

## 13

## ENVIRONMENTAL RISKS

12/12/2017  
VC140

Planning should adopt a best practice environmental management and risk management approach which aims to avoid or minimise environmental degradation and hazards. Planning should identify and manage the potential for the environment, and environmental changes, to impact upon the economic, environmental or social well-being of society.

### 13.01

#### Climate change impacts

04/02/2016  
VC127

#### 13.01-1

#### Coastal inundation and erosion

04/02/2016  
VC127

##### Objective

To plan for and manage the potential coastal impacts of climate change.

##### Strategies

In planning for possible sea level rise, an increase of 0.2 metres over current 1 in 100 year flood levels by 2040 may be used for new development in close proximity to existing development (urban infill).

Plan for possible sea level rise of 0.8 metres by 2100, and allow for the combined effects of tides, storm surges, coastal processes and local conditions such as topography and geology when assessing risks and coastal impacts associated with climate change.

Consider the risks associated with climate change in planning and management decision-making processes.

For new greenfield development outside of town boundaries, plan for not less than 0.8 metre sea level rise by 2100.

Ensure that land subject to coastal hazards are identified and appropriately managed to ensure that future development is not at risk.

Ensure that development or protective works seeking to respond to coastal hazard risks avoids detrimental impacts on coastal processes.

Avoid development in identified coastal hazard areas susceptible to inundation (both river and coastal), erosion, landslip/landslide, acid sulfate soils, bushfire and geotechnical risk.

##### Policy guidelines

Planning must consider as relevant:

- *The Victorian Coastal Strategy* (Victorian Coastal Council, 2014).
- Any relevant coastal action plan or management plan approved under the *Coastal Management Act 1995* or *National Parks Act 1975*.
- Any relevant Land Conservation Council recommendations.

### 13.02

#### Floodplains

20/09/2010  
VC71

#### 13.02-1

#### Floodplain management

20/09/2010  
VC71

##### Objective

To assist the protection of:

- Life, property and community infrastructure from flood hazard.
- The natural flood carrying capacity of rivers, streams and floodways.
- The flood storage function of floodplains and waterways.
- Floodplain areas of environmental significance or of importance to river health.

## Strategies

Identify land affected by flooding, including floodway areas, as verified by the relevant floodplain management authority, in planning scheme maps. Land affected by flooding is land inundated by the 1 in 100 year flood event or as determined by the floodplain management authority.

Avoid intensifying the impacts of flooding through inappropriately located uses and developments.

Locate emergency and community facilities (including hospitals, ambulance stations, police stations, fire stations, residential aged care facilities, communication facilities, transport facilities, community shelters and schools) outside the 1 in 100 year floodplain and, where possible, at levels above the height of the probable maximum flood.

Locate developments and uses which involve the storage or disposal of environmentally hazardous industrial and agricultural chemicals or wastes and other dangerous goods (including intensive animal industries and sewage treatment plants) must not be located on floodplains unless site design and management is such that potential contact between such substances and floodwaters is prevented, without affecting the flood carrying and flood storage functions of the floodplain.

## Policy guidelines

Planning must consider as relevant:

- *State Environment Protection Policy (Waters of Victoria).*
- Regional catchment strategies and special area plans approved by the Minister for Environment and Climate Change.
- Any floodplain management manual of policy and practice, or catchment management, river health, wetland or floodplain management strategy adopted by the relevant responsible floodplain management authority.
- Any best practice environmental management guidelines for stormwater adopted by the Environment Protection Authority.
- *Victoria Floodplain Management Strategy* (Department of Natural Resources and Environment, 1998).

### 13.03

20/09/2010  
VC71

## Soil Degradation

### 13.03-1

20/09/2010  
VC71

## Use of contaminated and potentially contaminated land

### Objective

To ensure that potentially contaminated land is suitable for its intended future use and development, and that contaminated land is used safely.

