

53.0231/07/2018
VC148**BUSHFIRE PLANNING****Purpose**

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 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.

53.02-105/05/2026
VC248**Application**

This clause applies to the following types of applications:

- An application under clause 44.06 (Bushfire Management Overlay), other than an application that meets all of the applicable requirements specified in a schedule to that clause.
- An application under any provision of this planning scheme to subdivide land in a bushfire prone area that is not in a Bushfire Management Overlay.
- An application under any provision of this planning scheme to construct a building or construct or carry out works associated with the use of land for accommodation, education centre, hospital, indoor recreation facility, major sports and recreation facility or place of assembly in a bushfire prone area that is not in a Bushfire Management Overlay.

The provisions of this clause apply to an application specified above, in the manner set out in the following table.

Type of application	Applicable provisions
An application under clause 44.06 to construct a single dwelling or construct or carry out works associated with a single dwelling if all of the following requirements are met: ▪ The land is zoned Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Housing Choice and Transport Zone, Urban Growth Zone, Low Density Residential Zone, Township Zone or Rural Living Zone. ▪ There is only one dwelling on the lot. ▪ The application meets all of the approved measures contained in clause 53.02-3.	Clause 53.02-3
An application under clause 44.06 to construct a non-habitable outbuilding ancillary to a dwelling that meets all of the requirements specified in Table 5. <i>Note: The objectives or measures specified for other kinds of applications under clause 53.02 do not apply to this kind of application.</i>	Clause 53.02-5 - Table 5
All other applications under clause 44.06 to construct a building or construct or carry out works.	Clause 53.02-4.1 Clause 53.02-4.2 Clause 53.02-4.3 Clause 53.02-4.5 Clause 53.02-4.6
An application under clause 44.06 to subdivide land.	Clause 53.02-4.4 Clause 53.02-4.6
An application to subdivide land, or to construct a building or construct or carry out works associated with the use of land for accommodation, education centre, hospital, indoor recreation facility, major sports and recreation facility or a place of assembly, in a bushfire prone area that is not in a Bushfire Management Overlay.	Clause 53.02-6

If an applicable provision specified in the table above refers to another provision, that provision also applies.

If another provision of this planning scheme applies, or requires compliances with, a provision in clause 53.02, including in relation to an application specified above, the provision applies as specified in that other provision.

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Operation

The provisions of clauses 53.02-3 and 53.02-4 contain:

- Objectives. An objective describes the outcome that must be achieved in a completed development.
- Approved measures (AM). An approved measure meets the objective.
- Alternative measures (AltM). An alternative measure may be considered where the responsible authority is satisfied that the objective can be met. The responsible authority may consider other unspecified alternative measures. Alternative measures do not apply to an application under clause 53.02-3.
- Decision guidelines. The decision guidelines set out the matters that the responsible authority must consider before deciding on an application, including whether any proposed alternative measure is appropriate.

A schedule to clause 44.06 may specify substitute approved measures, additional alternative measures and additional or substitute decision guidelines.

A substitute approved measure specified in a schedule to clause 44.06 substitutes the applicable approved measure contained in this clause.

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Dwellings in existing settlements – Bushfire protection objective

To specify bushfire design and construction measures for a single dwelling or alteration and extension to an existing dwelling that reduces the risk to life and property to an acceptable level.

