

Kevin Hazell

BUSHFIRE PLANNING

# **Smythesdale Bushfire Planning Assessment**

## ***Selected opportunities assessment***

31 January 2025  
Version 1.0

*Prepared for Golden Plains Shire Council*

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## About

*Kevin Hazell Bushfire Planning* is a town planning service that works with public and private sector clients to understand and apply planning scheme bushfire policies and requirements. It is led by Kevin Hazell who is a qualified town planner with extensive experience working on bushfire planning at State and local levels.

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## Disclaimer

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## Version Control

Version	Date	Comment	Name
v0.1	22 December 2024	Draft report for client review	Kevin Hazell Town Planner
v1.0	31 January 2025	Final report	

# 1. Introduction

Kevin Hazell Bushfire Planning has been engaged by Golden Plains Shire Council (the 'Council') to consider bushfire alongside the preparation of a structure plan for Smythesdale. The purpose is to consider bushfire policies in *c13.02-1S Bushfire Planning* of the Golden Plains Planning Scheme (the '*planning scheme*').

## 1.1 Study Area for this bushfire assessment

The Study Area is the settlement of Smythesdale and surrounding land.

See:

Figure 1-1: Locality map with Study Area

Figure 1-2: Locality aerial photo with Study Area

## 1.2 Background

Council in 2022 commissioned *Kevin Hazell Bushfire Planning* to prepare the *Shire-wide Strategic Bushfire Assessment* (April 2022) to support the development of its Growing Places Strategy. It considered the bushfire risk to all settlements in Golden Plains Shire from a planning-decision making perspective, including Smythesdale.

The 2022 bushfire assessment identified that Smythesdale overall is a higher risk settlement according to planning considerations. This is because of the forests to the north-west, west and south-west where large landscape-scale bushfires can arise. Fire on the edges of the settlement, including where grassland edges are on fire, is to be expected. Ember attack into settlement areas, which can ignite local fires in gardens and destroy dwellings, is also to be expected.

The bushfire assessment concluded that planning scheme policies would not support Smythesdale being a designated growth area. This is now reflected in the draft Growing Places Strategy.

The Council in 2025 will prepare a new structure plan for Smythesdale in the context of the Growing Places Strategy. To support this, *Kevin Hazell Planning* prepared *Towards a structure plan for Smythesdale: Opportunities report* (15 November 2024) (the '*Opportunities Report*'). It sets out considerations which are likely to be informative to future planning in Smythesdale and to the preparation of a structure plan that will guide development over the coming years.

## 1.3 This bushfire assessment

This bushfire assessment considers selected matters arising from the Opportunities Report that require further bushfire assessment as follows:

- Opportunity 4: Regularise the zone of developed land.
- Opportunity 8a: Consider limited growth (Sites A and B).

It also considers several zone anomalies identified in the *Smythesdale Structure Plan Background Report* (2021).

See **Figure 1-3: Sites considered in this report**

Relevant bushfire assessments contained in the *Shire-wide Strategic Bushfire Assessment* (April 2022) are not repeated in this report and should be read alongside this report. This report should also be read alongside the Opportunities Report.

For the above opportunities, this report considers bushfire matters arising under *c13.02-1S Bushfire Planning* through:

- An assessment of low hazard land in the Study Area.
- Describing the bushfire hazard at the neighbourhood and local scale. This is informed by the methodology for a bushfire hazard site assessment as described in *Planning Permit Applications Bushfire Management Overlay Technical Guide* (DELWP 2017) and *AS3959-2018 Construction of buildings in bushfire-prone areas* (Standards Australia).
- An assessment of the above Opportunities, if they are accepted and progressed by the Council, to demonstrate they would not result in bushfire exposure of more than 12.5kw/sq.m of radiant heat as required for development enabled by a new structure plan.

The report for context includes selected Smythesdale bushfire and planning information in Chapters 2 and 3.

## 1.4 How to use this report

The bushfire assessments have been prepared to inform decision making associated with strategic planning and the strategic application of *c13.02-1S Bushfire Planning*. The bushfire assessments do not consider bushfire for the purpose of planning applications under *c44.06 Bushfire Management Overlay*.

References in this report to growth and development only relate to these when enabled by a planning scheme amendment. This is consistent with this report informing the preparation of a structure plan for Smythesdale and planning scheme changes arising from it.

Figure 1-1: Study Area

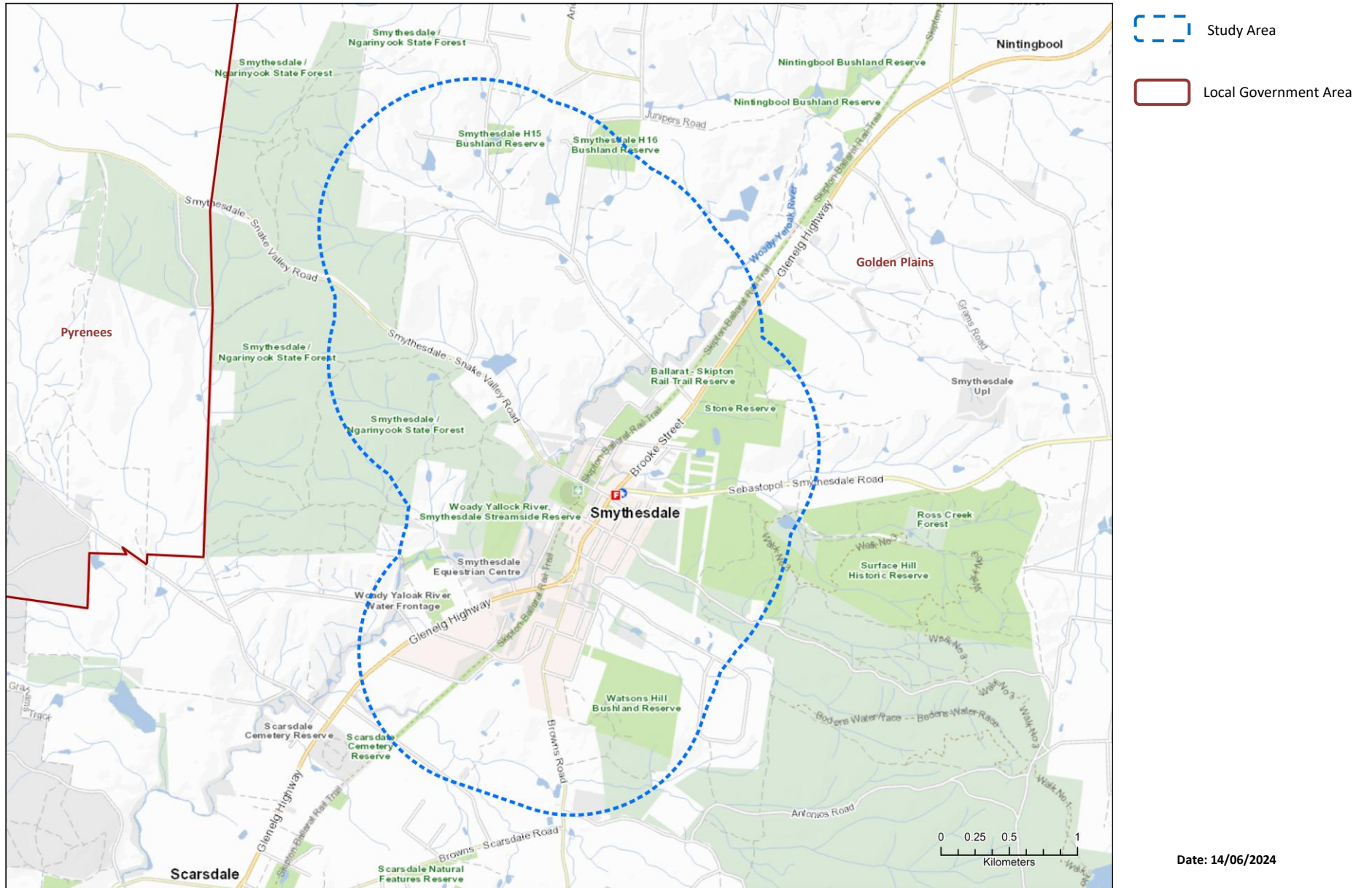






Figure 1-2: Study Area with roads



Figure 1-3: Sites considered in this report



-  Study Area
-  Opportunity 8b:  
Consider limited growth
-  Opportunity 4: Regularise the  
zone of developed land
-  Zone anomalies

Date: 14/06/2024

## 2. Context on settlement planning in Smythesdale

The Golden Plains Planning Scheme provides an appreciation of how Smythesdale is currently planned, as derived from State, regional and local planning policies. Other background work also provides context on future planning in Smythesdale.

### 2.1 Municipal Planning Strategy

The Municipal Planning Strategy at c02.03 includes strategic directions for settlements that includes Smythesdale as follows:

*Council seeks to:*

- *Encourage the consolidation of townships, including directing residential development to within township boundaries.*
- *Maintain a clear distinction between urban and rural areas.*
- *Avoid urban development in unserviced areas.*
- *Direct residential development primarily to Smythesdale in the north-west and Bannockburn in the south-east.*
- *Consider growth and development in accordance with the Northern Settlement Strategy (Golden Plains Shire, 2019).*

[...]

*North West Area*

*The north-west area of the Shire contains a mix of settlements, rural residential, rural living and rural areas.*

*A number of these settlements are strongly connected to the regional centre of Ballarat and provide an option for those seeking a different lifestyle and larger allotments. An opportunity exists to connect to services and infrastructure that are developing as a result of more intense development in the City of Ballarat, close to Golden Plains Shire in locations such as Haddon and Cambrian Hill that are identified for further investigation for future growth in the Northern Settlement Strategy (Golden Plains Shire, 2019).*

*Council intends to:*

- *Promote growth in Smythesdale.*
- [...]

