

PRACTICE NOTE 2 - BUSHFIRE HAZARD OVERLAY INTERPRETATION

This practice note has been prepared as an information source to assist with the interpretation and application of the Bushfire Hazard Overlay Code.

It is a supporting document to the code and to the Mitigating Bushfire Hazard Planning Scheme Policy no. SC6.8.

Bushfire Protection Overlay - Fast Facts

1. Incorporates matters of the State Planning Policy: *“The risks associated with natural hazards are avoided or mitigated to protect people and property and enhance the community’s resilience to natural hazards”*.
2. The Townsville City Plan establishes the overall intent for development and managing natural hazards, and specifically the strategic intent (3.2.4) *“Exposure of communities to natural hazards, such as bushfire, landslip, flood and coastal risks such as storm surge and sea level rise, will be avoided wherever possible”*.
3. Hazard areas are used to avoid increased development in areas of a known hazard, but allow for some changes in existing urban areas (e.g. no change to assessment levels in medium hazard areas).

Mapping of Bushfire Hazard

1. The overlay map (OM- 2.0) represents bushfire hazard area mapping using the recommended methodology from the State Planning Policy and Australian Standard 3959.
2. This mapping has been produced using both state and council produced data and identifies medium and high risk areas. Medium hazard areas are separated from high hazard areas by terrain and mainly found on flat ground, while high hazard areas are found on slopes.
3. Generally, where bushfire hazard mapping exists, the underlying land use zone will reflect this constraint on development to avoid conflict and to support the strategic intent of the Townsville City Plan.

Key Aspects of the Code

There are several key aspects of the code which reflect the policy position of the strategic framework. The most important aspects are:

1. Avoid increasing the extent or the severity of the bushfire hazard;
2. Avoid risk to life, property, community and the environment from bushfire hazard;
3. Highly vulnerable development does not occur in high hazard areas unless there is an overriding need for the development in the public interest and no other site is suitable and reasonably available for the proposal; and
4. Facilities with a role in emergency management and vulnerable community services are located and designed to function effectively during and immediately after bushfire hazard events.

Application - Bushfire Hazard Assessments and Bushfire Management Plans

The following information is provided on the basis of a development application being lodged and triggering assessment under the Bushfire Hazard Overlay.

- When a development application is made to council for assessable development (Material Change of Use, Reconfiguring a Lot, Operational Works, Assessable Building Works) and the development triggers assessment against the Bushfire Hazard Overlay Code, a bushfire hazard assessment may be required with the application material. If there is uncertainty as to whether an assessment is required based on the level of risk and scale of the development, a pre-lodgement meeting should be organised to discuss this further.
- The preparation of a bushfire hazard assessment is detailed under the SC6.8 Mitigating bushfire hazard planning scheme policy. The bushfire hazard assessment must recommend whether a bushfire management plan is required to respond to identified risk.
- A properly prepared bushfire hazard assessment will assist in demonstrating compliance against PO1-PO9 of the code.
- Depending on the recommendations of the bushfire hazard assessment, a bushfire management plan may be required to be submitted with the application, prior to decision, or following a development approval. This should be determined in consultation with the assessment manager.
- The preparation of a bushfire management plan is detailed under the SC6.8 Mitigating bushfire hazard planning scheme policy. The bushfire management plan is required to respond to the risk. The level of detail required in the bushfire management plan will vary with the nature of the development proposal and site, and with the type of development application.

Suitably Qualified and Experienced Professional

A bushfire hazard assessment or bushfire management plan is to be prepared and undertaken by a suitably qualified and experienced professional. A suitably qualified and experienced professional is considered to be a person with more than 3 years' experience in practice and a tertiary qualification in bushfire management studies.

A statement of qualification should be made with any prepared Bushfire Hazard Assessment or Management Plan.

Example:

This Bushfire Hazard Assessment Report has been prepared by Joe Blogs, Director of Inferno Control Pty. I have 10 years' experience in Bushfire management practicing in Queensland. I have a Bachelor of Environmental Science from Central Queensland University and Diploma in Bushfire Protection from University of Western Sydney. I am suitably qualified and experienced to undertake a Bushfire Hazard Assessment and prepare a Bushfire Management Plan.

Frequently Asked Questions

Can I build a house in a bushfire hazard area?

Generally yes. A dwelling house alone does not trigger assessment against the Bushfire Hazard Overlay (unless triggered for assessment under the relevant zone code). However, to obtain your building permit, your house would be required to demonstrate compliance under the *Building Act 1975*, and may require referral to the Queensland Fire and Emergency Service. Building regulations and referrals will need to be discussed with your private building certifier.

Can I subdivide my land that is mapped in a bushfire hazard area?

For a subdivision to be considered for approval in a bushfire hazard area, sufficient justification (including a bushfire hazard assessment and bushfire management plan) would need to be provided, demonstrating that the risk can be removed or mitigated to the extent that there is no increase to the risk to life, property, community and the environment.

Does any development trigger Impact Assessment under the overlay code?

Yes, several uses are listed as Impact Assessable under the Table of Assessment (5.10 of the Townsville City Plan). This is because highly vulnerable uses (such as child care centres and hospitals) are not encouraged in bushfire hazard areas unless there is an overriding need for the development in the public interest and no other site is suitable and reasonably available.