Approved measures

Measure	Requirement
AM 1.1	A building is sited to ensure the site best achieves the following: ▪ The maximum separation distance between the building and the bushfire hazard. ▪ The building is close to a public road. ▪ Access can be provided to the building for emergency service vehicles.
AM 1.2	A building is setback from the bushfire hazard in accordance with the vegetation type and slope set out in Table 1 to clause 53.02-5 in accordance with the corresponding distances.
AM 1.3	The setback between the building and the bushfire hazard is managed as an area of defendable space in accordance with the vegetation management requirements specified at Table 4 to clause 53.02-5 for the distance that satisfies AM 1.2 and the area is capable of being maintained in accordance with these requirements. If adjoining land is included in the setback, there is a reasonable assurance that the adjoining land will remain or continue to be managed in accordance with Table 4 to clause 53.02-5.
AM 1.4	A building is constructed to the bushfire attack level that corresponds to a setback that satisfies either: ▪ AM 1.2. ▪ The next lower bushfire attack level in accordance with Table 1 to clause 53.02-5 where all of the following apply: – A private bushfire shelter (a Class 10c building within the meaning of the Building Regulations 2018) is constructed on the same land as the dwelling. – A minimum bushfire attack level of BAL12.5 is provided in all circumstances.
AM 1.5	A building is provided with: ▪ A static water supply for fire fighting and property protection purposes specified in Table 2 to clause 53.02-5. The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies. ▪ Vehicle access that is designed and constructed as specified in Table 3 to clause 53.02-5.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in clause 65, the responsible authority must consider:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The bushfire hazard site assessment, bushfire management statement and bushfire management plan submitted with the application.
- Whether all of the approved measures have been incorporated into the application and can be practically implemented and maintained in conjunction with the ongoing use of the land.

Bushfire protection objectives**53.02-4.1 Landscape, siting and design objectives**

To ensure development is appropriate having regard to the nature of the bushfire risk arising from the surrounding landscape.

To site development to minimise the risk from bushfire.

To site development to provide safe access for vehicles, including emergency vehicles.

To ensure building design minimises vulnerability to bushfire attack.

Approved measures

Measure	Requirement
AM 2.1	The bushfire risk to the development from the landscape beyond the site can be mitigated to an acceptable level.
AM 2.2	A building is sited to ensure the site best achieves the following: ▪ The maximum separation distance between the building and the bushfire hazard. ▪ The building is close to a public road. ▪ Access can be provided to the building for emergency service vehicles.
AM 2.3	A building is designed to be responsive to the landscape risk and reduce the impact of bushfire on the building.

53.02-4.2 Setbacks, defensible space and construction objective

The setbacks, defensible space and building construction mitigate the effect of flame contact, radiant heat and embers on buildings.

Approved measures

Measure	Requirement
AM 3.1	A building is setback from the bushfire hazard in accordance with the vegetation type and slope set out in Table 1 to clause 53.02-5 and one of the following distances is met, for: ▪ a dwelling (including an extension or alteration to a dwelling), small second dwelling, industry, office, retail premises or warehouse, either: – Columns A, B or C. – Column D if there are significant siting constraints. ▪ accommodation (other than a dwelling or small second dwelling), education centre, hospital, leisure and recreation or place of assembly, Column O. The setback is provided wholly within the title boundaries of the land.
AM 3.2	The setback between the building and the bushfire hazard is managed as an area of defensible space in accordance with the vegetation management requirements specified at Table 4 to clause 53.02-5 for the distance that satisfies AM 3.1 and the area is capable of being maintained in accordance with these requirements.
AM 3.3	A building is constructed to the bushfire attack level that corresponds to the setback which satisfies AM 3.1. If the setback of more than one column in Table 1 to clause 53.02-5 applies, a building is constructed to the highest of the corresponding bushfire attack levels. If a higher bushfire attack level than specified above is required to respond to clause 53.02-4.1, a building is constructed to that higher bushfire attack level.