The Municipal Planning Strategy at c02.03 includes strategic directions for townships that includes Smythesdale as follows:

*Smythesdale is a rural township surrounded by state forest, with a rich gold mining past.*

*The township has been identified as the northern growth centre for the Golden Plains Shire, in a prime strategic location to service the wider catchment of rural and residential communities. This is due to its distinct country-living character within commuting distance of the regional centre of Ballarat. However, the town lacks structure and is fragmented by Crown land.*

*The population of Smythesdale is expected to increase due to its strong relationship with Ballarat and residential growth resulting from improved services and the introduction of reticulated sewerage to the town. The community is keen to ensure that growth is managed and sustainable.*

*The Woody Yaloak Creek precinct is a potential asset offering many opportunities for Smythesdale, including linking key recreational assets throughout the town.*

*Council seeks to:*

- *Develop Smythesdale into a self-sufficient settlement and service hub for the north of the Shire.*
- *Enhance the town's heritage character by encouraging development within the Smythesdale Heritage Precinct to respect the heritage context.*

### 2.2 Planning Policy Framework

c10-19 includes State, regional and local policies within the *Planning Policy Framework*. Contextual local policy includes c11.03-6L-04 Smythesdale. It is reproduced in full in this report, along with the included strategic framework plan.

See:

**Figure 2-1: c11.03-6L-04 Golden Plains Planning Scheme – Smythesdale local policy**  
**Figure 2-2: Smythesdale Strategic Framework Plan**

### 2.3 Zones

Planning scheme policies are given effect to through the application of Zones. Through the applied Zones settlement patterns can be observed, including:

- The core urban settlement area is within a Township Zone, with an associated Commercial 1 Zone & Commercial 2 Zone on Brooke Street and public open spaces within the Public Park and Recreation Zone.
- The Rural Living Zone adjoins the Township Zone and forms an outer edge to the settlement. The schedule to the Rural Living Zone provides:
  - A minimum lot size of 2ha in selected areas to the east and south-east of the settlement and in large areas of Rural Living Zone land further north of Smythesdale and across the north of Golden Plains Shire.
  - A minimum lot size of 8ha for all other Rural Living Zone land.
- The Low Density Residential Zone to land north-west of Smythesdale, known generally as the Yellowglen site, with a minimum lot size of:
  - 0.4 hectare for each lot where reticulated sewerage is not connected. If no area is specified each lot must be at least 0.4 hectare.
  - 0.2 hectare for each lot with connected reticulated sewerage. If no area is specified each lot must be at least 0.2 hectare.

See **Figure 2-3: Zones**

### 2.4 Non-bushfire related Overlays

There are several Overlays applying in the Study Area:

- The Land Subject to Inundation Overlay applies to land around Woody Yaloak River, with the Environmental Significance Overlay Schedule 2 also apply to the river environs.
- The Vegetation Protection Overlay Schedule 2 applies to various roads and roadsides in and around Smythesdale.
- The Salinity Management Overlay applies to distinct areas in and around the Study Area.
- The Design and Development Overlay Schedule 1 applies to land adjoining Brooke Street to give effect to urban design outcomes.
- The Development Plan Overlay Schedule 14 applies to land north-west of Smythesdale, known generally as the Yellowglen site, and requires a development plan be prepared.

See **Figure 2-4: Selected Overlays**

A small area of Significant Landscape Overlay Schedule 12 applies to the former Smythesdale Botanic Gardens and the Heritage Overlay also applies to selected land.

### 2.5 Amendment C102 Golden Plains

Amendment C102 Golden Plains was exhibited on 27 June 2024. It seeks to implement the findings of the recent planning scheme review. The amendment makes various changes to schedules to Zones and Overlays including some that affect the Study Area. However, the changes are procedural in nature and do not materially affect Zones and Overlays for the purpose of this bushfire assessment.

### 2.6 2021 strategic planning for the Study Area

The *Smythesdale Structure Plan Background Document* (November 2021) was prepared by the Council. It included the following content:

*The town has characteristics of high liveability with access to a regional centre, access to basic retail, health services, education, open space and recreation. It has strong visitor potential based on its proximity to the natural environment, trails and the regional Equestrian facilities.*

*The role and steady growth of the town has been underpinned by the installation of reticulate sewerage services, health and community services at the Well and the capacity of the neighbouring communities to pool resources and rationalise community assets.*

*Moderate growth for low density residential development towards the south is planned for Smythesdale and Scarsdale, given the constraints of flood affected areas; bushfire risk, State Forest and the buffers to the Smythesdale regional landfill. The Rail Trail provides the opportunity to integrate the residential development with environmental values and provides a strong connection to both Smythesdale and Scarsdale. The township and surrounds, including Scarsdale can grow beyond the current population, but not to a significant extent. Enough however to ensure its future as a sustainable and thriving town.*

*Scenario Planning (page 62) included:*

- *Support the growth of Smythesdale as a service hub with a rural character distinct from urban Ballarat.*
- *Direct future residential growth towards the south of Smythesdale*
- *Focus residential growth in the south of the Smythesdale to integrate with the rail trail as a linear spine connecting Smythesdale and Scarsdale.*
- *Consolidate residential growth in the existing township of Smythesdale*
- *Avoid bushfire risk areas and provide protective elements to support a bushfire ready community in times of bushfire risk*
- *Avoid identifying future residential growth in buffer areas to the Smythesdale landfill.*

The 2021 work is being revisited as part of preparing a new structure plan based on the Growing Places Strategy.



Figure 2-1: c11.03-6L-04 Golden Plains Planning Scheme – Smythesdale local policy

GOLDEN PLAINS PLANNING SCHEME

**11.03-6L-04 Smythesdale**  
16/05/2024  
GC239

**Policy application**  
This policy applies to the land identified on the Smythesdale Strategic Framework Plan.

**Settlement, land use and development strategies**  
Direct growth to within the identified town boundary.  
Facilitate residential development on smaller lots to provide for a range of housing options.  
Support medium density housing and aged care facilities close to the town centre.  
Support the establishment of a range of health services and facilities such as childcare, aged care accommodation and a medical centre.  
Support well presented, non-polluting, service businesses within the Commercial 2 Zone precinct.  
Support tourist accommodation, such as bed and breakfasts, farm stays, self-contained cottages or units and caravan parks.  
Avoid commercial development outside of the core township area unless there is a net community benefit.  
Locate new leisure and recreation facilities to adjoin the Rail Trail and Woody Yaloak Creek environs, building upon the central location of both the Woody Yaloak Primary School and the Recreation Centre.

**Urban design strategies**  
Provide pedestrian links within the township, in particular between the Courthouse precinct, school, recreation centre and rail trail.  
Require development in the main street to front Brooke Street.  
Maintain pedestrian links and wildlife corridors between the Rural Living Zoned areas on the eastern side of Smythesdale and the nearby State Forest.

**Environment and infrastructure strategies**  
Protect the Woody Yaloak Creek environs, including open space corridors, floodplains and the surrounding forested public land from the encroachment of development.  
Design and manage drainage from residential areas to minimise the volume and speed of run off entering the Woody Yaloak Creek.  
Support the development of 'firebreaks', particularly along boundaries of the town with rural land and forested public land.  
Link drainage and stormwater management with the implementation of the reticulated sewerage system.

**Policy document**  
Consider as relevant:  

- *Smythesdale Urban Design Framework* (Michael Smith and Associates, March 2006).

**Expiry**  
This policy will expire five years from the date of gazettal of Amendment C90gpla.

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Figure 2-2: Smythesdale Strategic Framework Plan – Golden Plains Planning Scheme c11.03-6L-04

