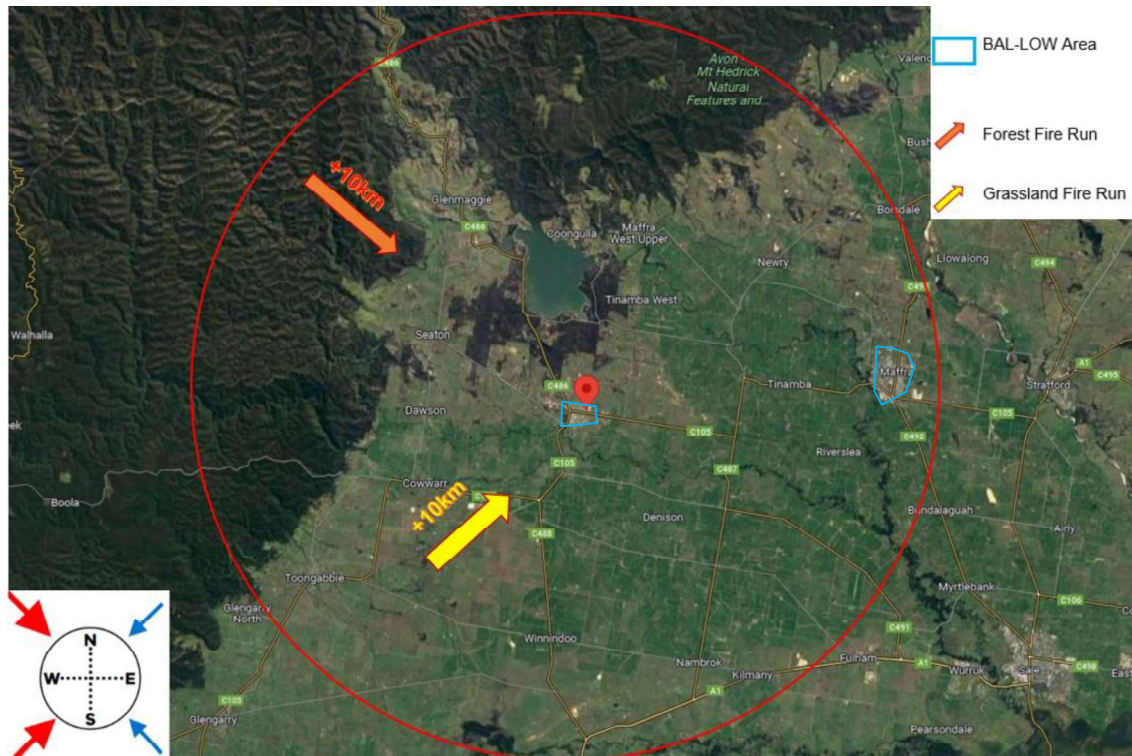


Figure 6: Landscape Assessment

## 5.2 LANDSCAPE TYPE

Landscape types are set out within the Bushfire Management Overlay Technical Guide (DELWP, 2017) and this location is considered to be consistent with Broader Landscape Type 2, which is described as follows:

- *The type and extent of vegetation located more than 150 metres from the site may result in neighbourhood-scale destruction as it interacts with the bushfire hazard on and close to a site.*
- *Bushfire can only approach from one aspect and the site is located in a suburban, township or urban area managed in a minimum fuel condition.*
- *Access is readily available to a place that provides shelter from bushfire. This will often be the surrounding developed area.*

(source: *Planning Permit Applications Bushfire Management Overlay, Technical Guide, DELWP, 2017*).

A bushfire could only approach from the north-west and the land is located within an urban area (when considering the DP) with minimal fuel conditions. The BAL-LOW areas of surrounding urban development provide shelter from bushfire and are easily accessible.

To consider the suitability and adequacy of the standard design fire of AS3959, judging the size to which a fire can grow and develop before impacting the site is crucial. This is because the scale of a bushfire and therefore its destructive power is driven by the characteristics of the broader landscape, rather than those assessed immediately around the site (i.e. within the 150m assessment area). (source: *Guideline – Applying the Bushfire Hazard Landscape Assessment in a Bushfire Management Overlay, CFA, September 2018*).

The landscape risk to the north and northwest is significant however the land is separated from this area by almost 1km of rural living zoned land which would reduce the likelihood of direct impact from a fire front. In any forest fire event to the north-west ember attack and spot fires would be likely.

### 5.3 BUSHFIRE HISTORY

Bushfire history data shows that fires are a regular occurrence in the vegetated ranges to the west, whilst the closest localised fire was in the Glenmaggie Regional Park in 2007.