### Strategies

Require applicants to provide adequate information on the potential for contamination to have adverse effects on the future land use, where the subject land is known to have been used for industry, mining or the storage of chemicals, gas, wastes or liquid fuel.

## Policy guidelines

Planning must consider as relevant:

- *State Environment Protection Policy (Prevention and Management of Contamination of Land).*
- *Ministerial Direction No. 1 – Potentially contaminated land.*
- *National Environment Protection (Assessment of Site Contamination) Measure (National Environment Protection Council, 1999).*

### 13.03-2 Erosion and landslip

20/09/2010  
VC71

#### Objective

To protect areas prone to erosion, landslip or other land degradation processes.

#### Strategies

Identify areas subject to erosion or instability in planning schemes and when considering the use and development of land.

Prevent inappropriate development in unstable areas or areas prone to erosion.

Promote vegetation retention, planting and rehabilitation in areas prone to erosion and land instability.

#### Policy guidelines

Planning must consider as relevant:

- Any relevant regional catchment strategy.
- Any special area plan prepared under the *Catchment and Land Protection Act 1994*.

### 13.03-3 Salinity

20/09/2010  
VC71

#### Objective

To minimise the impact of salinity and rising watertables on land uses, buildings and infrastructure in rural and urban areas and areas of environmental significance and reduce salt loads in rivers.

#### Strategies

Identify areas subject to salinity in the preparation of planning schemes and land use planning decisions.

Promote vegetation retention and replanting in aquifer recharge areas contributing to groundwater salinity problems.

Prevent inappropriate development in areas affected by groundwater salinity.

#### Policy guidelines

Planning must consider as relevant:

- *A Local Government Planning Guide for Dryland Salinity (Department of Conservation and Natural Resources, 1995)*.
- Any relevant regional catchment strategy and any associated implementation plan or strategy (particularly salinity management plans and regional vegetation plans).
- *Any special area plans approved under the Catchment and Land Protection Act 1994*.

### 13.04 Noise and air

31/03/2017  
VC134

#### 13.04-1 Noise abatement

20/09/2010  
VC71

#### Objective

To assist the control of noise effects on sensitive land uses.

## Strategy

Ensure that development is not prejudiced and community amenity is not reduced by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area.

## Policy guidelines

Planning must consider as relevant:

- *State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2.*
- *State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1 (in metropolitan Melbourne).*
- *Interim Guidelines for Control of Noise from Industry in Country Victoria (Environment Protection Authority, 1989).*
- *A Guide to the Reduction of Traffic Noise (VicRoads 2003).*

13.04-2  
31/03/2017  
VC134

## Air quality

### Objective

To assist the protection and improvement of air quality.

### Strategies

Ensure that land-use planning and transport infrastructure provision contribute to improved air quality by:

- Integrating transport and land-use planning to improve transport accessibility and connections.
- Locating key developments that generate high volumes of trips in the Central City, Metropolitan Activity Centres and Major Activity Centres.
- Providing infrastructure for public transport, walking and cycling.

Ensure, wherever possible, that there is suitable separation between land uses that reduce amenity and sensitive land uses.

## Policy guidelines

Planning must consider as relevant:

- *State Environment Protection Policy (Air Quality Management).*
- *Recommended Buffer Distances for Industrial Residual Air Emissions (Environmental Protection Authority, 1990)* in assessing the separation between land uses that reduce amenity and sensitive land uses.

13.05  
12/12/2017  
VC140

## Bushfire

13.05-1  
12/12/2017  
VC140

## Bushfire planning

### Objective

To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

### Application

This policy must be applied to all planning and decision making under the *Planning and Environment Act 1987* relating to land which is:

- Within a designated bushfire prone area;
- Subject to a Bushfire Management Overlay; or
- Proposed to be used or developed in a way that may create a bushfire hazard.

## **Strategies**

### **Protection of human life**

Give priority to the protection of human life by:

- Prioritising the protection of human life over all other policy considerations.
- Directing population growth and development to low risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire.
- Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision-making at all stages of the planning process.

