

## Bushfire Management Overlay

The purpose of the BMO is:

*"To implement the Municipal Planning Strategy and 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."*

### Planning Permit Triggers

Pursuant to Clause 44.06-2, a planning permit is required to subdivide land.

An application must be accompanied by a Bushfire Hazard Site Assessment, a Bushfire Hazard Landscape Assessment and a Bushfire Management Statement. We provide all of the required assessments within the provided Bushfire Management Statement prepared by Terramatrix.

## 4.4 PARTICULAR & GENERAL PROVISIONS

The following particular and general provisions apply:

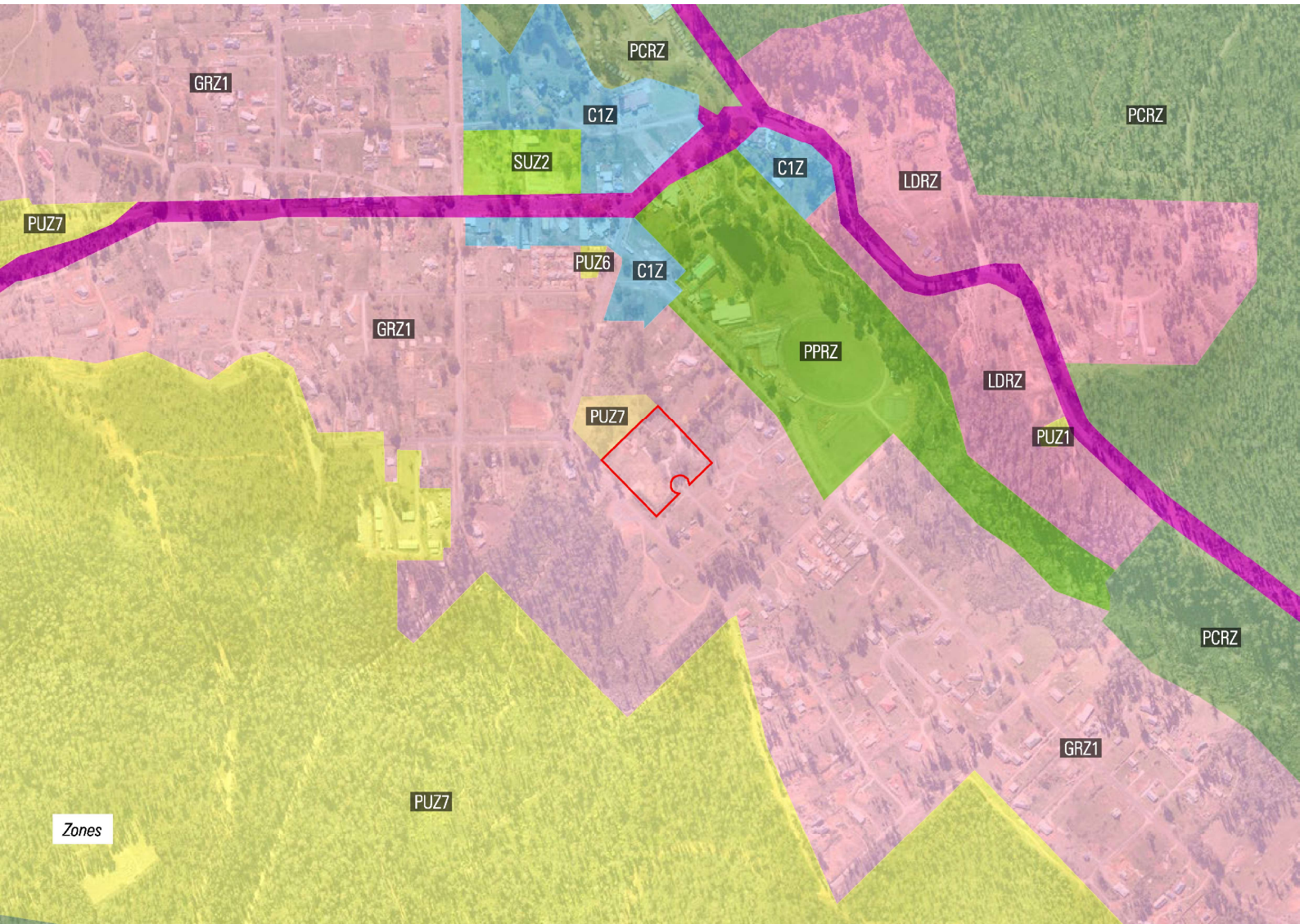
*Clause 52.17 Native Vegetation*

*Clause 53.01 Public Open Space Contribution and Subdivision*

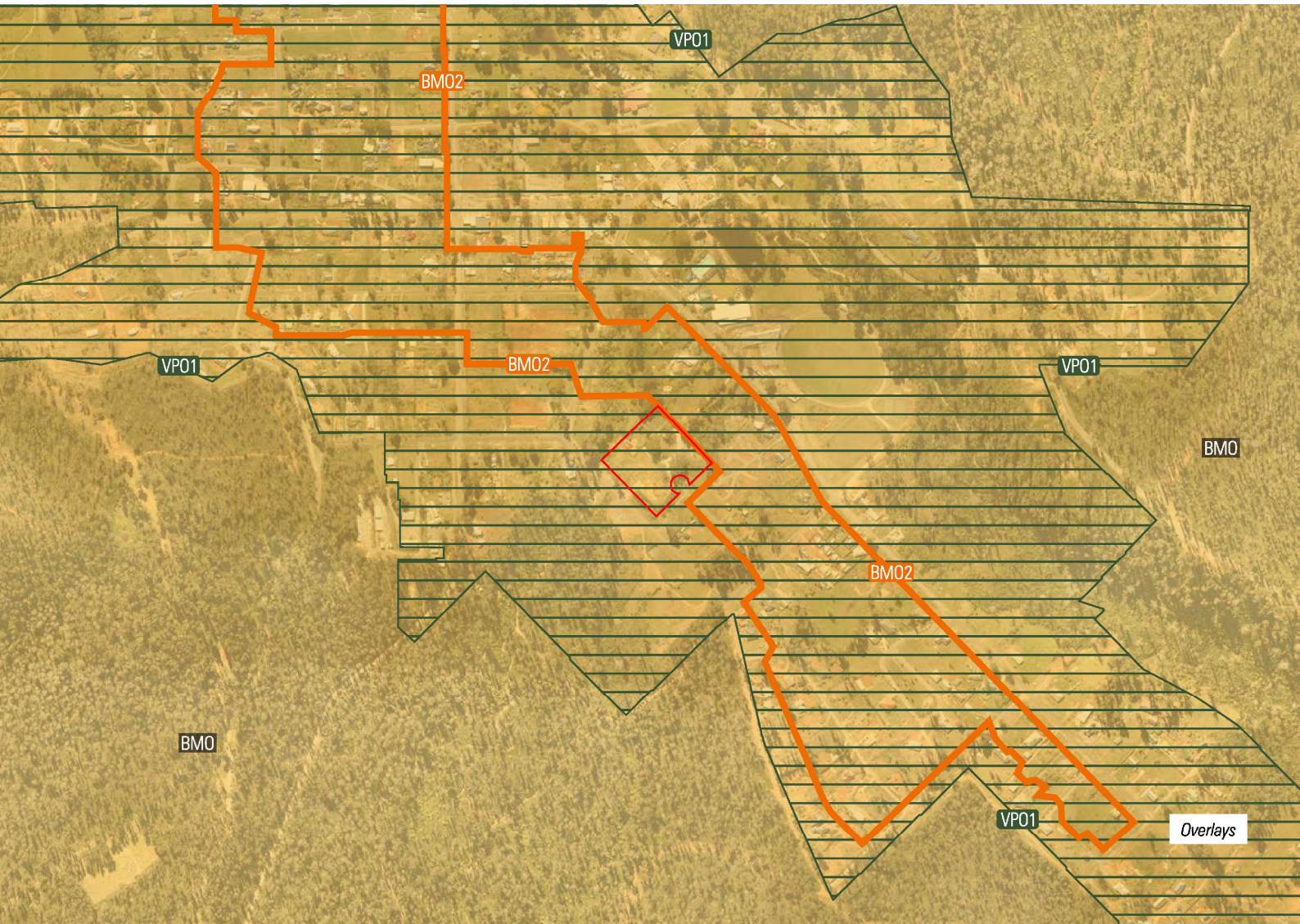
*Clause 53.02 Bushfire Planning*

*Clause 56 Residential Subdivision*

*Clause 65.02 Approval of an Application to Subdivide Land*



Zones



VP01

BMO2

VP01

BMO2

VP01

BMO

BMO2

BMO

VP01

Overlays

# 5

## KEY PLANNING CONSIDERATIONS

Based on the provisions of the Murrindindi Planning Scheme and the decision guidelines of Clause 65, the following are considered to be the key planning considerations relevant to the proposed development:

- The General Residential Zone & Clause 56; and
- Consistency with State and Local Planning Policy;
- Native Vegetation;
- Bushfire Planning; and
- The Decision Guidelines of Clause 65.02.

The above considerations are addressed in detail in the following sections.

### 5.1 THE GENERAL RESIDENTIAL ZONE & CLAUSE 56

Clause 32.08-3 (Subdivision) provides a list of relevant objectives and standards to be met in Clause 56.