Alternative measures

Measure	Requirement
AltM 3.4	Adjoining land may be included within the setback where there is a reasonable assurance that the land will remain or continue to be managed in accordance with the defendable space vegetation management requirements at Table 4 to clause 53.02-5.
AltM 3.5	The setback and the bushfire attack level are determined using Method 2 of <i>AS3959:2018 Construction of buildings in bushfire prone areas</i> (Standards Australia) subject to any guidance published by the relevant fire authority.
AltM 3.6	A building used for a dwelling (including an extension or alteration to a dwelling) may provide a setback to the title boundary where it can be demonstrated that: ▪ The lot has access to urban, township or other areas where: – Protection can be provided from the impact of extreme bushfire behaviour. – Fuel is managed in a minimum fuel condition. – There is sufficient distance or shielding to protect people from direct flame contact or harmful levels of radiant heat. ▪ A lesser setback and a higher construction standard are appropriate having regard to the bushfire hazard landscape assessment. ▪ The dwelling is constructed to a bushfire attack level of BAL FZ. This alternative measure only applies where the requirements of AM 3.1, 3.2 and 3.3 cannot be met.
AltM 3.7	A building used for accommodation (other than a dwelling or small second dwelling), education centre, hospital, leisure and recreation or place of assembly may provide a setback in accordance with Table 1 at clause 53.02-5 for the distances provided at Columns A, B or C where it can be demonstrated that: ▪ The requirements of AM 6.1 have been satisfied. ▪ A lesser setback and a higher construction standard are appropriate having regard to the bushfire hazard landscape assessment. ▪ The setback is managed as defendable space that meets the defendable space vegetation management requirements at Table 4 to clause 53.02-5 and is capable of being maintained in accordance with these requirements.

53.02-4.3 Water supply and access objectives

A static water supply is provided to assist in protecting property.

Vehicle access is designed and constructed to enhance safety in the event of a bushfire.

Approved measures

Measure	Requirement
AM 4.1	A building used for a dwelling (including an extension or alteration to a dwelling), a small second dwelling, industry, office, retail premises or warehouse is provided with: ▪ A static water supply for fire fighting and property protection purposes as specified at Table 2 to clause 53.02-5. ▪ Vehicle access that is designed and constructed as specified in Table 3 to clause 53.02-5. The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies.
AM 4.2	A building used for accommodation (other than a dwelling or small second dwelling), education centre, hospital, leisure and recreation or place of assembly is provided with: ▪ A static water supply for fire fighting and property protection purposes of 10,000 litres per 1,500 square metres of floor space up to 40,000 litres.

Measure	Requirement
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- Vehicle access that is designed and constructed as specified at Table 3 to clause 53.02-5.
- An integrated approach to risk management that ensures the water supply and access arrangements will be effective based on the characteristics of the likely future occupants including their age, mobility and capacity to evacuate during a bushfire emergency.

The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies.

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- AM 4.3** All other development, other than where AM 4.1 or AM 4.2 applies, is provided with a static water supply with adequate capacity for fire fighting and property protection purposes and vehicle access in accordance with the relevant fire authority requirement.
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53.02-4.4 Subdivision objectives

To provide lots that are capable of being developed in accordance with the objectives of clauses 53.02-4.1, 53.02-4.2 and 53.02-4.3.

To specify at the subdivision stage bushfire protection measures to develop a lot with a single dwelling on land zoned for residential or rural residential purposes.

Approved measures

Measure	Requirement
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- AM 5.1** An application to subdivide land, other than where AM 5.2 applies, demonstrates that each proposed lot is capable of meeting:

- The setback from the bushfire hazard in accordance with the vegetation type and slope set out in Table 1 to clause 53.02-5 for the distances provided at Columns A, B or C.
- AM 2.1, AM 2.2 and the approved measures at clause 53.02-4.3.

The setback distance is capable of being managed as an area of defendable space in accordance with the defendable space vegetation management requirements specified at Table 4 and the area is capable of being maintained in accordance with these requirements.

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- AM 5.2** An application to subdivide land zoned for residential or rural residential purposes must be accompanied by a plan that shows:

- Each lot satisfies AM 2.1.
- A building envelope for a single dwelling on each lot that complies with AM 2.2 and is setback from the bushfire hazard in accordance with the vegetation type and slope set out in Table 1 to clause 53.02-5 for the distance provided at either:
 - Columns A or B of Table 1 to clause 53.02-5 for a subdivision that creates 10 or more lots.
 - Columns A, B or C of Table 1 to clause 53.02-5 for a subdivision that creates less than 10 lots.
- The bushfire attack level that corresponds to the setback in accordance with Table 1 to clause 53.02-5 is noted on the building envelope.
- Water supply and vehicle access that complies with AM 4.1.