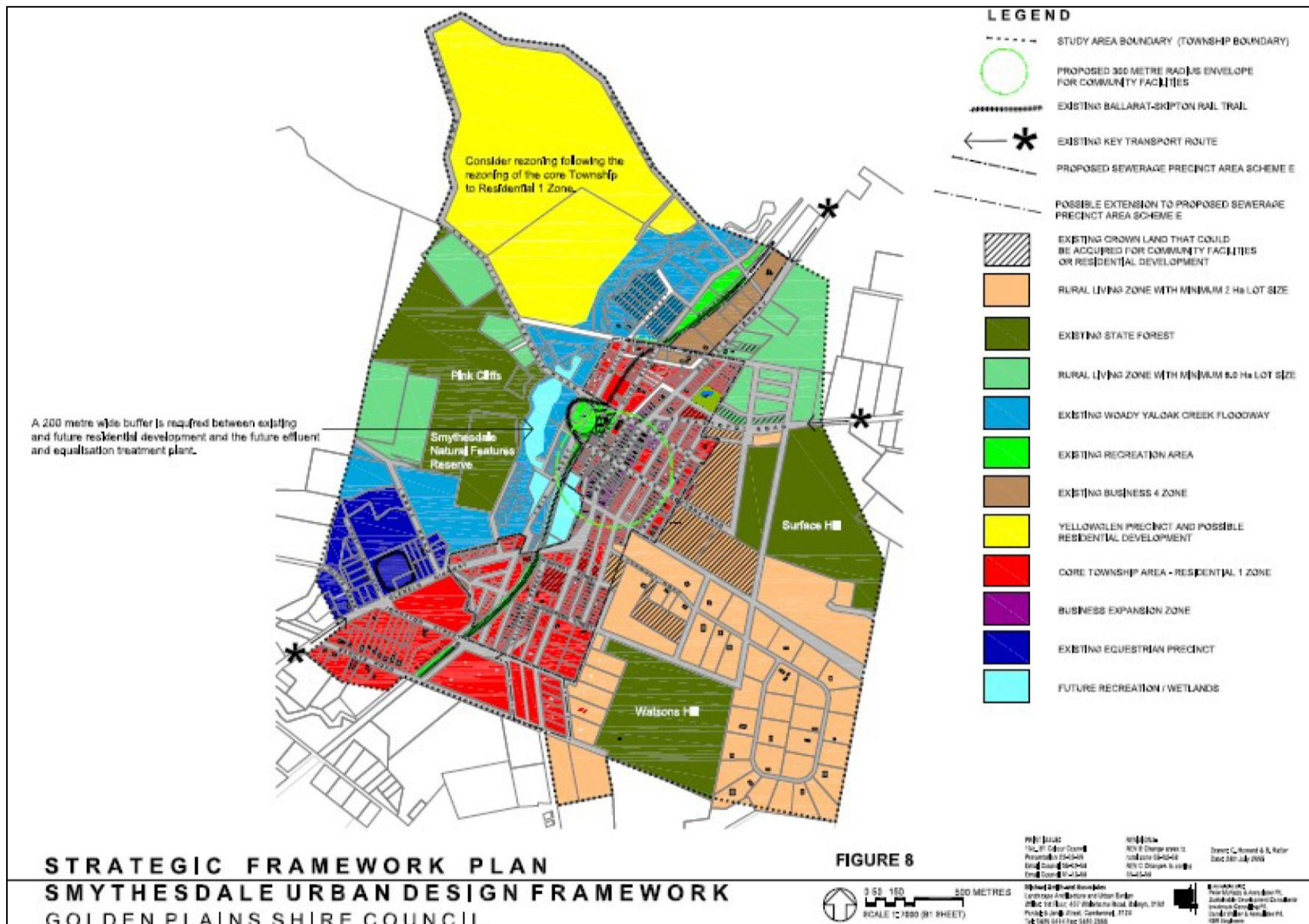


Figure 2-3: Zone Map

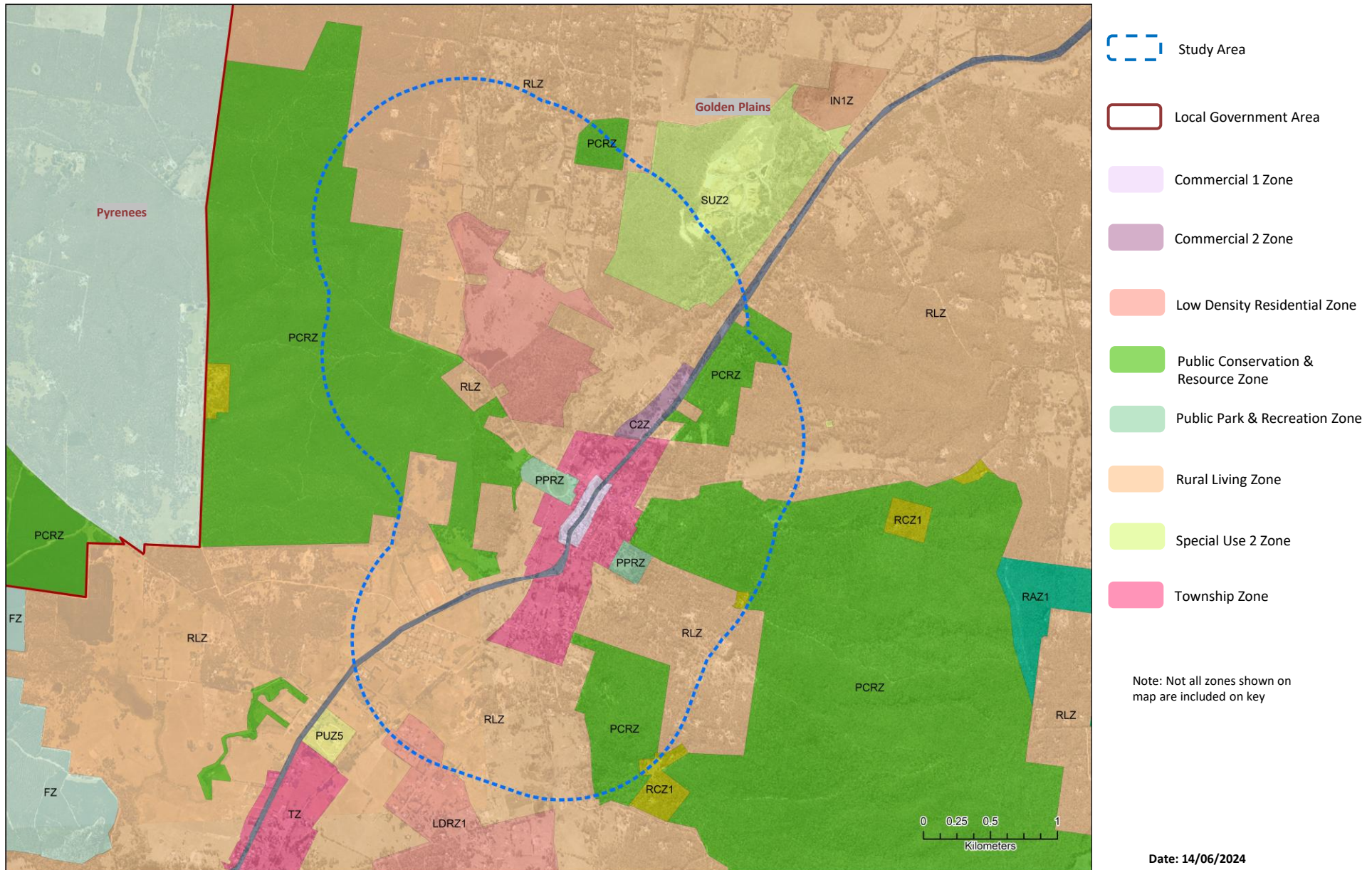
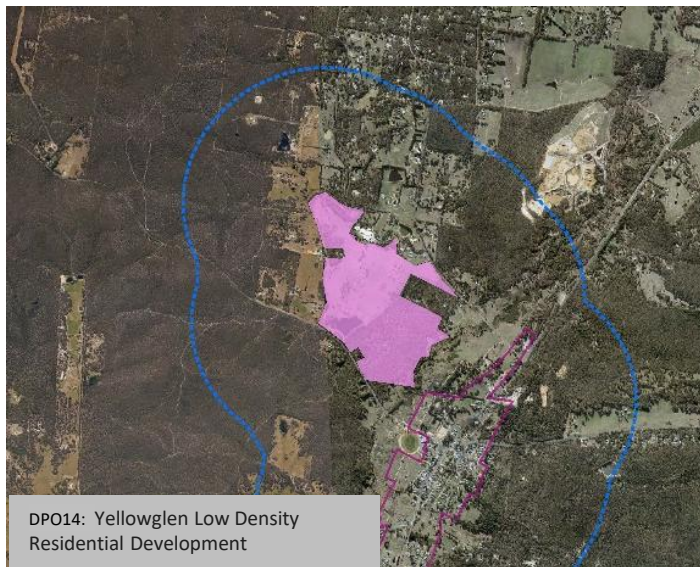


Figure 2-4: Selected Overlays

Land Subject to Inundation Overlay

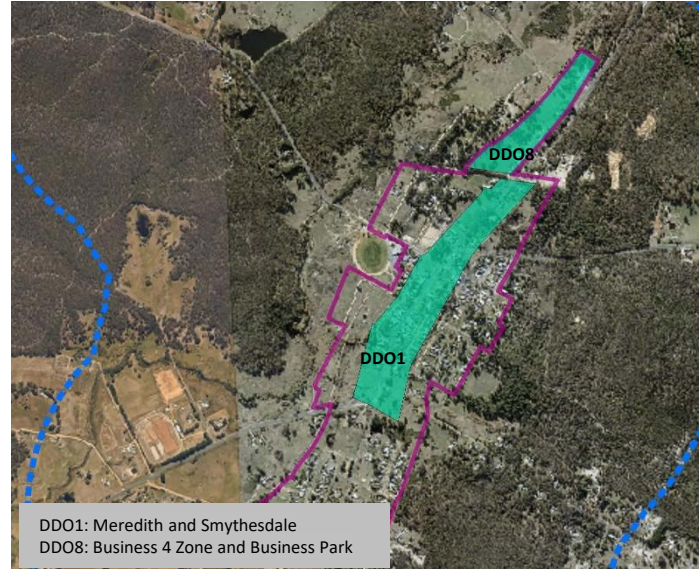


Development Plan Overlay – Schedule 14 (DPO14)



DPO14: Yellowglen Low Density Residential Development

Design & Development Overlay



DDO1: Meredith and Smythesdale  
DDO8: Business 4 Zone and Business Park

Salinity Management Overlay



Date: 6/12/2024

### 3. Settlement-level contextual bushfire information

This chapters provides settlement-level bushfire information of the type otherwise contained at the Shire-wide level as part of the the *Shire-wide Strategic Bushfire Assessment* (April 2022). It is provided for context within this report.

#### 3.1 Slope and topography

Slope and topography describe the shape and relief of the land. Topography is a measurement of elevation and slope is the percent change in that elevation over a certain distance.

See:

**Figure 3-1: Contextual Information - Slope based on the 10m contour**

**Figure 3-1: Contextual Information - Elevation based on the 10m contour**

#### 3.2 Ecological Vegetation Classes (EVCs)

Ecological vegetation classes (2005) are identified in many parts of the Study Area. Ecological vegetation classes (EVCs) include:

- Dry Forests
- Herb-rich Woodlands
- Plains Woodlands or Forest
- Riparian Scrubs or Swampy Scrubs and Woodlands
- Riverine Grassy Woodlands or Forest

See: **Figure 3-1: Contextual Information – Ecological Vegetation Classes**

#### 3.3 Victorian Fire Risk Register

The Victorian Fire Risk (VFRR) is a data set prepared by fire authorities and local councils that identifies assets at risk of bushfire. The human settlement data is most interesting to planning scheme decision making.

The VFRR can be of interest to appreciate how current assets (for example, settlements) are shown as risks, according to fire authorities and local councils. The VFRR only assesses existing risks. However, the VFRR should not be over-emphasised in planning decision making as it has not been prepared for this purpose and does not contemplate new risk that might arise because of a planning decisions.

See: **Figure 3-1: Contextual Information - Victorian Fire Risk Register human settlement**

#### 3.4 Bushfire History

Bushfire history can be informative to understanding likely bushfire behaviour, but where bushfire has or has not occurred in the past should not be overemphasised in planning decision making. All bushfire hazards are assumed capable of being part of a bushfire (or grassfire) and planning decision making generally responds to bushfire hazards on this basis.

However, bushfire history can assist in understanding how communities have previously experienced bushfire and can reiterate important features likely to arise in any future bushfire (for example, the effect of the late afternoon wind change typical in Victoria's worst bushfire weather).

See **Figure 3-2: Bushfire History**

#### 3.5 Planning scheme bushfire designations

Planning schemes identify potentially bushfire affected land through the inclusion of land into the Bushfire Management Overlay or within a designated Bushfire Prone Area (referenced in *c13.02-15 Bushfire Planning* and approved under the Building Act 1993).

##### Bushfire Management Overlay

The Bushfire Management Overlay is applied across Victoria based on areas of non-grassland vegetation larger than 4ha (patch size criteria) with a 150m buffer applied to account for ember attack (ember criteria). It is also applied to land likely to be subject to extreme bushfire behaviour (extreme fire behaviour criteria).