An application for a subdivision of 15 lots must meet all of the objectives, and should meet all of the standards of Clause 56, except:

- Clause 56.02-1
- Clause 56.03-1
- Clause 56.03-4
- Clause 56.05-2
- Clause 56.06-1
- Clause 56.06-3
- Clause 56.06-6

The proposed subdivision is consistent with the purpose of the General Residential Zone. The proposed subdivision is consistent with the existing subdivision pattern in the surrounding area, and provides opportunity for additional residential allotments within the Marysville township. The land parcel is currently vacant and underutilised, and therefore subdividing the land is the next logical step.

The proposed subdivision is consistent with the requirements of Clause 56. We provide a full Clause 56 assessment within Appendix 1.

### 5.2 CONSISTENCY WITH STATE AND LOCAL PLANNING POLICY

The proposed subdivision is consistent with Clause 11.01 (Victoria), which seeks to promote sustainable growth and development through a network of settlements. Clause 11.01-1L (Settlement - Murrindindi) seeks to support the recovery and rebuilding of communities affected by the 2009 bushfires. The proposed subdivision seeks to continue the rebuilding of Marysville through the provision of additional residential allotments within the existing township bounds.

The proposed subdivision and associated native vegetation removal seeks to meet the objective of Clause 12.01-2S (Native vegetation management), by minimising the removal of vegetation to the greatest extent possible. A vegetation offset is required, and therefore can be managed via a planning permit condition.