The setback distance is:

- Wholly contained within the boundaries of the proposed subdivision. The setback may be shared between lots within the subdivision and may utilise communal areas, such as roads.
- Managed as an area of defendable space that meets the defendable space vegetation management requirements specified at Table 4 to clause 53.02-5 and the area is capable of being maintained in accordance with these requirements. This includes any shared or communal areas within the setback.

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- AM 5.3** A subdivision of land to create 10 or more lots provides a perimeter road adjoining the bushfire hazard to separate future development from the bushfire hazard and to support fire fighting.
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Measure	Requirement
AM 5.4	A subdivision of land manages the bushfire risk to future development from existing or proposed landscaping, public open space, conservation areas (including vegetation links and corridors) and communal areas.
AM 5.5	A subdivision of land is provided with no fuel or low fuel features such as accessways, parking areas, hardstand areas, managed open spaces at the bushfire hazard interface and is oriented to protect future buildings from being impacted by a moving bushfire front.
AM 5.6	A staged subdivision of land manages interim bushfire hazards during the construction or staging.

Alternative measure

Measure	Requirement
AltM 5.7	A building envelope for a subdivision that creates 10 or more lots required under AM 5.2 may show a setback from the bushfire hazard in accordance with the vegetation type and slope set out in Table 1 to clause 53.02-5 for the distances at Column C where it can be demonstrated that: - All other requirements of AM 5.2 have been met. - The setback is managed as an area of defendable space that meets the defendable space vegetation management requirements at Table 4 to clause 53.02-5 and the area is capable of being maintained in accordance with these requirements. - A lesser setback and a higher construction standard are appropriate having regard to the bushfire hazard landscape assessment.

53.02-4.5 Planning for vulnerable people objective

To ensure the bushfire risk associated with vulnerable people is managed effectively.

Approved measure

Measure	Requirement
AM 6.1	An application for accommodation (other than a dwelling or small second dwelling), education centre, hospital, leisure and recreation or place of assembly assesses the impact of bushfire on vulnerable people and provides emergency management arrangements that respond to: - The risk arising from AM 2.1, the protection (if any) provided by the location in the broader landscape, and the need for a response that exceeds any of the measures of this clause. - The characteristics of the likely future occupants including their age, mobility and capacity to evacuate during a bushfire emergency. - The intended frequency and nature of occupation, including whether vulnerable people should avoid occupying development in bushfire affected areas at certain times. - The risk reduction provided through bushfire protection measures included within a bushfire and emergency management plan. - The mechanisms to secure ongoing implementation of bushfire protection measures.

53.02-4.6 Decision guidelines

Before deciding on an application, in addition to the decision guidelines in clause 65, the responsible authority must consider:

General

- The Municipal Planning Strategy and the Planning Policy Framework.
- The bushfire hazard landscape assessment, the bushfire hazard site assessment, bushfire management statement and bushfire management plan submitted with the application.

GREATER BENDIGO PLANNING SCHEME

- The impact of any State, regional or local bushfire management and prevention actions occurring around the site and in the wider area on the bushfire hazard and the level of risk to the proposed development.
- Whether the risk arising from the broader landscape can be mitigated to an acceptable level.
- Whether there is reliable access to areas of land where human life can be better protected from the effects of bushfire.
- The risk to property and community infrastructure from bushfire.
- Whether the proposed development meets the objectives of clause 53.02-4 regardless of other measures which may be available, including private bushfire shelters, community shelters and the presence of places of last resort.
- Whether the proposed measures can be practically implemented and maintained in conjunction with the ongoing use of the land.
- Whether the use of an alternative measure meets the relevant objective having regard to the bushfire hazard and the nature of any constraint that prevents the applicable approved measure from being implemented.
- If one or more of the objectives in clause 53.02-4 will not be achieved in the completed development, whether the development will, taking all relevant factors into account, reduce the bushfire risk to a level that warrants it proceeding.
- Whether bushfire protection measures can be implemented without unacceptable biodiversity impacts.
- Whether the water supply and access arrangements are appropriate for the bushfire risk.

