



December 2017

UDIA Victoria – Policy Position

Planning Scheme Amendment VC140

Background

The Victorian Government has gazetted Planning Scheme Amendment VC140, which relies on the updated Bushfire Management Overlay maps (GC13) which identifies extreme bushfire risk areas.

The Amendment makes changes to the Victoria Planning Provisions and all planning schemes by:

- inserting an updated State Planning Policy Framework at Clause 10 Operation of the State Planning Policy Framework; and
- inserting an updated State Planning Policy Framework at Clause 13 Environmental Risks.

The overarching intent of this Amendment is that strategic planning must seek to achieve no increase in bushfire risk to existing and future residents.

To achieve this, it requires that the responsible authority not approve 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 Bushfire Attack Level (BAL) -12.5 rating under AS 3959-2009. If this cannot be achieved, it is assumed the land cannot be rezoned appropriately for development. This will severely impact the role Victoria's regional areas are expected to play in housing the state's unprecedented population growth.

In addition to strategic planning, in Bushfire Prone Areas the statutory assessment of all planning applications is required to consider use and development controls, regardless of the presence of a Bushfire Management Policy.

[Click here to go to the Planning Scheme – Amendment VC140.](#)

Policy Position

Planning scheme Amendment VC140 requires planning authorities and responsible authorities in bushfire affected areas to prioritise the protection of human life over all other policy considerations. While UDIA agrees that the protection of human life is of paramount importance, we do not agree that Amendment VC140 is an appropriate approach.

The Amendment will have significant impacts on the ability to develop regional and rural areas that have been marked as sites that could ease the strain on larger cities.



This is a blunt policy tool that lacks the benefit of consultation with industry to ensure practical delivery of competing policy objectives. This is a change that should have been considered and tested with the input of the residential development and planning industry, as well as studies conducted to determine the impact on supply of accessible and affordable housing to Victoria’s rapidly growing population.

This Amendment is contrary to the intent of the State Planning Policy Framework which seeks to ensure the objectives of planning in Victoria are fostered through planning policies and practices which integrate relevant environmental, social and economic factors in the interests of **net community benefit** and sustainable development.

The new requirements disproportionately impact on regional municipalities, and are in direct conflict with a range of policies which seek to direct population growth to regional centres and the provision of affordable housing.

In prohibiting the introduction or intensification of development in an area that has, or will have, a BAL rating higher than 12.5, the Amendment will severely restrict the land available for residential development, thereby driving up the price of land and reducing both housing supply and affordability in these areas.

The Amendment will result in confusion through the statutory planning process with the updated Bushfire Management Overlay maps. The wording of the policy is likely to result in Councils requiring, assessing and endorsing some kind of bushfire risk assessment for all bushfire prone areas, outside of CFA assessment or requirements.

Additionally, UDIA is concerned that there are Precinct Structure Plans and Development Contribution Plans underway that will be directly impacted by these changes and may have to be substantially modified or abandoned. This will come at significant cost to the development industry, and will act in opposition to the objective of reducing the cost of housing across Victoria.

Contact

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