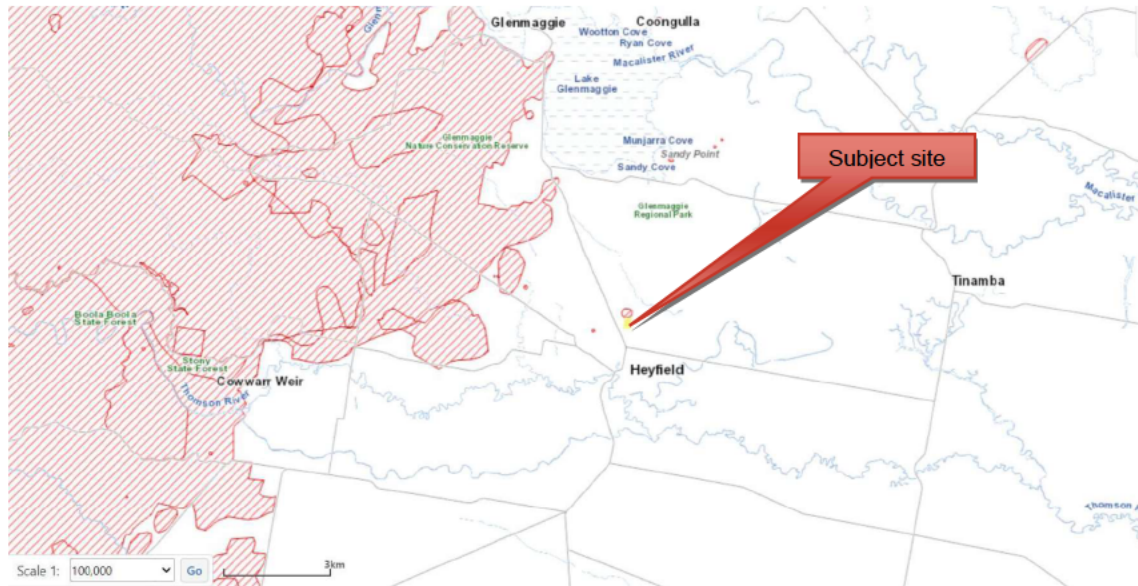


Figure 7: Bushfire History (source: mapshare.vic.gov.au)

### 5.4 PLANNED BURNS

Various fuel breaks and planned burns are scheduled across the wider area from 2022 to 2025, see Figure 8 below.

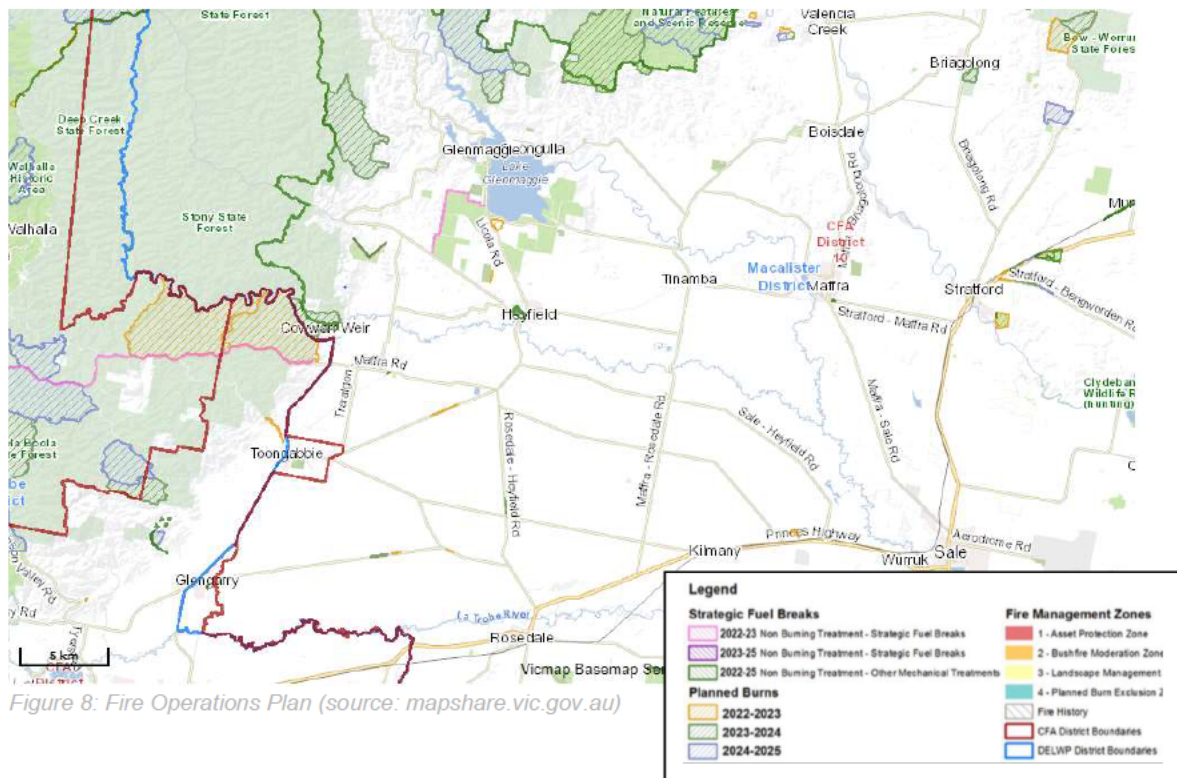


Figure 8: Fire Operations Plan (source: mapshare.vic.gov.au)



## 5.5 VICTORIAN FIRE RISK REGISTER

Information from the Victorian Fire Risk Register (VFRR) shows that much of the existing urban areas of Heyfield have a 'Medium' risk. The subject site is indicated with a red outline below and is on the northern extremity of the 'Medium' risk area. The vulnerability is stated as 'low' and the consequence is 'minor', however the likelihood is 'likely'.

