



FSG LUP 008

Land Use Planning

STRATEGIC LAND USE PLANNING - BUSHFIRE

INTRODUCTION

Strategic planning is the process of setting policy direction and planning for future development on a precinct-wide, municipal or regional scale. Strategic settlement planning sets the long-term direction for an area. It delivers a strategy/plan on how, when and where growth should occur, establishing the expectations for development into the future.

Strategic planning can be used to encourage and/or restrict growth in certain locations and is usually led by State Government or Council, but can also be led by a developer. The Country Fire Authority (CFA) can influence the outcome of strategic planning by providing expert advice on bushfire matters as the strategy/plan is developed. CFA's role is to provide expert advice in relation to:

- the extent and nature of the bushfire hazard;
- the likely forms of bushfire attack;
- the adequacy of bushfire protection measures that are proposed; and
- possible service delivery implications.

The State Planning Policy Framework at Clause 13.05 provides strong policy support for CFA's early involvement in the strategic planning process, as well as prioritising life safety outcomes. The opportunity to avoid development in inappropriate locations is greatest during the early stages of planning, particularly when the development entitlement does not exist, i.e. the proposed development requires a re-zoning of land.

SCOPE & OBJECTIVE

This Fire Service Guideline applies to all new development in an area at risk from bushfire. The objective of this Fire Service Guideline is to provide guidance to Councils and practitioners on CFA's approach to strategic planning.

The following are included:

- An overview of the legislative and policy framework for CFA's involvement in strategic planning.
- CFA's strategic planning principles, which guide the decision making process when CFA is responding to planning scheme amendments and strategic proposals.
- Recognition of the importance of engaging early with CFA to identify and address bushfire hazards to ensure appropriate strategic planning outcomes, having regard to the planning policy framework.



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STRATEGIC PLANNING LEGISLATIVE AND POLICY FRAMEWORK

Planning and Environment Act 1987

CFA has responsibilities under the *Planning and Environment Act 1987* for the following:

- As a referral authority under section 55 for applications within the Bushfire Management Overlay (BMO).
- As a referral authority under section 55 for subdivisions that create a road where specified access and water supply requirements are not met.
- Providing advice under section 52 in relation to permit applications where there may be a bushfire risk but the land is not affected by the BMO (e.g. Bushfire Prone Areas).

Country Fire Authority Act 1958

The *Country Fire Authority Act 1958* defines CFA's powers, duties and functions that relate to prevention and suppression of fires for the protection of lives and property.

State Planning Policy Framework

Clause 13.05 of the State Planning Policy Framework identifies bushfire issues and provides a number of strategies and guidelines. For strategic planning purposes the following overarching strategies are particularly relevant:

Prioritise the protection of human life over other policy considerations in planning and decision-making in areas at risk from bushfire.

Where appropriate, apply the precautionary principle to planning and decision-making when assessing the risk to life, property and community infrastructure from bushfire.

The strategies are of particular relevance for CFA when responding to strategic planning proposals. Clause 13.05-1 sets out specific bushfire planning strategies and principles for:

- Bushfire hazard identification and risk management;
- Strategic and settlement planning;
- Planning scheme implementation; and
- Development control.

Regional Growth Plans

The Regional Growth Plans inform strategic land use and settlement planning at the regional, municipal and local levels. The Plans identify opportunities to encourage and accommodate growth and manage change in the Regions.



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The majority of the Plans contain a series of principles and/or strategies relating to bushfire, which are generally aligned to the CFA's strategic planning principles.

Regional Bushfire Planning Assessments

Regional Bushfire Planning Assessments map where a significant bushfire hazard may affect land use planning. They identify settlements, urban interfaces and road access in areas at risk of bushfire.

Ministerial Direction No 11 *Strategic Assessment of Amendments*

Ministerial Direction No 11 requires a planning authority to assess how an amendment addresses the strategic considerations outlined in the Ministerial Direction, with relevant information to be included in the explanatory report. Of relevance to the CFA is the need for all amendments to address any relevant bushfire risk and the views of any relevant agency.

Planning Practice Note 46 *Strategic Assessment Guidelines for preparing and evaluating planning scheme amendments*

In support of Ministerial Direction No 11, this Practice Note provides additional information on what should be considered in preparing a planning scheme amendment. It includes a checklist for Councils to use when assessing an amendment.

Planning Practice Note 64 *Local Planning for Bushfire Protection*

This Practice Note provides guidance on local planning for bushfire and aims to assist Councils in addressing relevant bushfire matters within the Local Planning Policy Framework. It includes information about how to best consider bushfire risk in local planning and information about identifying and assessing bushfire risk.

