



17 November 2016

Submission to Amendment C141  
Attn: Spiro Manolakis  
Knox City Council  
511 Burwood Hwy  
**WANTIRNA SOUTH VIC 3152**

### **SUBMISSION TO PLANNING SCHEME AMENDMENT C141**

Knox Planning Scheme Amendment C141 (the amendment) went on public exhibition between 8 February and 29 March 2016. CFA notes that on 28 June 2016, Knox City Council endorsed a revised 'Built Height and Setbacks Map' for the Amendment. CFA understand that the Amendment is currently before a Planning Panel, and the following submission will clarify CFA's response to the current version of Amendment C141.

CFA would like to apologise for not responding to this Proposed Amendment earlier, however there is no record of a letter of advice being received from Knox City Council prior to the public exhibition period in February 2016.

CFA has reviewed the proposed planning scheme amendment C141 and makes the following submission.

#### **Bushfire Hazard**

Amendment C141 applies to land within the boundaries of the Upper Ferntree Gully 'Activity Centre', defined by Design and Development Overlay Schedule 12.

The land to the north of Burwood Highway, in the Upper Ferntree Gully precinct, is within the Bushfire Management Overlay (BMO); whilst the land within the identified 'Activity Centre' is in a designated Bushfire Prone Area. CFA consider the land within the 'Activity Centre' to be of an "extreme risk" to bushfire and grass fire, particularly given the interface between urban areas and the surrounding dense vegetation.

CFA notes that the BMO mapping currently going through consultation with the Department of Environment, Land, Water and Planning (DELWP), and may include greater coverage of the BMO in some areas of Knox Council. This process is supported by CFA, as it more accurately maps the hazard areas in accordance with Planning Advisory Note 46 *Bushfire Management Overlay Mapping Methodology and Criteria*.

#### **Relevant planning policy context**

Clause 13 of the State Planning Policy Framework (SPPF) states that planning should adopt a best practice environmental management and risk management approach which aims to avoid or minimise environmental degradation and hazards. The objective of Clause 13.05 *Bushfire* is to assist to strengthen community resilience to bushfire.

Clause 13.05-1 sets out the following planning strategies and principles for bushfire as 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.*

Clause 13.05-1 also includes planning scheme implementation strategies as follows:

*Ensure that planning schemes, in particular the Municipal Strategic Statement, Local Planning Policies and zones applying to land, provide for use and development of land in a manner compatible with the risk from bushfire.*

*Ensure that planning schemes support bushfire management and prevention and emergency services actions and activities.*

*Ensure that planning schemes do not prevent the creation of required defensible space around existing development through the removal and management of vegetation.*

## **Land Zones**

CFA note that Amendment C141 does not propose to alter the existing land use zones within the 'Activity Centre'.

## **Building Heights**

Since the original exhibition period, Knox Council have approved the inclusion of building height controls within the 'Activity Centre'. Whilst these controls will restrict the originally proposed development outcomes, there is still potential for a significant increase of population size within Upper Ferntree Gully. The protection of life and property is paramount to any development, particularly within high bushfire risk areas.

CFA recommends any development within the 'Activity Centre' consider location, siting and design in regards to bushfire risk. Knox Council need to ensure that built form guidance and construction standards are maintained, and any controls, such as those existing for BPA and BMO developments, are relied upon to address the risk of bushfire, and meet the requirements of the fire authority.

When considering the development of multi-storey buildings, Knox Council will need to ensure that fire protection measures and standards under the Building Regulations, meet the requirements associated with multi-storey developments.

CFA recommend that council consider strategies that ensure road layout, development and construction standards in areas within this proposed amendment allow access for emergency management vehicles (See the Infrastructure Design Manual as Reference Document.) This requirement will need to include access and weight considerations for larger appliances that will be required to meet the needs of multi-storey developments.

Improvements to and maintenance of the current reticulated water supply (including fire hydrants) within the 'Activity Centre' will also need to be considered when planning for or approving multi-storey buildings, which will see an increased demand on the existing infrastructure.

### **Additional Comments**

CFA's Upper Ferntree Gully Fire Station, is within the identified 'Activity Centre'. CFA request Knox Council to consider the potential impact increased development in the 'Activity Centre' may have on the access and egress ability of emergency service vehicles.

In September 2016, CFA provided extensive feedback to Knox City Council in response to the Proposed Planning Scheme Amendment C150, which undertakes a thorough review/update of the Knox Planning Scheme.

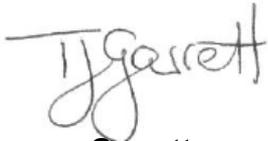
Within the feedback, CFA recommend Knox Council to consider the protection of life and property as a priority; and avoid or limit development in areas at risk of increased bushfire risk.

### **Conclusion**

In conclusion, CFA requests that the above comments be considered.

If you wish to discuss this matter in more detail, please do not hesitate to contact Tammy Garrett, Manager Community Safety on (03) 8739 4012 or 0400 647 000.

Yours sincerely

A handwritten signature in black ink, appearing to read 'T Garrett', written in a cursive style.

**Tammy Garrett**  
**Manager Community Safety**  
**North East Region**  
**Country Fire Authority**