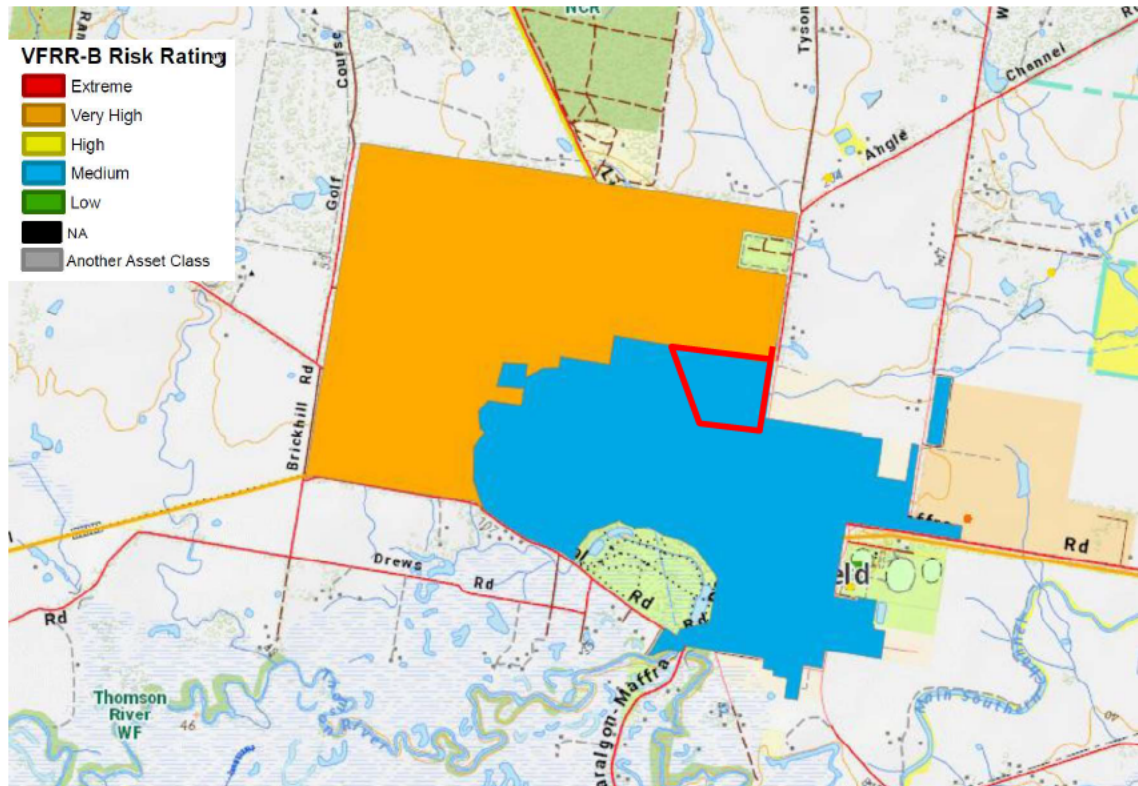


Figure 9: Victorian Fire Risk Register (source: provided by CFA)

## 6 BUSHFIRE HAZARD SITE ASSESSMENT

The bushfire hazard site assessment documents the bushfire hazard on and near a site. The assessment seeks to:

- Provide factual information on the bushfire hazard (vegetation type and slope)
- Inform defensible space and building construction requirements

(Source: *Planning Permit Applications Bushfire Management Overlay, Technical Guide, DELWP, 2017*).

It is informed by the methodology contained in *Australian Standard AS3959:2009 Construction of buildings in bushfire prone areas (AS3959)* to provide contextual information on a site.

The following sections provide an assessment against the bushfire hazard site assessment.

### 6.1 LOCAL & NEIGHBOURHOOD CONDITIONS

The local (1km) and neighbourhood conditions (400m) around the land comprise a mix of urban development, rural living development, cleared farming land and a small encroachment of forest to the north-western extent, see Figure 10 below.