Vegetation

- Whether the existing and proposed vegetation, and other fuel sources, respond to the separation distance between the bushfire hazard interface and the development.
- If vegetation is proposed, if it will cause or contribute to the bushfire hazard and increase the risk to life, property, or community infrastructure.

Vulnerable people

For a building used for accommodation (other than a dwelling or small second dwelling), education centre, hospital, leisure and recreation or place of assembly the responsible authority must also consider:

- The capacity for vulnerable occupants to evacuate.
- Whether the water supply and access arrangements have regard to the characteristics of the vulnerable occupants.
- Whether there is reasonable assurance that the emergency management arrangements will be ongoing and protect human life.
- Whether the risk to vulnerable occupants warrants the closure of the use or development on days of elevated fire danger.
- Whether measures to shelter in place are warranted and whether the measures will protect human life.
- The net benefit provided to any existing vulnerable people.

Subdivision

- Whether a staged subdivision manages interim bushfire hazard during the construction or staging.

Tables of bushfire planning requirements

Table 1 Bushfire hazard setbacks

Slope	Vegetation Types	Column 0	Column A	Column B	Column C	Column D	Column E
All upslopes and flat land (0 degrees)	Forest	60	48	35	25	19	< 19
	Woodland	40	33	24	16	12	< 12
	Scrub	35	27	19	13	10	< 10
	Shrubland	25	19	13	9	7	< 7
	Mallee/ Mulga	23	17	12	8	6	< 6
	Rainforest	30	23	16	11	8	< 8
	Grassland	35	19	13	9	6	< 6
Downslope >0 to 5 degrees	Forest	70	57	43	32	24	< 24
	Woodland	50	41	29	21	15	< 15
	Scrub	40	31	22	15	11	< 11
	Shrubland	28	22	15	10	7	< 7
	Mallee/ Mulga	26	20	13	9	7	< 7
	Rainforest	36	29	20	14	10	< 10
	Grassland	40	22	15	10	7	< 7
Downslope >5 to 10 degrees	Forest	85	69	53	39	31	< 31
	Woodland	62	50	37	26	20	< 20
	Scrub	45	35	24	17	12	< 12
	Shrubland	32	25	17	11	8	< 8
	Mallee/ Mulga	30	23	15	10	7	< 7
	Rainforest	46	36	26	18	13	< 13
	Grassland	45	25	17	11	8	< 8
Downslope >10 to 15 degrees	Forest	105	82	64	49	39	< 39
	Woodland	75	60	45	33	25	< 25

GREATER BENDIGO PLANNING SCHEME

Slope	Vegetation Types	Column 0	Column A	Column B	Column C	Column D	Column E
	Scrub	50	39	28	19	14	< 14
	Shrubland	36	28	19	13	9	< 9
	Mallee/ Mulga	35	26	18	11	8	< 8
	Rainforest	60	45	33	23	17	< 17
	Grassland	50	28	20	13	9	< 9
Downslope >15 to 20 degrees	Forest	125	98	78	61	50	< 50
	Woodland	95	73	56	41	32	< 32
	Scrub	55	43	31	21	15	< 15
	Shrubland	41	31	22	15	10	< 10
	Mallee/ Mulga	40	29	20	13	9	< 9
	Rainforest	70	56	42	29	22	< 22
	Grassland	55	32	23	15	11	< 11
		BAL 12.5	BAL 12.5	BAL 19	BAL 29	BAL 40	BAL FZ
Downslope >20 degrees	All vegetation	The setback and the bushfire attack level is determined using Method 2 of AS3959:2018 <i>Construction of buildings in bushfire prone areas</i> (<i>Standards Australia</i>) subject to any guidance published by the relevant fire authority.					
All slopes	Low threat vegetation	A setback is provided for a distance of 50 metres, or the property boundary whichever is the lesser, for buildings constructed to all bushfire attack levels. The minimum construction standard is BAL 12.5.					
All slopes	Modified vegetation	A setback is to be provided for a distance of 50 metres, or the property boundary whichever is the lesser, for buildings constructed to all bushfire attack levels. The minimum construction standard is BAL 29.					