##### Bushfire Prone Area

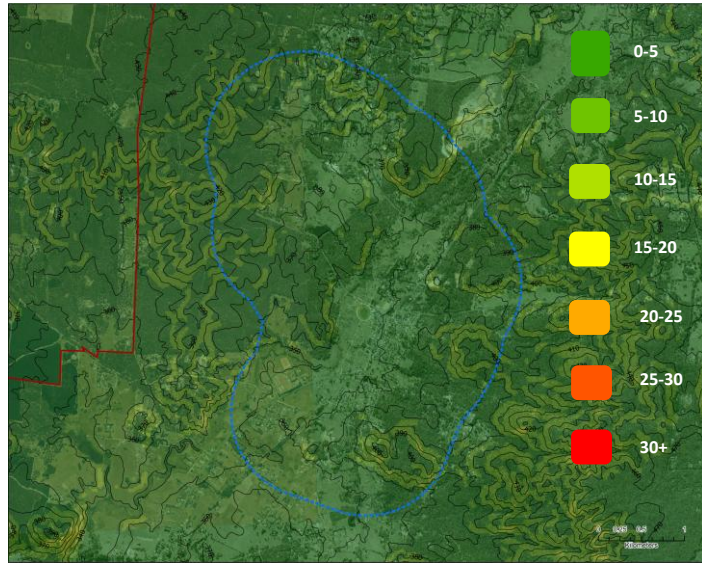
The Bushfire prone area applies to all land within the Bushfire Management Overlay along with grassland areas, smaller patches of non-grassland vegetation and land usually within 150m or 50m of these areas (forming part of the ember protection buffer).

The Bushfire Prone Area applies to all land in the Study Area.

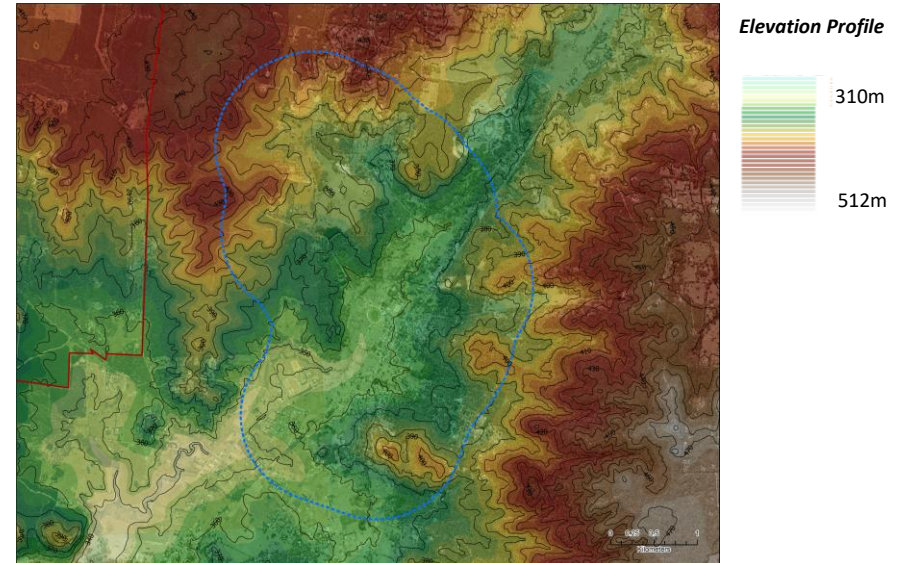
See **Figure 3-3: Bushfire Management Overlay and Bushfire Prone Areas**

