

PLAN 4

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BUSHFIRE-PRONE AREAS OVERLAY

ATTACHMENT:

- Bushfire-Prone Areas Overlay, Northern Midlands LGA Planning Report, Tasmania Fire Service, September 2018

BUSHFIRE-PRONE AREAS OVERLAY

Northern Midlands LGA Planning Report

September 2018



Tasmania Fire Service



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Appendix A – Bushfire-Prone Areas Overlay

Executive Summary

The Tasmania Fire Service ('TFS') is working with Local Government to prepare and implement bushfire-prone areas mapping for Tasmanian Local Government Areas ('LGA'). Draft mapping for the Northern Midlands LGA has now been completed following collaborative work between TFS and Council officers.

The purpose of the bushfire-prone area mapping is to spatially define land where potential exposure to bushfire hazard is sufficient to warrant a building and/or planning response to achieve a tolerable level of residual risk. The mapping does not imply that there is nil risk to use and development outside of the overlay, rather that residual risk to use and development outside of the overlay is deemed to be tolerable through reliance on other external measures, such as firefighter intervention.

The starting point for the map preparation was the production of a 'modelled overlay' that was generated by applying a 100m buffer to existing vegetation map data. The overlay was then progressively refined based on assessment of local conditions including bushfire behaviour and fuel management regimes. The local knowledge provided by Council officers was critical to this process.

By spatially defining bushfire-prone areas the mapping will provide clarity for permit authorities, landowners, developers, consultants and the broader community with respect to the application of existing statutory requirements for bushfire protection. The process of reviewing local conditions has also allowed for some areas that would currently trigger bushfire requirements to be 'mapped-out', thereby reducing compliance and development costs for the local community.

For the mapping to serve its intended function it needs to be incorporated within the relevant planning instrument established under the *Land Use Planning and Approvals Act 1993* ('LUPAA'). It is anticipated that the mapping will be incorporated into Council's Local Provision Schedules, which will form part of the Tasmanian Planning Scheme.

Adoption of the bushfire-prone areas overlay is consistent with the Schedule 1 Objectives of the *Land Use Planning and Approvals Act 1993*, the State Policies created under the *State Policies and Projects Act 1993* and the relevant regional land use strategy.

1. Introduction

1.1 Purpose of this Report

This report has been prepared in support of the bushfire-prone areas mapping for the Northern Midlands LGA and provides the following information:

- The background and context of the mapping;
- Description of the mapping process;
- Consideration of overlay implementation;
- Consideration of the relevant statutory planning requirements and strategic planning framework.

1.2 Background

The Tasmania Fire Service is working with Local Government to produce and deliver the bushfire-prone area mapping for Tasmania. Once completed for each municipality the mapping is intended to be integrated within the relevant planning instrument to formally identify 'bushfire-prone areas' for the purpose of planning and building control.

Bushfire has been a constant, natural phenomenon in Australia for thousands of years and south-eastern Australia is one of the most bushfire-prone regions in the world. Whilst fire has important ecological functions in the Australian context, its effects on human life, built assets and economic resources can be catastrophic if risk is not adequately managed. Not surprisingly, bushfire is identified in the Tasmanian Emergency Management Plan as Tasmania's most prominent natural hazard due to its prevalence and historical impacts on communities¹. Recent analysis of climate data confirms that this is unlikely to change with fire danger in some parts of Tasmania expected to progressively increase over the course of this century².

Managing bushfire risk to communities requires a multifaceted approach that considers all aspects of the potential emergency (i.e. Prevention, Preparedness, Response and Recovery). Government interventions accordingly include a combination of measures including land use and development control, community education, fuel reduction, firefighter response and emergency management. Regulation of land use and development is a 'preparedness' strategy in this context as it aims to improve the resilience of communities and their built assets when exposed to a bushfire hazard.

Planning and building controls are now recognised in Australia as an important tool that can be used to facilitate more resilient and sustainable communities. Bushfire protection requirements are applied to use and development for the purpose of ensuring a tolerable level of residual risk is achieved. It is essentially a form of market intervention that seeks to achieve a better outcome for society than the market would otherwise deliver. Numerous public enquiries have recognised the importance of planning and building as a means for

¹ Department of Police and Emergency Management 2015, *Tasmanian Emergency Management Plan - Issue 8*, DPEM, Hobart.

² Fox-Hughes P, Harris RMB, Lee G, Jabour J, Grose MR, Remenyi TA & Bindoff NL (2015) *Climate Futures for Tasmania future fire danger: the summary and the technical report*, Antarctic Climate & Ecosystems Cooperative Research Centre, Hobart, Tasmania

supporting community fire safety, most notably the 2004 National Enquiry on Bushfire Mitigation and Management and the 2009 Victorian Bushfires Royal Commission.

The Tasmanian Government responded to the 2009 Victorian Bushfires Royal Commission by initiating significant planning and building reforms, including the introduction of Planning Directive No.5 Bushfire-Prone Areas Code within planning schemes in 2012 and state variations to the Building Code of Australia. This provided – for the first time – state-wide consistency in relation to use and development standards for bushfire protection. The importance of these reforms was confirmed by the 2013 Tasmanian Bushfires Inquiry, which recommended that the Tasmanian Government make land use planning and building construction for bushfire a high priority and that it progress improvements in this area³.

The planning and building regulatory system in Tasmania includes bushfire protection requirements to mitigate risk to communities and assets in bushfire-prone areas. The existing framework includes:

- The Bushfire-Prone Areas Code, which applies through local planning schemes under the *Land Use Planning and Approvals Act 1993*; and
- The Director's Determination – Requirements for Building in Bushfire-Prone Areas, which applies through the *Building Regulations 2016* and *Building Act 2016*.

This framework is structured in a way that enables application of bushfire controls through the planning approvals process for proposals involving land subdivision, vulnerable and hazardous uses. Bushfire requirements for other types of use and development are applied through the building approvals process.

For the purposes of both planning and building permit approvals it is necessary to determine whether proposed works are located within a 'bushfire-prone area'. This term is currently defined as follows:

Bushfire-prone area

Means:

- (a) *Land that is within the boundary of a bushfire-prone area shown on an overlay on a planning scheme map; or*
- (b) *Where there is no overlay on a planning scheme map, land that is within 100m of an area of bushfire-prone vegetation equal to or greater than 1 hectare.*

In the absence of mapping, planning authorities, permit authorities, landowners and developers are reliant on interpretation of subclause (b).

Incorporation of the mapping within the relevant local planning scheme overlay map will enable the use of subclause (a) of the abovementioned definition, thereby reducing the amount of assessment required to determine applicability.

The 100m rule that forms the basis of the abovementioned definition has historically been accepted as a benchmark for the application of development control for bushfire and is the maximum distance considered in Australian Standard 3959-2009. Post-fire investigations have indicated that 85% of building loss resulting from major bushfires has historically occurred at distances within 100m of the urban interface⁴. Notwithstanding this, bushfire

³ Department of Premier and Cabinet, 2013 Tasmanian Bushfires Inquiry, DPAC, Hobart.

⁴ Ahern, A., and M. Chladil (1999), *How far do bushfires penetrate urban areas?* paper presented at 1999 Australian Disaster Conference, Emergency Manage. of Aust., Canberra, A. C. T.

behaviour is not uniform across all situations some circumstances application of a 'blanket' 100m buffer is considered unnecessarily conservative.

2. Study Area

The study area for the purpose of this mapping project is the Northern Midlands Local Government Area ('LGA') as shown in Figure 1. Northern Midlands has a total area of 5,133km² and is located in the northern Tasmania. It adjoins the Launceston, Break O'Day, Glamorgan-Spring Bay, Southern Midlands, Central Highlands and Meander Valley LGAs.

The major population centres within Northern Midlands include Longford, Perth and Evandale, which are within commuting distance to Launceston City. The LGA includes a range of smaller rural townships including Campbell Town, Perth, Evandale, Cressy and Ross. A significant proportion of the municipality supports agricultural land uses.

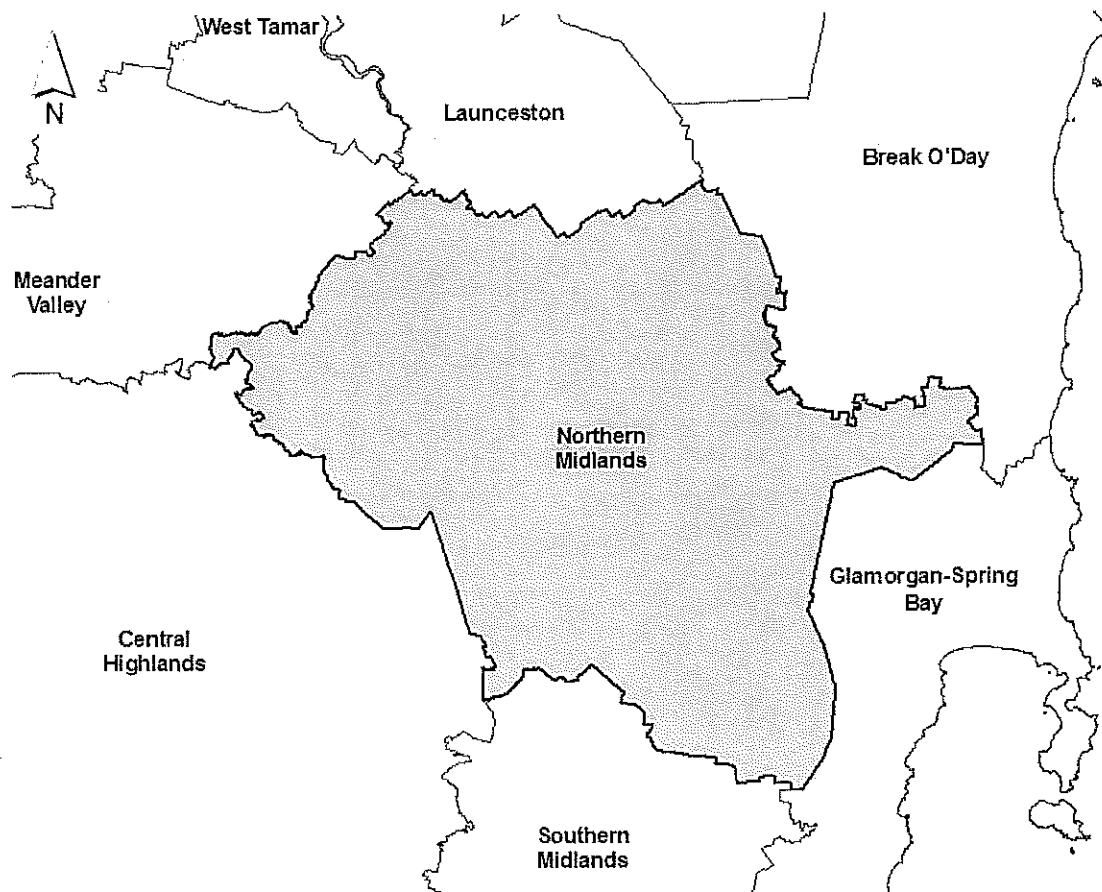


Figure 1 – Northern Midlands LGA location map

3. Bushfire-Prone Area Overlay

The draft Bushfire-Prone Area Overlay for Northern Midlands has been completed following collaborative work between the Tasmania Fire Service and Council officers. The draft maps are enclosed as **Appendix A** to this report.

3.1 Purpose of Overlay

The bushfire-prone area overlay primarily relates to use and development control. Its purpose is to spatially define areas where risk is sufficient to require specific bushfire protection measures in order to achieve a tolerable level of residual risk. The mapping will provide a definitive trigger for assessment under the existing planning and building requirements for bushfire protection. Spatially defining bushfire-prone areas is consistent with the approach adopted for other natural hazards within Tasmanian planning schemes (inundation, landslip hazard).

The mapping is not intended to identify all land that may be impacted by bushfire hazard, nor does it imply that there is nil residual risk to use and development outside of the overlay. Rather, residual risk to use and development outside of the mapped areas is deemed to be tolerable through reliance on other external measures, such as firefighter intervention.

By removing the need to evaluate whether vegetation is 'bushfire-prone' before confirming whether a site is within a 'bushfire-prone area', the mapping will remove ambiguity and improve the development assessment process to the benefit of permit authorities, land owners and developers.

The mapping also provides a more sophisticated mechanism than the standard 100m rule trigger that is currently relied upon. Evaluation of local conditions and likely bushfire behaviour has informed the mapping process and has allowed for some reductions to the standard 100m buffer in situations where it has been determined that the risk does not warrant application of planning or building standards to achieve a tolerable level of residual risk. In doing so, the mapping will refine application of bushfire requirements and reduce circumstances whereby a bushfire report is required for low-risk development.

The overlay can also have other uses. It can be used to support community education in support of community fire safety as it will be accessible through multiple websites including the LIST, iplan, and the TFS website. Additionally, TFS will use the map as the basis for issuing fire permits and when advising the community about using fire and burning off. TFS will not issue Fire Permits outside bushfire-prone areas and will advise the community to not use fire for fire hazard removal outside bushfire-prone areas. Council staff will be able to use the mapped areas when dealing with hazard complaints and abatement issues.

3.2 Mapping Process

The process that has been followed in preparing the draft overlay and that will be followed for implementation is summarised conceptually in Figure 2. The draft overlay has been prepared by the TFS in collaboration with Council's planning officers.

The starting point for the mapping was the generation of a 'modelled overlay', which was created by applying a 100m buffer to all TASVEG 3.0 vegetation communities, excluding those types deemed to be 'low threat' and exclusions as specified under AS 3959-2009.

The mapping provided in TASVEG 3.0 provides high-level guidance with respect to vegetation distribution and as such, its accuracy is limited when applying it to individual properties. The modelled overlay was therefore based on imperfect spatial data and it was

important to verify the boundaries that were produced and adjust accordingly. An initial desktop assessment was undertaken to identify obvious discrepancies and ascertain any key areas that required closer examination.

Verification of specific areas was completed through physical inspection and/or enquiries into the development status and management regime of particular properties where necessary. As discussed previously, bushfire impact is not uniform across all situations and in some cases, relaxation of the standard 100m buffer has been adopted where site characteristics will effectively limit fire intensity, spread and subsequent impact on surrounding development. Relevant factors include the total area, type and location of vegetation, fire run potential, effective slope, prevailing wind and the use, development or land management status of the property.

The overlay was then aligned with cadastral title boundaries. This was necessary to ensure that application of the overlay to specific properties and future developments can be easily determined. For urban lots in particular there is little merit in mapping a property as partially bushfire-prone, hence this has been avoided as far as possible. For lots 2,000sqm (or less) in area the overlay was aligned to include the entire title if an area of 15% (or greater) was affected. For these lots, it is considered increasingly unlikely that a future development on the site would be able to wholly avoid the overlay and - as vegetation communities are not static - the actual separations from hazardous vegetation should be verified at the time a development is proposed. Where the overlay covered less than 15% of an urban title, the title was generally excluded entirely from the overlay, as it is considered increasingly likely that future development will be 100m or further from the hazard source.

The approach used is consistent with that used for the existing bushfire-prone areas overlays within the Clarence Interim Planning Scheme 2015 and the Hobart Interim Planning Scheme 2015. Furthermore, in preparing the overlay TFS has sought to ensure consistency with Tasmanian Planning Commission's *Practice Note 7: Draft LPS Mapping Technical Advice*.

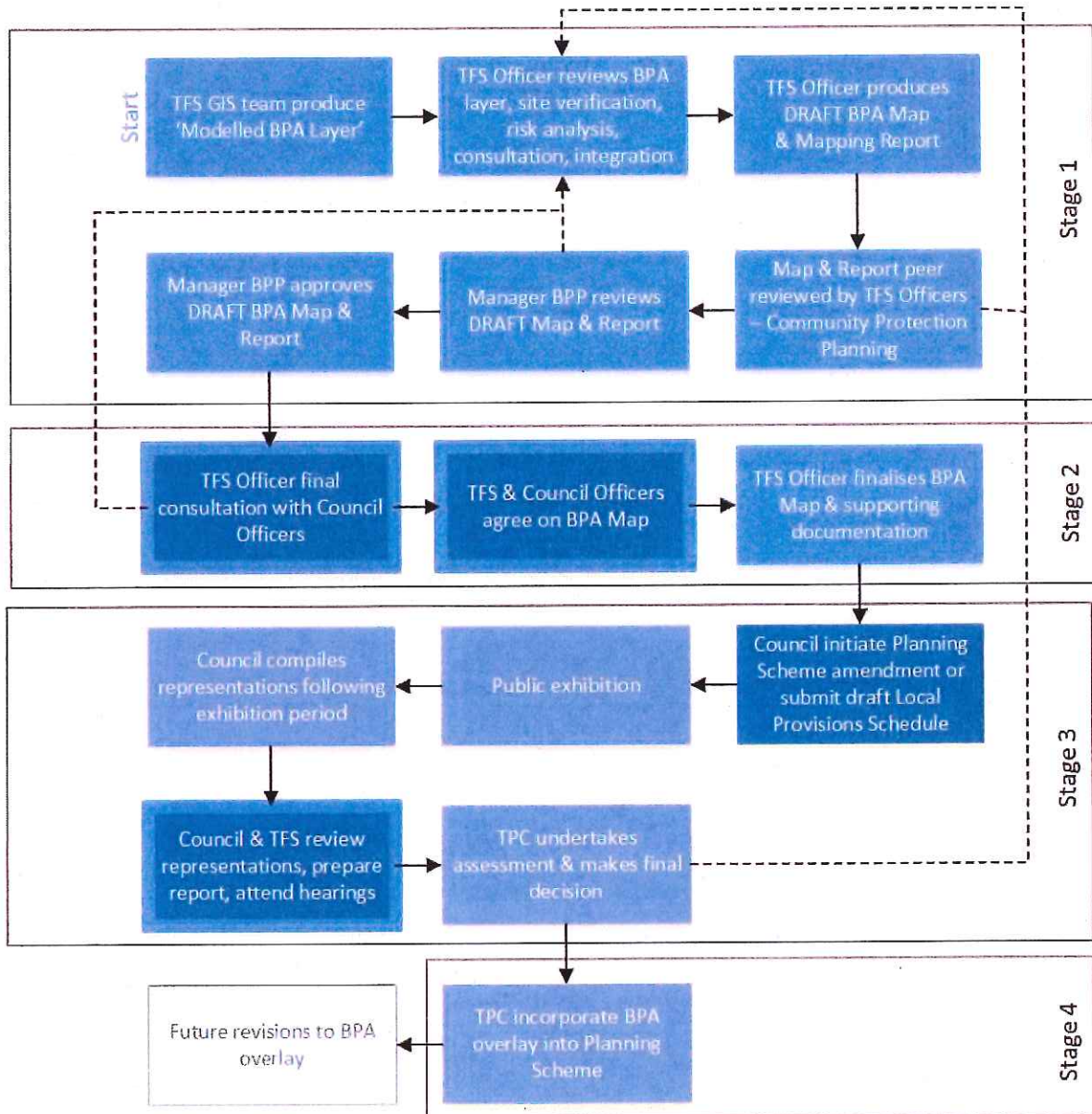


Figure 2 – Overview of mapping preparation and implementation

3.3 Overlay Refinement

As discussed previously, refinement of the original 'modelled overlay' into the final draft overlay has been informed by evaluation of local conditions.

A significant portion of the Northern Midlands is vegetated with improved pasture. Where Grassland fuels are predominant the overlay has been limited to include properties within a maximum of 50m (a relaxation from the standard 100m). This relaxation reflects the reduced ember potential associated with Grassland fuels and is consistent with the minimum distance required for a BAL-LOW rating under AS 3959-2009.

3.4 Outcome

It is clear that the majority of the land within Northern Midlands is designated as bushfire-prone as a result of the mapping process, including a total of 6,036 private parcels.

Table 1 provides a comparison of the number of lots that intersect with the computer generated modelled overlay versus the final draft overlay. The modelled overlay more closely reflects the number of lots that would currently be subject to bushfire requirements under the current 100m rule that operates in the absence of the overlay, as it is based on a 100m buffer from TASVEG mapping. The statistics show that the overall number of properties affected has been reduced as the overlay has been refined.

Table 1 - Comparison of properties affected by modelled overlay versus final draft overlay

Cadastral type ('CAD_TYPE1')	Final draft Overlay (n)	Modelled overlay (n)
Authority Land	764	839
Local Government Reserve	8	17
Private Parcel	5,061	6,111
Public Land Classification	203	204
Total intersected	6,036	7,171

Of most significance in Table 1 are the statistics for private parcels. The mapping process has enabled TFS to identify approximately 1,135 private properties that will no longer require further bushfire assessment, should they be developed or redeveloped in future.

To illustrate the benefit of this, if each of those properties were to be developed/redeveloped at some stage in the future, the mapping at a minimum would deliver an economic benefit to private landowners in the range of approximately \$0.45M-\$1.1M from the avoided cost of bushfire assessment fees alone. Further economic benefit is derived from the reduced time required for building work to be designed, documented and approved and potentially also avoided constructions costs for some of the excluded properties (if an exemption were not obtained).

4. Implementation

For the mapping to serve its intended statutory function it is necessary to incorporate it within the relevant planning instrument established under the *Land Use Planning and Approvals Act 1993* ('LUPAA').

All Tasmanian Councils are required to transition into the Tasmanian Planning Scheme ('TPS'). The TPS will be comprised of the State Planning Provisions ('SPP') and Local Planning Schedules ('LPS'), the latter of which is to be provided by Local Government.

The Bushfire-Prone Areas Code has been incorporated within the SPP. It is anticipated that the bushfire-prone areas overlay will be included in Council's LPS as a planning scheme overlay prior to submission to the Tasmanian Planning Commission. Once the LPS has progressed through the statutory process and is formally approved, the Tasmanian Planning Scheme will be activated and will supersede the Northern Midlands Interim Planning Scheme 2015.

The timing of the Tasmanian Planning Scheme's introduction is unclear at present. It is noted that should Council seek to implement the overlay sooner, there is provision to amend the Northern Midlands Interim Planning Scheme 2015 via LUPAA's Savings and Transitional Provisions.