Key points raised in the guidance include the following:

- The need to consider bushfire hazard early in the planning process.
- The need to consider the risk to life, property and community infrastructure when assessing the risk from bushfire.
- The BMO as a statutory control, should not be the sole indicator of where bushfire matters need to be considered.
- The assessment of the level of risk is influenced by the bushfire behaviour and the nature and scale of the proposed change to the planning scheme.
- Any bushfire mitigation measures identified need to be translated into the planning controls and a range of tools can be used including the Development Plan Overlay controls and schedules to the BMO.



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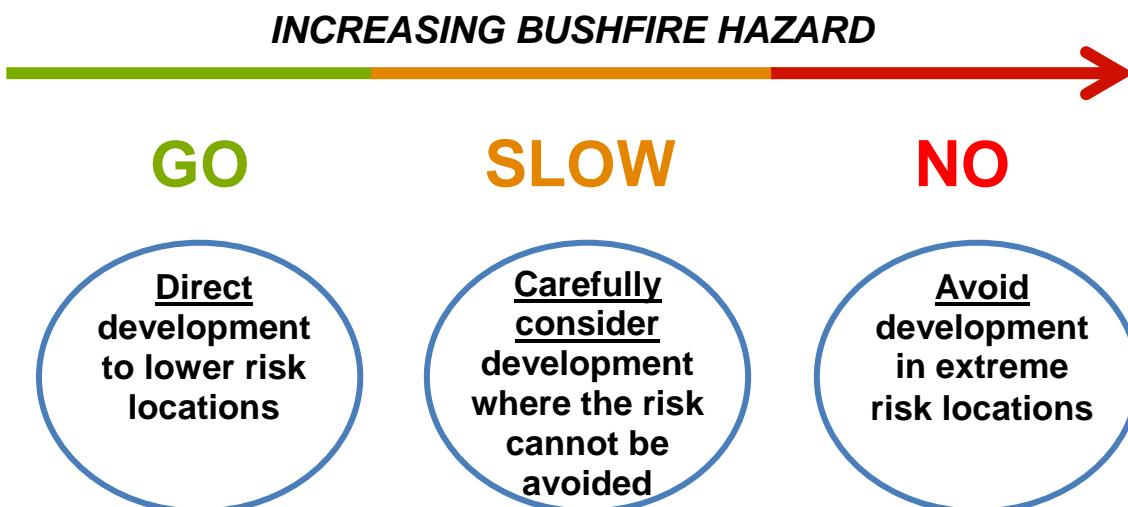
STRATEGIC PLANNING PRINCIPLES FOR BUSHFIRE

The strategic planning principles outlined below have been developed in accordance with Clause 13.05 of the State Planning Policy Framework.

When CFA is asked to be involved in, and provide comment on planning scheme amendments and strategic proposals, the following principles are used to inform the response (as appropriate).

- Community resilience to bushfire will be strengthened by:
 - Prioritising the protection of human life over other policy considerations when planning to create or expand a settlement at risk from bushfire.
 - Applying a precautionary approach to planning and decision-making when assessing the risk to life, property and community infrastructure from bushfire.
 - Taking advantage of existing settlement patterns where new development will not expose the community to increased risk from bushfire.
- Settlement planning decisions should:
 - Direct development to locations of lower bushfire risk.
 - Carefully consider development in locations where there is significant bushfire risk that cannot be avoided.
 - Avoid development in locations of extreme bushfire risk.
 - Avoid development in areas where planned bushfire protection measures may be incompatible with other environmental objectives.

The decision-making framework outlined below, is explained in further detail over the page.





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GO: Direct development to locations of lower bushfire risk.

The most effective way to strengthen community resilience to bushfire is to direct growth to settlements and locations with a lower bushfire risk.

These are locations that are not expected to be exposed to bushfire behaviour that requires a planning-led response. Lower risk locations generally include areas that:

- Are not within the BMO;
- Have good road access; and
- Are located more than 700 metres from large areas of vegetation like National and State parks.

Examples of these areas might include Melbourne's growth areas, major regional cities or smaller settlements not significantly affected by bushfire hazard. The main type of hazard for these locations is likely to be unmanaged grassland.

Development in these locations prioritises the protection of human life and the bushfire related strategic considerations within Ministerial Direction No. 11 can be readily addressed.

SLOW: Carefully consider development in locations where there is a significant bushfire risk that cannot be avoided.

Development needs to be carefully considered where there is a bushfire risk that cannot be avoided. These locations require an assessment to determine whether the risk can be reduced to an acceptable level in the context of the proposed development.

It is important to note that in these types of proposals, CFA is usually one of a number of stakeholders providing input. The role of CFA is to provide fire related advice both in relation to bushfire and operational issues.

NO: Avoid development in locations where the bushfire hazard presents an extreme risk to life safety.

There are some locations where the landscape presents an extreme bushfire risk that cannot realistically be mitigated to an acceptable level. In these cases the precautionary principle should be applied to ensure human life is prioritised over other policy considerations. There is strong State policy support within the Victoria Planning Provisions (VPP) for CFA to object to a proposal where it considers the bushfire risk cannot be reduced to an acceptable level.