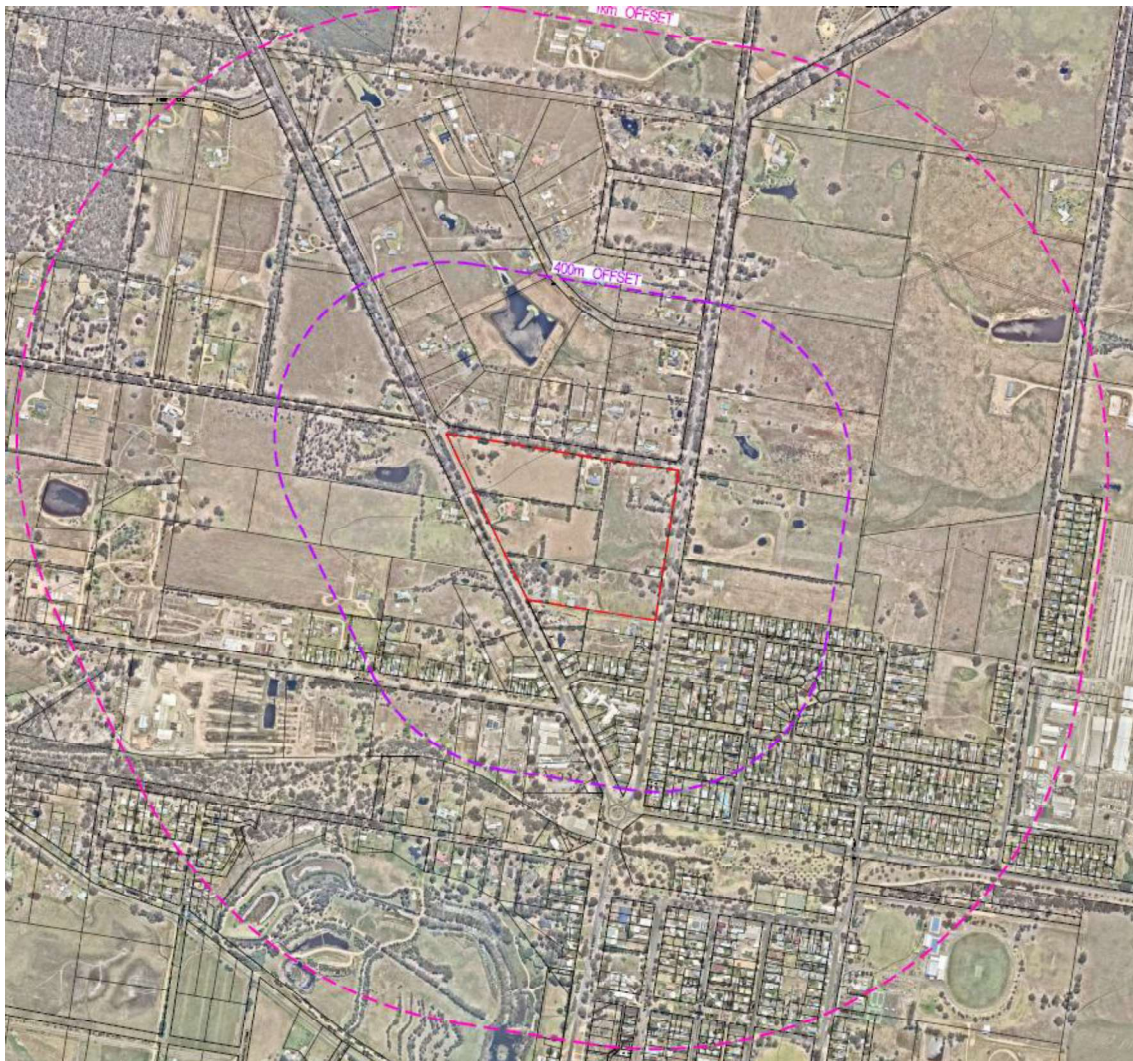


Figure 10: Local & Neighbourhood Conditions



## 6.2 TOPOGRAPHY

The topography in this location is relatively flat, see Figure 11 below.

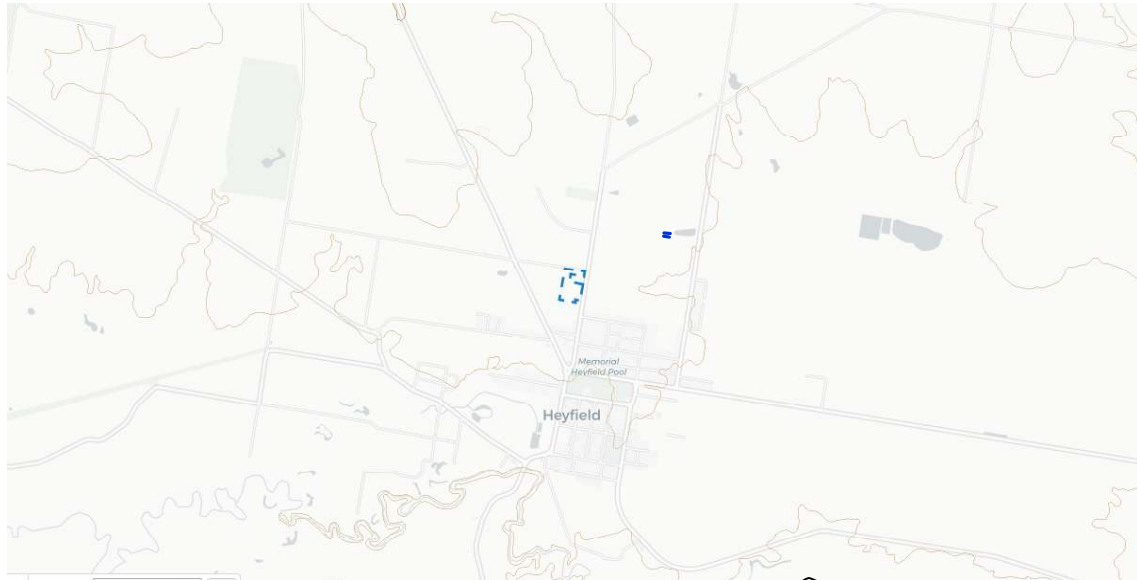


Figure 11: Topography (source mapshare.vic.gov.au)