5. Future Revisions

The Bushfire-Prone Areas Overlay should be reviewed and updated periodically to ensure it remains accurate. This will logically occur as part of Council's periodic review of their Local Provision Schedules under the Tasmanian Planning Scheme. Section 35O of the *Land Use Planning & Approvals Act 1993* requires that this review occur every five years at a minimum, however a draft amendment may be prepared at any time.

In the situation where a scheme amendment is required to facilitate a new development (e.g. a combined rezoning and greenfield subdivision proposal) it may be appropriate to review and modify the overlay as part of the amendment process. It is anticipated that TFS will be consulted as part of this process.

TFS is committed to working with Council as part of any future review of the overlay.

6. Planning Framework

As the bushfire-prone areas mapping will form an overlay within Council's Local Provision Schedule, it must satisfy the criteria set out in s.34(2) of the *Land Use Planning & Approvals Act 1993*, which states:

34. LPS criteria

(1) ...

(2) *The LPS criteria to be met by a relevant planning instrument are that the instrument –*

(a) contains all the provisions that the SPPs specify must be contained in an LPS; and

(b) is in accordance with section 32 ; and

(c) furthers the objectives set out in Schedule 1 ; and

(d) is consistent with each State policy; and

(e) is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates; and

(f) is consistent with the strategic plan, prepared under section 66 of the Local Government Act 1993, that applies in relation to the land to which the relevant planning instrument relates; and

(g) as far as practicable, is consistent with and co-ordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates; and

(h) has regard to the safety requirements set out in the standards prescribed under the Gas Pipelines Act 2000.

(3) ...

Incorporating the mapping as an overlay is consistent with the relevant provisions of the State Planning Provisions, specifically clause 1.2.3 and the definition of 'bushfire-prone area' in clause C13.3.1. The overlay is therefore consistent with s.34(2)(a).

Relevant to s.32, the map overlay will provide for the spatial application of the State Planning Provisions to particular land and is accordingly consistent with s.34(2)(b).

With respect to the strategic considerations referred to in s.34(2)(c),(d),(e) and (f):

- The Schedule 1 Objectives of the Act are considered in section 6.1 of this report;
- The State policies are considered in section 6.2 of this report;
- The Regional Land Use Strategy for Northern Tasmania is considered in section **Error! Reference source not found.** of this report; and
- The Northern Midlands Council Strategic Plan 2017-2027 is considered in section 6.4 of this report.

The overlay has been designed to integrate with the draft mapping completed for adjoining LGAs. The overlay accordingly satisfies s.34(2)(g).

The overlay will not introduce any new development standards, rather it will support the application of an existing Code. As such, it is not considered to be in conflict with the Gas Pipelines Act 2000 and therefore satisfies s.34(2)(h).

6.1 LUPAA Schedule 1 Objectives

Schedule 1 of the *Land Use Planning and Approvals Act 1993* specifies the strategic objectives for the Resource Management and Planning System and for the planning process established by the Act.

The Schedule 1 Objectives are considered in Table 2 and Table 3.

Table 2 - Schedule 1, Part 1 Objectives

Objective	Response
<i>(a) to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and</i>	Adoption of the overlay will support the application of existing regulations. It will not facilitate any loss of natural values, nor any development of physical resources. The overlay is accordingly considered to be consistent with (a).
<i>(b) to provide for the fair, orderly and sustainable use</i>	The proposed overlay will improve clarity for the community, for developers and for authorities responsible for regulating planning and building matters.

<p><i>and development of air, land and water; and</i></p>	<p>In developing the mapping, the Tasmania Fire Service has excluded some areas that could currently be considered as being within a 'bushfire-prone area' but which have been deemed to be suitably low threat. This was based on expert judgement in bushfire behaviour and evaluation of local conditions. By refining the application of the bushfire requirements in this way, the planning scheme amendment will facilitate fairer outcomes for landowners.</p> <p>The overlay is accordingly considered to be consistent with (b).</p>
<p><i>(c) to encourage public involvement in resource management and planning; and</i></p>	<p>In developing the overlay the Tasmania Fire Service has sought and considered input from Council's officers. This dialogue has provided important local knowledge into the project, in relation to land use practices and management of specific sites.</p> <p>The general public will have an opportunity to review the draft overlay and submit a representation on any aspect they would like the Planning Authority to consider. This is a requirement of the statutory approvals process.</p> <p>The overlay is accordingly considered to be consistent with (c).</p>
<p><i>(d) to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c); and</i></p>	<p>Incorporation of the overlay within Council's planning provisions will improve clarity with respect to whether a site is within a 'bushfire-prone area'. This supports the property industry in the following ways:</p> <ul style="list-style-type: none"> • It will ensure landowners and developers can easily determine whether their site is in a bushfire-prone area early in the development process and therefore factor this into concept design and feasibility assessments; • By removing areas from the mapping that have been deemed to be suitably low threat by the Tasmania Fire Service, the overlay will reduce costs and delays from the approvals process for applicants (e.g. costs of engaging a bushfire hazard practitioner to certify an exemption, delays associated with s.54 requests). <p>As stated previously, the overlay will not facilitate any loss of natural values, nor any development of physical resources.</p> <p>The overlay is accordingly considered to be consistent with (d).</p>
<p><i>(e) to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.</i></p>	<p>The Tasmania Fire Service has collaborated with Council officers in preparing the draft overlay to ensure that it is technically sound and appropriate to local circumstances.</p> <p>By incorporating the overlay within local planning provisions it will support the application of the Bushfire-Prone Areas Code and Building Regulations, which Local Government is obliged to enforce.</p> <p>The approvals process requires the support of both Council and the Tasmanian Planning Commission for the overlay to become effective.</p> <p>The overlay is accordingly considered to be consistent with (e).</p>

Table 3 - Schedule 1, Part 2 Objectives

Objective	Response
<p><i>(a) to require sound strategic planning and co-ordinated action by State and local government; and</i></p>	<p>The introduction of the Bushfire-Prone Areas Code as a state-wide Planning Directive was a strategic response by the Tasmanian Government to the recommendations produced by the Victorian Bushfires Royal Commission. Incorporating the bushfire-prone areas mapping as part of Council's planning instrument will support the application of the Bushfire-Prone Areas Code.</p> <p>The approach used in developing the mapping is consistent with that used for Clarence and Hobart's interim planning schemes. Tasmania Fire Service seeks to maintain a consistent approach as it progresses mapping for remaining Local Government Areas.</p> <p>As is discussed further in this report, the overlay is consistent with current State Policies and the Regional Land Use Strategy. The overlay is accordingly considered to be consistent with (a).</p>
<p><i>(b) to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land; and</i></p>	<p>As discussed previously in this report, the proposed overlay will support the efficient application of existing regulations by clearly identifying which land is subject to bushfire requirements.</p> <p>The overlay is accordingly considered to be consistent with (b).</p>
<p><i>(c) to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land; and</i></p>	<p>The overlay will not facilitate any loss of biodiversity or any other impacts on natural values.</p> <p>The social and economic benefit of the mapping will be to improve clarity with respect to what land is considered bushfire-prone and to avoid application of the planning/building regulations to land that has insufficient risk to warrant planning or building control.</p> <p>The overlay is accordingly considered to be consistent with (c).</p>
<p><i>(d) to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels; and</i></p>	<p>As occurs at present, future development in bushfire-prone areas will be required to comply with all other applicable planning and environmental requirements. The overlay is not considered to be in conflict with any environmental, social, economic, conservation or resource management policies.</p> <p>The overlay is accordingly considered to be consistent with (d).</p>
<p><i>(e) to provide for the consolidation of approvals for land use or development and related matters, and to co-</i></p>	<p>At present, bushfire requirements are triggered through either the planning approvals process or the building approvals process, depending on the type of development proposed. Under each process the definition of 'bushfire-prone area' refers to planning scheme overlay mapping (where available). The completion of</p>

<p><i>ordinate planning approvals with related approvals; and</i></p>	<p>the mapping will ensure that assessments as to whether a site is bushfire-prone will be consistent throughout the entire process.</p> <p>Single dwellings, visitor accommodation and some other types of buildings are triggered through the building approvals process and not at planning. This can give rise to situations whereby a development may receive planning approval that does not account for the vegetation removal required to comply with the bushfire requirements at the building approvals stage. Inclusion of the mapping will ensure that assessing planning officers and developers consider at the development application stage of any requirement to consider vegetation removal.</p> <p>The overlay is accordingly considered to be consistent with (e).</p>
<p><i>(f) to promote the health and wellbeing of all Tasmanians and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation; and</i></p>	<p>The overlay will support the application of planning and building requirements for bushfire protection, the key purpose of which are to reduce risk to life and property. The overlay will accordingly support the aim of securing a safe environment for working, living and recreation.</p> <p>The overlay is accordingly considered to be consistent with (f).</p>
<p><i>(g) to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; and</i></p>	<p>The overlay is not considered to be in conflict with the conservation of any places identified as holding heritage, aesthetic, architectural or other cultural value.</p> <p>The overlay is accordingly considered to be consistent with (g).</p>
<p><i>(h) to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community; and</i></p>	<p>Introduction of the overlay will simply focus the application of existing regulations. Standards for water and access infrastructure in bushfire-prone areas will remain unchanged. The overlay is therefore not considered to be in conflict with public infrastructure and will not compromise the orderly provision and co-ordination of public utilities.</p> <p>The overlay is accordingly considered to be consistent with (h).</p>
<p><i>(i) to provide a planning framework which fully considers land capability.</i></p>	<p>Incorporation of the proposed mapping will have no significant effect on agricultural land capability.</p> <p>The overlay is accordingly considered to be consistent with (i).</p>

6.2 State Policies

Current State Policies created under the *State Policies and Projects Act 1993* include:

- State Policy on the Protection of Agricultural Land 2009;
- State Coastal Policy 1996; and
- State Policy on Water Quality Management 1997.

Adoption of the draft overlay does not introduce any new development standards, rather, it will improve the application of the Bushfire-Prone Areas Code. It will accordingly not facilitate

the loss of productive agricultural land, nor the degradation of coastal land or water resources. The overlay is accordingly not considered to be in conflict with any of the existing State Policies.

6.3 Regional Land Use Strategy of Northern Tasmania

Local Provision Schedules must be consistent with the relevant regional land use strategy. For Northern Midlands, this is the Regional Land Use Strategy of Northern Tasmania ('RLUS'), as amended by 27th June 2018.

The key section of RLUS is Section E.7 Regional Environment. The relevant policies and actions are as follows:

Policy	Relevant Actions
NH-P03 <i>Future land use and development is to minimise risk to people and property resulting from bushfire hazard.</i>	<p>NH-A05 <i>Include controls in planning schemes based on current best practice to minimise risk to persons and property resulting from bushfire hazard.</i></p> <p>NH-A06 <i>Subdivision design is to respond to bushfire hazard risks by providing for alternative access, building setbacks and buffer distances based on current best practice.</i></p> <p>NH-A07 <i>Adopt the relevant risk management AS/NZS standard as part of core management methods for emergency, hazard and risk management.</i></p>

Incorporation of the proposed overlay will mean that bushfire-prone land will be easily identifiable early in the land use and development process. The mapping will signal to developers that there are Code (and building) requirements that need to be considered during any due-diligence evaluation, subdivision design or building design.

Inclusion of the overlay within the LPS will support existing bushfire regulations by providing a clear mechanism to trigger their application, thereby facilitating consistency in the permit approvals process. The mapping will integrate with the existing format of the Bushfire-Prone Areas Code and building regulations, each of which defines 'bushfire-prone area' by reference to the planning scheme overlay map.

The overlay may also be utilised to inform other risk mitigation programs including hazard abatement programs. Fire Permits and community education.

Incorporation of the overlay is accordingly consistent with NH-P03 and its associated actions.

6.4 Northern Midlands Council Strategic Plan 2017-2027

The Northern Midlands Council Strategic Plan 2017-2027 is the relevant strategic plan prepared under s.66 of the *Local Government Act 1993*. It provides high-level guidance in the form of municipal goals, supporting strategies and key project that seek to guide Council's delivery of services to the community.

The Strategic Plan identifies the transition to the Tasmanian Planning Scheme as a project to for completion by 2020. Completion of the draft bushfire-prone areas overlay is part of this strategic work and will support Council's progress towards completing the transition.

There are no other specific policies within the Strategic Plan that require consideration.

7. Conclusion

The Tasmania Fire Service in collaboration with Council officers have completed the draft Bushfire-Prone Area Overlay for the Northern Midlands LGA. The overlay provides a clear statutory mechanism that will determine the applicability of planning and building requirements for bushfire protection.

As discussed in this report, incorporating the mapping as an overlay within Council's Local Provision Schedule is consistent with all relevant strategic planning considerations.

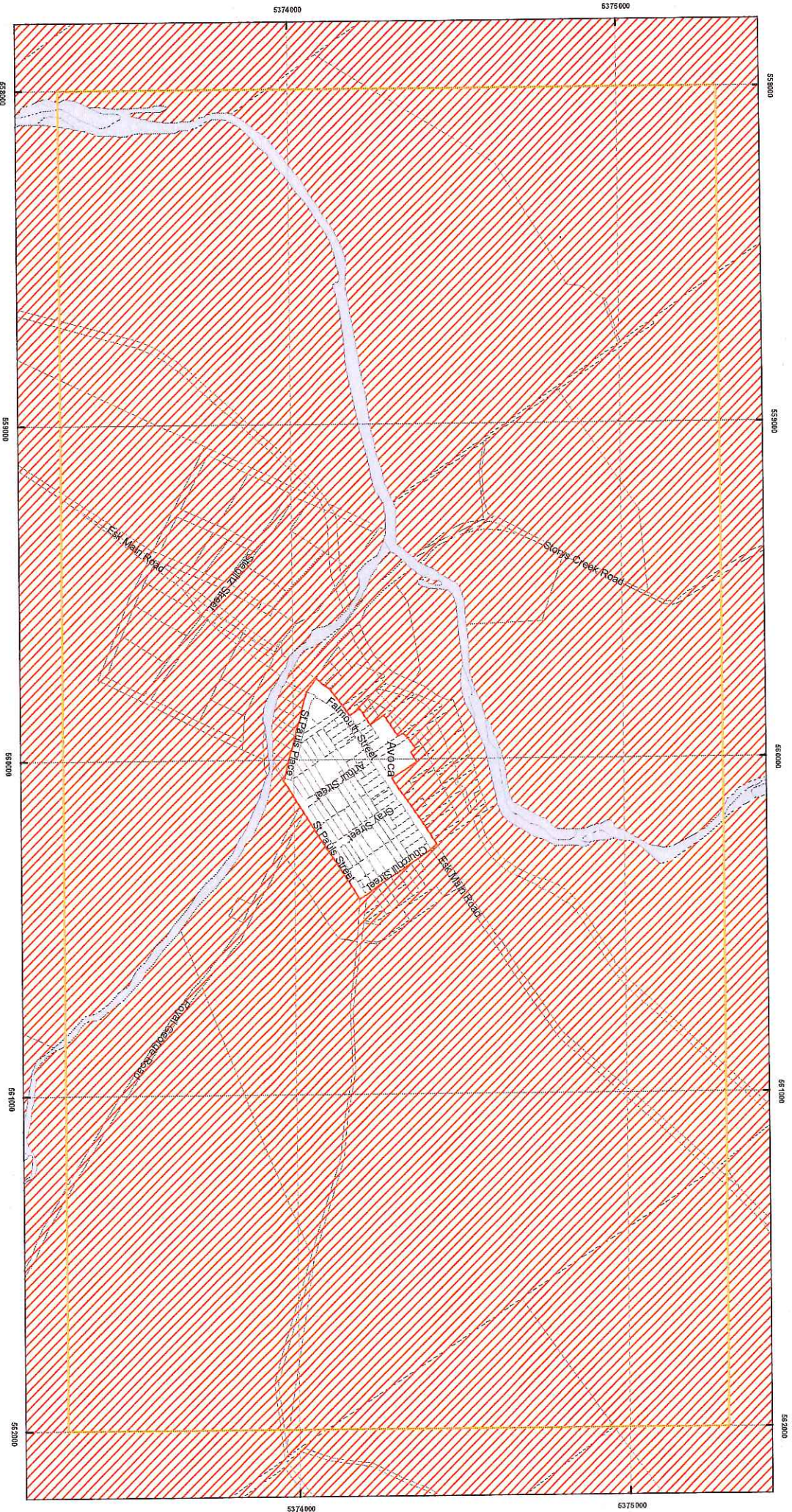
It is accordingly recommended that Council adopt the proposed overlay and implement it through the Tasmanian Planning Scheme. Subject to the expected timing of the TPS, Council may also wish to consider introducing the overlay through amendment to the Northern Midlands Interim Planning Scheme 2015.

APPENDIX A

Bushfire-Prone Areas Overlay

Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule: Bushfire-Prone Areas Overlay

1-256



Legend

-  Bushfire-Prone Area
-  Cadastral Parcels

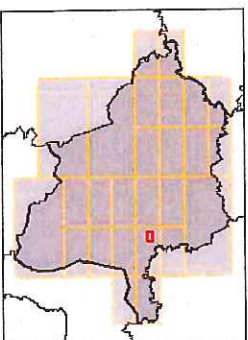


Map 1 of 46

Coordinate System: GDA 94 MGA Zone 55

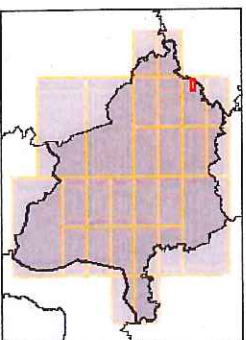
Overlay data from Northern Midlands Council and Tasmania Fire Service
Base topographic data from the LST © State of Tasmania

Print Date: 3/09/2018



Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule: Bushfire-Prone Areas Overlay

1-257



Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule:

Bushfire-Prone Areas Overlay

1-258



Legend

-  Bushfire-Prone Area
-  Cadastral Parcels

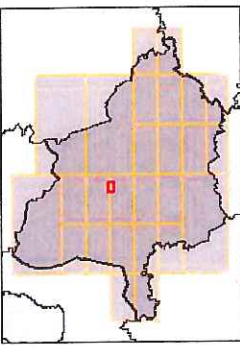


Map 3 of 46

Coordinate System: GDA 94 MGA Zone 55

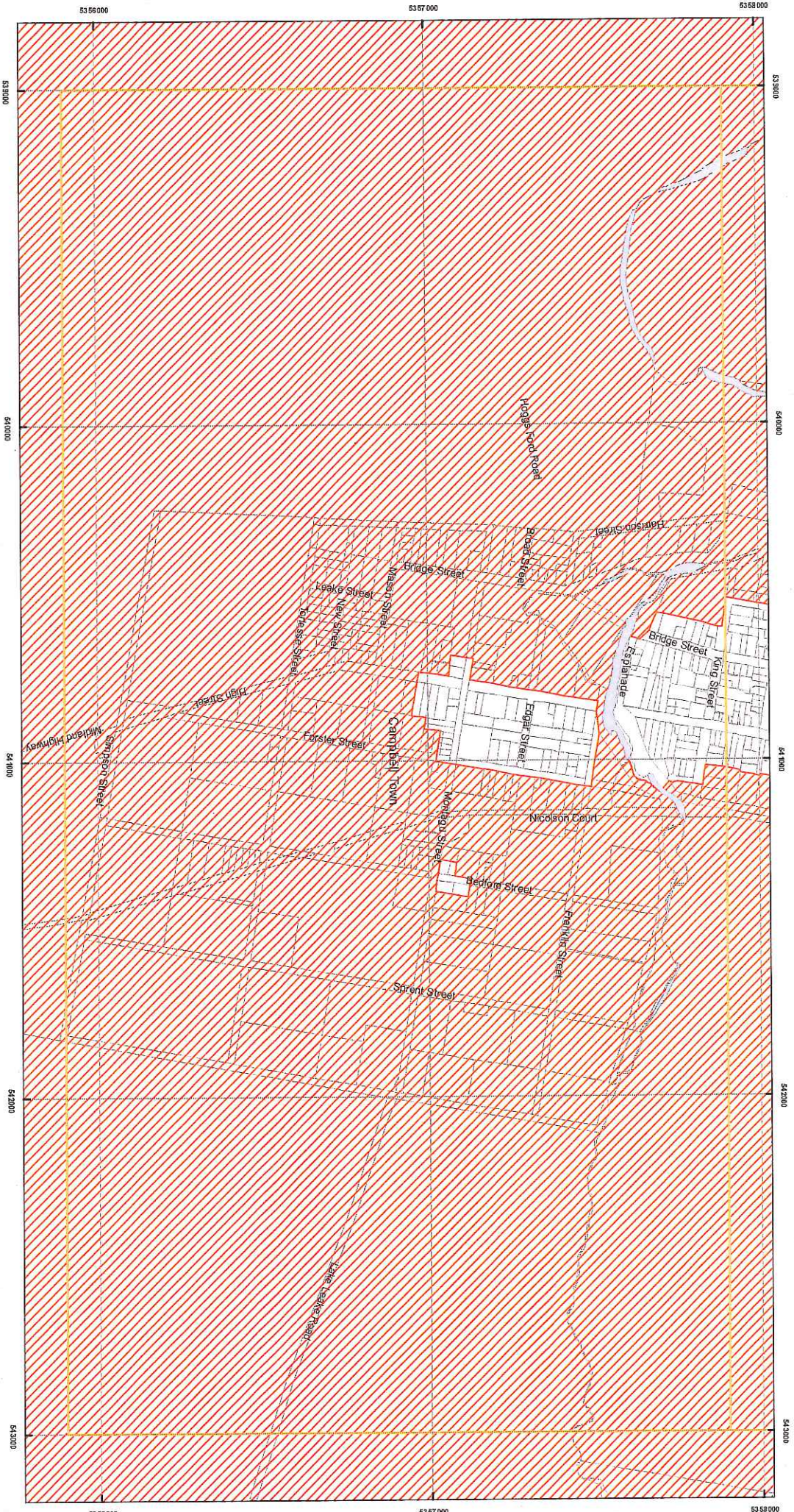
Overlay data from Northern Midlands Council and Tasmania Fire Service
Base topographic data from the LIST © State of Tasmania

Print Date: 3/09/2018



Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule: Bushfire-Prone Areas Overlay