Areas to avoid development might include:

- Isolated settlements where the size and/or configuration of the settlements will be insufficient to modify fire behaviour and provide protection from a bushfire.
- Where bushfire protection measures will not reduce the risk to an acceptable level.
- Where evacuation (access) is severely restricted.



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- Where the extent and potential impact of required bushfire protection measures may be incompatible with other environmental objectives or issues, e.g. vegetation protection, land subject to erosion or landslip.

In extreme risk locations, the following cannot be used as justification for consideration of a proposal:

- A lack of alternative sites.
- Past strategic planning decisions or policies lacking appropriate consideration of bushfire.

THE IMPORTANCE OF EARLY INVOLVEMENT

There are many benefits to early engagement with CFA on strategic planning projects. By recognising and addressing bushfire risk in strategic plans, the difficult and often expensive 'retrofit' of bushfire protection measures is avoided. It can also reduce construction costs and provide for a more straight-forward planning process at the development stage.

Clause 13.05-1 includes a strategy to:

Consult with the relevant fire authority early in the strategic and settlement plan making process and implement appropriate bushfire protection measures.

CFA has regional Managers Community Safety (MCS) who are the first point of contact for strategic planning projects/matters. Contact details for each Region are included in Appendix A. It is advisable that Councils liaise regularly with the relevant MCS on current and future projects.

REFERENCE DOCUMENTS

The Department of Transport Planning and Local Infrastructure (DTPLI) (2014) Practice Note 46 *Strategic Assessment Guidelines for preparing and evaluating planning scheme amendments*

DTPLI (2014) Practice Note 64 *Local Planning for Bushfire Protection*

DTPLI (2014) Regional Growth Plans

DTPLI (2013) Ministerial Direction No. 11 *Strategic Assessment of Amendments*

The Department of Planning and Community Development (DPCD) (2012) Regional Bushfire Planning Assessments

OTHER RELEVANT DOCUMENTS

DTPLI (2014) *Plan Melbourne*

Metropolitan Planning Authority (MPA) (2012) *Precinct Structure Planning Guidelines*



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APPENDIX A - CFA CONTACT DETAILS FOR STRATEGIC PLANNING PROPOSALS

All strategic planning proposals should be marked to the attention of the **Manager Community Safety**.

CFA OFFICE	RELEVANT COUNCILS
<p>SOUTH WEST REGION District 5 Headquarters Address: Cnr Coleraine Road & Mt Bainbridge Road Hamilton, Victoria 3300</p> <p>Postal: PO Box 389 Hamilton, Victoria 3300 Phone: (03) 5551 1500</p>	<ul style="list-style-type: none"> • Colac Otway • Corangamite • Glenelg • Greater Geelong • Moyne • Queenscliffe • Southern Grampians • Surf Coast • Warrnambool
<p>SOUTH EAST REGION District 8 Headquarters Address: Building G Level 2 45 Assembly Drive Dandenong South, Victoria 3175</p> <p>Postal: Same as above address Phone: (03) 9767 1800</p>	<ul style="list-style-type: none"> • Bass Coast • Baw Baw • Cardinia • Casey • East Gippsland • Frankston • Greater Dandenong • Kingston (part) • Latrobe • Mornington Peninsula • South Gippsland • Wellington
<p>NORTH WEST REGION District 14 Headquarters Address: 251 High Street Melton, Victoria 3337</p> <p>Postal: PO Box 50 Melton, Victoria 3337 Phone: (03) 8746 1400</p>	<ul style="list-style-type: none"> • Banyule (part) • Buloke • Campaspe • Central Goldfields • Gannawarra • Greater Bendigo • Hume (part) • Loddon • Macedon Ranges • Melton • Mildura • Mount Alexander • Nillumbik (part) • Swan Hill • Whittlesea (part) • Wyndham



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<p>WEST REGION District 15 Headquarters Address: 19 Learmonth Road Wendouree 3355</p> <p>Postal: PO Box 222W Ballarat West 3353 Phone: (03) 5329 5500</p>	<ul style="list-style-type: none">• Ararat• Ballarat• Golden Plains• Hepburn• Hindmarsh• Horsham• Moorabool• Northern Grampians• Pyrenees• West Wimmera• Yarriambiack
<p>NORTH EAST REGION District 22 Headquarters Address: 205 Numurkah Road Shepparton, Victoria 3630</p> <p>Postal: PO Box 932 Shepparton, Victoria 3630 Phone: (03) 5833 2400</p>	<ul style="list-style-type: none">• Knox• Manningham (part)• Maroondah (part)• Yarra Ranges (part) <ul style="list-style-type: none">• Alpine• Alpine Resorts• Benalla• Greater Shepparton• Indigo• Mansfield• Mitchell• Moira• Murrindindi• Strathbogie• Towong• Wangaratta• Wodonga

It should be noted that in some municipalities there is more than one responsible fire authority.