## 6.3 DEFENDABLE SPACE

It is a requirement of *Clause 13.02* that population growth and development be directed to low risk locations and that an application for accommodation in a BPA consider bushfire risk in accordance with the *Building Act, 1993*. This applies *AS3959-2009 Construction of Buildings in Bushfire-prone Areas* (Standards Australia, 2009), which requires a 100m radius around the site to be assessed for slope and vegetation.

As depicted in Figure 12 below, vegetation on site and within this area is dominated by the following:

- Low threat conditions of the urban areas and managed lifestyle lots;
- Lineal or scattered vegetation along Licola Road, Tyson Road and Mustons Lane that is less than 20m wide, with managed understory and is exempt from assessment (shown green - exempt);
- A patch of woodland vegetation in the south eastern extremity of the site that is less than 0.25ha in area (shown green - exempt).
- Grassland on the eastern side of Tyson Road, noting that a planning application for subdivision has been submitted to council for this land;
- Grassland on the western side of Licola Road;
- A patch of woodland vegetation in the south western corner of the site subject to considered as a threat given the area (shown purple).
- All other vegetation within the site can be considered a scattered tree or windrow that does not offer a significant risk. Grassland within the site will be removed as subdivisions occur in accordance with the Development Plan.

The land is essentially flat, with a slight fall from east to west.