1-259



Legend

-  Bushfire-Prone Area
-  Cadastral Parcels

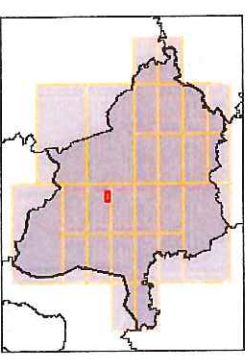


Map 4 of 46

Coordinate System: GDA 94 MGA Zone 55

Overlay data from Northern Midlands Council and Tasmania Fire Service
Base topographic data from the LIST © State of Tasmania

Print Date: 3/09/2018



Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule: Bushfire-Prone Areas Overlay

1-260



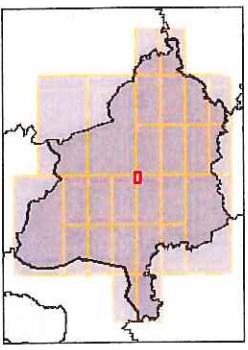
Map 5 of 46



Coordinate System: GDA 94 MGA Zone 55

Overlay data from Northern Midlands Council and Tasmania Fire Service
Base topographic data from the LIST © State of Tasmania

Print Date: 3/09/2018



Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule: Bushfire-Prone Areas Overlay

1-261



Legend

-  Bushfire-Prone Area
-  Cadastral Parcels

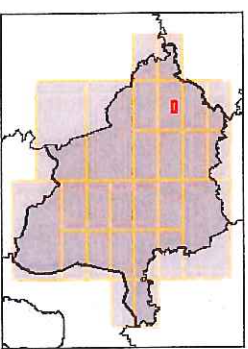


Map 6 of 46

Coordinate system: GDA 94 MGA Zone 55

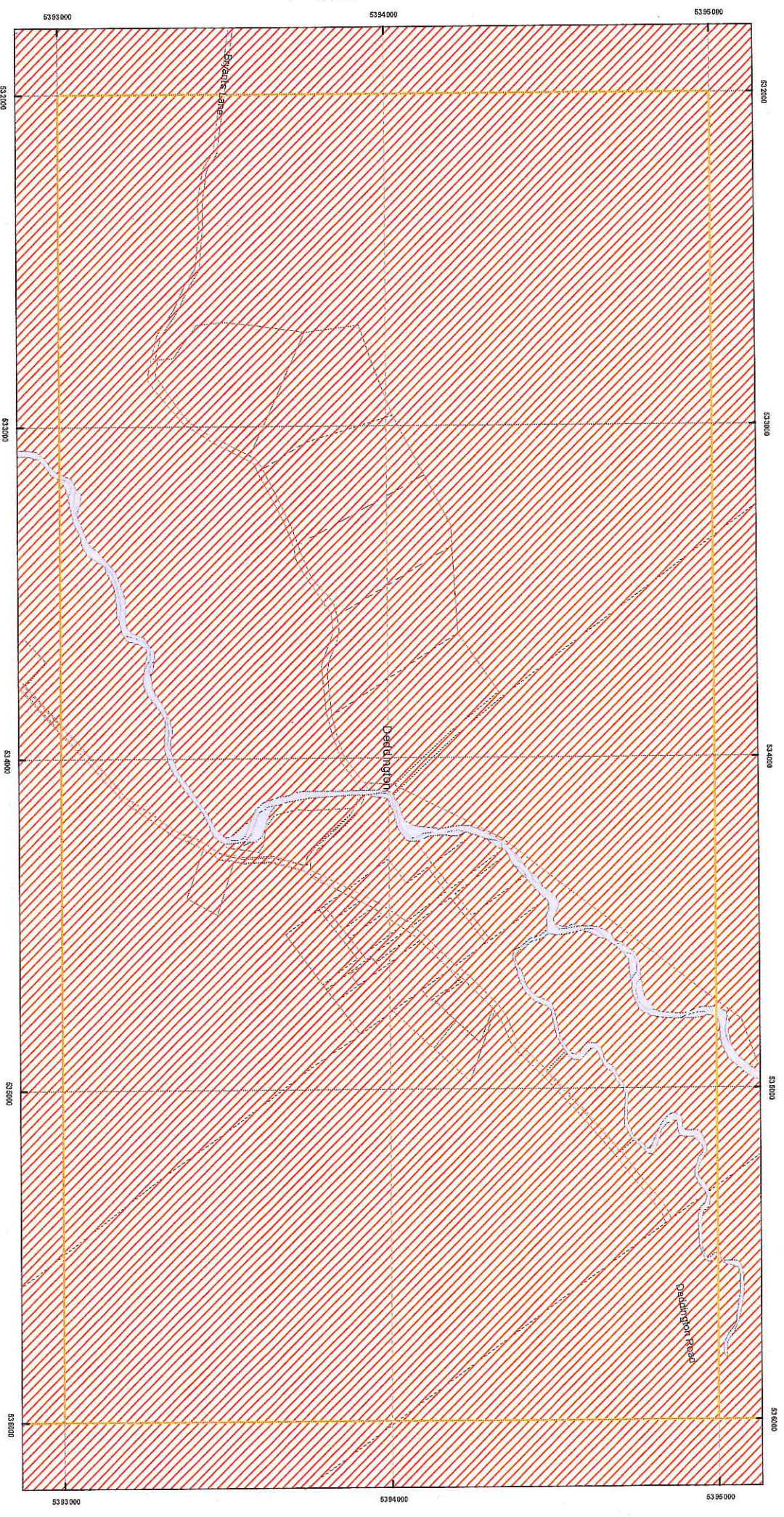
Overlay data from Northern Midlands Council and Tasmania Fire Service
Base topographic data from the LIST © State of Tasmania

Print Date: 3/09/2018



Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule: Bushfire-Prone Areas Overlay

1-262



Legend

-  Bushfire-Prone Area
-  Cadastral Parcels

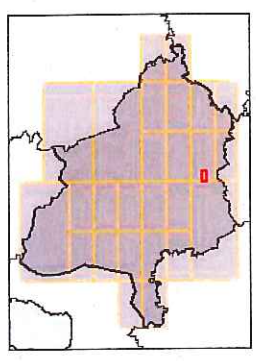


Map 7 of 46

Coordinate System: GDA 94 MEA Zone 55

Overlay data from Northern Midlands Council and Tasmania Fire Service
Base topographic data from the LIST © State of Tasmania

Print Date: 3/09/2018

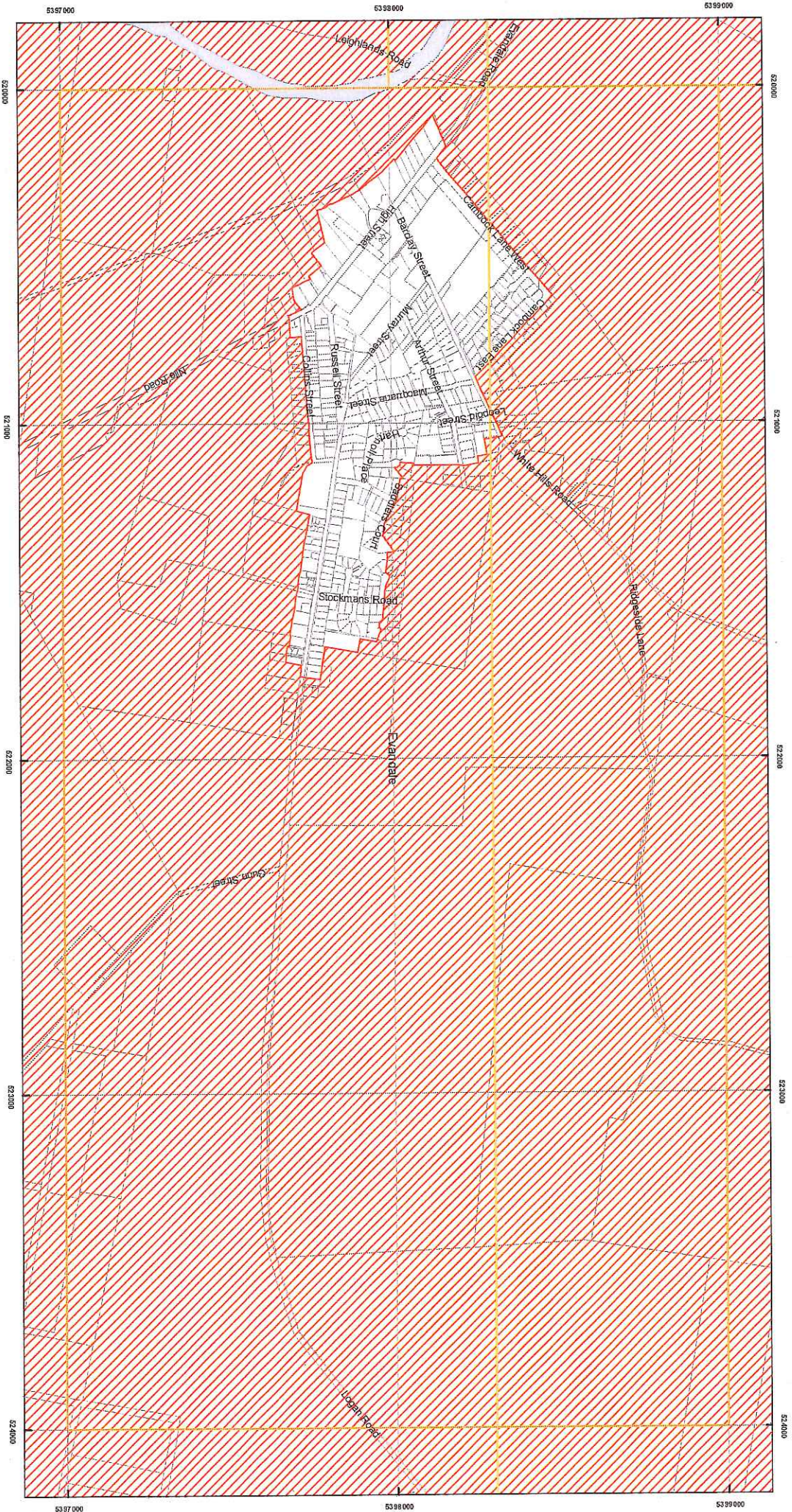


Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule: Bushfire-Prone Areas Overlay

1-263

Legend

-  Bushfire-Prone Area
-  Cadastral Parcels

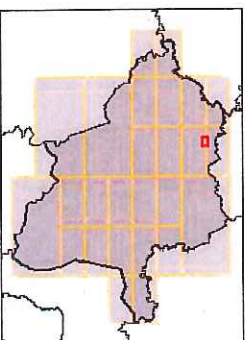


Map 8 of 46

Coordinate System: GDA 94 MGA Zone 55

Overlay data from Northern Midlands Council and Tasmania Fire Service
Base topographic data from the LIST © State of Tasmania

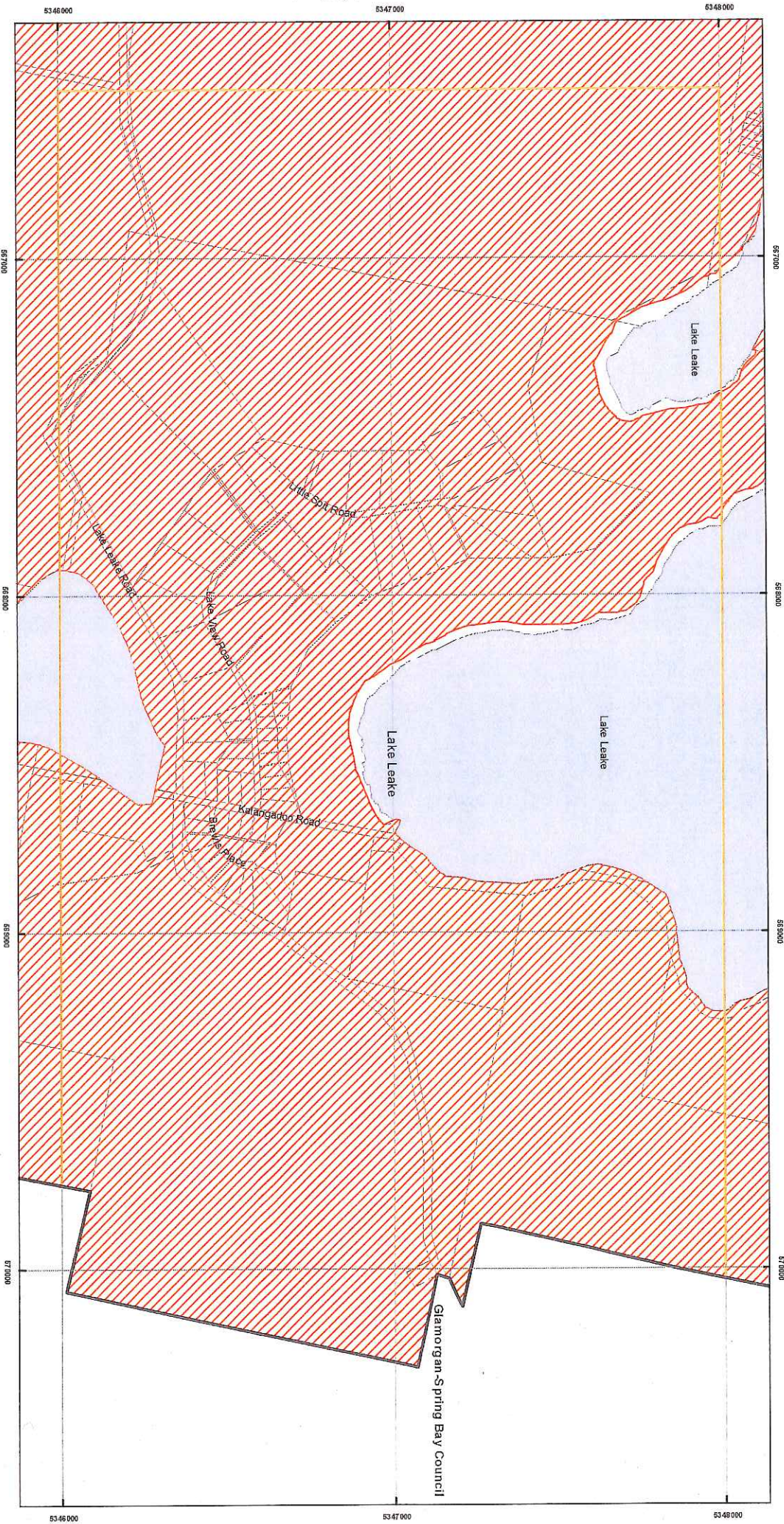
Print Date: 3/09/2018



Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule:

Bushfire-Prone Areas Overlay

1-264



Legend

-  Bushfire-Prone Area
-  Cadastral Parcels

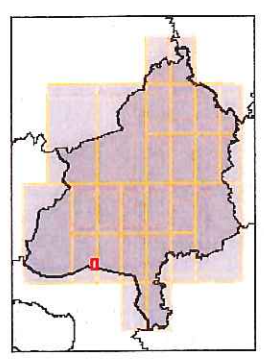


Map 9 of 46

Coordinate System: GDA 94 MGA Zone 55

Overlay data from Northern Midlands Council and Tasmania Fire Service
Base topographic data from the LISI © State of Tasmania

Print Date: 3/09/2018

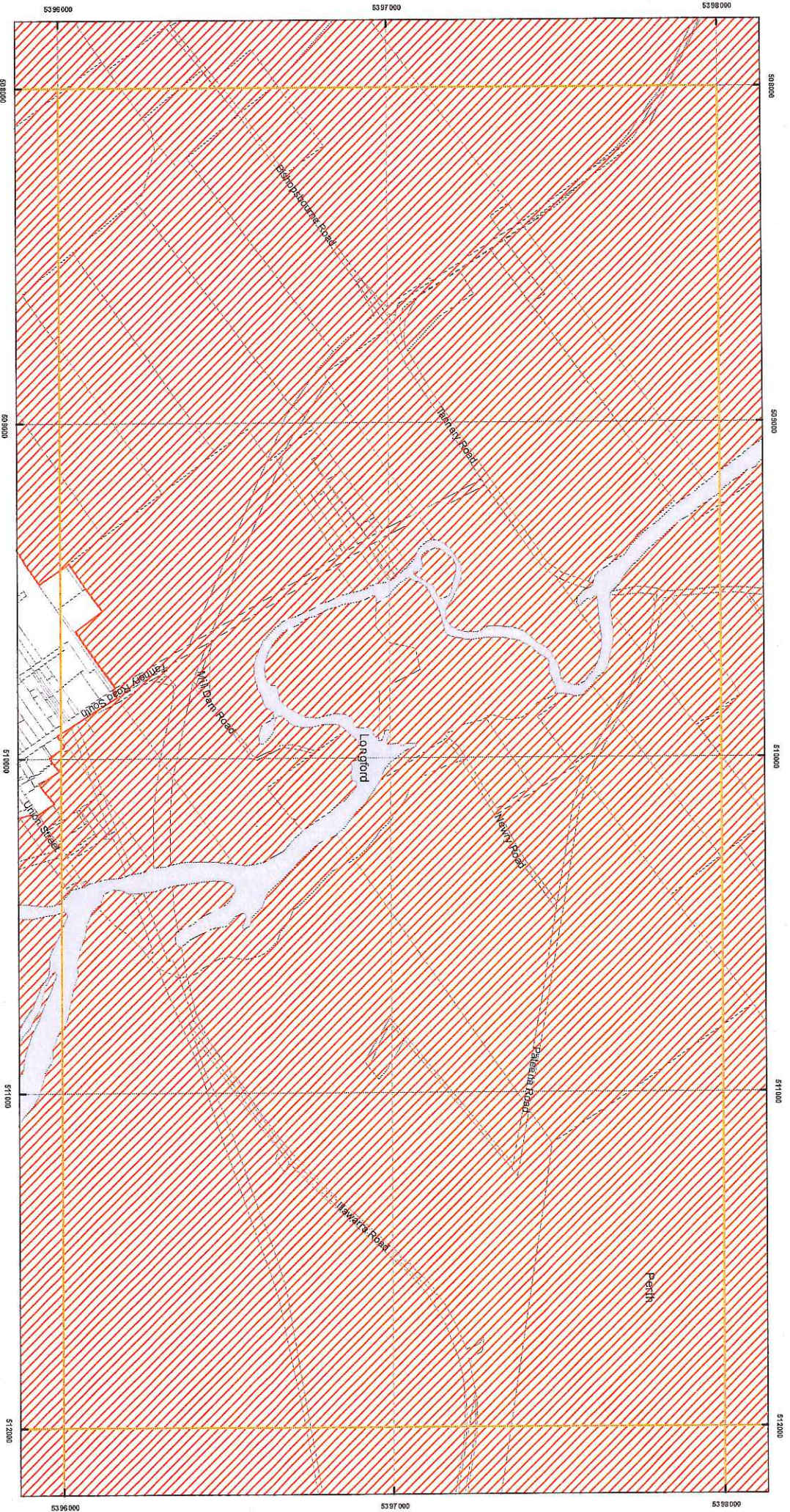


Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule: Bushfire-Prone Areas Overlay

1-265

Legend

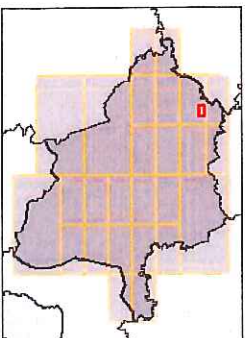
- Bushfire-Prone Area
- Cadastral Parcels



Map 10 of 46

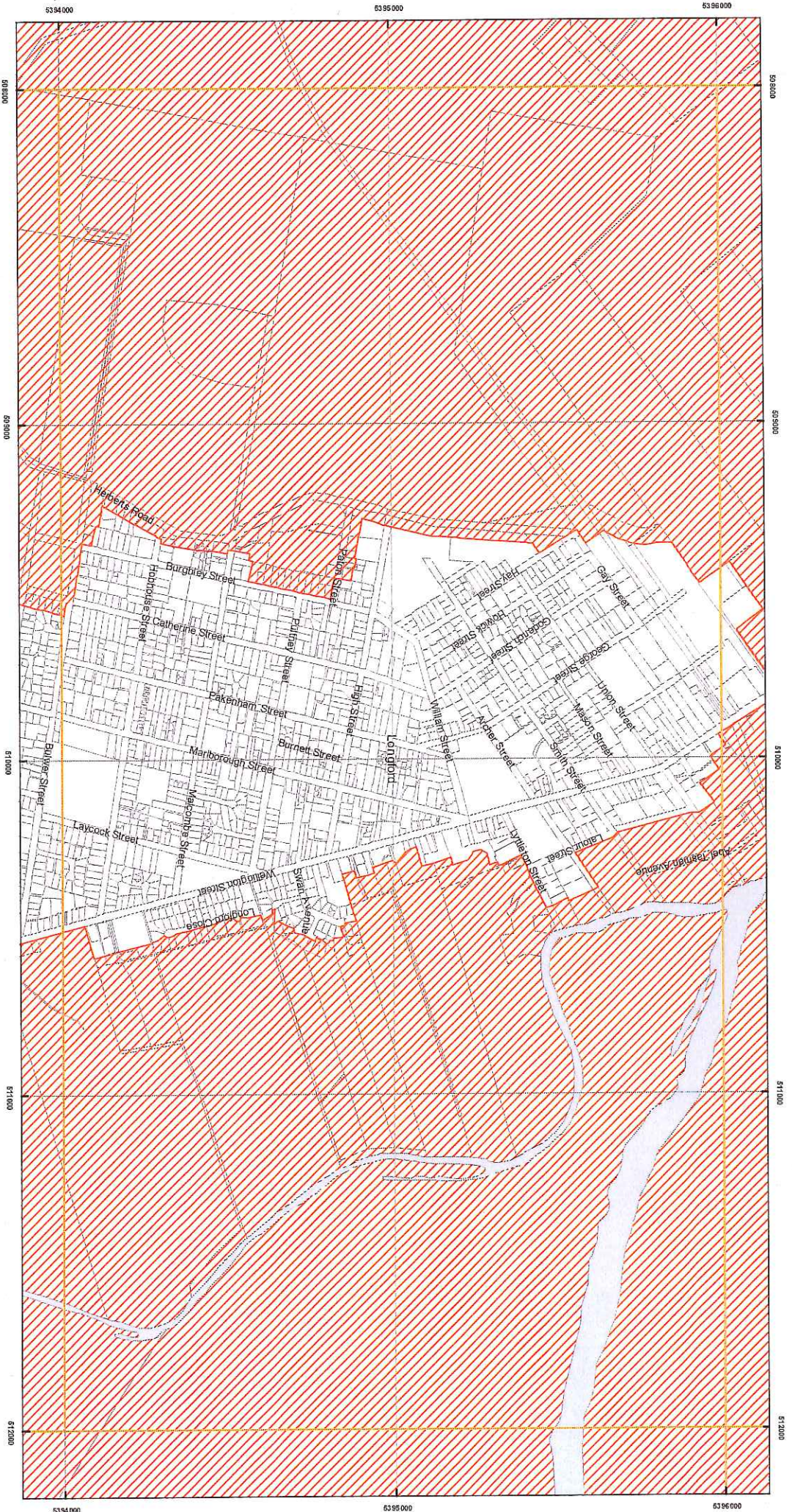
Coordinate System: GDA 94 MGA Zone 55

Overlay data from Northern Midlands Council and Tasmania Fire Service
Base topographic data from the LIST @ State of Tasmania
Print Date: 3/09/2018



Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule: Bushfire-Prone Areas Overlay

1-266



Legend

- Bushfire-Prone Area
- Cadastral Parcels

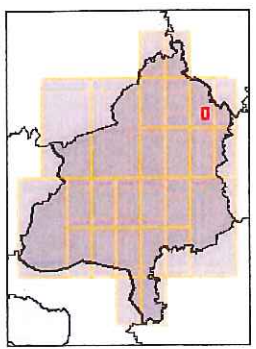
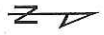


Map 11 of 46

Coordinate System: GDA 94 MGA Zone 55

Overlay data from Northern Midlands Council and Tasmania Fire Service
Base topographic data from the LIST © State of Tasmania

Print Date: 3/09/2018

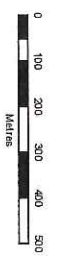


Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule: Bushfire-Prone Areas Overlay

1-267

Legend

-  Bushfire-Prone Area
-  Cadastral Parcels

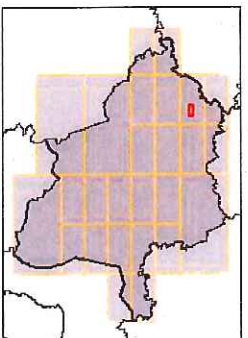


Map 12 of 46

Coordinate System: GDA 94 MSA Zone 58

Overlay data from Northern Midlands Council and Tasmania Fire Service
Base topographic data from the LISI © State of Tasmania

Print Date: 3/09/2018

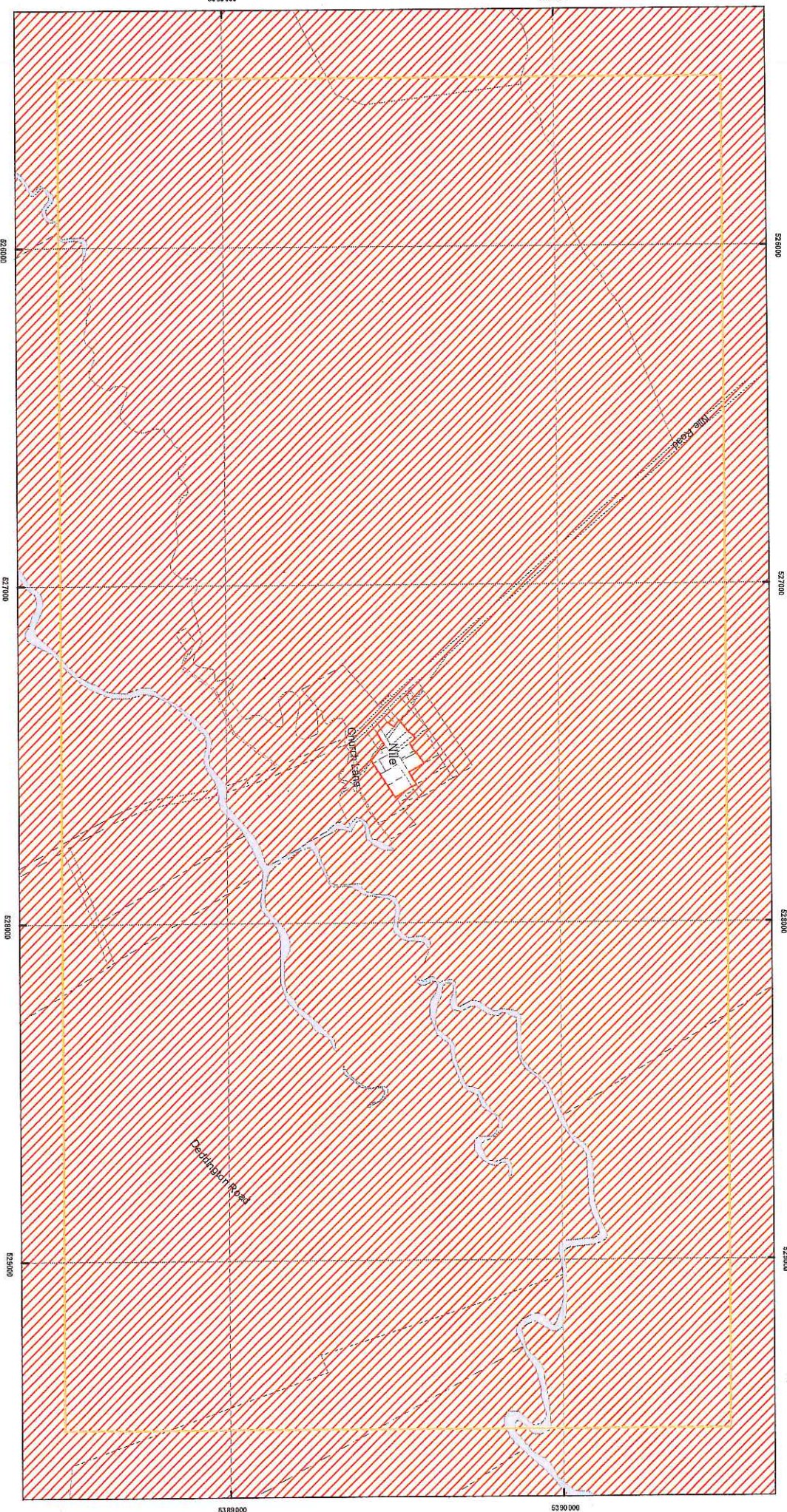


Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule: Bushfire-Prone Areas Overlay

1-268

Legend

-  Bushfire-Prone Area
-  Cadastral Parcels

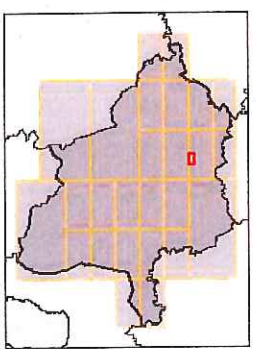


Map 13 of 46

Coordinate System: GDA 94 MGA Zone 55

Overlay data from Northern Midlands Council and Tasmania Fire Service
Base topographic data from the LIST © State of Tasmania

Print Date: 3/09/2018

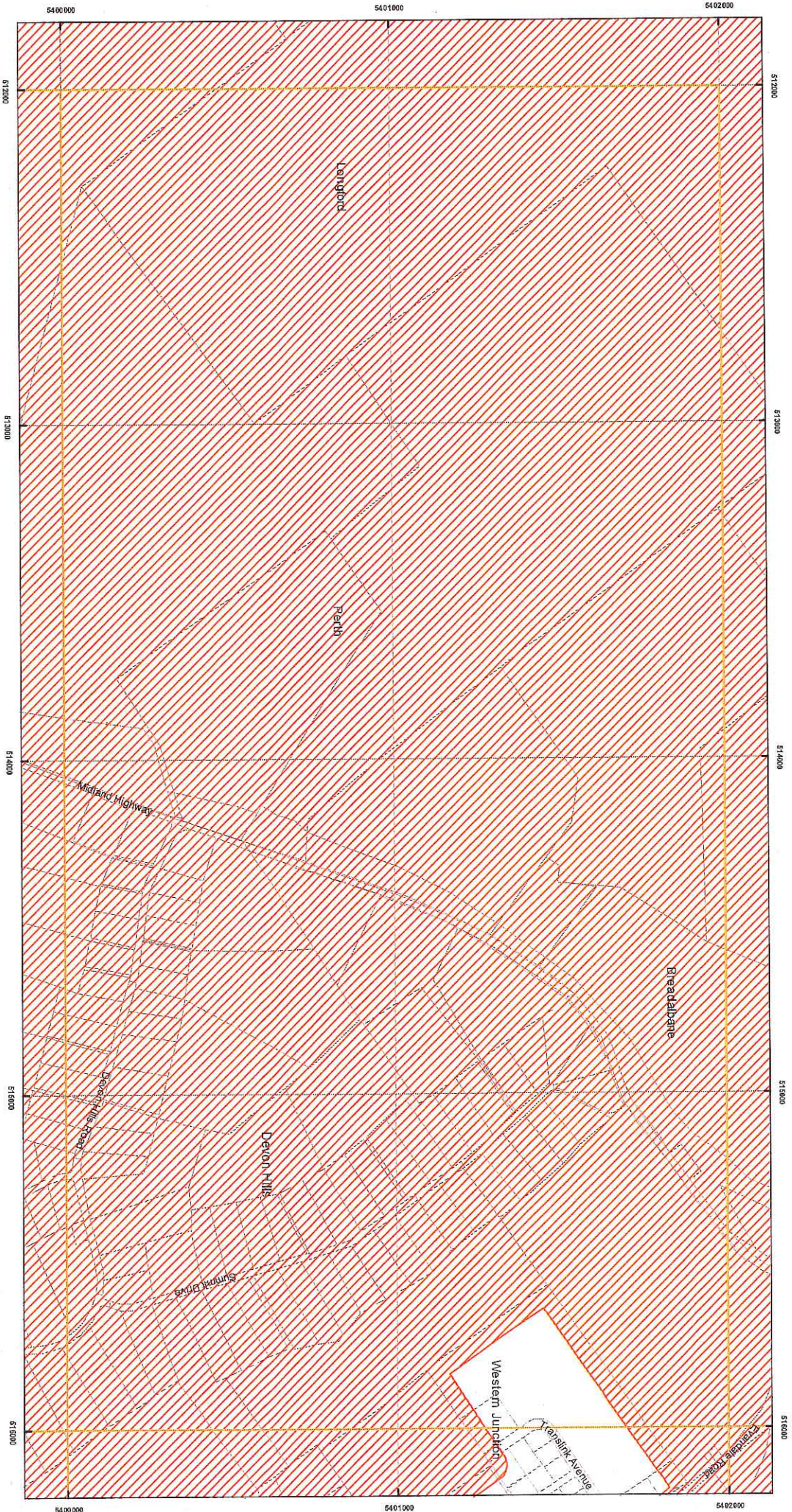


Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule: Bushfire-Prone Areas Overlay

1-269

Legend

-  Bushfire-Prone Area
-  Cadastral Parcels

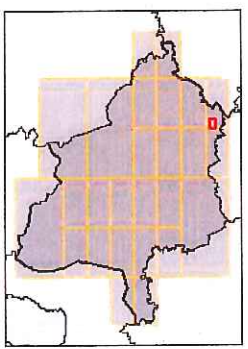


Map 14 of 46

Coordinate System: GDA 94 MGA Zone 55

Overlay data from Northern Midlands Council and Tasmania Fire Service
Base topographic data from the LIST © State of Tasmania

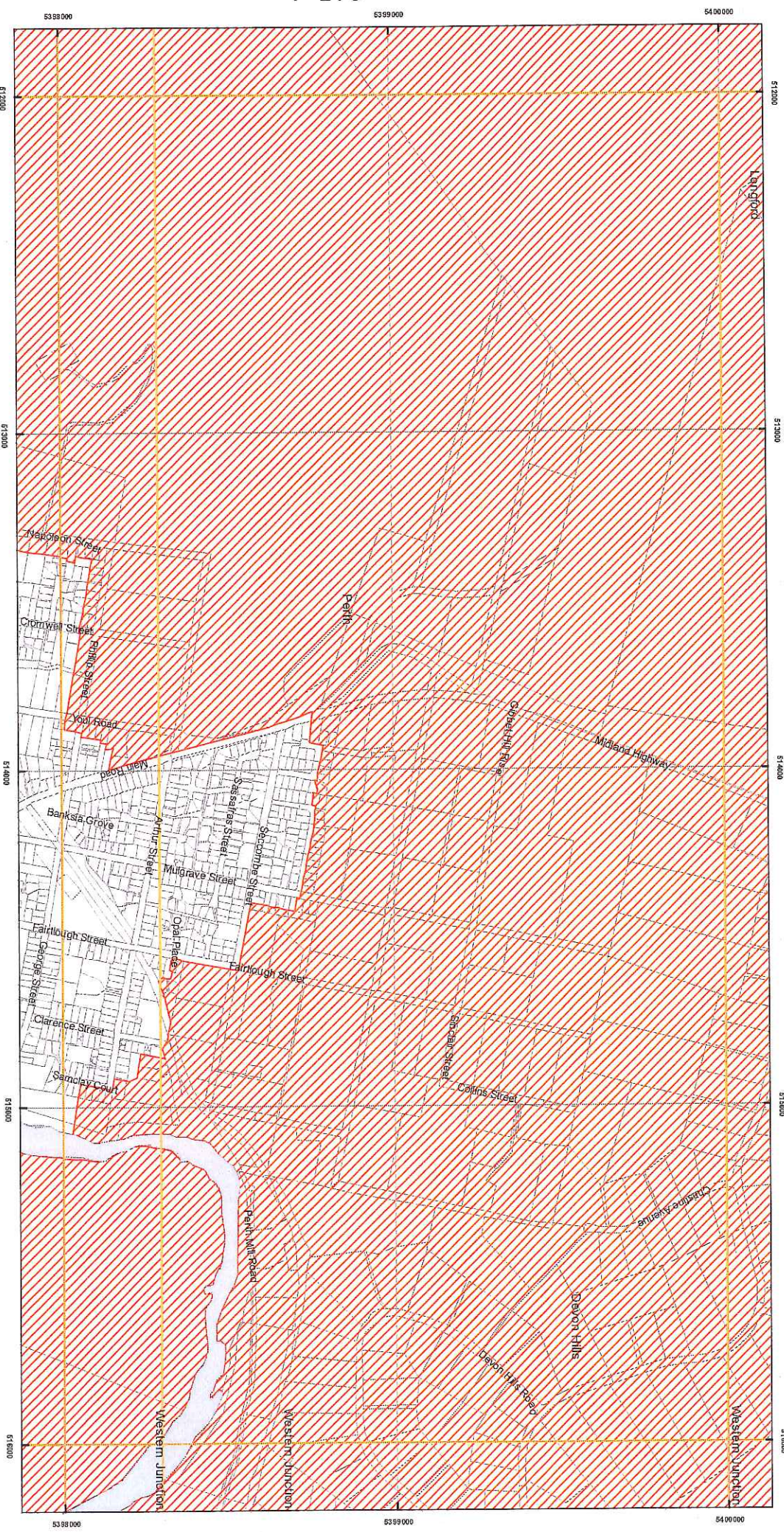
Print Date: 3/09/2018



Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule:

Bushfire-Prone Areas Overlay

1-270



Legend

-  Bushfire-Prone Area
-  Cadastral Parcels

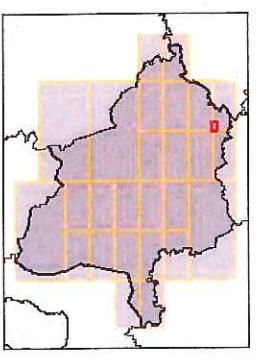
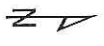


Map 15 of 46

Coordinate System: GDA 94 MGA Zone 55

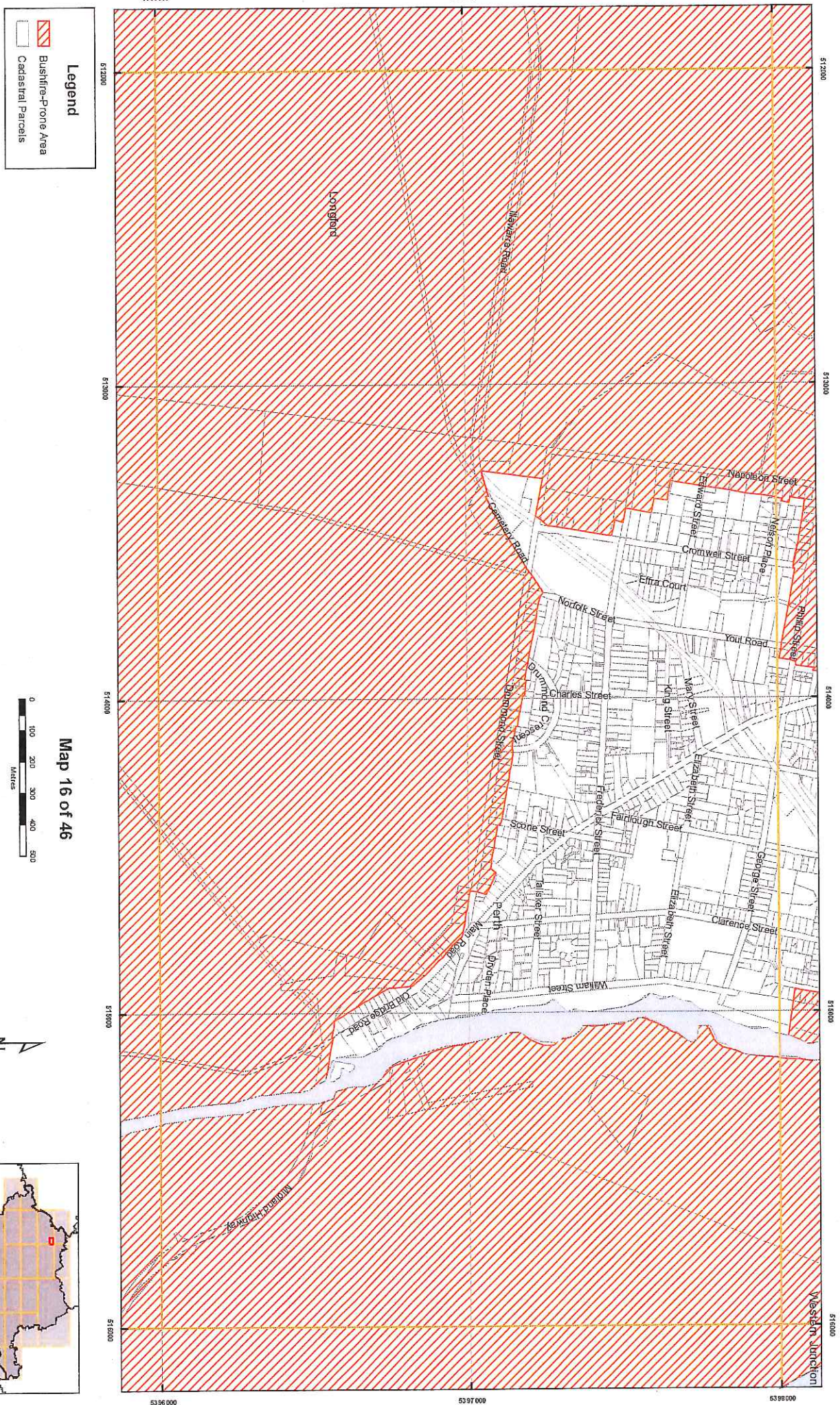
Overlay data from Northern Midlands Council and Tasmania Fire Service
Base topographic data from the LIST © State of Tasmania

Print Date: 3/09/2018



Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule: Bushfire-Prone Areas Overlay

1-271



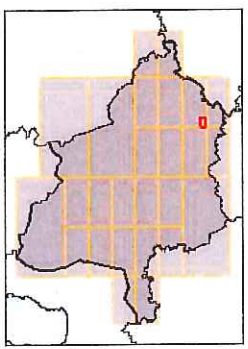
Map 16 of 46



Coordinate System: GDA 94 MGA Zone 55

Overlay data from Northern Midlands Council and Tasmania Fire Service
Base topographic data from the LIST © State of Tasmania

Print Date: 3/09/2018



Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule:

Bushfire-Prone Areas Overlay

1-272

Legend

-  Bushfire-Prone Area
-  Cadastral Parcels

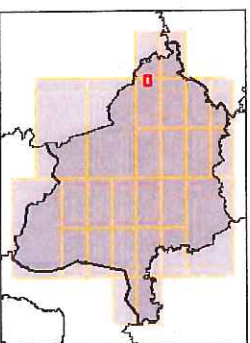


Map 17 of 46

Coordinate System: GDA 94 MGA Zone 55

Overlay data from Northern Midlands Council and Tasmania Fire Service
Base topographic data from the LIST © State of Tasmania

