



18 December 2020

Victorian Planning Authority
c/- Lilydale Quarry Comprehensive Development Plan
Level 25, 35 Collins Street
MELBOURNE VIC 3000
<https://engage.vic.gov.au/lilydale-quarry>

SUBMISSION TO PROPOSED PLANNING SCHEME AMENDMENT C193

Thank you for providing CFA with a further opportunity to comment on the proposed Comprehensive Development Plan (CDP) and associated plans, policies and reports. CFA provides the following information for your consideration:

Previous advice

On 6 August, CFA provided general advice on a preliminary version of the CDP and the Strategic Bushfire Assessment (SBA) prepared by Biosis (29 April 2020).

General Comments

CFA offers no objection in principle to the incorporation of the CDP into the Yarra Ranges Planning Scheme or relevant zoning and other incidental changes required to the scheme to facilitate the implementation of the proposal into the future.

However, there are a number of issues that have not been addressed within the CDP/supporting information, which CFA considers relevant to the assessment of the proposal.

Bushfire Hazard and Behaviour

CFA generally agrees with the assessments contained in the SBA. This can be summarised as follows:

- That the site is located within close proximity to the Dandenong Ranges.
- That at the landscape scale, the site is most likely to be affected by a fire within the Dandenong Ranges or Kinglake area.
- That ember attack and localised fire events are possible at the site.
- That there is a higher likelihood of localised fires occurring in the vegetation in the eastern side of the site. CFA does not agree with the comments in the report that the likelihood of a fire in this area is 'more remote'. However, it is acknowledged that a fire would be localised.

Bushfire Policy

Clause 13.02-1S and Clause 71.02

The proposal has identified the central bushfire planning policies that require consideration; however there are few links between the CDP, planning outcomes and bushfire policy. The application has minimised its consideration of bushfire rather than giving the primacy that it is afforded under Clause 71.02 of the Yarra Ranges Planning Scheme.

Both the Explanatory Report and SBA have generally excluded consideration of the localised bushfire hazard on the eastern portion of the site as it will eventually be removed, little consideration has been given to the potential to create new bushfire hazards at the site.

CFA is concerned with this approach given the extended timeframe (potentially more than 15 years) for the staging and development of the land. CFA recommends that:

A more comprehensive assessment and response to Clause 13.02-1S be developed that identifies and addresses:

- Any future bushfire hazards to be created at the site i.e. parks, open spaces, roadside vegetation;
- Any existing bushfire hazards that will be retained at the site i.e. roadside vegetation, 10m wide vegetated buffer on the south east site boundary;
- Any interim bushfire hazards and how these hazards will be managed during the development of each stage of the development;
- How the radiant heat exposure benchmarks referred to within Clause 13.02-1S will be met and whether any vegetation will be required to be managed;
- How the design and layout of the subdivision responds to policy;
- Whether any bushfire protection measures will be incorporated into requirements and how these requirements will be achieved.
- What mechanisms will be in place to manage these requirements;
- What objectives, guidelines and requirements could be developed to require the above items are considered, addressed and implemented at the site; and
- Which parts of the policy have been met and how.

Bushfire Management Overlay (Clause 44.06)

The BMO partially covers the site and given the VPA approach to limiting the consideration of the hazard on the site, is largely not addressed within the application.

CFA recommends that:

- Further consideration be given to the location of the BMO and the effect it may have on development.
- The BMO be retained until any interim bushfire hazard management is resolved.
- That the CDP be updated to identify the area as a bushfire risk, how the area will be managed on an interim basis and what development response is required.

Comprehensive Development Plan

Vision

The vision includes a number of principles that set the scene for the vision and what the CDP is trying to achieve within the area. CFA sees additional opportunities to incorporate safety into either the existing principles or introducing a separate principle. Safety concepts are captured across a number of different themes and could serve to both capture and encourage resilience to natural hazards by designing a responsive and safer community and environment.

Implementation

When considering use and development within each precinct, CFA recommends that:

- Vulnerable uses such as aged care, child care or education centres be located away from bushfire hazards.

Community Facilities

When considering use and development associated with community facilities, CFA recommends that:

- That any proposed Government Specialist School is located away from any bushfire hazard and is required to prepare a bushfire emergency management plan;
- Consider whether a neighbourhood safer place is needed for the community and capture this within the CDP.