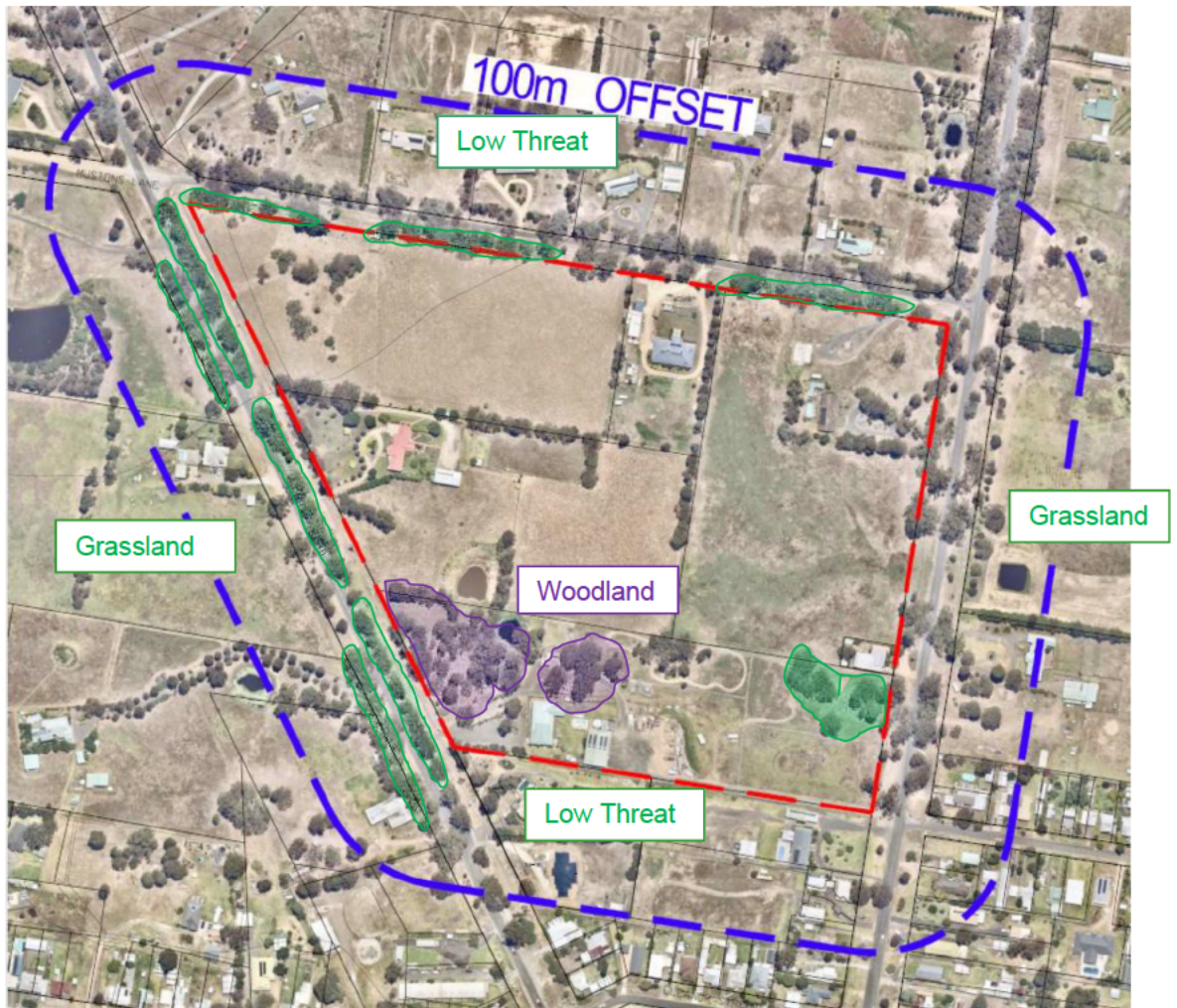


Figure 12: 100m Assessment Area. Green vegetation exempt from consideration, purple classified vegetation, Grassland to the east is subject to a planning application for a 39 Lot Residential development.



Photograph 1: Looking north along Licola Road. Subject site is on the right of the photograph.





Photograph 1: Looking east along Mustons Lane. The road reserve trees are well spaced and have a managed understorey. The subject site is on the right of the photograph.



Photograph 2: Looking south-east along Tyson Road. The grassland opposite the subject site is scheduled for redevelopment of a new residential estate, Tyson Rise, with 39 new allotments.

In accordance with AS3959 the following defensible space distance applies to achieve BAL-12.5 construction:

<b>Vegetation type</b>	<b>Slope (worst case)</b>	<b>Separation distance</b>
Grassland	0-5 degrees downslope	22m
Woodland	0-5 degrees downslope	41m

There are no setbacks required in other directions due to low threat conditions.



In the case of Licola Road, it is envisaged that lots within the development plan area may back onto Licola Road and therefore maintenance of the road reserve may not be assured. As such a 22m setback to achieve BAL 12.5 is provided from the site boundary. There is scope for large lots to be provided in this area where they can be developed to BAL 12.5 requirements.

In Tyson Road the road reserves will be managed by lots facing the road on either side. As such it is appropriate to provide defendable space from the eastern edge of the bitumen. Given the width of the road reserve, a 22m setback has minimal impacts on the proposed lots as shown.

The patches of woodland vegetation in the south western corner are contained within an existing dwelling lot. A BAL-12.5 setback of 41m is provided and this extends into the reserve area and proposed large lot at the southern extent of the site.



Figure 13: Defendable space plan

According to the Heyfield Structure Plan, the majority of the eastern abuttal will over time be developed with residential infill and the western abuttal with low density development which will further reduce bushfire risk in the area.