Print Date: 3/09/2018



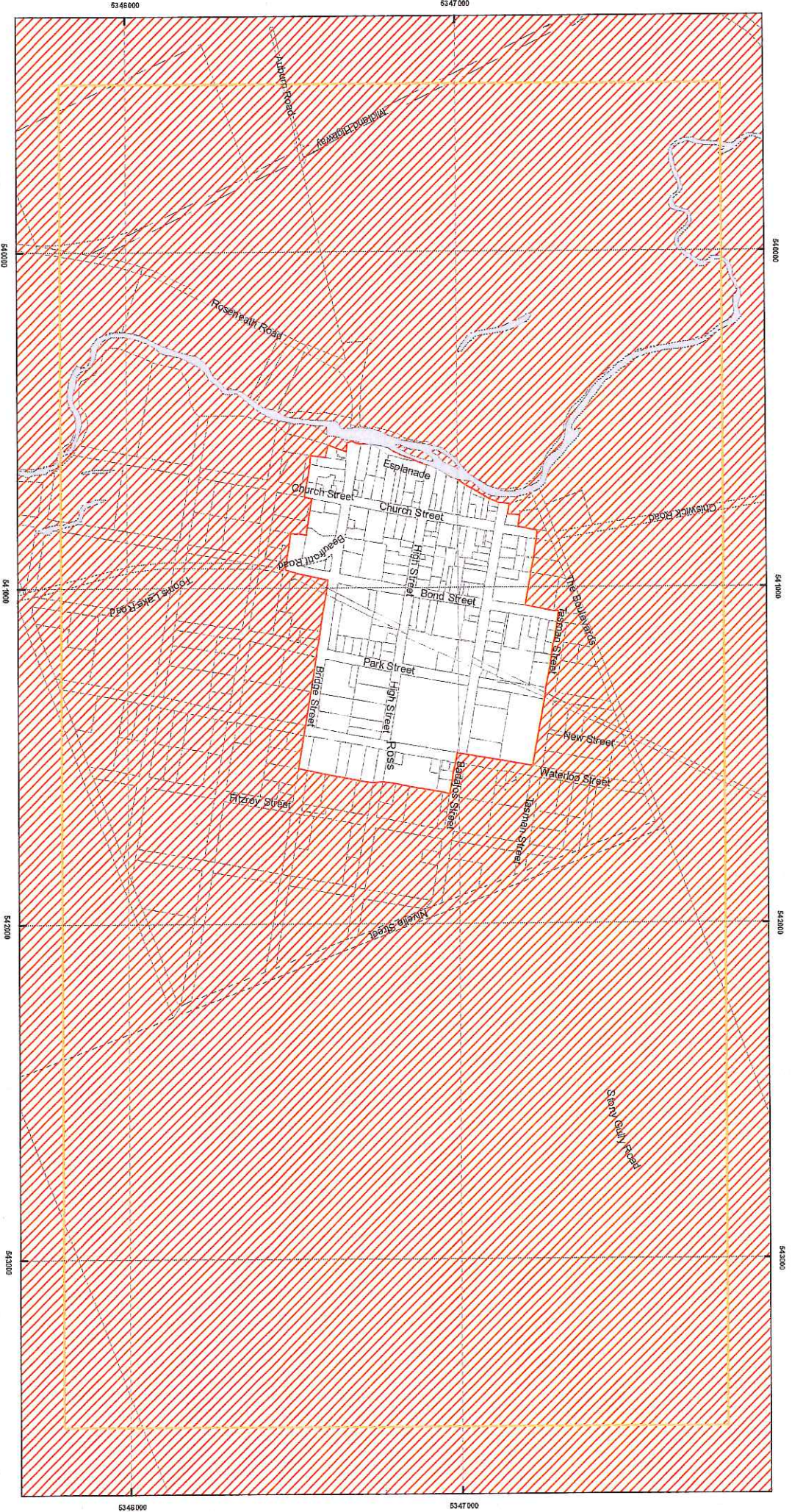
Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule:

Bushfire-Prone Areas Overlay

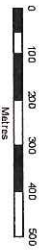
1-273

Legend

-  Bushfire-Prone Area
-  Cadastral Parcels



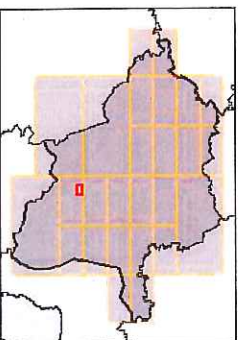
Map 18 of 46



Coordinate System: GDA 94 MGA Zone 55

Overlay data from Northern Midlands Council and Tasmania Fire Service
Base topographic data from the LIST © State of Tasmania

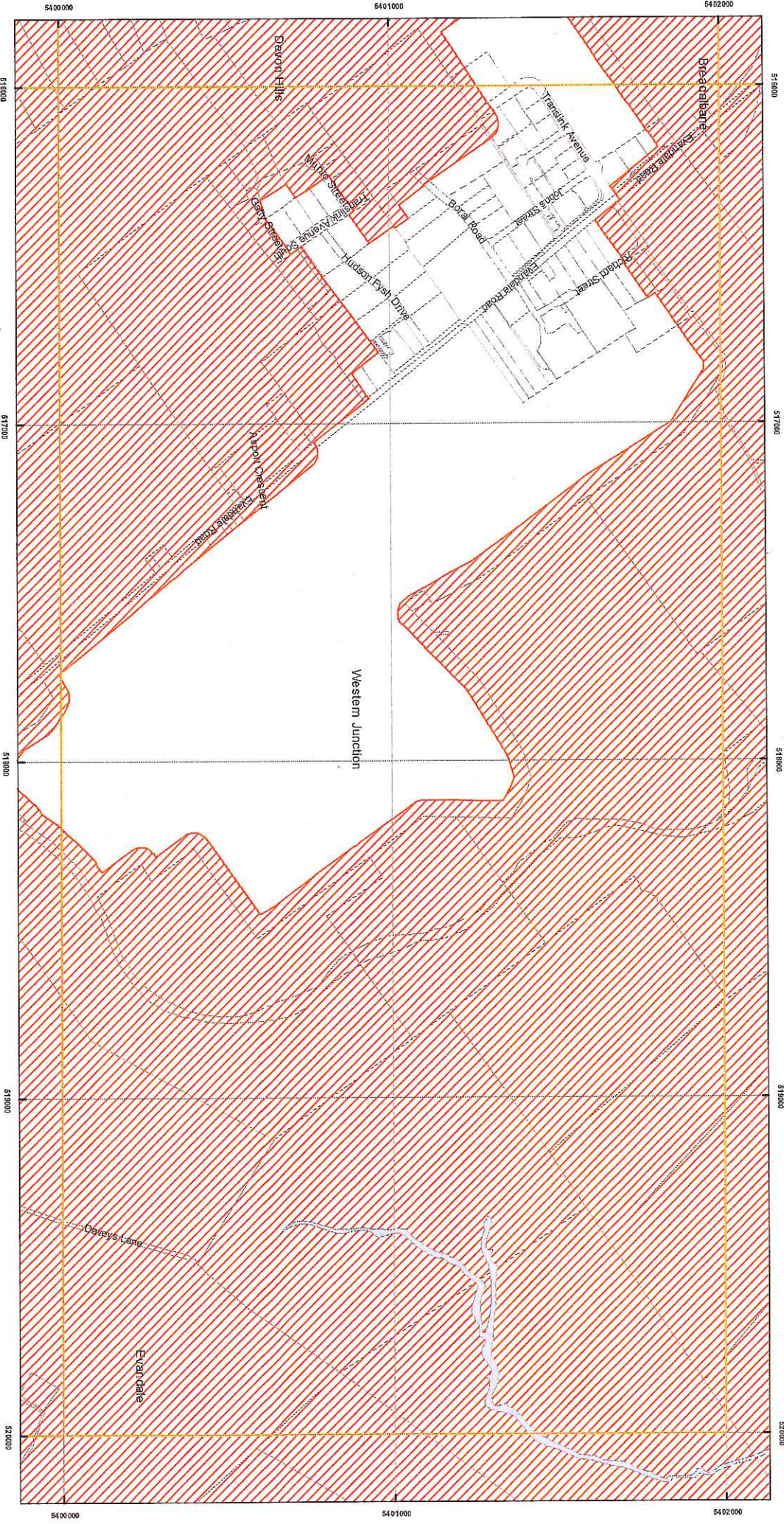
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Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule:

Bushfire-Prone Areas Overlay

1-274



Legend

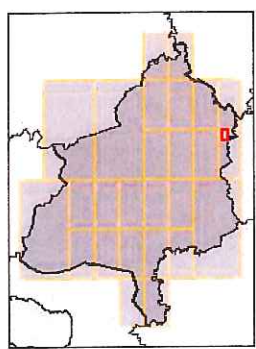
-  Bushfire-Prone Area
-  Cadastral Parcels



Map 19 of 46

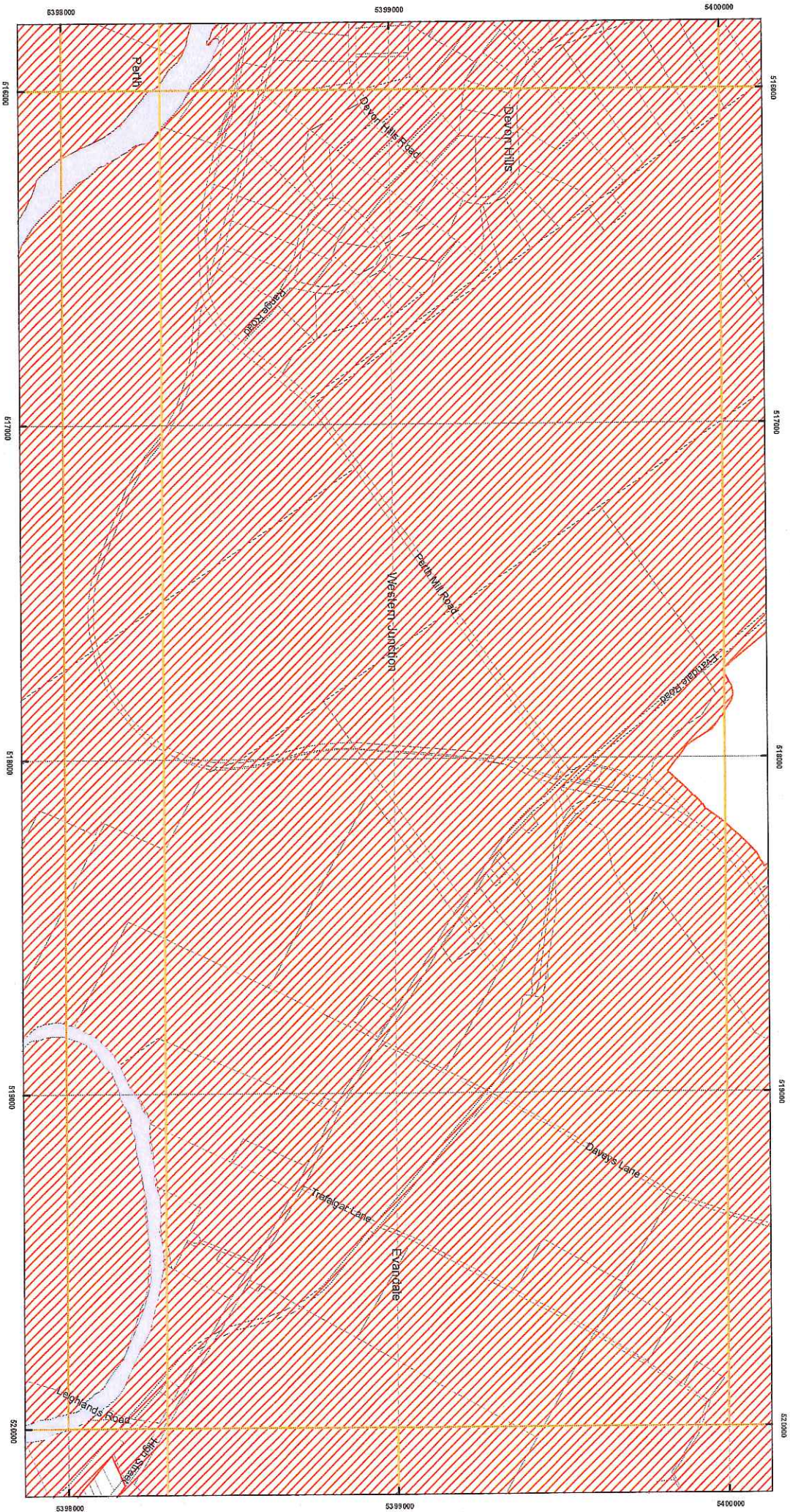


Coordinate System: GDA 94 MGA Zone 55
 Overlay data from Northern Midlands Council and Tasmania Fire Service
 Base topographic data from the LIST@State of Tasmania
 Print Date: 3/09/2018



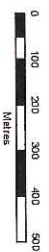
Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule: Bushfire-Prone Areas Overlay

1-275



Legend

-  Bushfire-Prone Area
-  Cadastral Parcels

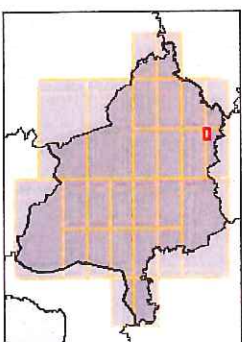


Map 20 of 46

Coordinate System: GDA 94 MGA Zone 55

Overlay data from Northern Midlands Council and Tasmania Fire Service
Base topographic data from the LIST © State of Tasmania

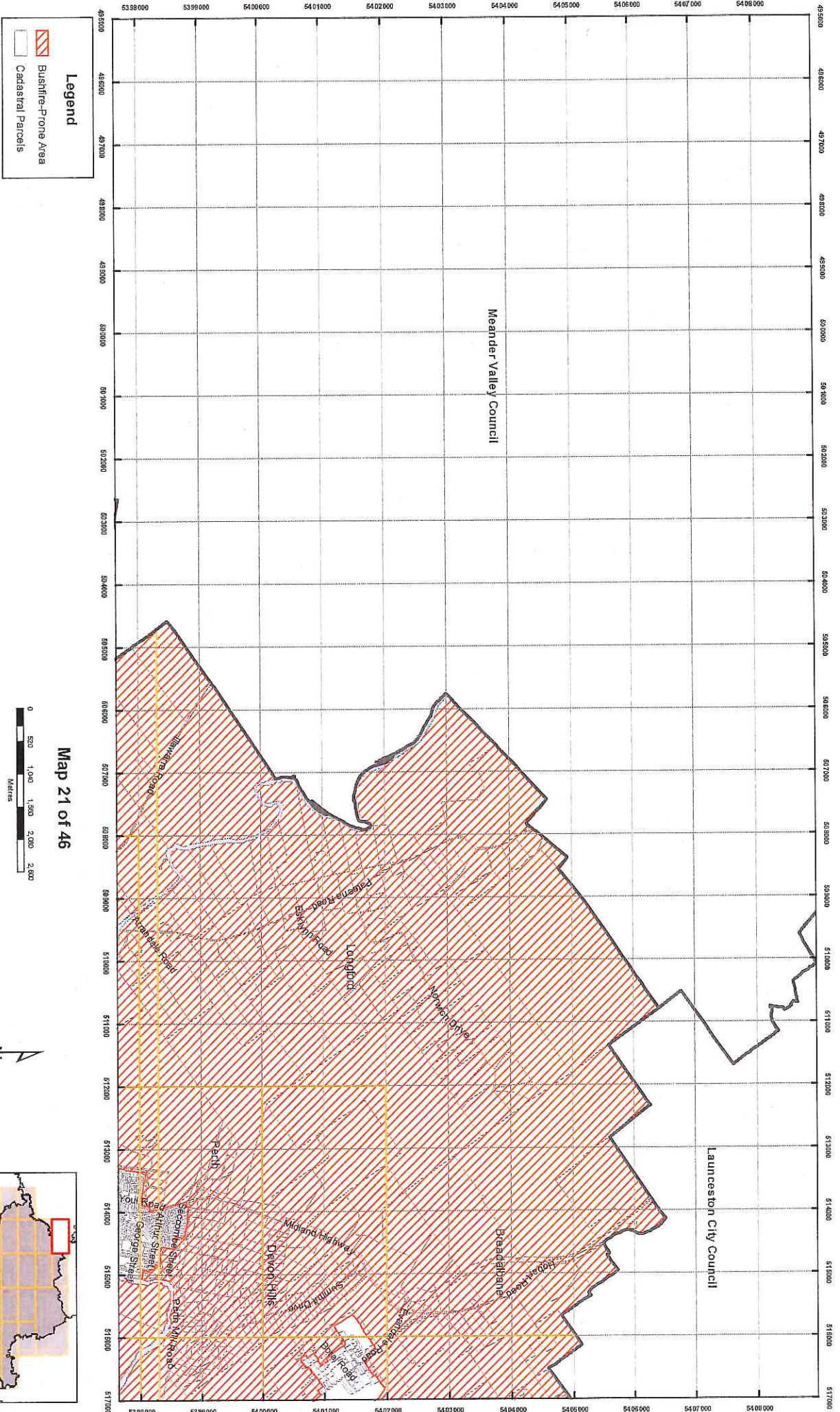
Print Date: 3/09/2018



Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule:

Bushfire-Prone Areas Overlay

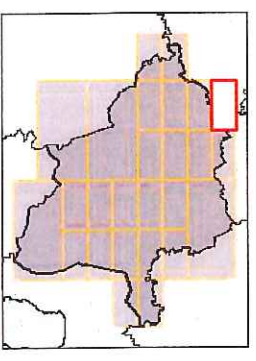
1-276



Map 21 of 46



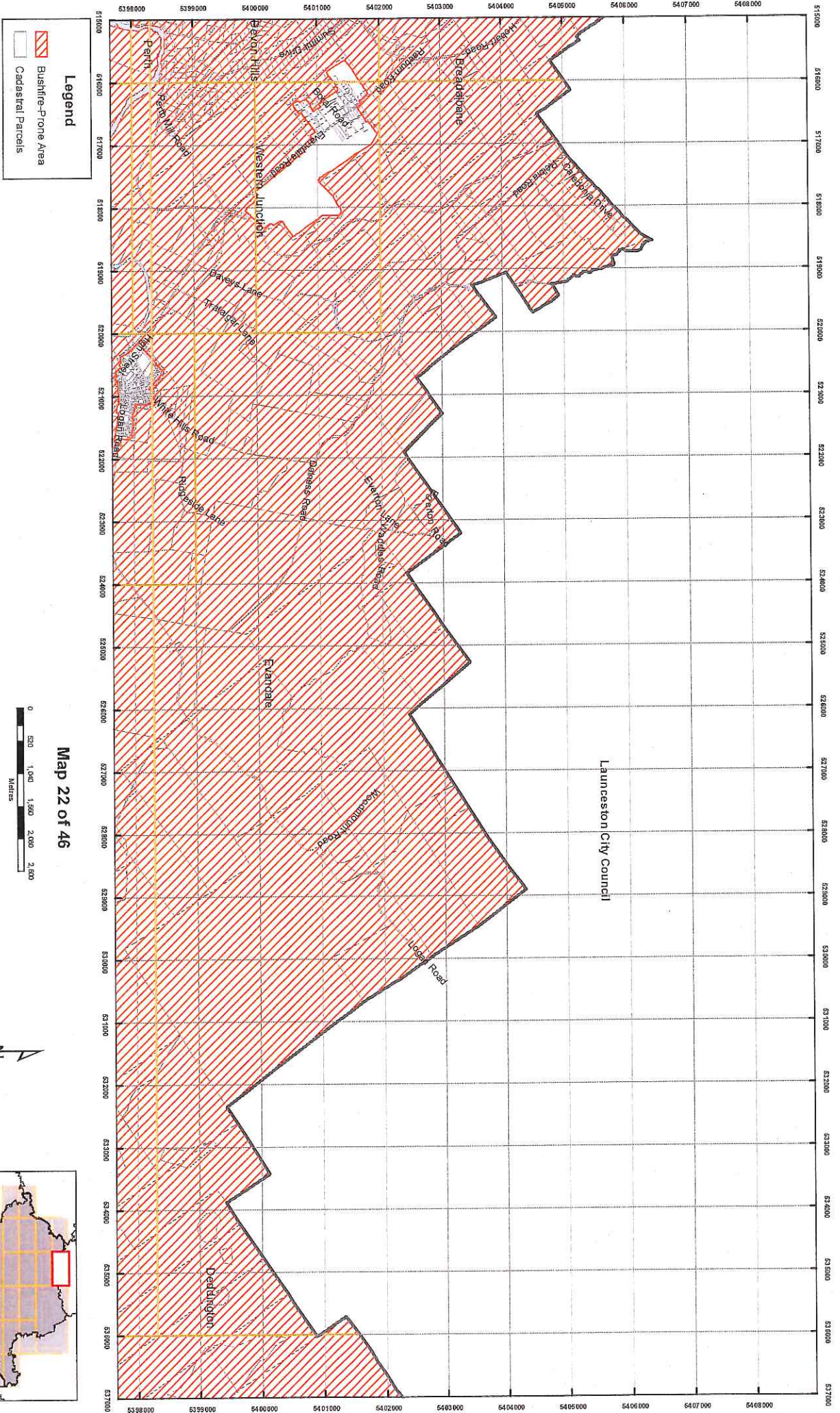
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 Print Date: 3/09/2018



Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule:

Bushfire-Prone Areas Overlay

1-277



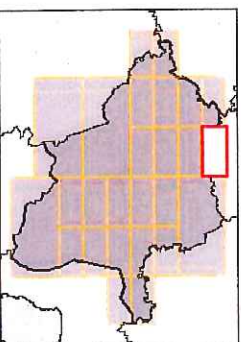
Map 22 of 46



Coordinate System: GDA 94 MGA Zone 55

Overlay data from Northern Midlands Council and Tasmania Fire Service
Base topographic data from the LIST © State of Tasmania

