



Kingborough

THE KINGBOROUGH INTERIM PLANNING SCHEME 2015

Fact Sheet No. E1.0

Bushfire-Prone Areas Code

Purpose of the Code

The purpose of this Code is to ensure that use and development is appropriately designed, located, serviced, and constructed, to reduce the risk to human life and property, and the cost to the community, caused by bushfires.

How does the Code apply to use or development in Kingborough?

This Code applies to all habitable buildings and subdivisions proposed within a bushfire prone area. The Code also applies to vulnerable and hazardous land uses where they are proposed in bushfire prone areas. Examples of a vulnerable use include a prison, school, hospital, retirement village, or visitor accommodation. Hazardous uses include manufacturing, processing, research, and storage where the use involves dangerous substances such as explosives, combustible liquids (such as petrol or other fuels), or other hazardous chemicals. The Code does not generally apply to non-habitable development unless dangerous substances are involved.

It is intended that Council will work the Tasmania Fire Service to develop maps that identify bushfire prone areas. Until this mapping is available, a bushfire prone area will be defined as land that is within 100m of an area of bushfire-prone vegetation equal to or greater than 1 hectare. This definition is similar to the definition used in the *Building Regulations 2014* and in previous planning schemes.

The Code is unique in that it requires a Planning Permit for all use and development to which it applies even if the use status of such use or development is No Permit Required (please refer to Fact Sheet no.2 *How do I know if I need to apply for a planning permit?* for information on use status).

What zones does the Code relate to?

The Code applies to all development and vulnerable and hazardous uses proposed in bushfire prone areas, regardless of the zone of the site.

Are there any exemptions from the Code?

There are a number of exemptions provided for within the Code, including but not limited to:

- (a) any development that an accredited Bushfire Practitioner (see below) certifies as creating an insufficient increase in bushfire risk to warrant specific bushfire protection measures,
- (b) Non-habitable buildings except where such buildings involve dangerous substances,



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- (c) Extensions to habitable buildings with a floor area of less than 20m² provided the extension does not extend toward bushfire-prone vegetation,
- (d) Demolition of buildings provided that they are not required for bushfire protection,
- (e) Boundary adjustments.

How does the Code work?

The Code has separate standards for vulnerable uses, hazardous uses, and subdivision. The Code also has separate standards for habitable buildings proposed on lots that were approved via the Code and for those that were approved prior to the Code coming into effect. The standards within Code generally require a Bushfire Hazard Management Plan to be developed that demonstrates that adequate separation (referred to as a Hazard Management Area) between the development and bushfire prone vegetation, vehicular access to the development, and water for firefighting purposes would be provided on the site.

The Bushfire Hazard Management Plan must be certified by a Bushfire Practitioner accredited by the Tasmania Fire Service (TFS) to endorse such plans. The TFS maintains a list of accredited practitioners that may be accessed via the “Building for Bushfire” link on its website at www.fire.tas.gov.au.

What are the application requirements for this Code?

Any application involving development or a vulnerable or hazardous use in a bushfire prone area must be accompanied by a Bushfire Hazard Management Plan certified by an accredited Bushfire Practitioner. Alternatively, any application for such use or development should be accompanied by certification from an accredited Bushfire Practitioner that there would be insufficient increase in bushfire risk to warrant specific bushfire protection measures.

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