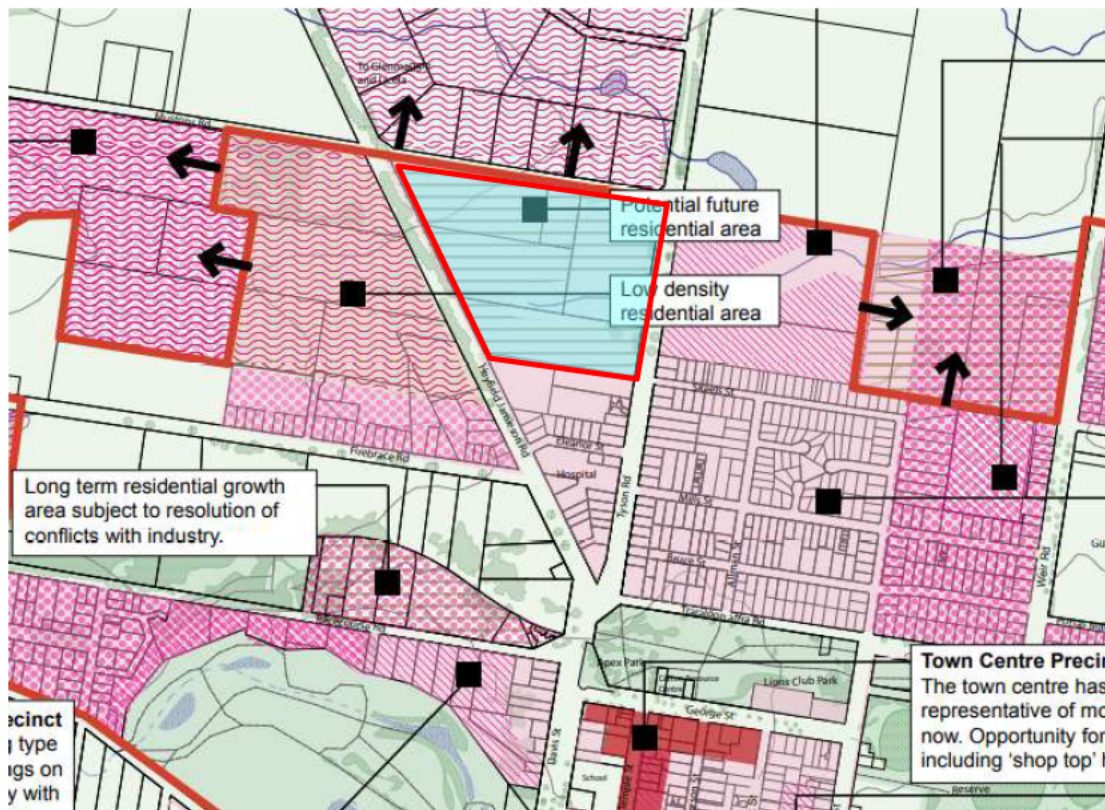


Figure 14: Extract from the Heyfield Structure plan indicates that residential infill is proposed along most of the eastern abuttal to the site. Subject site highlighted in blue shading.

## 7 SHELTER FROM BUSHFIRE

Neighbourhood Safer Places (NSP) (also known as a 'Bushfire Place of Last Resort' (BPLR)) are designated places of last resort when all other bushfire plans have failed. They may provide some protection from direct flame and heat from a fire, but they do not guarantee safety.

Wellington Shire have two BPLR; Loch Sport and Port Albert, neither of which are accessible to this site. Rather, the urban areas of Heyfield are BAL-LOW areas and these are locations where ember attack and radiant heat is expected to be below 12.5kw/m<sup>2</sup>.

## 8 ACCESS

The BAL- LOW areas of surrounding urban development are within 300m of the southern part of the site, are easily accessible and the route does not pass through any permanent bushfire hazards.



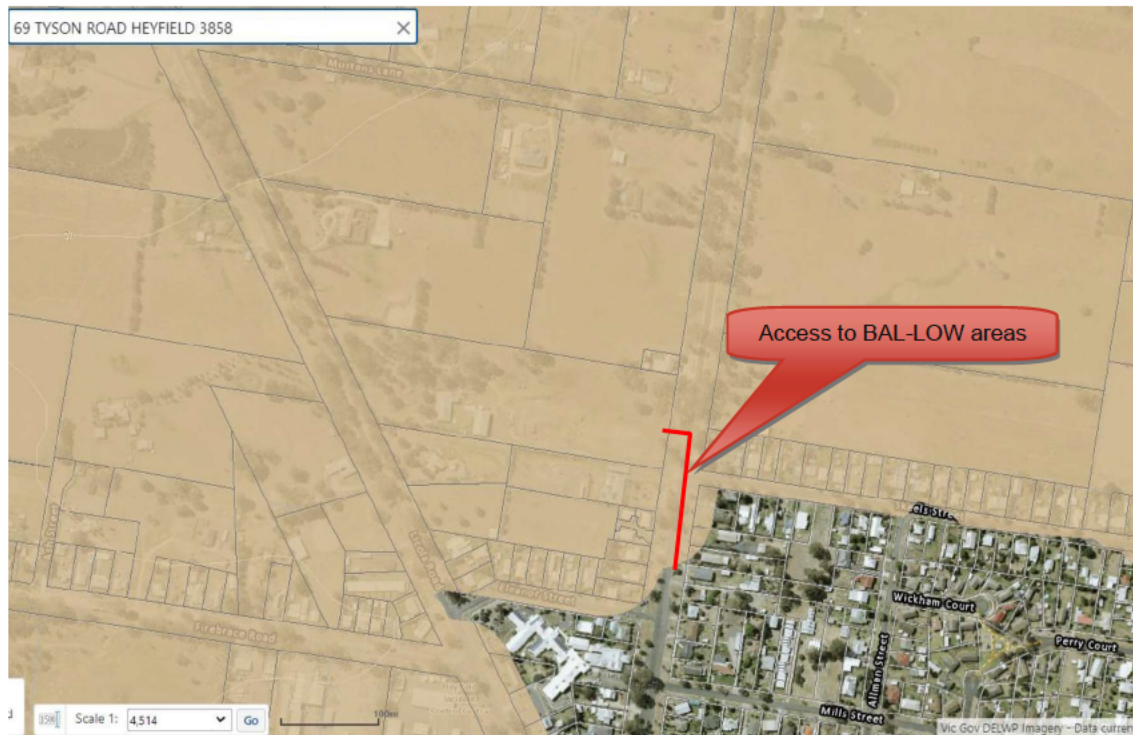


Figure 15: Access to Place of Shelter (source mapshare.vic.gov.au)

## 9 BIODIVERSITY CONSIDERATIONS

Clause 13.02 seeks to ensure that new development can implement bushfire protection measures without unacceptable biodiversity impacts.

A Biodiversity Assessment Report has been prepared for the site and identifies 12 separate habitat zones inclusive of planted tree zones and patches of native vegetation. The design provides for retention and protection of significant native vegetation within reserve areas, large allotments or within road reserves to maintain the vegetated qualities of the site and surrounding area and protect Victoria's Biodiversity. The retention of this vegetation will not result in an unreasonable risk and vegetation to be retained has been considered in the site assessment and application of radiant heat benchmarks.