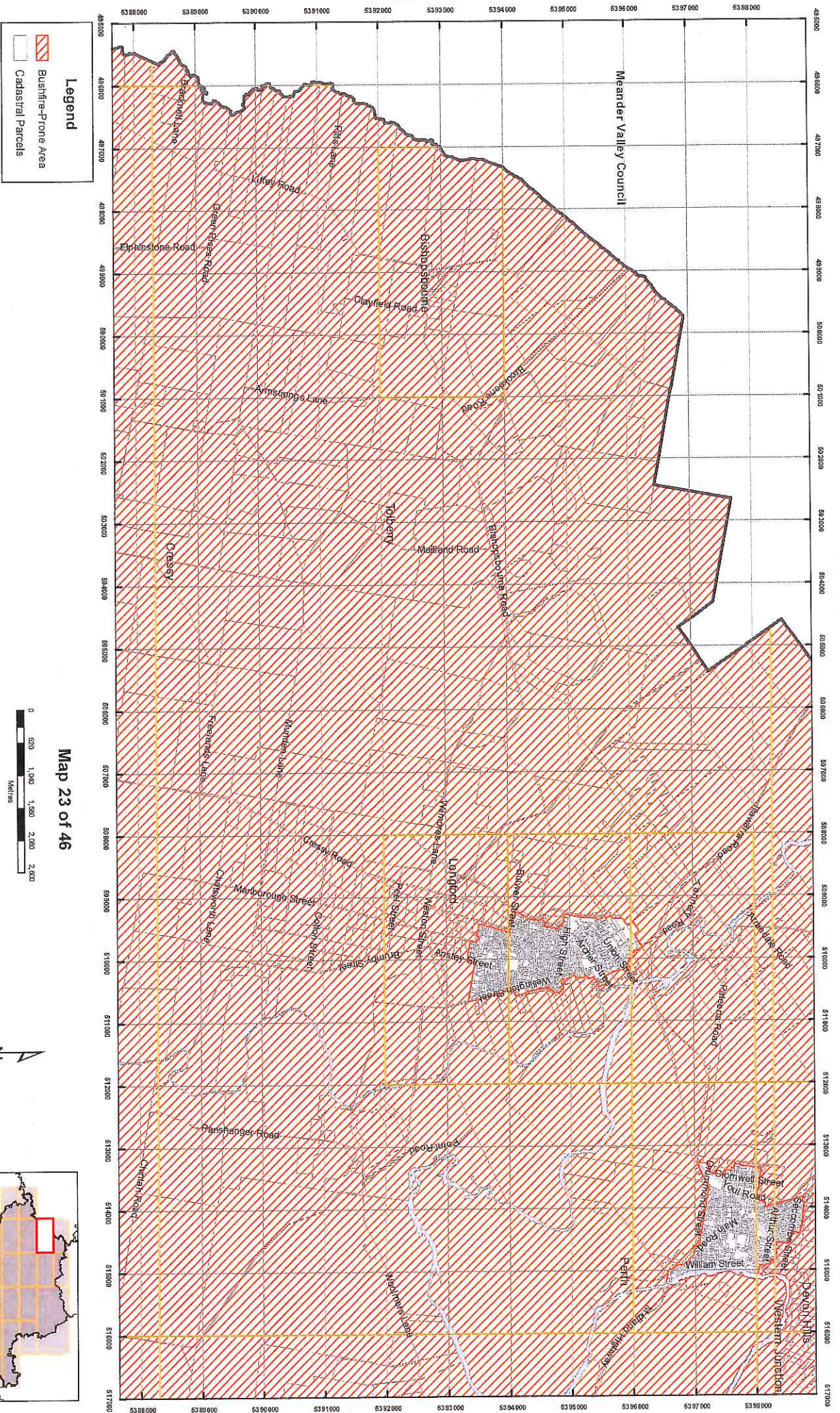
Print Date: 3/09/2018



Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule:

Bushfire-Prone Areas Overlay

1-278



Map 23 of 46

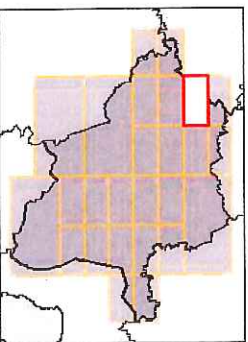


Coordinate System: GDA 94 MGA Zone 55

Overlay data from Northern Midlands Council and Tasmania Fire Service

Base topographic data from the LIST © State of Tasmania

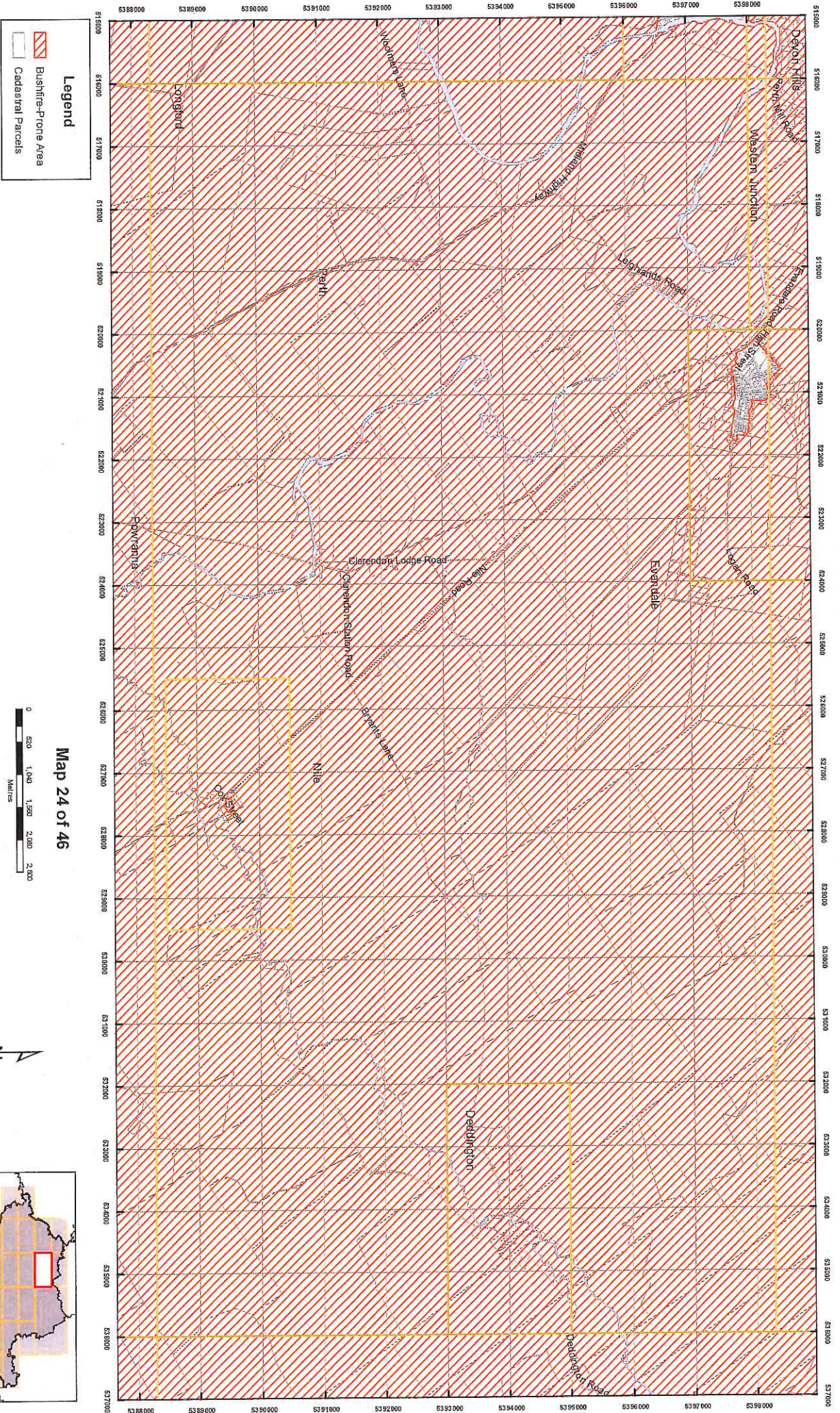
Print Date: 3/09/2018



Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule:

Bushfire-Prone Areas Overlay

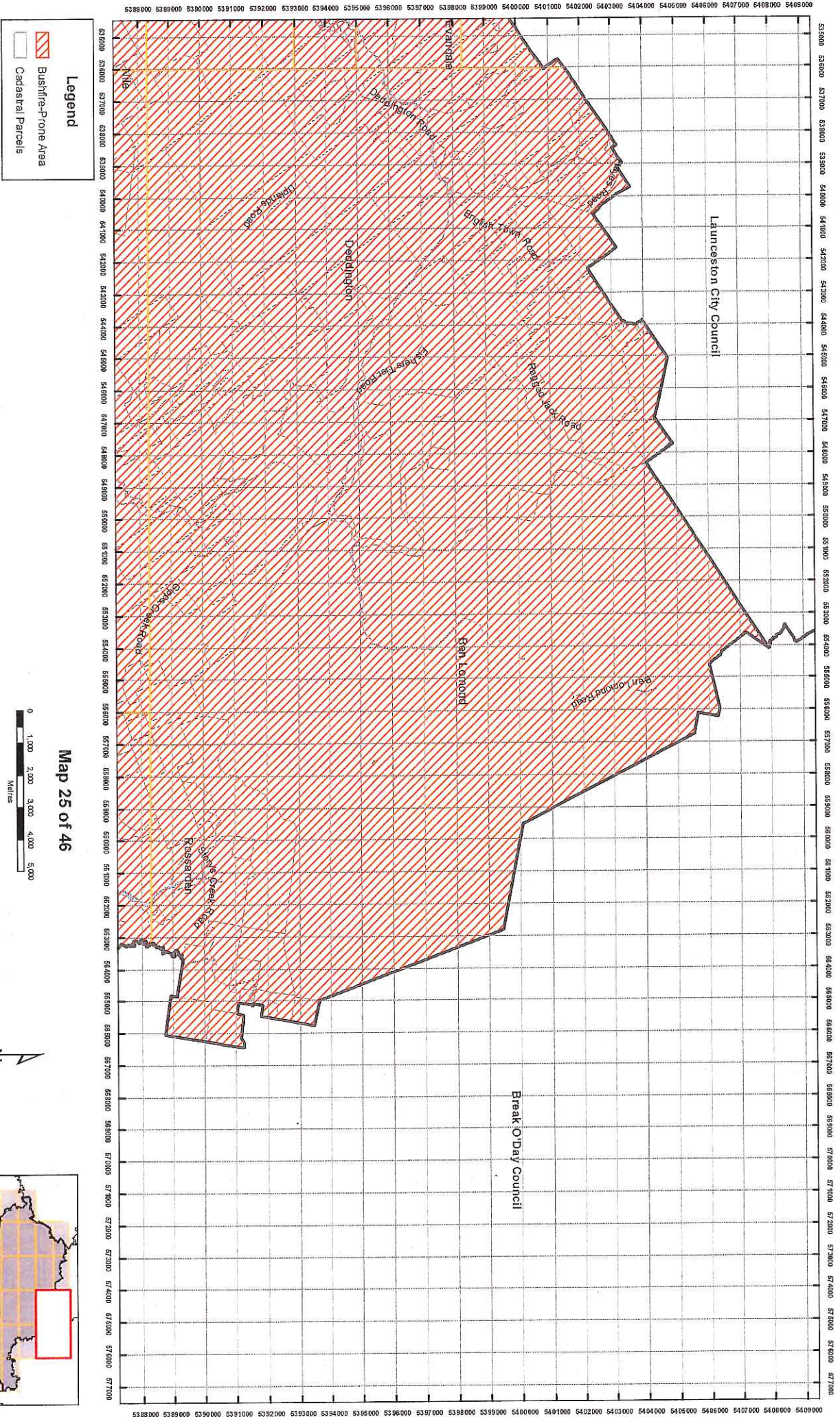
1-279



Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule:

Bushfire-Prone Areas Overlay

1-280



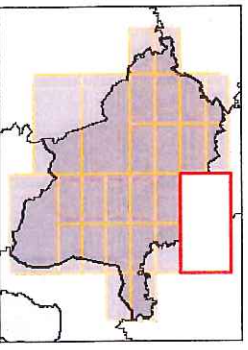
Map 25 of 46



Coordinate System: GDA 94 MGA Zone 55

Overlay data from Northern Midlands Council and Tasmania Fire Service
Base topographic data from the LIST @ State of Tasmania

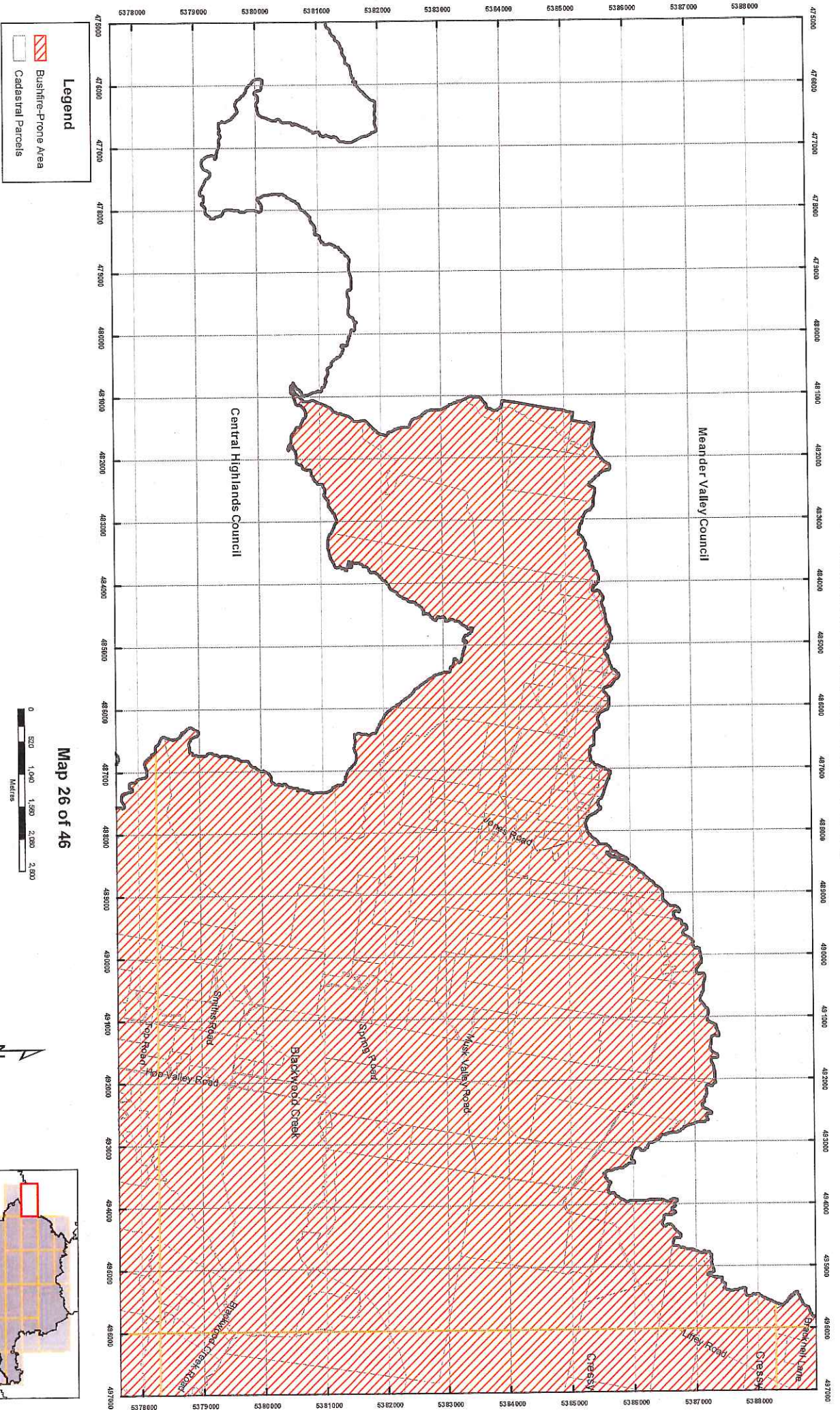
Print Date: 3/09/2018



Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule:

Bushfire-Prone Areas Overlay

1-281



Map 26 of 46

Legend

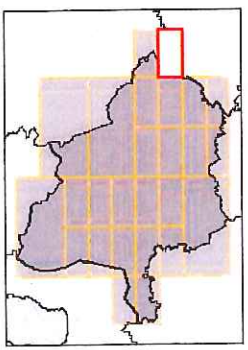
- Bushfire-Prone Area
- Cadastral Parcels



Coordinate System: GDA 94 MGA Zone 55

Overlay data from Northern Midlands Council and Tasmania Fire Service
Base topographic data from the LIST © State of Tasmania

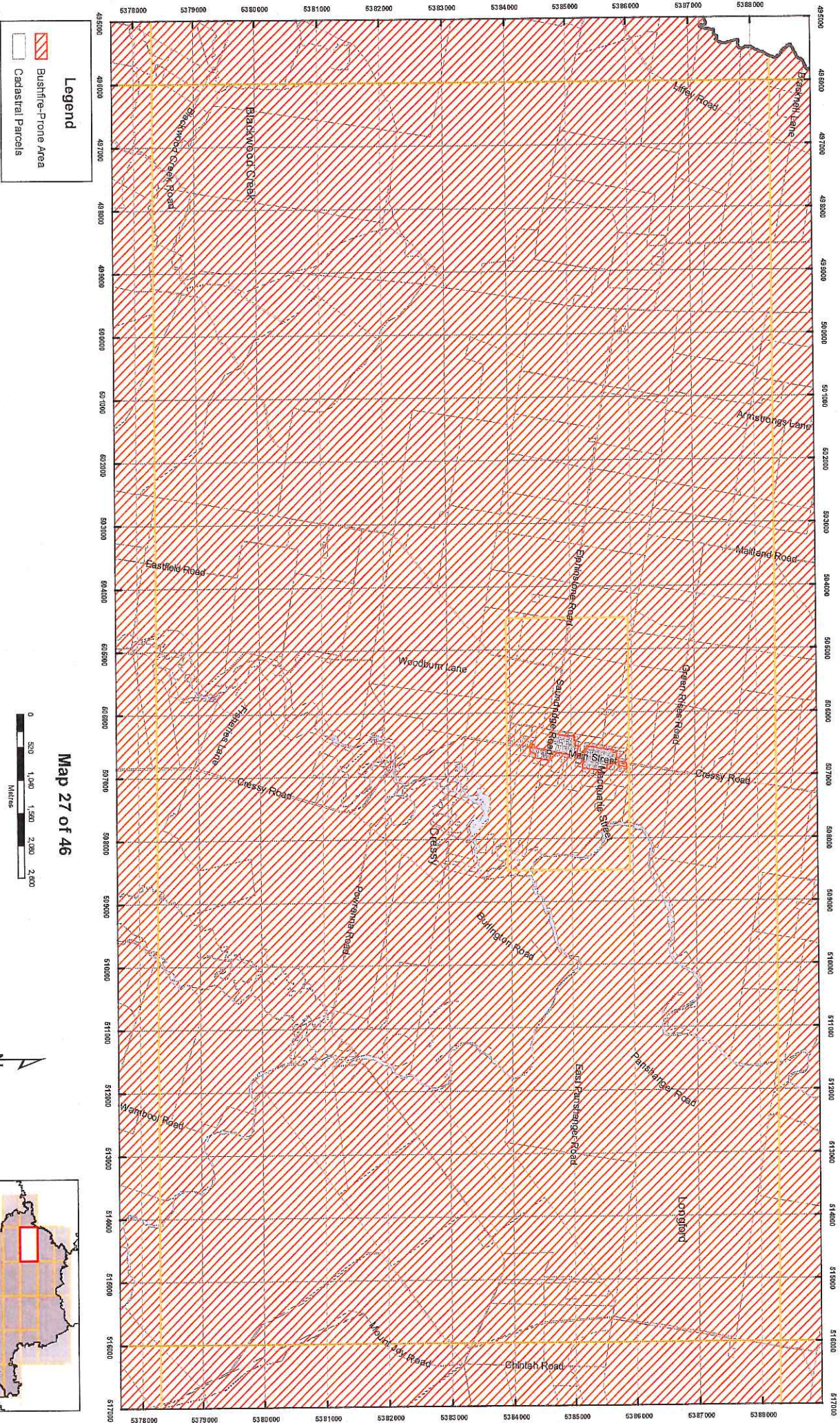
Print Date: 3/09/2018



Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule:

Bushfire-Prone Areas Overlay

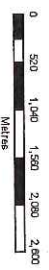
1-282



Legend

- Bushfire-Prone Area
- Cadastral Parcels

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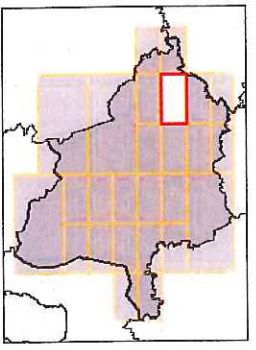


Coordinate System: GDA 94 MGA Zone 55



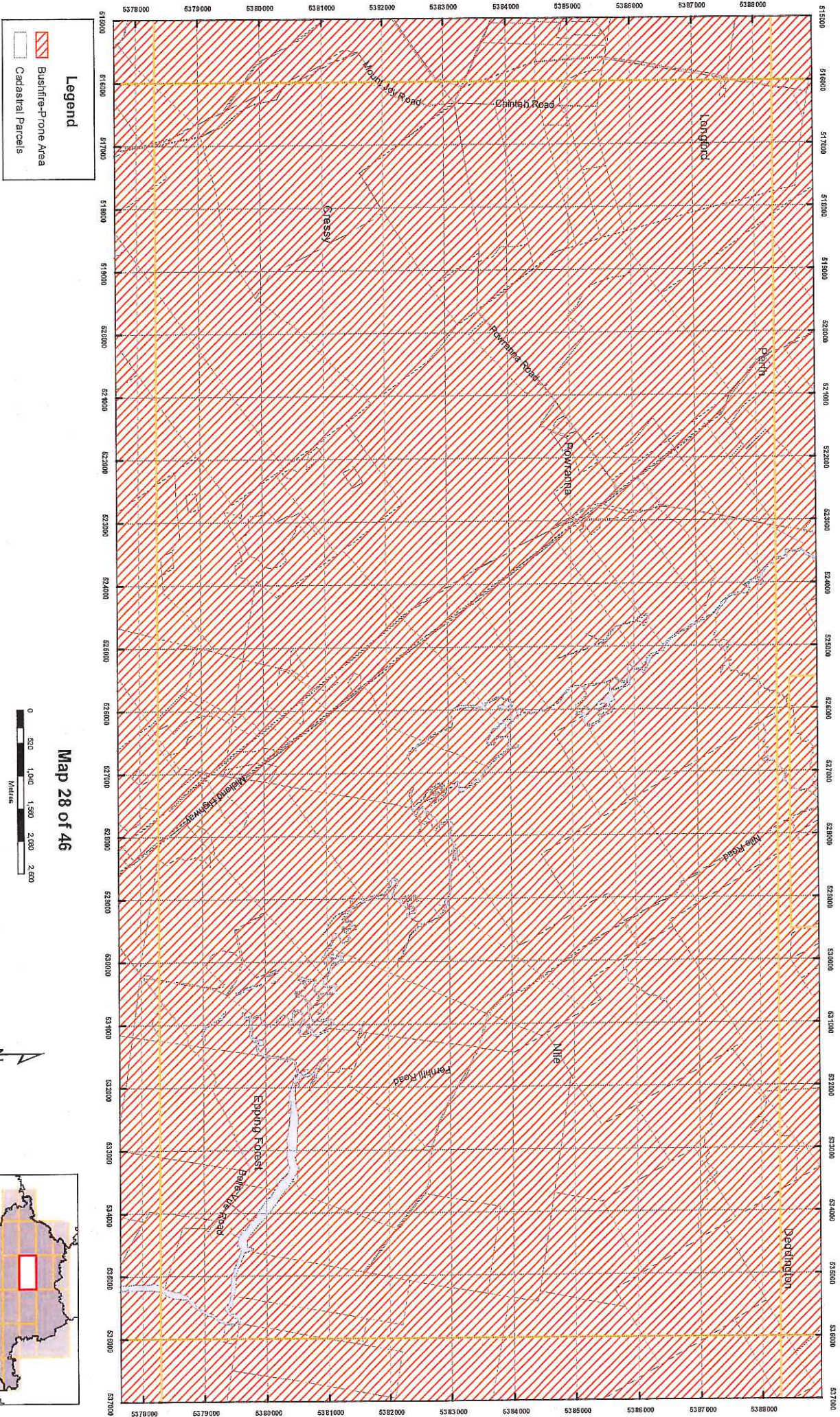
Overlay data from Northern Midlands Council and Tasmania Fire Service
Base topographic data from the LIST © State of Tasmania