Figure 3-1: Contextual information

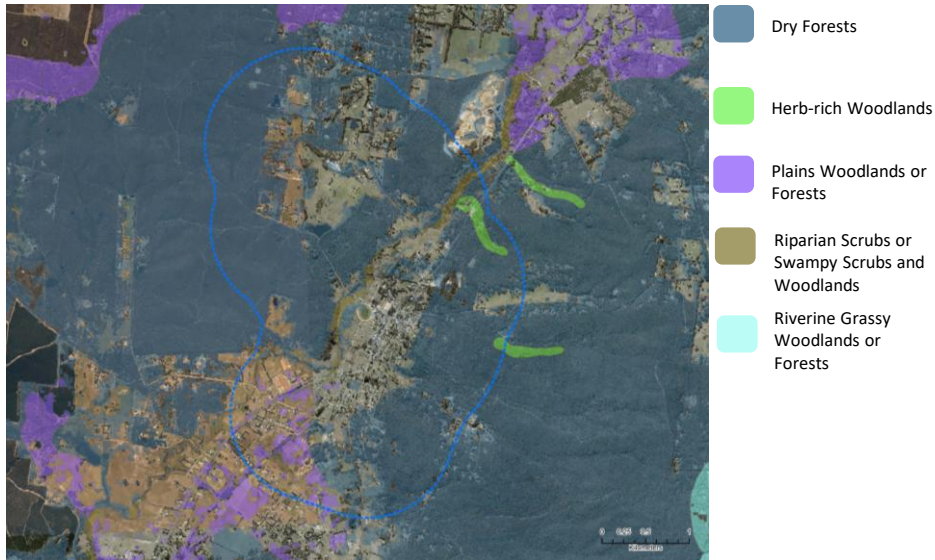
Slope based on 10m contour



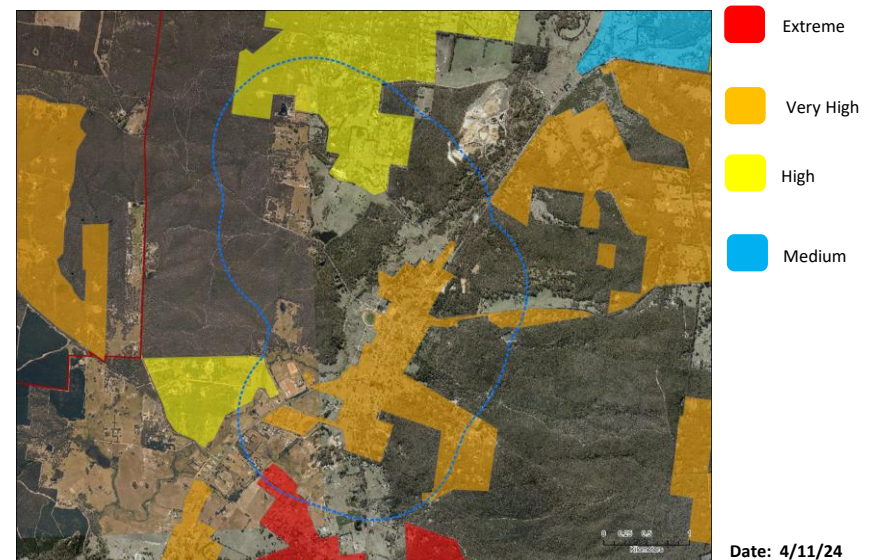
Elevation based on 10m contour



Ecological Vegetation Classes



Victorian Fire Risk Register



Date: 4/11/24

Figure 3-2: Bushfire history

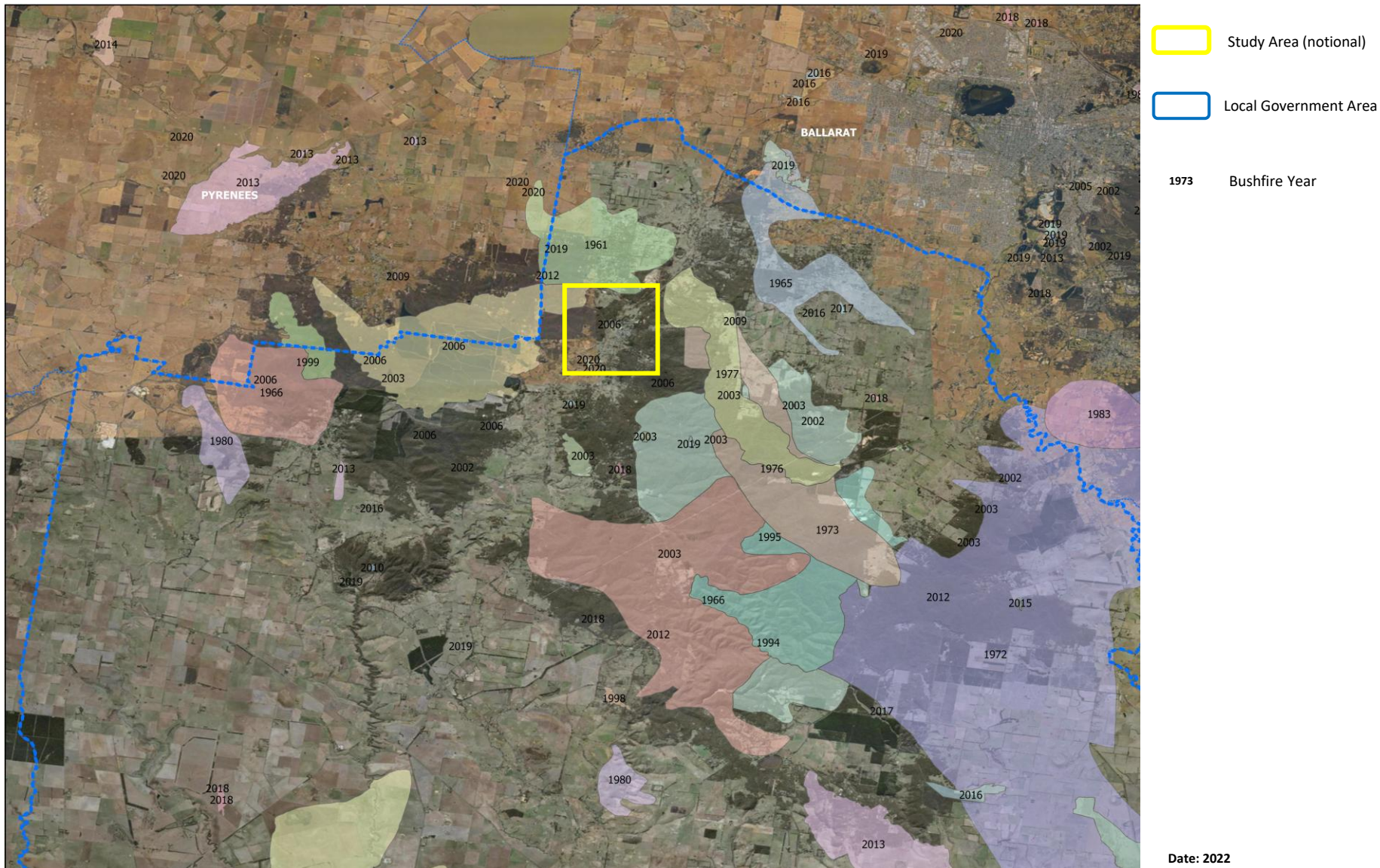
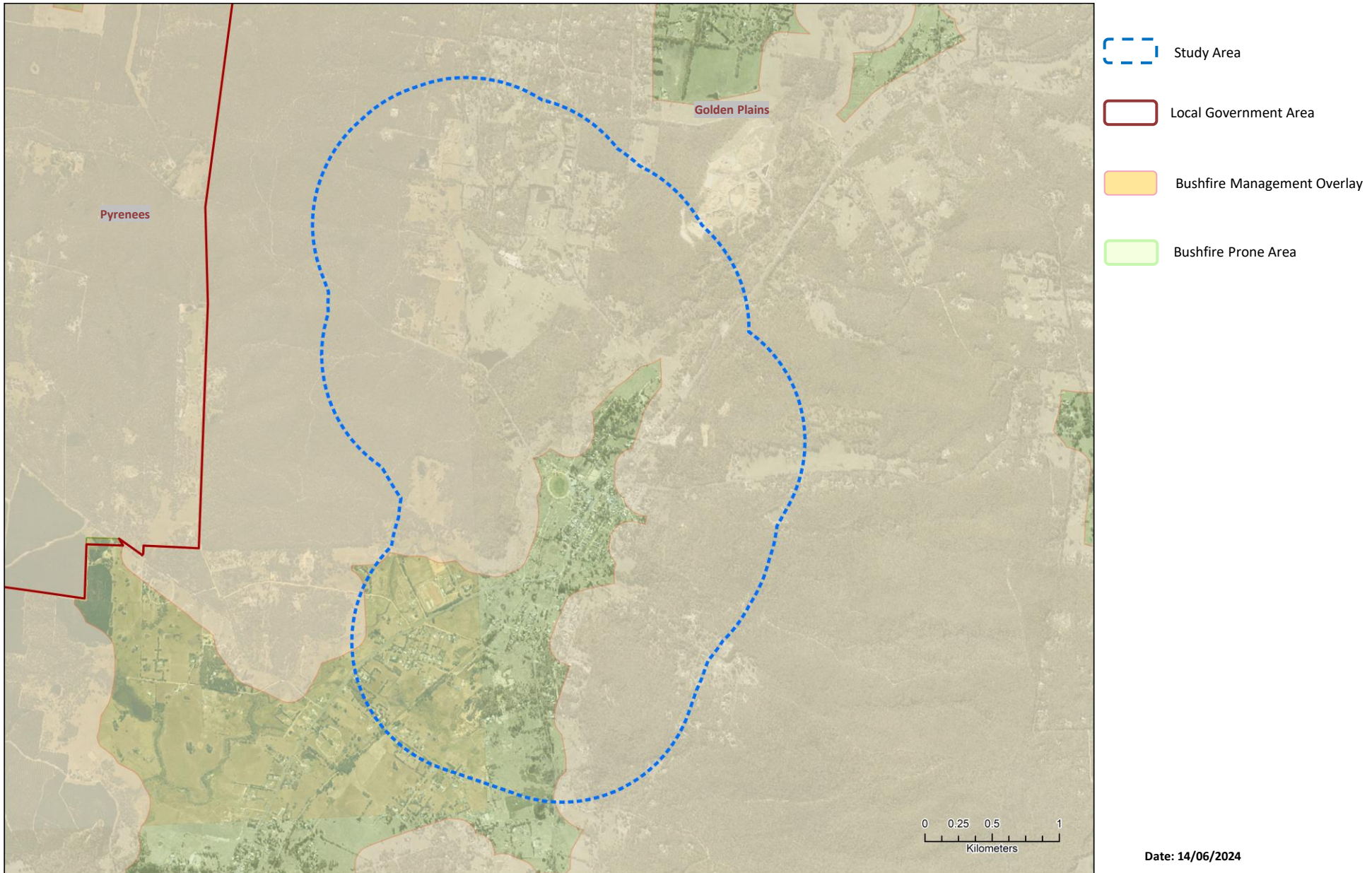


Figure 3-3: Bushfire Management Overlay and Bushfire Prone Areas





## 4. Low hazard areas

An assessment has been made of areas that may be low hazard where human life can be better protected from the harmful effects of bushfire. Low hazard areas can provide protection at a settlement and neighbourhood scale as they provide a form of passive mitigation, enabling people to move away from bushfire hazards if they need to.

*c13.02-1S Bushfire Planning* defines such places as BAL:Low. BAL:Low places are where hazardous vegetation is more than 100m away (50m for grasslands). Hazardous vegetation for the purpose of BAL:Low is defined as vegetation that cannot be excluded under 2.2.3.2 of *Australian Standard AS3959:2018 Construction of buildings in Bushfire Prone Areas* (Standards Australia).

BAL:Low places are present in the core of settlement where development is relatively dense and away from hazard interfaces. The densification of Smythesdale with new development over recent years has reinforced the low hazard core of the settlement.

In BAL:Low places, people sheltering in the open air are assumed to not be exposed to flame contact and the highest levels of radiant heat from a moving bushfire front that would be harmful to people. This methodology for BAL:Low does not necessarily achieve this outcome in Smythesdale because:

- BAL:Low does not consider ember attack or the potential for extreme ember attack.
- Land where the vegetation is low-threat as defined by *AS3959-2018 Construction of buildings in bushfire prone areas* (2018) but which still presents a bushfire hazard from localised vegetation and other flammable elements, including buildings being on fire, is not considered.

Despite limitations, policies relating to low hazard land do provide a stepping-off point for considering safer areas in the development of planning responses to bushfire hazards.

See **Figure 4-1: Low hazard land / BAL:Low land**

(Note: Figure 4-1 includes the buffer line used to define the vegetation edge and from where the 100m or 50m buffer, as applicable, was applied.)

### Other places of shelter

A designated neighbourhood safer place is located at Smythesdale Reserve Area (in front of main pavilion) in Smythesdale.

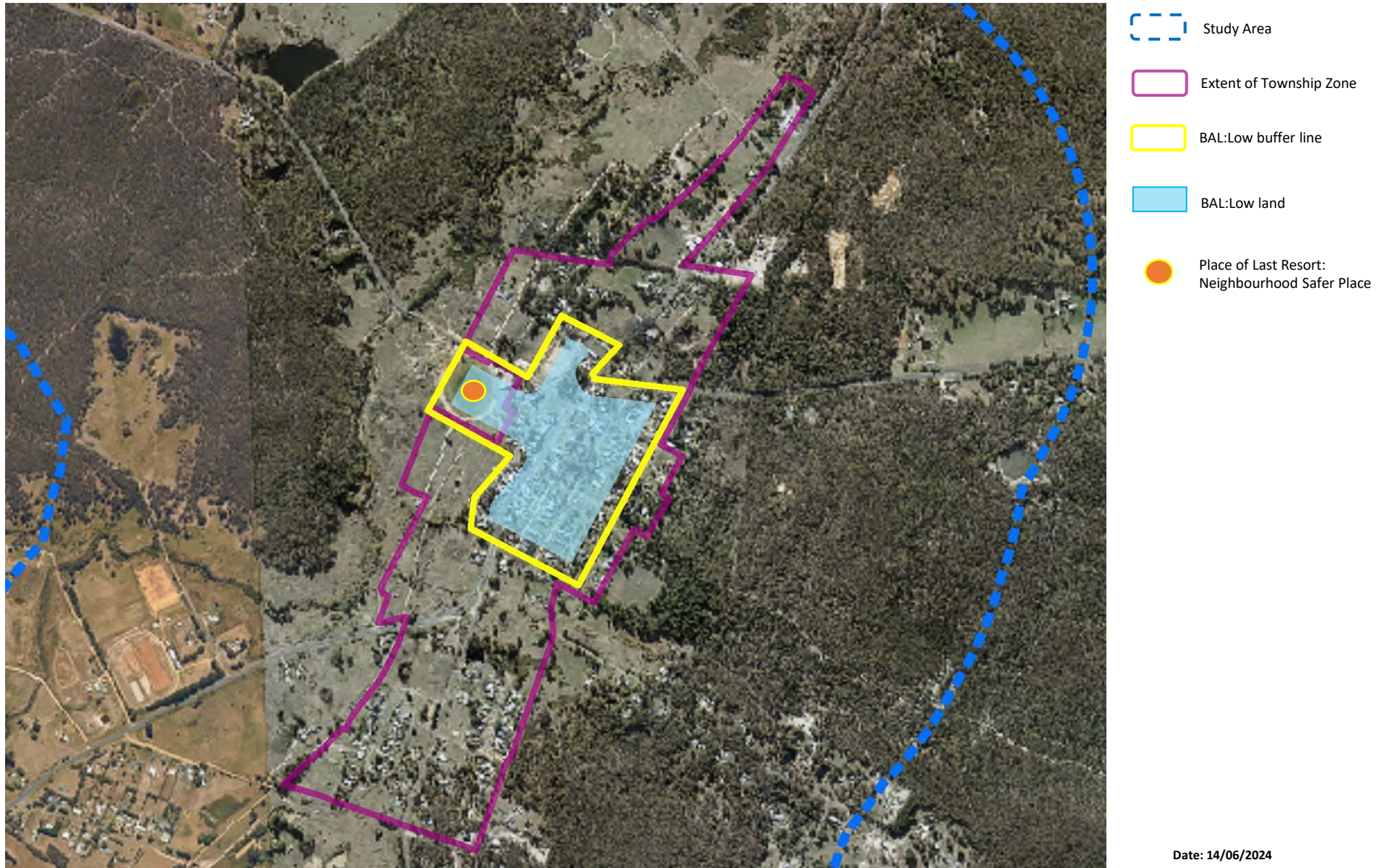
See: **Figure 4-1: Locations with Neighbourhood safer places**

Consistent with CFA advice, designated places of safety are not afforded any weight in this bushfire assessment. This is because designated places of safety are not a justification to enable new risk to be introduced that is otherwise not consistent with planning scheme policies.

### Ember attack

All areas within the landscape, including BAL:Low areas and designated neighbourhood safer places, are likely to be subject to ember attack. Sheltering in these locations and traveling to these locations during a bushfire will be uncomfortable and potentially dangerous for people.