## 10 ASSESSMENT AGAINST CLAUSE 13.02

The following sections provide an assessment against the relevant matters of Clause 13.02 in light of the findings discussed above.

### **PROTECTION OF HUMAN LIFE**

Population growth is to be directed to low risk locations and reduce the vulnerability of communities to bushfire risk. The land is very close to existing BAL-LOW areas and when residential land on site and east of Tyson Road is developed it is plausible that the BPA will be removed. It would however remain on the northern, eastern and western interfaces given that these are the edges of the urban area. Once the subject land is developed in accordance with the DP it is also plausible that the BPA will be removed from much of the land (except interface areas) and as such the land is considered to be a low risk location.

## **BUSHFIRE HAZARD**

The site and landscape bushfire hazard has been identified above and concludes that the landscape risk is moderated to an acceptable level given that the land is located in a residential zone on the edge of the existing urban area. Fire history shows that fires in the vegetated ranges to the northwest have not impacted Heyfield and AS3959 ensures that buildings will be designed in response to localised threats.

## **SETTLEMENT PLANNING**

The land is zoned for residential purposes and as such it will be developed as an infill parcel located proximate to the established urban area of Heyfield. As the land is already zoned for residential purposes, it is not considered necessary to undertake an assessment of alternative locations. This land will be developed for residential purposes and the DP approval process provides an avenue to ensure that bushfire risk is suitably considered.

The site has existing perimeter roads to the north, east and west, with an abuttal to residential zoned land to the south. As outlined above, the proposed lots can feasibly achieve a radiant heat flux of 12.5 kilowatts/square metre (or less) in accordance with AS3959 when considering the abutting bushfire hazards and vegetation to be retained on site. Non combustible fencing along the western boundary should be considered.

Easy and convenient access is available to the BAL-LOW areas of the surrounding urban area which are a very short distance away. It is envisioned that the extent of BPA will be reduced once the site and adjacent residential land to the east is developed.

Internal roads will be designed and constructed to the satisfaction of the responsible authority at subdivision stage and fire hydrants will be installed as required.

## **BIODIVERSITY VALUES**

Significant native vegetation on site has been indicated for retention in accordance with the recommendations of the consulting ecologist. This vegetation has then been considered in the bushfire site assessment and the design allows for BAL-12.5 setbacks on vacant residential lots. Bushfire protection measures will not have detriment on biodiversity values given that vegetation has been considered when determining radiant heat benchmarks.

## **BUSHFIRE PRONE AREA**

This assessment has considered the requirements of the *Building Act, 1993* as required and all new vacant lots can achieve BAL-12.5 construction. As detailed above, the risk is acceptable, bushfire protection measures are achievable and there are no known biodiversity impacts.

# **11 RECOMMENDATIONS**

---

The following recommendations are made in relation to bushfire protection for the development plan:

- Approve the Development Plan as it shows a BAL 12.5 setbacks and non-combustible fencing along the western boundary of the site.
- Require a Bushfire Management Plan to be prepared at subdivision stage which applies the following vegetation management requirements to proposed lots and the BAL-12.5 setback area:
  - *Grass must be short cropped and maintained during the declared fire danger period.*
  - *All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.*

- *Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.*
- *Plants greater than 10 centimetres in height must not be placed within 3m of a window or glass feature of the building.*
- *Shrubs must not be located under the canopy of trees.*
- *Individual and clumps of shrubs must not exceed 5 sq. metres in area and must be separated by at least 5 metres.*
- *Trees must not overhang or touch any elements of the building.*
- *The canopy of trees must be separated by at least 2 metres.*
- *There must be a clearance of at least 2 metres between the lowest tree branches and ground level*

## 12 CONCLUSION

Integrated Decision Making (71.02-3) requires planning and responsible authorities to prioritise the protection of human life over all other policy considerations in bushfire affected areas.

Bushfire Planning (Clause 13.02) outlines the objective to be achieved and this seeks to strengthen the resilience of settlements and communities to bushfire risk-based planning that prioritises protection of human life.

The landscape risk is considered acceptable given the infill nature of the site's location and the fact that it is already zoned for residential purposes. Extensive development in the area will further reduce the bushfire risk to the east. Credible shelter options are available in close proximity to the land and provide for an important feature in the aim to protect life.

The site assessment demonstrates that the proposed vacant lots can achieve BAL-12.5 construction in accordance with Clause 13.02 and the *Building Act, 1993*.

There are no known significant biodiversity constraints that will prohibit bushfire protection measures being achieved. The proposal responds to the sites biodiversity attributes and design ensures retention can be achieved without an increased risk.

Development of this land prioritises protection of human life over all other policy considerations and there are no bushfire protection measures to be applied given that AS3959 provides an appropriate means of implementing construction standards.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] - [REDACTED]

Development & Building in Bushfire Prone Areas (UTS)

[REDACTED]

[REDACTED]