Print Date: 3/09/2018



Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule: Bushfire-Prone Areas Overlay

1-283



Legend

-  Bushfire-Prone Area
-  Cadastral Parcels

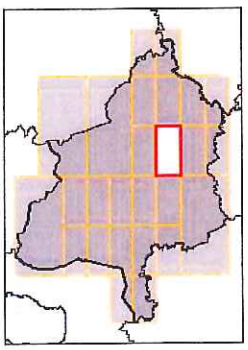


Map 28 of 46

Coordinate System: GDA 94 MGA Zone 55

Overlay data from Northern Midlands Council and Tasmania Fire Service
Base topographic data from the LIST © State of Tasmania

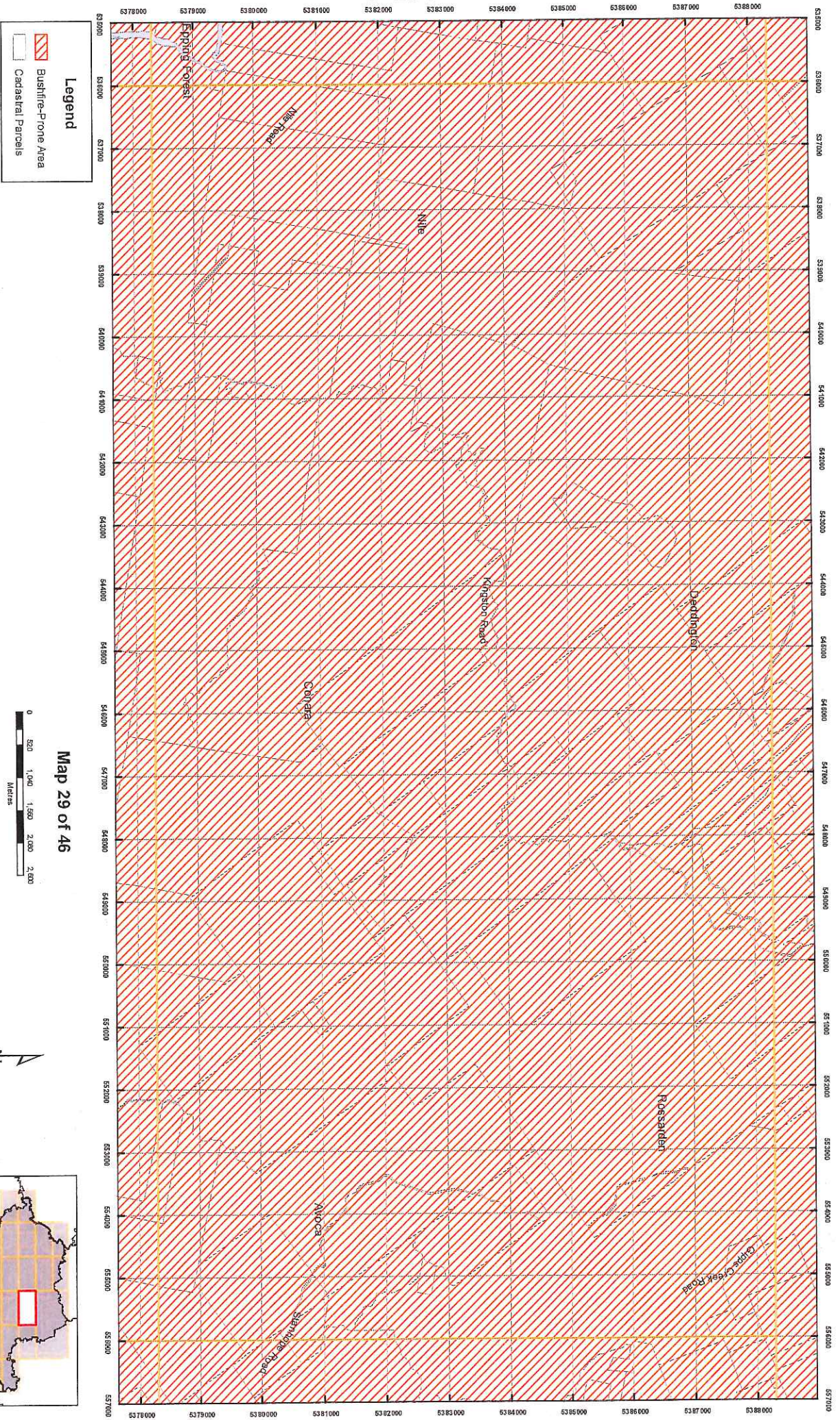
Print Date: 3/09/2018



Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule:

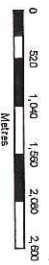
Bushfire-Prone Areas Overlay

1-284



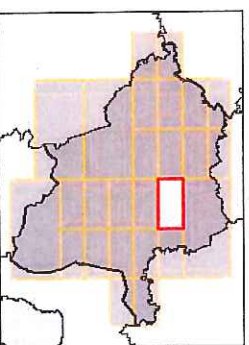
Map 29 of 46

Coordinate System: GDA 94 MGA Zone 55



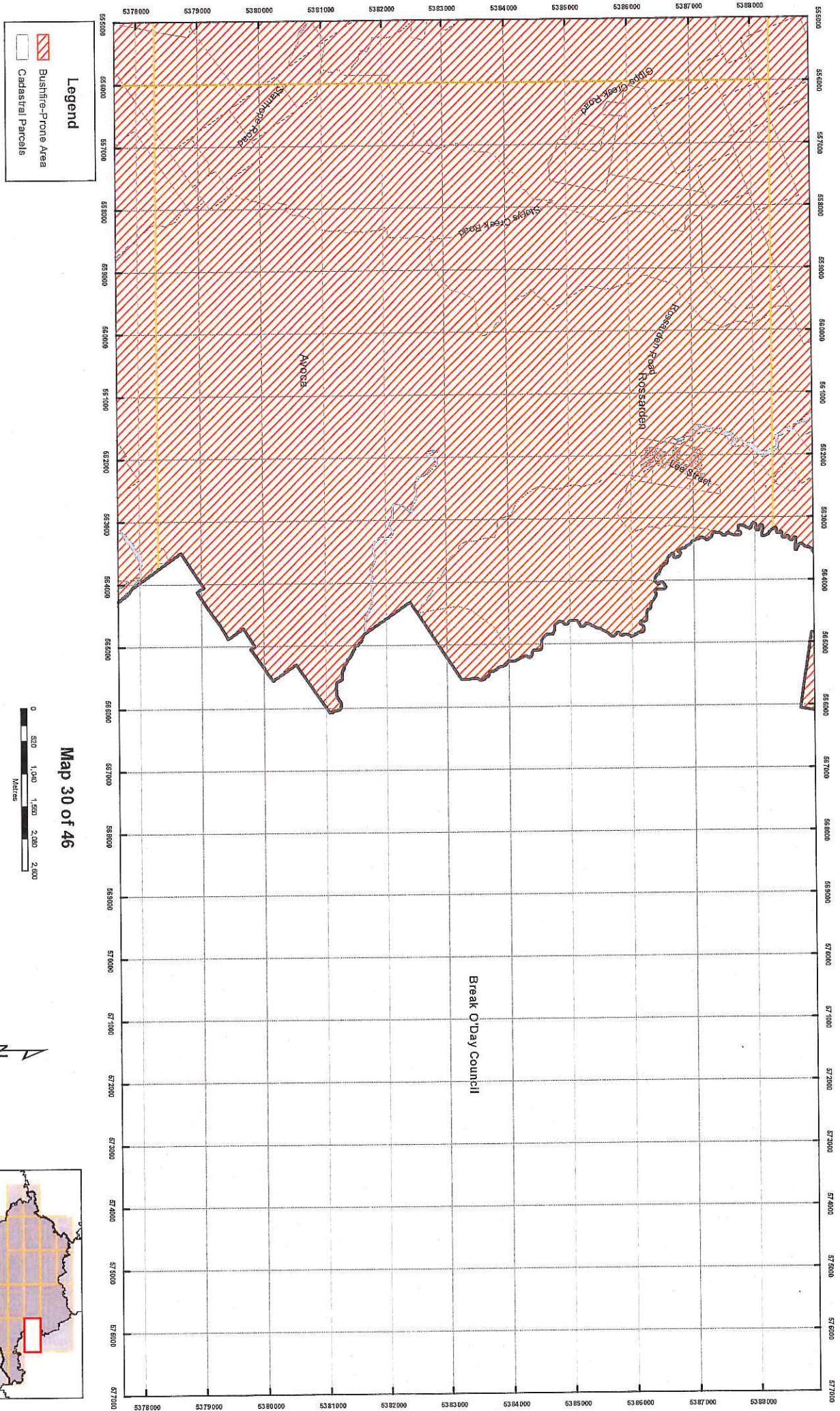
Overlay data from Northern Midlands Council and Tasmania Fire Service
Base topographic data from the LIST © State of Tasmania

Print Date: 3/09/2018



Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule: Bushfire-Prone Areas Overlay

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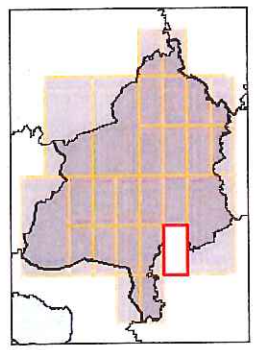
Map 30 of 46



Coordinate System: GDA 94 MGA Zone 55

Overlay data from Northern Midlands Council and Tasmania Fire Service
Base topographic data from the LST © State of Tasmania

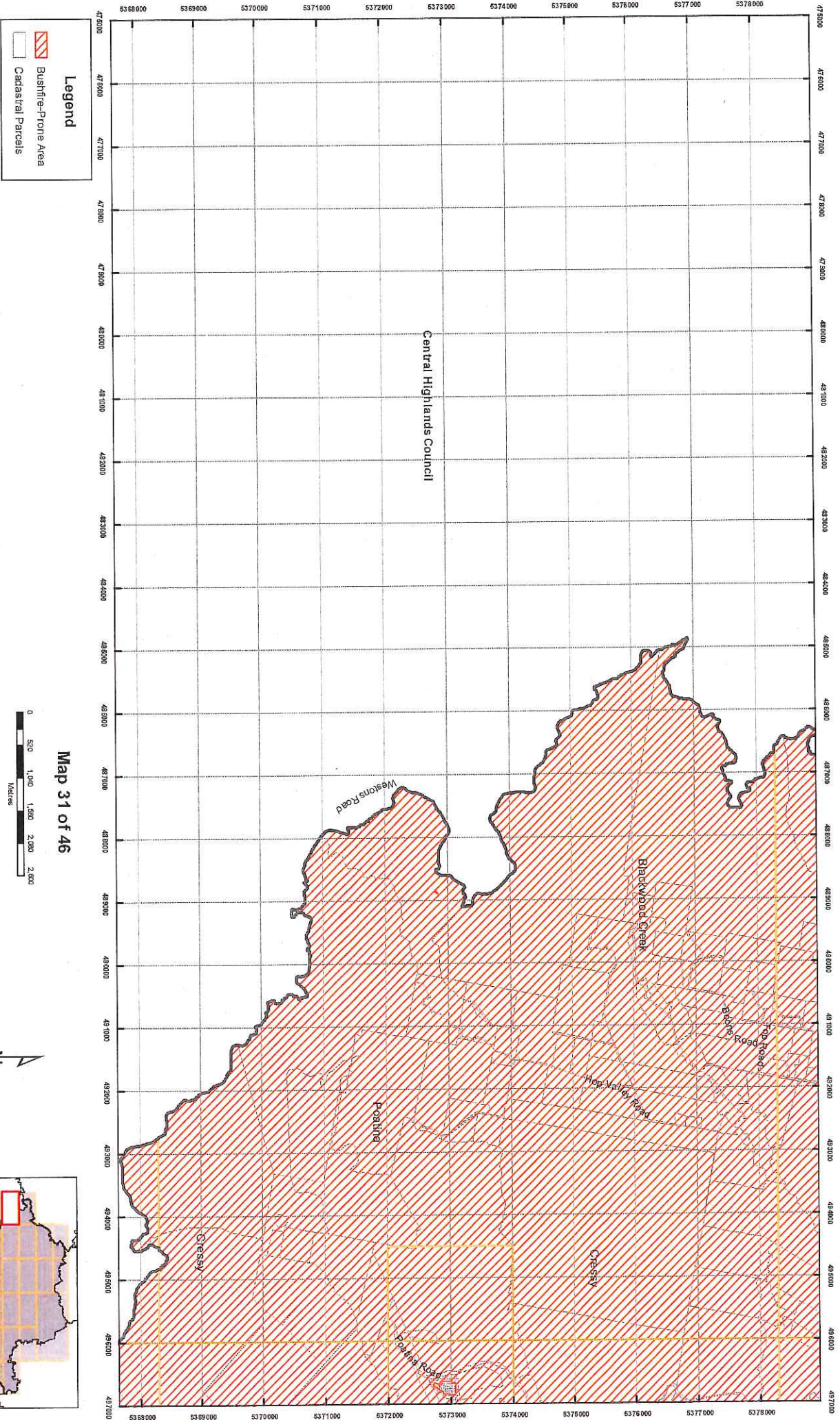
Print Date: 3/09/2018



Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule:

Bushfire-Prone Areas Overlay

1-286



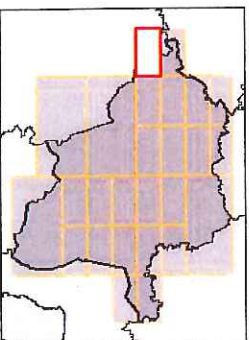
Map 31 of 46



Coordinate System: GDA 94 MGA Zone 55

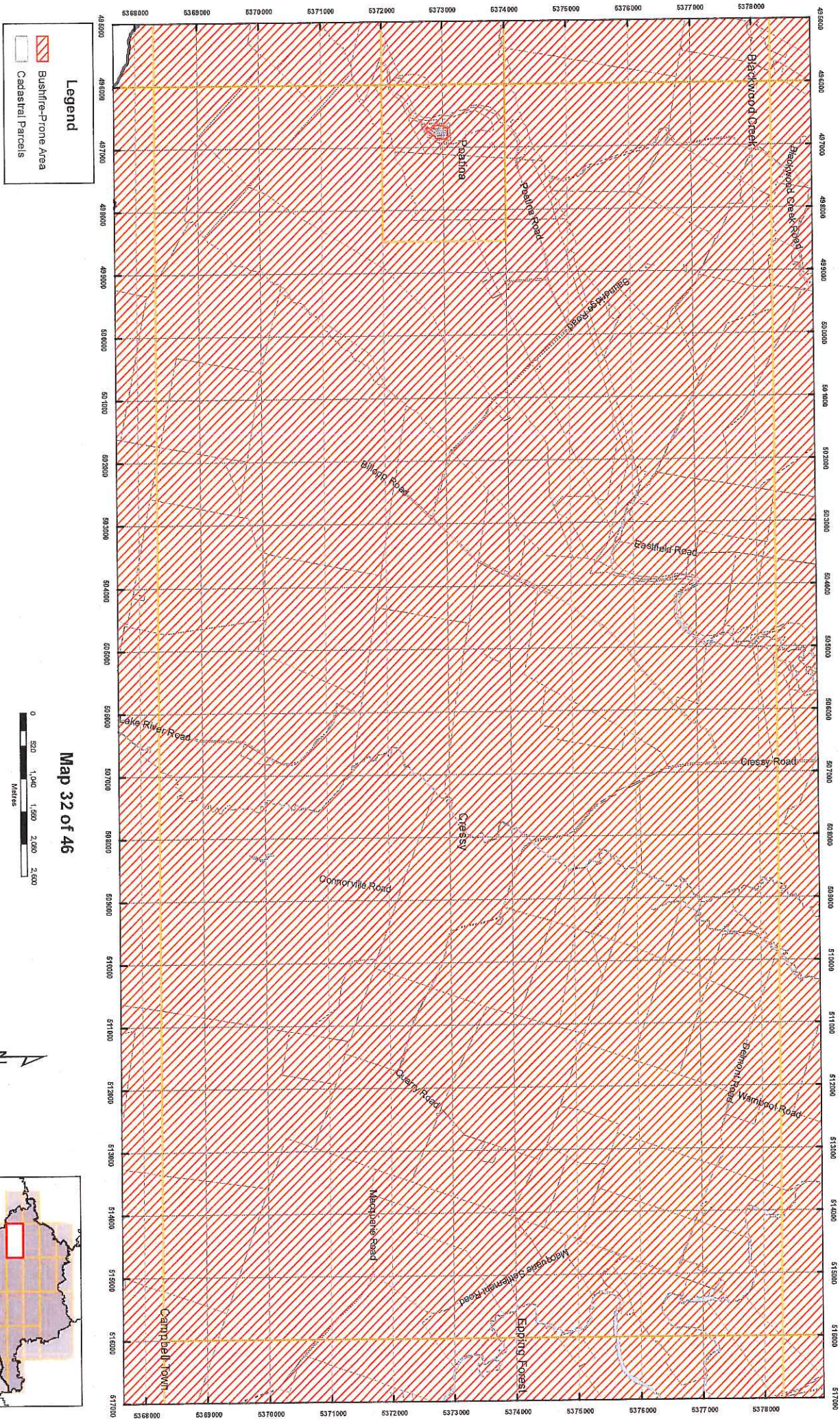
Overlay data from Northern Midlands Council and Tasmania Fire Service
Base topographic data from the LIST © State of Tasmania

Print Date: 3/09/2018



Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule: Bushfire-Prone Areas Overlay

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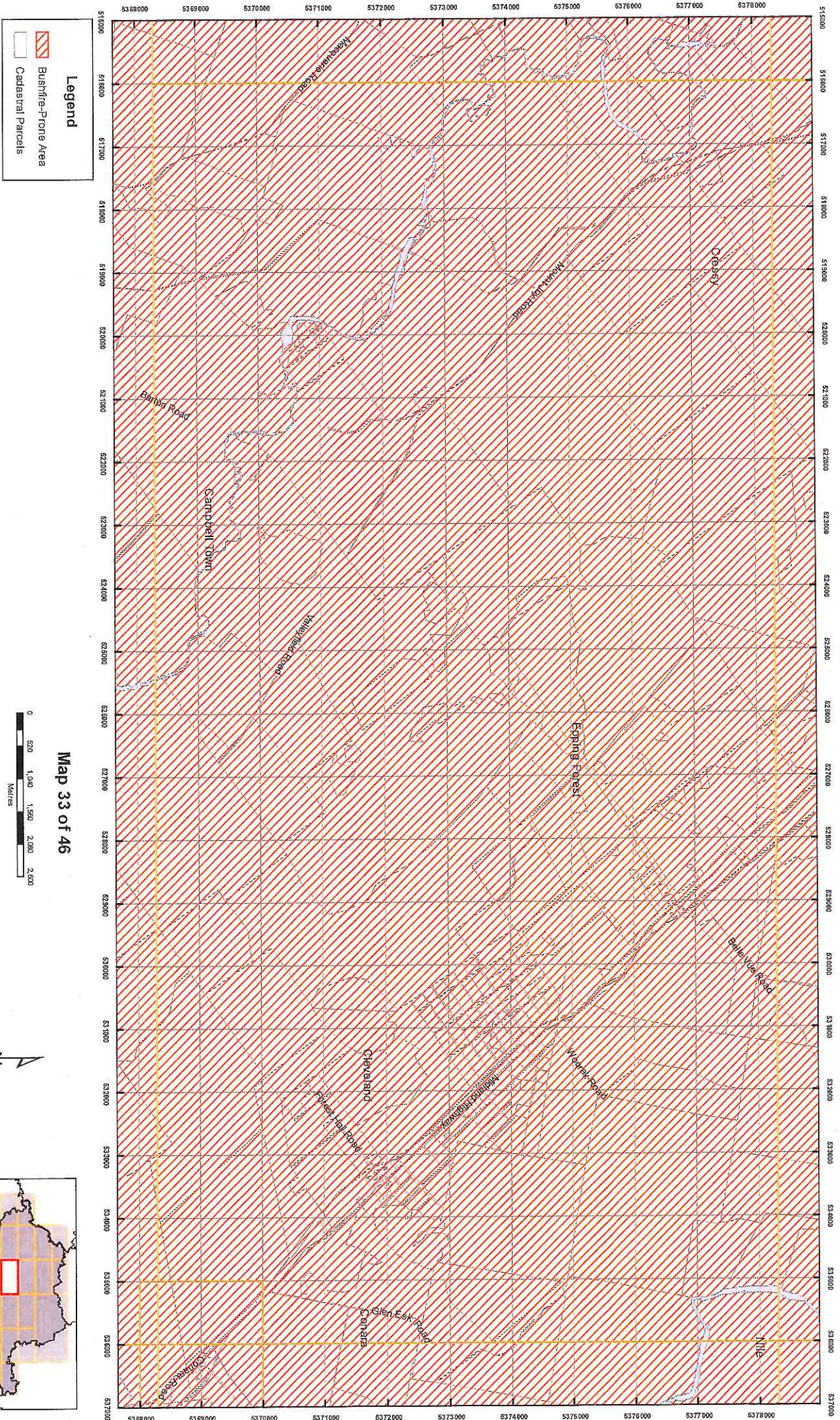
Map 32 of 46