Open Space

There are various requirements for the provision of open space within the CDP that have the potential to conflict with building a safer community and bushfire, CFA recommends that:

- The objectives include a clearer link to bushfire and the need to identify, manage and minimise risk.
- Requirements and guidelines be reviewed to ensure that:
 - conflicts between open space objectives and bushfire are minimised;
 - connectivity between open space areas and sensitive interfaces (where there is a 10m wider vegetation buffer) are required to be designed and managed to ensure that they do not act as fire corridors where a fire can easily travel from one area to the other.
 - Consider the impact of the tree retention zone / 10m sensitive vegetation buffer to the south east of the site on open space and bushfire.
 - clearer requirements around vegetation management are included.
 - landscape design be required to take into consideration vegetation management requirements. CFA is concerned that Guidelines 15 and 16 could lead to a less managed vegetated environment, without further clarification.
 - Planting and landscape outcomes that are consistent with the following:
 - 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.

Integrated Transport / Road Network

Access (Entry and Exit Points)

CFA supports multiple access points being provided that enable entry and exit from different parts of the development.

Road Layout and Design

The proposal includes a number of different precincts with various built form outcomes, including density, setback and building heights up to 12 storeys in some locations. CFA highlights that:

- Various fire appliances may be required in the event of a fire, this includes aerial appliances. These are typically larger fire trucks that have higher load limits, taller clearance heights and greater width requirements associated with their operation. These appliances also require large working areas around them to ensure safe operation of the machine and fire fighter safety.
- CFA is aware of new subdivisions in the built up areas where firefighting appliances are having difficulty accessing sites easily in the event of a structure fire. Issues are being faced from parked cars and the narrowing of the normal width of the road. This is particularly present in connector roads that allow for a parking on one side of the road and a carriageway between 3.5-3.7m in width.

- The road layout and design outcomes, including the cross sections demonstrated in Appendix D are likely borderline for standard fire appliance needs and unlikely suitable for aerial fire appliances. This could have a significant impact on the potential road layout and design.
- The use of perimeter roads assists in providing a hard buffer to vegetation.

CFA notes recommendation R25 and that there is some flexibility given to alterations to standard requirements for emergency service vehicles, however CFA recommends the following given the potential number of variations that could emerge and the need to ensure bushfire risks are appropriately managed:

- That the impacts of firefighting appliances be further considered as it may significantly impact the proposed design of some roads;
- That requirements and guidelines be developed that require/encourage the provision of perimeter roads adjacent bushfire hazards.

Built Form and Urban Design:

The built form and design fails to consider bushfire and the appropriate design response. CFA recommends that:

Outcomes from any bushfire assessment be incorporated into the objectives, requirements and guidelines.

- Requirements to meet minimum radiant heat exposure be incorporated in some form within this section, unless planning scheme policy is developed to address this requirement i.e. setbacks/vegetation management.
- Consider bushfire risk in relation to the design response on the sensitive interface (shown in Figure 8), particularly in relation to the proposed 10m vegetation buffer and the retention of all existing trees. CFA is concerned that this requirement is contrary to bushfire risk considerations if no other bushfire mitigation measures are proposed on these lots.
- Consider whether Table 3 needs any amendment given any proposed response to the above.

Infrastructure and Staging

CFA has raised concerns with the bushfire hazard/vegetation within the eastern section of the site (mostly Precinct 3) and how this is being considered in the context of this proposal. CFA strongly encourages that the management of this and any other non-developed area of the site during staged construction is identified and planned for to ensure bushfire risks are addressed.

Staging considerations are also important to ensure that any bushfire protection measures are required to be undertaken at the right time, particularly when one stage may rely on works being undertaken in another stage.

CFA recommends that:

- Consideration is given to permanent and interim bushfire hazards;
- Staging objectives, requirements and guidelines capture the outcomes of considering these issues.
- Infrastructure requirements ensure hydrants are provided during the appropriate stage.
- That staging and the provision of infrastructure/works consider the outcomes of any road design and layout discussions.

Planning Controls

A number of changes to the planning scheme form part of the proposal. Given CFA's comments on the above, there are also opportunities to capture a more bushfire outcomes within the policy response.

CFA recommends that the suite of planning controls consider any updated response to Clause 13.02-1S and the themes / central issues identified above and whether opportunities exist to update the controls.

CFA would welcome the opportunity to further consider the controls if additional information becomes available. If no further information becomes available CFA can be contacted to obtain additional views on where bushfire policy can be further enhanced.

Conclusion

CFA trust the above is of assistance, as it seeks to progress the planning scheme amendment.

If you wish to discuss this matter in more detail, please do not hesitate to contact me on 0400 647 000.

Yours sincerely

A handwritten signature in black ink that reads "T Garrett". The signature is written in a cursive, flowing style.

Tammy Garrett
Manager Community Safety
North East Region
Country Fire Authority