### **Bushfire hazard identification and assessment**

Identify bushfire hazard and undertake appropriate risk assessment by:

- Applying the best available science to identify vegetation, topographic and climatic conditions that create a bushfire hazard.
- Considering the best available information about bushfire hazard including the map of designated bushfire prone areas prepared under the *Building Act 1993* or regulations made under that Act.
- Applying the Bushfire Management Overlay in planning schemes to areas where the extent of vegetation can create an extreme bushfire hazard.
- Considering and assessing the bushfire hazard on the basis of:
  - Landscape conditions - meaning the conditions in the landscape within 20 kilometres and potentially up to 75 kilometres from a site;
  - Local conditions - meaning conditions in the area within approximately 1 kilometre from a site;
  - Neighbourhood conditions - meaning conditions in the area within 400 metres of a site; and,
  - The site for the development.
- Consulting with emergency management agencies and the relevant fire authority early in the process to receive their recommendations and implement appropriate bushfire protection measures.
- Ensuring that strategic planning documents, planning scheme amendments, planning permit applications and development plan approvals properly assess bushfire risk and include appropriate bushfire protection measures.
- Not approving development where a landowner or proponent has not satisfactorily demonstrated that the relevant policies have been addressed, performance measures satisfied or bushfire protection measures can be adequately implemented.

### **Settlement planning**

Plan to strengthen the resilience of settlements and communities and prioritise protection of human life by:

- 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 *AS 3959-2009 Construction of Buildings in Bushfire-prone Areas* (Standards Australia, 2009).

- Ensuring the availability of, and safe access to, areas assessed as a BAL-LOW rating under *AS 3959-2009 Construction of Buildings in Bushfire-prone Areas* (Standards Australia, 2009) where human life can be better protected from the effects of bushfire.
- Ensuring the bushfire risk to existing and future residents, property and community infrastructure will not increase as a result of future land use and development.
- Achieving no net increase in risk to existing and future residents, property and community infrastructure, through the implementation of bushfire protection measures and where possible reduce bushfire risk overall.
- Assessing and addressing the bushfire hazard posed to the settlement and the likely bushfire behaviour it will produce at a landscape, settlement, local, neighbourhood and site scale, including the potential for neighbourhood-scale destruction.
- Assessing alternative low risk locations for settlement growth on a regional, municipal, settlement, local and neighbourhood basis.
- 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 AS 3959-2009.

#### **Areas of high biodiversity conservation value**

Ensure settlement growth and development approvals can implement bushfire protection measures without unacceptable biodiversity impacts by discouraging settlement growth and development in bushfire affected areas that are of high biodiversity conservation value.

#### **Use and development control in a Bushfire Prone Area**

In a bushfire prone area designated in accordance with regulations made under the *Building Act 1993*, bushfire risk should be considered when assessing planning applications for the following uses and development:

- Subdivisions of more than 10 lots.
- Accommodation.
- Child care centre.
- Education centre.
- Emergency services facility.
- Hospital.
- Indoor recreation facility.
- Major sports and recreation facility.
- Place of assembly.
- Any application for development that will result in people congregating in large numbers.

When assessing a planning permit application for the above uses and development:

- Consider the risk of bushfire to people, property and community infrastructure.
- Require the implementation of appropriate bushfire protection measures to address the identified bushfire risk.
- Ensure new development can implement bushfire protection measures without unacceptable biodiversity impacts.

## **Policy guidelines**

Planning must consider as relevant:

- Any relevant approved State, regional and municipal fire prevention plan.
- *AS 3959-2009 Construction of Buildings in Bushfire-prone Areas* (Standards Australia, 2009).
- *Building in bushfire-prone areas - CSIRO & Standards Australia* (SAA HB36-1993, May 1993).
- Any Bushfire Prone Area map prepared under the *Building Act 1993* or regulations made under that Act.