Figure 4-1: Low hazard / BAL:Low capable land



## 5. Exposure to bushfire at the neighbourhood and local scale

Exposure to bushfire assesses the level of radiant heat likely to arise from hazardous vegetation within and in close proximity (150m) to a site or development proposal. Considering exposure to bushfire enables new development to be separated from hazardous vegetation so that radiant heat of less than 12.5kw/sq.m arises, as required by *c13.02-1S Bushfire Planning* for new development enabled by a planning scheme amendment.

This section enables key strategies in *c13.02 Bushfire Planning* to be considered. These strategies include the following:

### Site based exposure

- *Not approving any strategic planning document, local planning policy, or planning scheme amendment that will result in the introduction or intensification of development in an area that has, or will on completion have, more than a BAL-12.5 rating under AS3959-2018.*
- *Directing population growth and development to low risk locations, being those locations assessed as having a radiant heat flux of less than 12.5 kilowatts/square metre under AS3959-2018 Construction of buildings in bushfire-prone areas (Standards Australia).*

### 5.1 Methodology to determine exposure to bushfire

The methodology for a bushfire hazard site assessment as described in *Planning Permit Applications Bushfire Management Overlay Technical Guide* (DELWP 2017) and *AS3959-2018 Construction of buildings in bushfire-prone areas* (Standards Australia) informs the assessment. Key assumptions include a Fire Danger Rating of 100 and a flame temperature of 1080°C.

### Hazard identification

Hazardous vegetation was identified within and around (150m) the Study Area using expert judgment based on field work and aerial photography. EVC's and tree cover data sets were also reviewed.

Low-threat vegetation as described in *AS3959-2018 Construction of buildings in bushfire-prone areas* (Standards Australia) was excluded as it is not considered hazardous.

Slope under hazardous vegetation was assessed using the 10m contour, having regard to topographical information. Slope under hazardous vegetation informs how fast a bushfire may travel. Where possible, fire runs were based on likely bushfire direction of travel where vegetation was north-west and south-west of the Study Area.

### Bushfire setbacks

Setbacks from hazardous vegetation were applied based on Column A in Table 2, *c53.02-3 Bushfire Planning*. These setbacks provide for exposure to radiant heat flux of less than 12.5 kilowatts/square metre, as required by *c13.02-1S Bushfire Planning* for a strategic planning document or planning scheme amendment.

See:

**Figure 5-1: Bushfire hazard site assessment diagram – Site A**

**Figure 5-2: Bushfire hazard site assessment diagram – Site B**

**Figure 5-3: Bushfire hazard site assessment diagram – Potential RLZ to LDRZ**

### 5.2 Land exposed to a radiant heat flux of less than 12.5kw/sq.m

Land likely to be exposed to no more than 12.5kw/sq.m of radiant heat emerges from applying the methodology. This land would be exposed to a radiant heat flux of less than 12.5 kilowatts/square metre, as required by *c13.02-1S Bushfire Planning*.

### Opportunity 8a: Consider limited growth (Site A)

Site A benefits from perimeter roads on all sides (which can be used as part of the setbacks) and adjoins only grasslands, which have relatively modest setbacks compared to other hazard types. The 19m setbacks that arise are typical in grassland / urban growth areas across Victoria.

Site A is capable of satisfying exposure requirements if it was rezoned to enable more intense development than the current Rural Living Zone. This assessment only considers site-based exposure. Whether the land should be rezoned will be based on landscape and policy factors not considered in this report.

#### Opportunity 8a: Consider limited growth (Site B)

Site B benefits from some perimeter roads.

Grassland interfaces exist to the north and west, requiring a 19m setback. The 19m setbacks that arise are typical in grassland / urban growth areas across Victoria.

Interfaces with forests to the east and west require much larger setbacks at 48m, which means development (building envelopes for dwellings) would need to avoid this area. Some of this setback could be on adjoining road reserves. At 48m, a design response for future development can accommodate the setback required. It is also likely that the conservative assessment of forest in this report would in part be woodland, reducing the setback to potentially 33m.

Site B is capable of satisfying exposure requirements if it was rezoned to enable more intense development than the current Rural Living Zone. This assessment only considers site-based exposure. Whether the land should be rezoned will be based on landscape and policy factors not considered in this report.

#### Opportunity 4: Regularise the zone of developed land - Potential RLZ to LDRZ

This land benefits from perimeter roads on all sides (which can be used as part of the setbacks) and adjoins only grasslands, which have relatively modest setbacks compared to other hazard types. The 19m setbacks that arise are typical in grassland / urban growth areas across Victoria.

The land is capable of satisfying exposure requirements if it was rezoned to enable a Low Density Residential Zone. A planning control may need to include setbacks from adjoining land to secure the necessary exposure / setbacks. This assessment only considers site-based exposure. Whether the land should be rezoned will be based on landscape and policy factors not considered in this report.

#### **5.3 Points to note about using this assessment**

At the site-scale, minor variations may arise especially in the slope, where areas of downslope may be present. However, at a structure planning level and in determining where to direct growth, the above are sufficient benchmarks based on the vegetation and slope present in and around the Study Area.

Figure 5-1: Bushfire hazard site assessment diagram – Opportunity 8a: Consider limited growth (Site A)

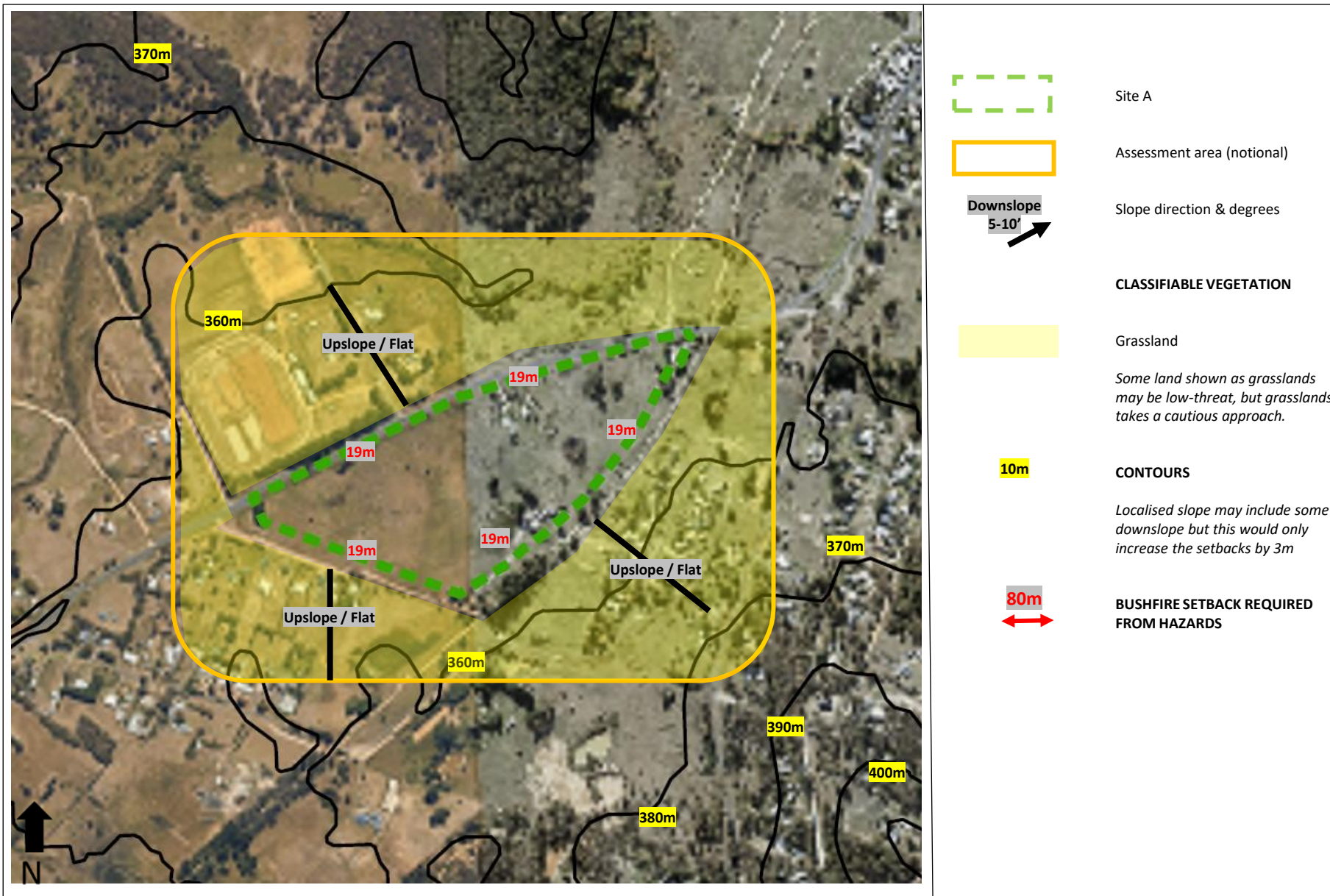


Figure 5-2: Bushfire hazard site assessment diagram – Opportunity 8a: Consider limited growth (Site B)