The proposal is consistent with the objective of Clause 13.02-1S (Bushfire planning), through the provision of a subdivision layout that strengthens the bushfire resilience of the area, and provides appropriate setbacks, defensible space, and a through-road that will assist with the movement of residents and emergency services in the event of a bushfire. Similarly, the proposal supports the strategies within Clause 13.02-1L (Bushfire planning), which seek to facilitate the expansion of settlements, while responding to bushfire provisions. A Bushfire Management Statement (BMS) prepared by Terramatrix has been provided as part of the application package.

The proposed subdivision is consistent with **Clause 15.01-3S (Subdivision design)**, with the proposed design provided a safe, attractive, highly accessible and sustainable streetscape. The subdivision design maintains lot size consistency with the surrounding area, and provides a through-road to allow for easily accessible lots that are safe for residents. Five lots are accessible via Kings Road, with the remaining lots accessible via the internal Hull Road 'extension'. This layout seeks to reduce the dependency on Hull Road, and therefore create a safer environment for residents through reduced local street traffic.

The proposed subdivision is consistent with the objectives of **Clause 16.01-1S (Integrated housing)**, as it seeks to increase the supply of developable residential land within the Marysville township, an appropriate location for increased development. Additionally, the proposal is consistent with **Clause 16.01-2L (Residential development in serviced and non-serviced towns)** which seeks to locate housing within serviced townships such as Marysville.

The proposed subdivision is consistent with **Clause 19.03 (Development infrastructure)**, as it will be connected to the appropriate water, energy, and telecommunications infrastructure.