*Table
1
notes*

1. The setback is measured from the building façade and is managed or meets the requirements of Table 4 to clause 53.02-5.
2. Slope and vegetation type are determined through the bushfire hazard site assessment.
3. Modified vegetation is vegetation that does not fit into the vegetation classifications in AS3959:2018 *Construction of buildings in bushfire prone areas* because it:
 - Has been modified, altered or is managed due to urban development, or gardening,
 - Has different fuel loads from those assumed in the standard,
 - Has limited or no understorey vegetation, or
 - Is not low-threat or low-risk vegetation as defined in the standard.

Table 2 Water supply capacity, fittings and access requirements

Lot sizes (square meters)	Hydrant available	Capacity (litres)	Fire authority fittings and access required
Less than 500	Not applicable	2,500	No
500-1,500	Yes	5,000	No
500-1,500	No	10,000	Yes
1,501 and above	Not applicable	10,000	Yes

Table 2 note A hydrant is available if it is located within 120 metres of the rear of the building.

2
note

Table 2 Water supply fire authority requirements

Unless otherwise agreed in writing by the relevant fire authority, the water supply must:

- Be stored in an above ground water tank constructed of concrete or metal.
- Have all fixed above ground water pipes and fittings required for firefighting purposes made of corrosive resistant metal.
- Include a separate outlet for occupant use.

Where a 10,000 litre water supply is required, fire authority fittings and access must be provided as follows:

- Be readily identifiable from the building or appropriate identification signs to the satisfaction of the relevant fire authority.
- Be located within 60 metres of the outer edge of the approved building.
- The outlet/s of the water tank must be within 4 metres of the accessway and unobstructed.
- Incorporate a separate ball or gate valve (British Standard Pipe (BSP 65 millimetre) and coupling (64 millimetre Country Fire Authority (CFA) 3 thread per inch male fitting).
- Any pipework and fittings must be a minimum of 65 millimetres (excluding the CFA coupling).

Table 3 Vehicle access design and construction requirements

Access	Design and construction
Length of access is less than 30 metres and no fire authority access is required at Table 2.	Not required
Length of access is one of the following: ▪ less than 30 metres and fire authority access is required at Table 2. ▪ greater than 30 metres.	The following design and construction requirements apply: ▪ All-weather construction. ▪ A load limit of at least 15 tonnes. ▪ Provide a minimum trafficable width of 3.5 metres. ▪ Be clear of encroachments for at least 0.5 metres on each side and at least 4 metres vertically. ▪ Curves must have a minimum inner radius of 10 metres. ▪ The average grade must be no more than 1 in 7 (14.4%) (8.1°) with a maximum grade of no more than 1 in 5 (20%) (11.3°) for no more than 50 metres.

GREATER BENDIGO PLANNING SCHEME

Access	Design and construction
	Dips must have no more than a 1 in 8 (12.5%) (7.1°) entry and exit angle.
Length of access is greater than 100 metres.	A turning area for fire fighting vehicles must be provided close to the building by one of the following: - A turning circle with a minimum radius of eight metres. - A driveway encircling the dwelling. - The provision of other vehicle turning heads – such as a T or Y head – which meet the specification of Austroads Design for an 8.8 metre Service Vehicle.
Length of access is greater than 200 metres.	- Passing bays must be provided at least every 200 metres. - Passing bays must be a minimum of 20 metres long with a minimum trafficable width of 6 metres.