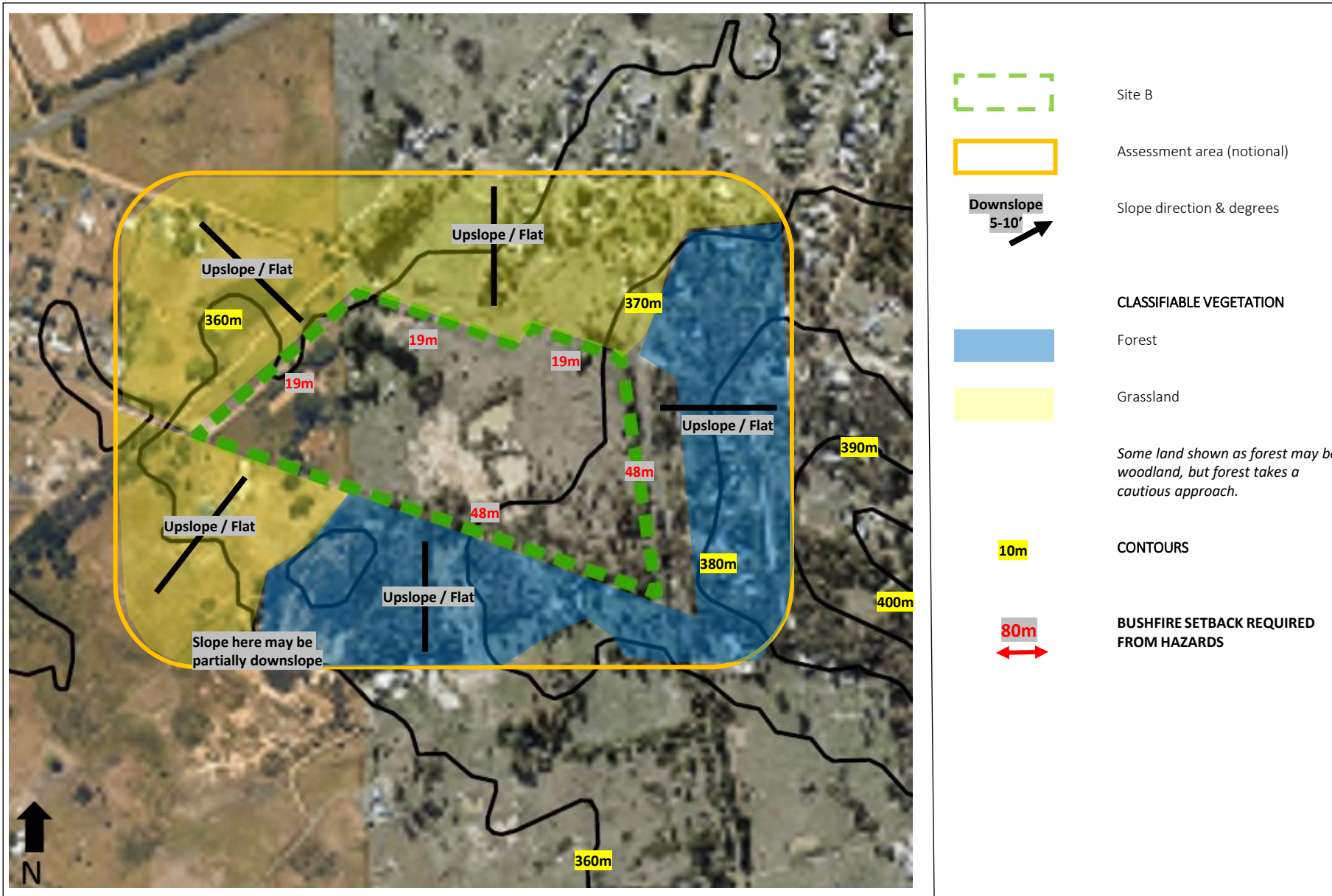
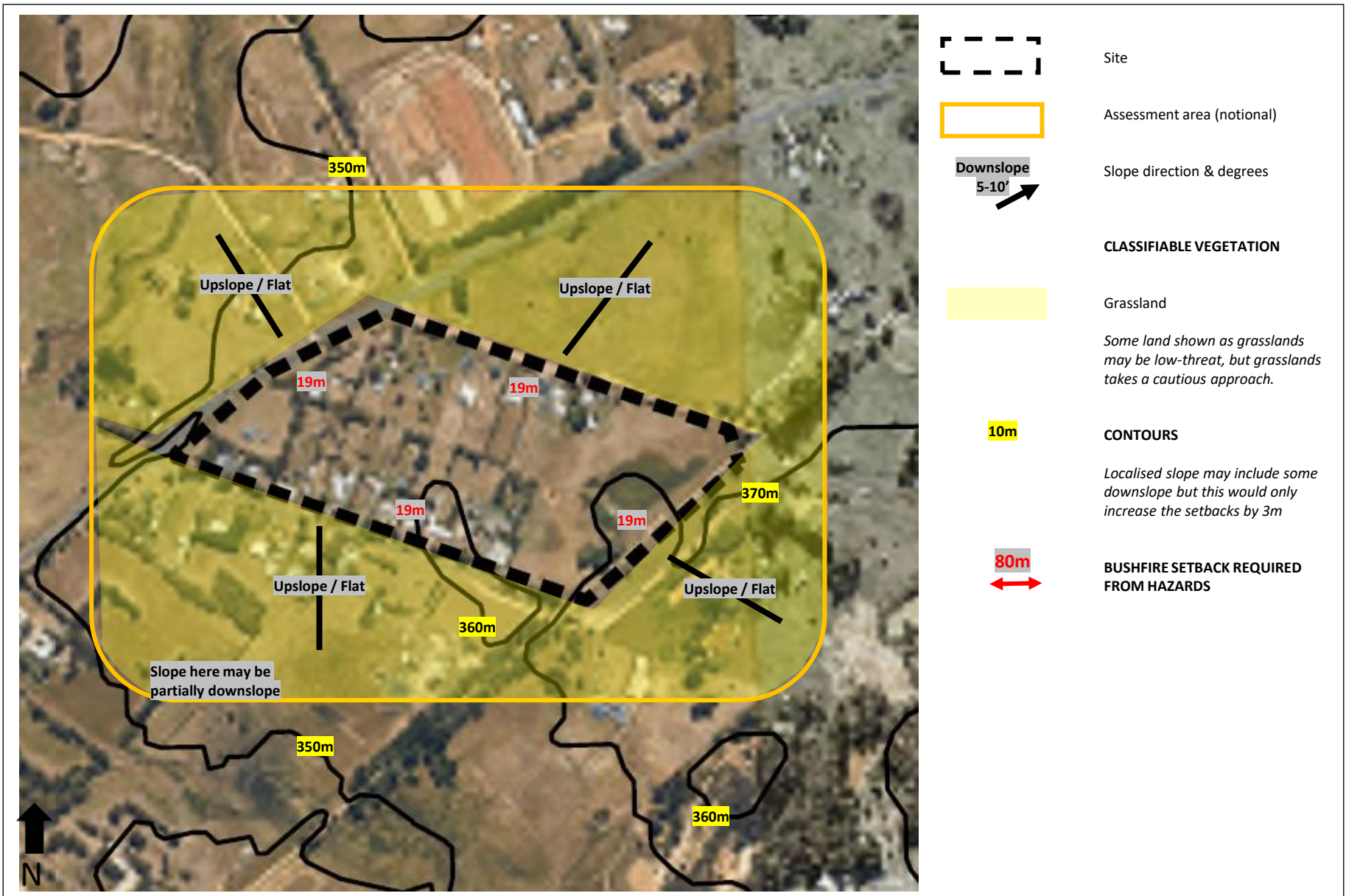


Figure 5-3: Bushfire hazard site assessment diagram – Opportunity 4: Regularise the zone of developed land - Potential RLZ to LDRZ



## 6. Zone anomalies

The *Smythesdale Structure Plan Background Document* (November 2021) identified several Zone anomalies for consideration in preparing a new structure plan for Smythesdale, that are in the Study Area for the current structure plan project. This chapter considers each from a bushfire perspective, including exposure to bushfire using the methodology in the previous chapter.

See: **Figure 6-1: Zone Anomalies**

### 6.1 50 Becker Street - Land assessed for the Public Use Zone

Current Zone: Township Zone  
Proposed Zone: Public Use Zone

The 2021 work included the following commentary:

*Primary School*

*The Primary School is currently in the Township Zone (TZ) but would be more suited to a Public Use Zone (PUZ).*

The inclusion of a school into a public use zone has no bushfire planning scheme implications and need not satisfy site-based exposure requirements in *c13.02-1S Bushfire Planning*. A Public Use Zone would enable less development than the current Township Zone.

### 6.2 Allot. 3 and 4, Sec. 29A - Land assessed for Public Conservation and Resource Zone

Current Zone: Rural Living Zone  
Proposed Zone: Public Conservation and Resource Zone

The 2021 work included the following commentary:

*Crown Allotments 3 and 4, Sec 29A Doctors, Road appear to be owned by the Crown and are zoned Rural Living Zone with the Bushfire Management Overlay and a Design and Development Overlay*

The inclusion of the land into a Public Conservation and Resource Zone has no bushfire planning scheme implications and need not satisfy site-based exposure requirements in *c13.02-1S Bushfire Planning*. A Public Conservation and Resource Zone would enable less development than the current Rural Living Zone.

### 6.3 61 Pascoe Street (parcel to the east) - Land assessed for a new zone

Current Zone: Public Park and Recreation Zone

Proposed Zone: Non public zone

The 2021 work included the following commentary:

*61 Pascoe Street comprises two parcels, the second of which is the old cricket oval on Doctors Road. This is zoned PPRZ, but is in private ownership so will require investigations as to what is the most appropriate zone.*

A site assessment for this land has been prepared for the land.

See: **Figure 6-2: Bushfire hazard site assessment diagram – 61 Pascoe Street**

The presence of forest vegetation on the land (which is assumed would remain) and on three sides constrains the land. However, the dimensions of the site are large enough where an area of land does exist that can satisfy the site base exposure requirement.

It is yet to be fully resolved how exposure is to be considered in every circumstance when a planning scheme amendment is proposed, especially where an anomaly is being corrected. Bushfire is likely to not prevail over a need to remove land from a public zone if the land is not publicly owned, as is the case here. But in selecting a non-public zone, development being enabled must give effect to *c13.02-1S Bushfire Planning*.

The site is complicated by being in two parts, and it is unclear how the western part of the land (fronting Pascoe Street) and the eastern part being considered for rezoning relate to each other. Depending on a selected Zone, land may be in two zones which is not always preferred by the Department of Transport and Planning. Whether the intention is for the current PPRZ land to be subdivided from the current Township Zone land would need to be resolved in terms of strategic intent for the land.

A Township Zone could be applied to place all of 61 Pascoe Street into a single zone, with a planning scheme control and/or s173 agreement to:

- Restrict permanently occupied development (for example, a dwelling) on the current PPRZ land; or
- Only allow development on the part of the site that satisfies the site based exposure requirement. This could be done through a building envelope or building exclusion area.



The management of the land would then be regulated by the Township Zone for the area of land which could be developed, working with the Bushfire Management Overlay that would continue to apply.

The outcome however would be to include a large parcel of land into the Township Zone that could not be developed in a way that meaningfully correlates with what the zone might intend, given the much smaller area within it that can be developed.

The Rural Living Zone could be applied that likely better reflects expectations on development. This would have the effect however of including land in two zones, but c64.03 (subdivision of land in more than one zone) of the planning scheme provides a mechanisms for this to be resolved.

Another option that could be considered is a s96a rezoning with a concurrent planning permit.

In any event, there is part of the land that can satisfy the exposure requirement and it is reasonable that private land be removed from a public zone. The outcome is essentially one of negotiation to find an acceptable mix of controls. An important contribution to this will be landscape and policy factors not considered in this report but which will be determinative to acceptable future intensity of development on the land.