### 5.3 NATIVE VEGETATION

The proposal includes the removal of a patch of native vegetation to facilitate the subdivision design. As such, we must consider the decision guidelines for applications to remove native vegetation. A full assessment of the Clause 52.17 Decision Guidelines is provided in Appendix 2, however we provide a summary below:

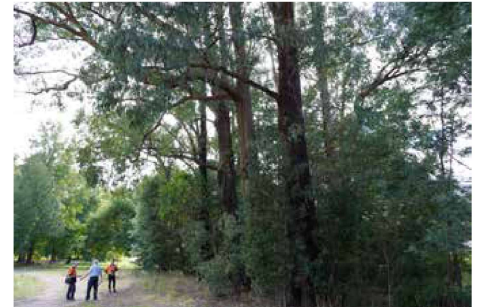
The proposal has sought to minimise the removal of native vegetation to the greatest extent possible. As stated in the provided vegetation assessment, the vegetation to be removed (patch 1) is EVC 29 Damp Forest, and consists of both canopy trees and understorey plants.

Patch 1 is identified as less than 0.5 hectares in area, and therefore falls within Location 1 - low-risk areas. As such, the assessment pathway for the removal of patch 1 is 'Intermediate'. The required vegetation offset for the removal of patch 1 is a General offset of 0.104 general habitat units, with a minimum strategic biodiversity value score of 0.744. Further information regarding the Native Vegetation Removal report (NVR) is provided within the vegetation assessment.

The removal of native vegetation on the site is not considered to have any significant impact on the biodiversity of the area, nor the survival of native wildlife within the Marysville locality. The removal of vegetation would also improve the bushfire resilience of the area, as the removal will facilitate the construction of the internal road, and therefore improve moveability and access. The removal will not result in a net loss to biodiversity as a result of the removal of native vegetation, with appropriate offsets to be acquired from an accredited offset provider at a later stage.



*Patch 1 - vegetation to be removed.*



*Patch 1 - vegetation to be removed.*

## 5.4 BUSHFIRE PLANNING

The proposed subdivision has been assessed using the BMO site assessment methodology, and is consistent with Clause 13.02 (Bushfire), Clause 44.06 (BMO) and Clause 53.02 (Bushfire Planning). The applicable objectives has been been by compliance with approved measures 2.1, 2.2, 4.1, 5.3 and alternative measure 5.5.

The layout provides appropriate defensible space/vegetation setback distances to comply with the BMO requirements. The development of the site to a BAL-29 construction standard, and the creation of extensive defensible space would contribute to the overall resilience of the Marysville township by creating a lower threat area on the edge of the urban area.

Further information regarding bushfire planning compliance is provided in the Terramatrix Bushfire Management Statement, which includes a bushfire hazard site assessment, and bushfire hazard landscape assessment.

## 5.5 THE DECISION GUIDELINES OF CLAUSE 65.02

Clause 65.02 outlines decision guidelines for applications to subdivide land. We provide the following discussion of the relevant decision guidelines.

The subject site is located optimal for a subdivision, providing a large parcel of General Residential Zone land in the core of the Marysville township. The subject site is vacant, and therefore is ideal for subdivision and future residential development. There is limited land within the Marysville township suitable for such a subdivision, and therefore the proposed subdivision will provide much needed residential development land in the central core.

The proposed subdivision will not have adverse amenity impacts to surrounding land, and will not impact the future development potential of neighbouring properties. The proposed pattern is in response to the existing vegetation and site characteristics, and takes advantage of the Hull Road connection for access.

The density of the proposed subdivision is consistent with the existing neighbourhood character, an important factor in providing appropriate vegetation buffer distances. The subdivision is proposed to occur in a single stage, which is considered appropriate for a subdivision of this size.

The land is connected to the relevant utilities and services, having previously been used for accommodation purposes.

The subject site is considered a suitable location for a 15 lot subdivision, providing lots of consistent size and shape with the existing neighbourhood character, appropriate defensible space and buffer distances, and a through-road to increase bushfire protection and safety of the subdivision and surrounds.