Table 3 The length of access should be measured from a public road to either the building or the water supply outlet, whichever is longer.
note

Table 4 Defendable space vegetation management requirements

Defendable space is provided and is managed on a continuing basis in accordance with the following requirements:

- 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 3 metres 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 square 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 5 metres. For a non-habitable outbuilding ancillary to a dwelling, 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.

These requirements apply unless an alternative defendable space vegetation management requirement is specified in a schedule in this planning scheme and the application meets all of the requirements of the schedule or is otherwise agreed in writing to the satisfaction of the relevant fire authority.

Table 5 Non-habitable outbuilding requirements

The outbuilding must meet all of the following requirements:

- The outbuilding is non-habitable and ancillary to a dwelling.
- The defendable space vegetation management requirements, in accordance with Table 4 to clause 53.02-5, must be provided for 10 metres around the outbuilding or to the title boundary, whichever is the lesser distance.
- If the outbuilding is located within 10 metres of a dwelling:
 - The proposed outbuilding is separated from the adjacent building by a wall that extends to the underside of a non-combustible roof covering and either:

- has a Fire Resistance Level (FRL) of not less than 60/60/60 for loadbearing walls and -/60/60 for non-load bearing walls when tested from the attached structure side.
- is of masonry, earth wall or masonry-veneer construction with the masonry leaf of not less than 90 millimetres in thickness.
- Any openings in the wall shall be protected in accordance with the following:
 - i. Doorways – by FRL -/60/30 self-closing fire doors.
 - ii. Windows – by FRL -/60/- fire windows permanently fixed in the closed position.
 - iii. Other openings – by construction with a FRL of not less than -/60/-.

Table
5
notes

1. *Control and construction joints, subfloor vents, weepholes and penetrations for pipes and conduits need not comply with Item iii.*
2. *Applications that meet Table 5 to clause 53.02-5 do not require referral to the relevant fire authority. Applications for non-habitable outbuildings can also use the bushfire protection measures in clause 53.02 however referral to the relevant fire authority will be required.*

53.02-6
16/06/2026
VC312

Bushfire prone area decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General

- The Municipal Planning Strategy and the Planning Policy Framework.
- The impact of any State, regional or local bushfire management and prevention actions occurring around the site and in the wider area on the bushfire hazard and the level of risk to the proposed development.
- The risk of bushfire to people, property and community infrastructure.
- Whether the risk arising from the broader landscape can be mitigated to an acceptable level.
- Whether bushfire protection measures to address the identified bushfire risk are required and can be practically implemented, including any measure set out in clause 53.02-4.
- Whether bushfire protection measures can be implemented without unacceptable biodiversity impacts.

Proposed vegetation

- If vegetation is proposed, whether it will cause or contribute to the bushfire hazard or increase the risk to life, property, or community infrastructure.

Dwellings and Small Second Dwellings

- Whether a static water supply for bushfire firefighting is required having regard to the size of the lot, proximity to a hydrant and connection to reticulated water.
- If a vehicle accessway is greater than 30 metres in length or the relevant fire authority requires access to the static water supply on the land, whether the access design and construction requirements set out in Table 3 to clause 53.02-5 should be met.

Vulnerable people

For a building used for accommodation (other than a dwelling or small second dwelling), education centre, hospital, indoor recreation facility, major sports and recreation facility or place of assembly the responsible authority must also consider:

- The capacity for vulnerable occupants to evacuate.
- Whether emergency management arrangements are provided and are sufficient for the site.
- Whether the risk to vulnerable occupants warrants the closure of the use or development on days of elevated fire danger.

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- Whether measures to shelter in place are warranted and whether the measures will protect human life.
- The net benefit provided to any existing vulnerable people.

Subdivision

- Whether each lot can achieve the setback from the bushfire hazard in accordance with the vegetation type and slope set out in Table 1 to clause 53.02-5 for the corresponding distance specified in Column C of that Table.
- Whether a staged subdivision manages interim bushfire hazard during the construction or staging.