

## **52.43**

31/08/2010  
VC73

## **INTERIM MEASURES FOR BUSHFIRE PROTECTION**

### **Purpose**

To enable the removal, destruction or lopping of vegetation to reduce fuel load around existing buildings used for accommodation, adjacent to existing fences on property boundaries and on roadsides to assist with minimising risk to life and property from bushfire.

## **52.43-1**

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### **Exemption from planning scheme and planning permit requirements**

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of the planning scheme to obtain a planning permit or any provision in the planning scheme which prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to the following measures for bushfire protection:

- The removal, destruction or lopping of any vegetation within 10 metres of an existing building used for accommodation that was:
  - constructed before 10 September 2009; or
  - approved by a planning permit issued under this planning scheme before 10 September 2009; or
  - approved by a building permit issued under the Building Act 1993 before 10 September 2009.
- The removal, destruction or lopping of any vegetation, except for trees, within 30 metres of an existing building used for accommodation:
  - constructed before 10 September 2009; or
  - approved by a planning permit issued under this planning scheme before 10 September 2009; or
  - approved by a building permit issued under the Building Act 1993 before 10 September 2009.
- The removal, destruction or lopping of any vegetation for a combined maximum width of 4 metres either side of an existing fence on a boundary between properties in different ownership that was constructed before 10 September 2009.
- Fuel reduction burning on the roadside of an existing public road.
- The removal of fallen wood for personal use from the roadside of an existing public road.

This clause does not apply to the area covered by the Banyule, Bayside, Boroondara, Brimbank, Darebin, Glen Eira, Greater Dandenong, Hobsons Bay, Kingston, Knox, Maribyrnong, Maroondah, Melbourne, Monash, Moonee Valley, Moreland, Port of Melbourne, Port Phillip, Stonnington, Whitehorse and Yarra Planning Schemes.

For the avoidance of doubt any planning permit exemption provided by the planning scheme for the removal, destruction or lopping of vegetation continues to apply.

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### **Expiry**

The provisions of this clause will expire on 1 March 2012.