Figure 6-1: Zone Anomalies

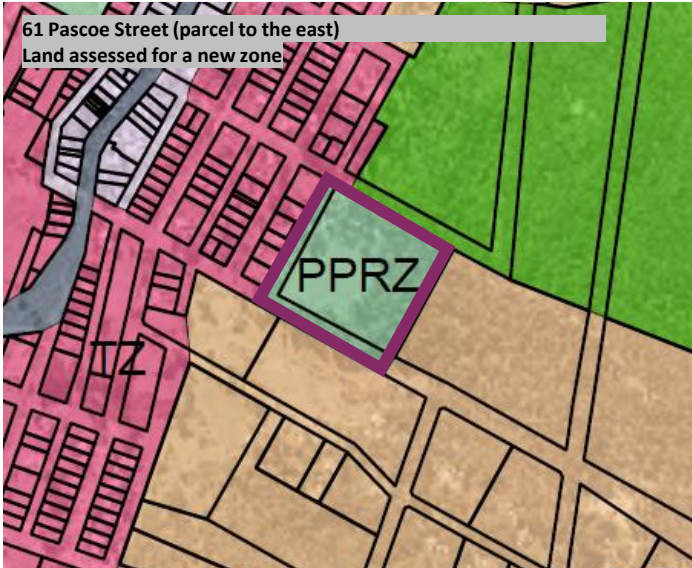
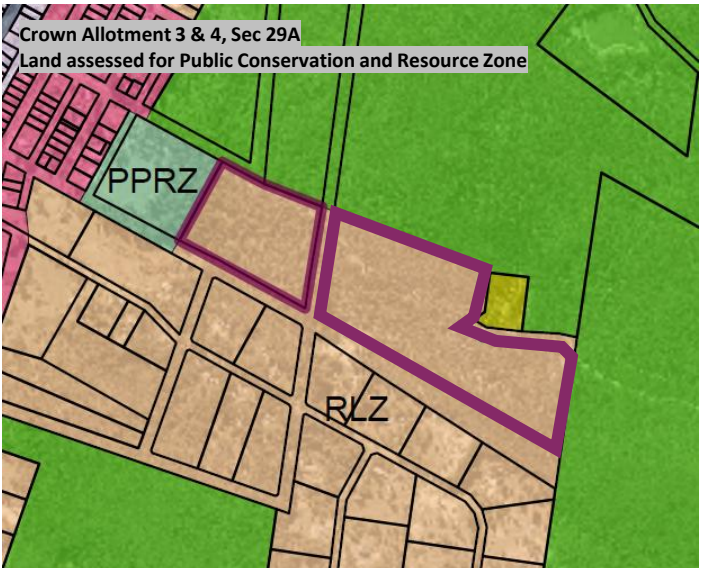
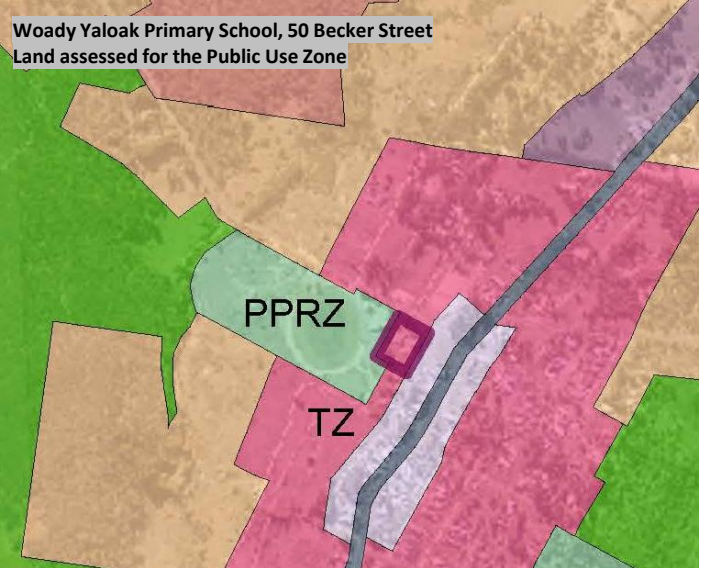
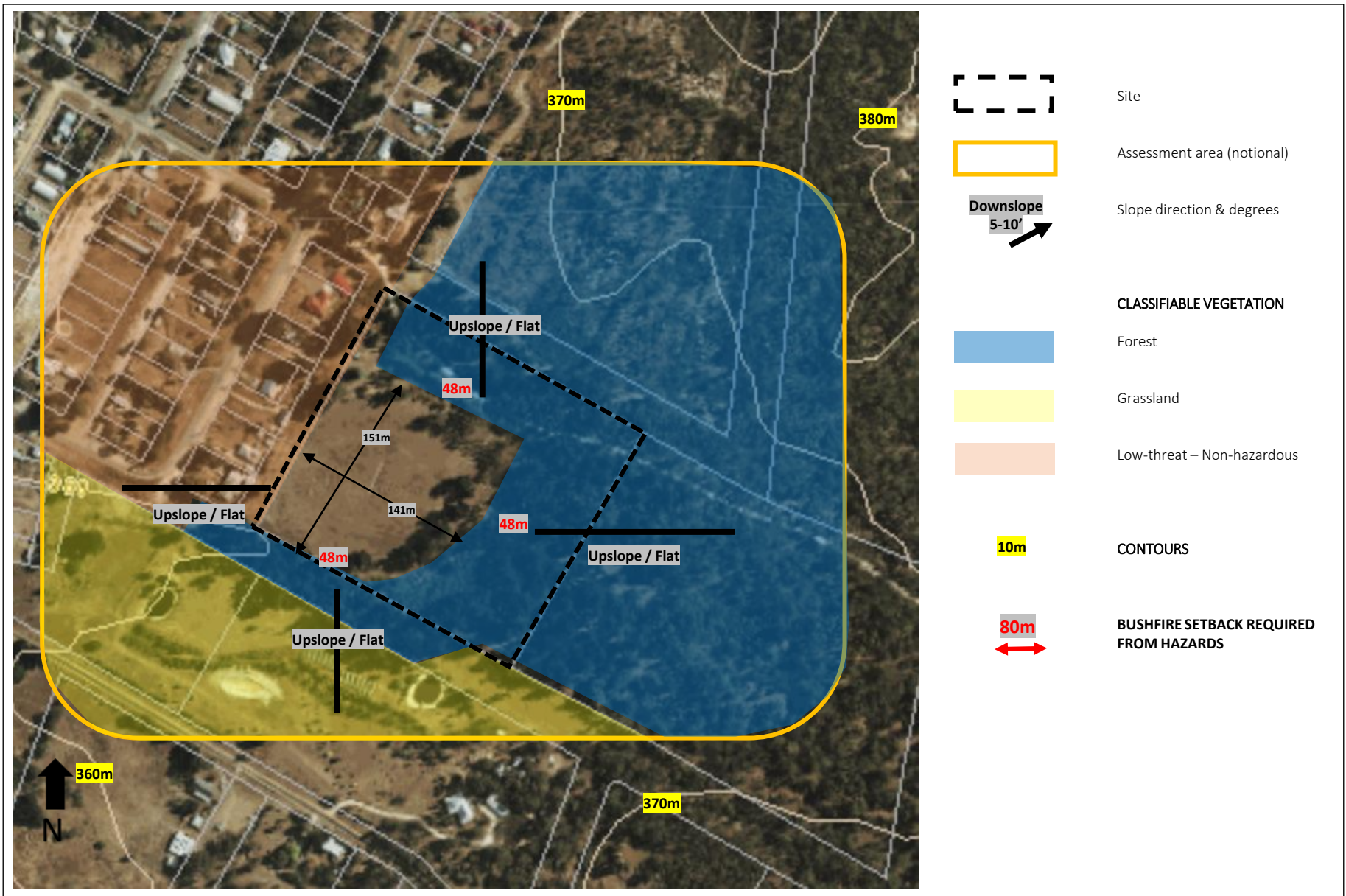


Figure 6-2: Bushfire hazard site assessment diagram – 61 Pascoe Street (parcel to the east) : Land assessed for Low Density Residential Zone



## 7. Recommendations

Based on the assessments contained in this report, the following recommendations can inform further considering the opportunities included in *Towards a structure plan for Smythesdale: Opportunities report* (15 November 2024).

### A. Opportunity 8a: Consider limited growth (Site A and Site B)

Development on Site A and Site B can be set back from bushfire hazards to ensure exposure is less than 12.5kw of radiant heat. This equates to Column A in Table 2 to *c53.02 Bushfire* in the planning scheme. A planning control will be needed to secure the necessary exposure outcome and ensure bushfire setbacks are included in any development.

This recommendation only considers site-based exposure. Landscape and policy factors not considered in this report will also be relevant and must be read alongside this report.

### B. Opportunity 4: Regularise the zone of developed land - Potential RLZ to LDRZ

Development on land subject to Opportunity 4 can be setback from bushfire hazards to ensure exposure is less than 12.5kw of radiant heat. This equates to Column A in Table 2 to *c53.02 Bushfire* in the planning scheme. A planning control may be needed to include setbacks from adjoining land to secure the necessary exposure / setbacks.

This recommendation only considers site-based exposure. Landscape and policy factors not considered in this report will also be relevant and must be read alongside this report.

### C. Zone anomaly: 50 Becker Street - Land assessed for the Public Use Zone

A planning scheme amendment that includes this land into a public zone is acceptable. They need not satisfy bushfire exposure requirements.

### D. Zone anomaly: Allot. 3 and 4, Sec. 29A - Land assessed for Public Conservation and Resource Zone

A planning scheme amendment that includes this land into a public zone is acceptable. They need not satisfy bushfire exposure requirements.

### E. 61 Pascoe Street (parcel to the east) - Land assessed for a new zone

Development on 61 Pascoe Street (parcel to the east) can be setback from bushfire hazards to ensure exposure is less than 12.5kw of radiant heat. This equates to Column A in Table 2 to *c53.02 Bushfire* in the planning scheme. The part of the land can satisfy the requirement is a smaller area within the land.

The Council can negotiate with the landowner and Country Fire Authority to select an appropriate zone and other controls to enable private land to be removed from a public zone. Landscape and policy factors not considered in this report will be determinative of what might be possible on the land.

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