Coordinate System: GDA 94 MGA Zone 55
 Overlay data from Northern Midlands Council and Tasmania Fire Service
 Base topographic data from the LIST © State of Tasmania
 Print Date: 3/09/2018

Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule:

Bushfire-Prone Areas Overlay

1-288



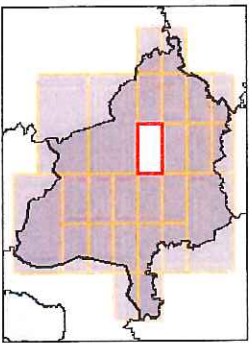
Map 33 of 46



Coordinate System: GDA 94 MGA Zone 55

Overlay data from Northern Midlands Council and Tasmania Fire Service
Base topographic data from the LITR © State of Tasmania

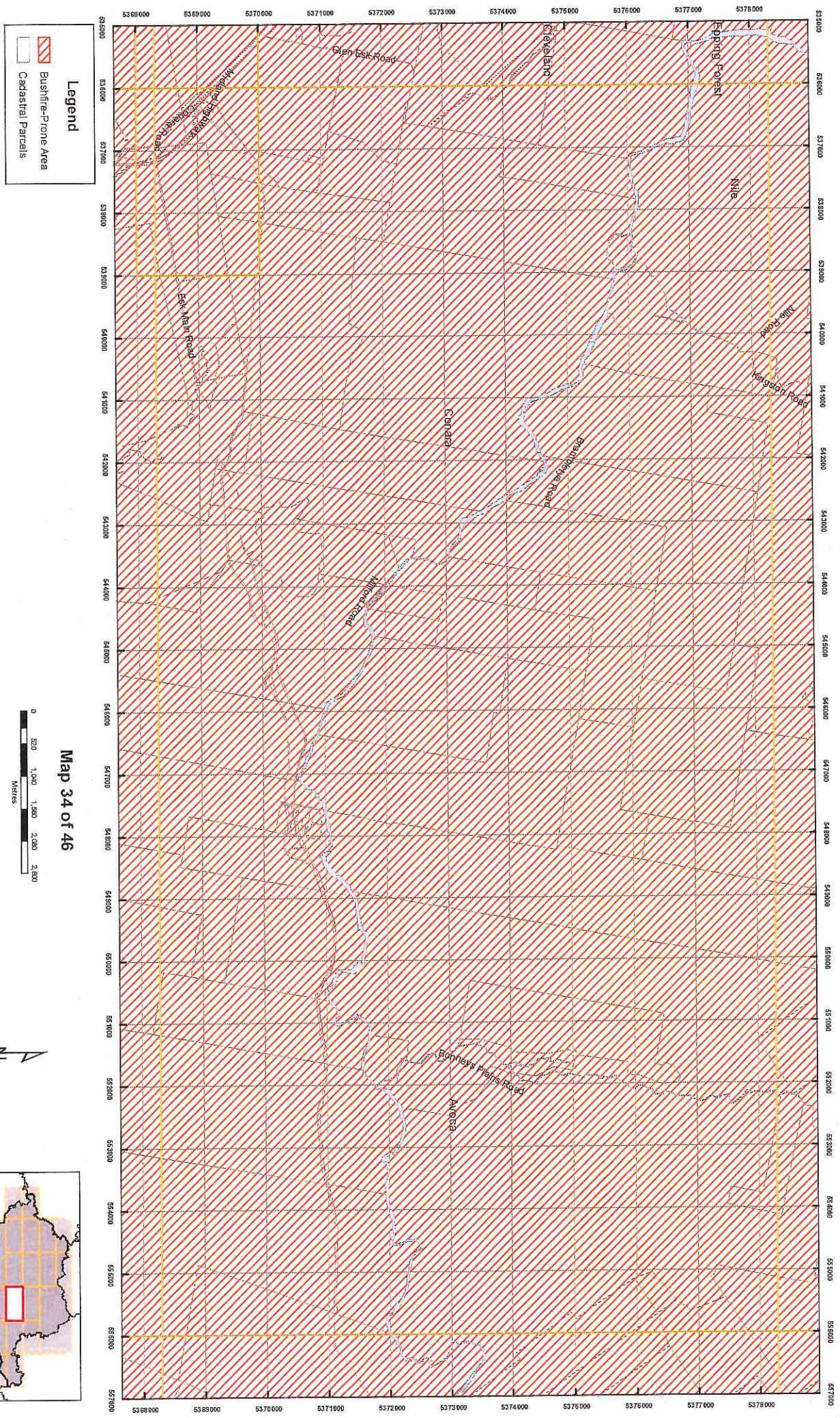
Print Date: 3/09/2018



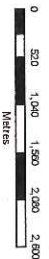
Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule:

Bushfire-Prone Areas Overlay

1-289



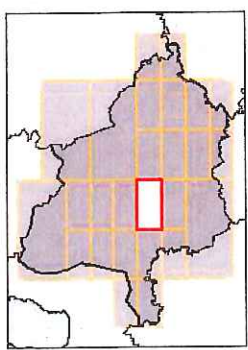
Map 34 of 46



Coordinate System: GDA 94 MGA Zone 55

Overlay data from Northern Midlands Council and Tasmania Fire Service
Base topographic data from the LIST © State of Tasmania

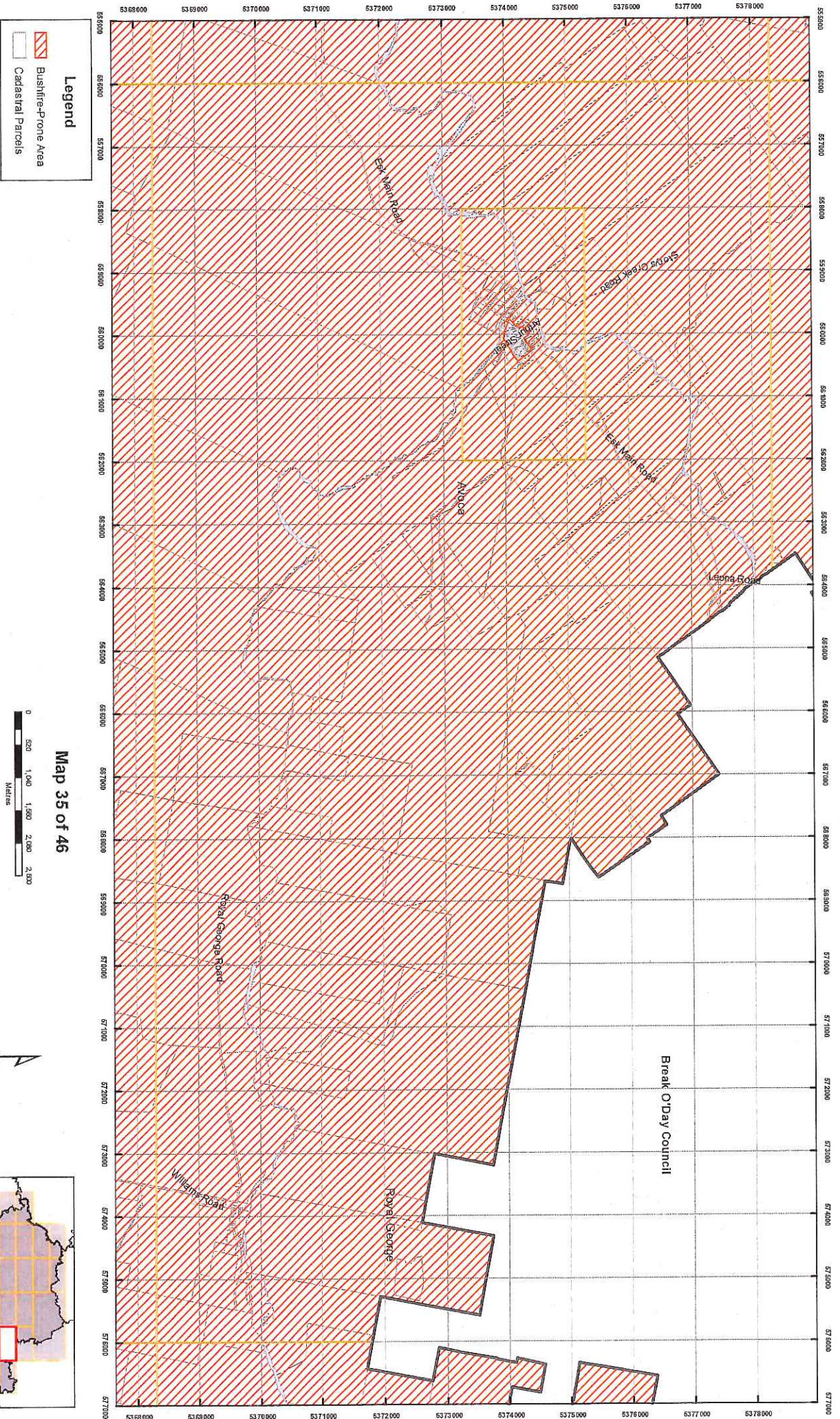
Print Date: 3/08/2018



Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule:

Bushfire-Prone Areas Overlay

1-290



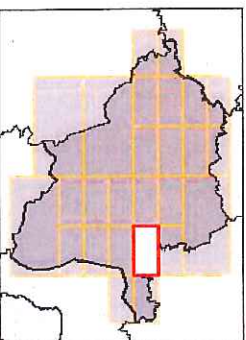
Map 35 of 46

Coordinate System: GDA 94 MGA Zone 55



Overlay data from Northern Midlands Council and Tasmania Fire Service
Base topographic data from the USTR © State of Tasmania

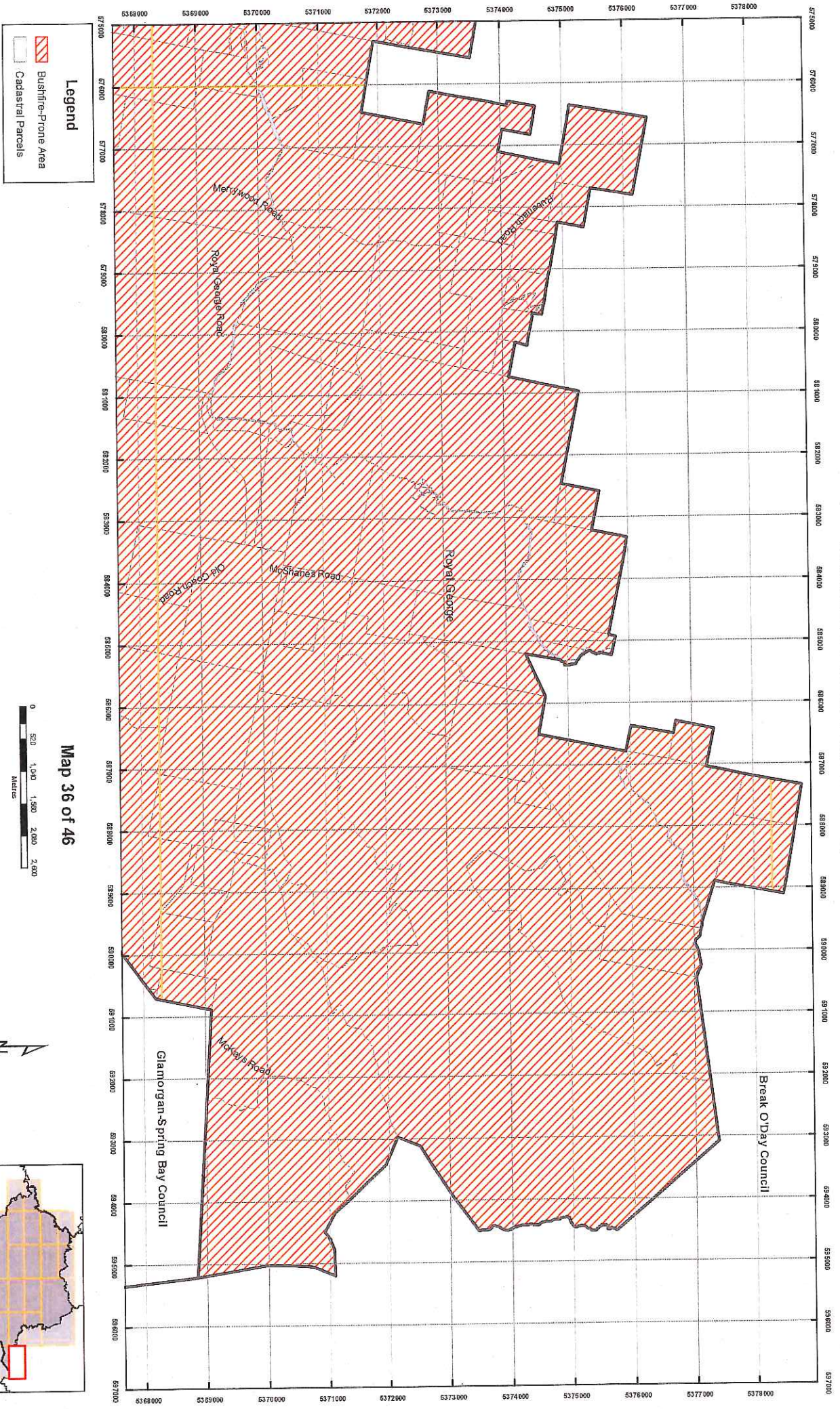
Print Date: 3/09/2018



Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule:

Bushfire-Prone Areas Overlay

1-291



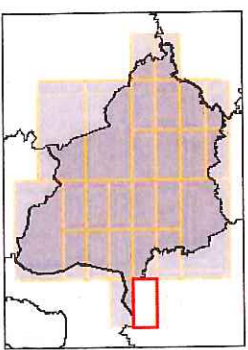
Map 36 of 46



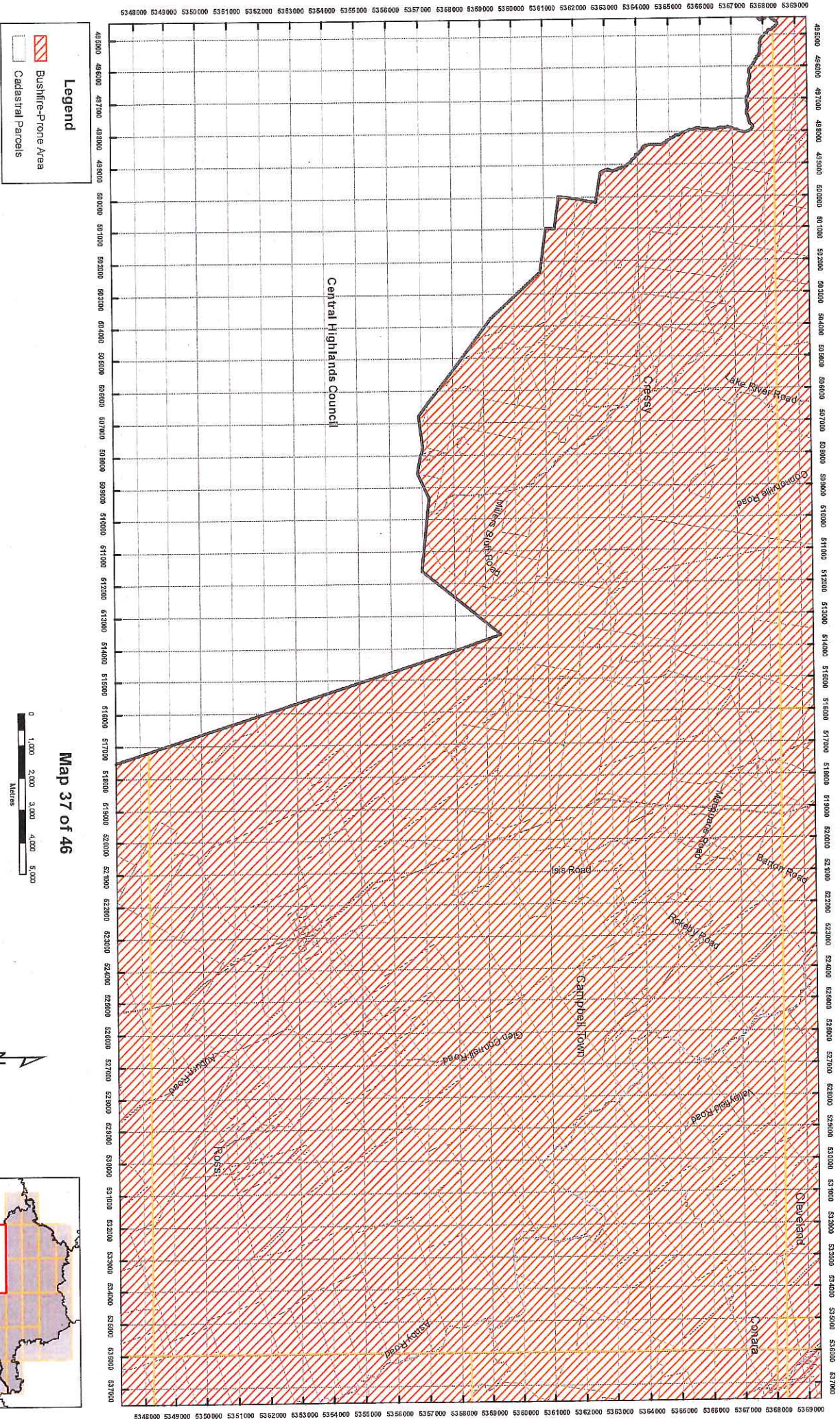
Coordinate System: GDA 94 MGA Zone 55

Overlay data from Northern Midlands Council and Tasmania Fire Service
Base topographic data from the LIST © State of Tasmania

Print Date: 3/09/2018



Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule: Bushfire-Prone Areas Overlay



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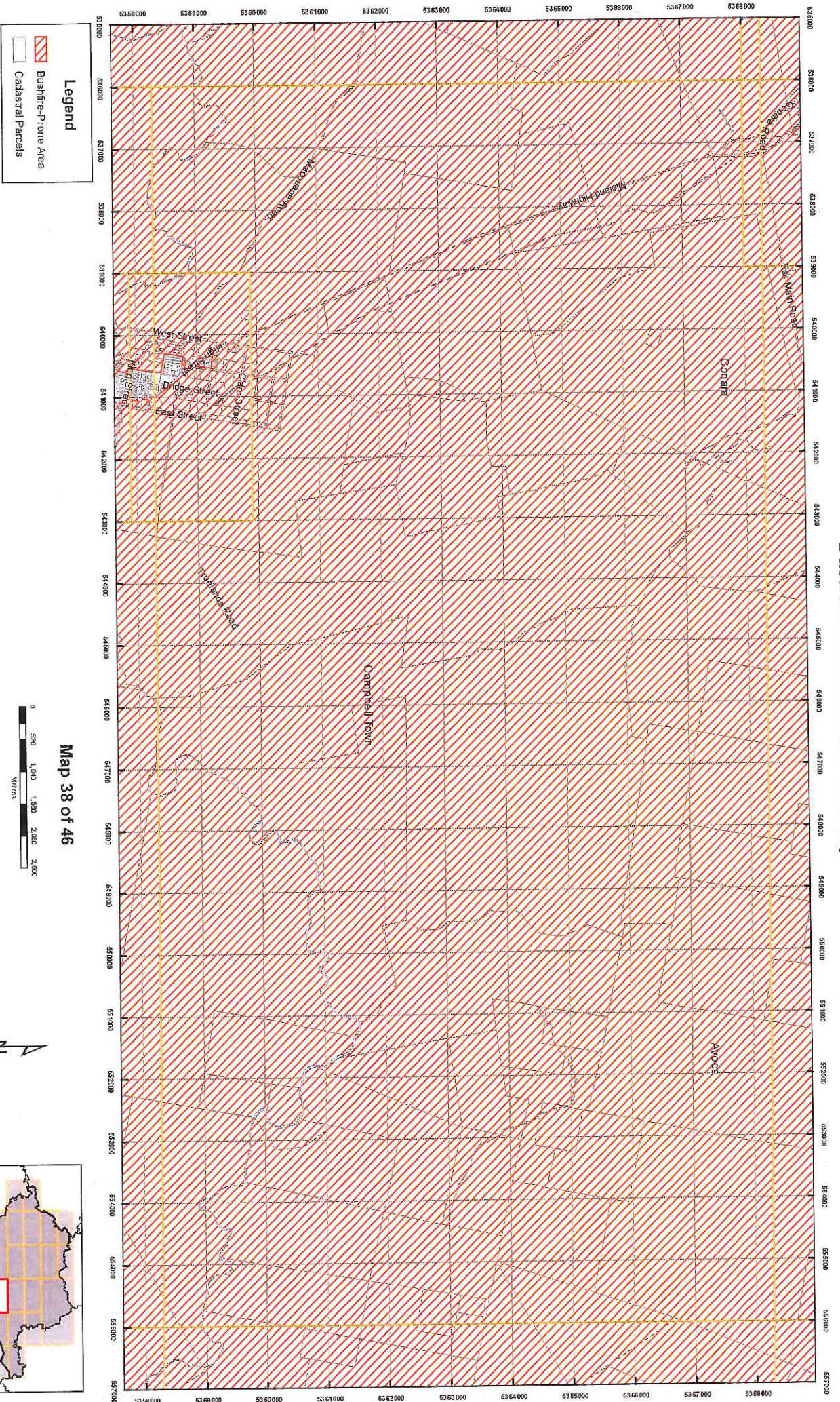
Coordinate System: GDA 94 MGA Zone 55

Overlay data from Northern Midlands Council and Tasmania Fire Service
Base topographic data from the LIST @ State of Tasmania

Print Date: 3/08/2018

Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule: Bushfire-Prone Areas Overlay

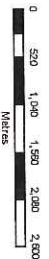
1-293



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Legend

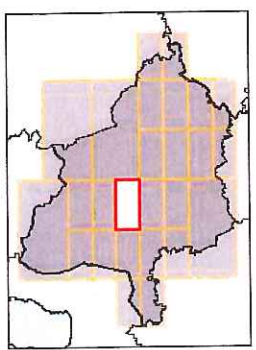
- Bushfire-Prone Area
- Cadastral Parcels



Coordinate System: GDA 94 MGA Zone 55

Overlay data from Northern Midlands Council and Tasmania Fire Service
Base topographic data from the LIST © State of Tasmania

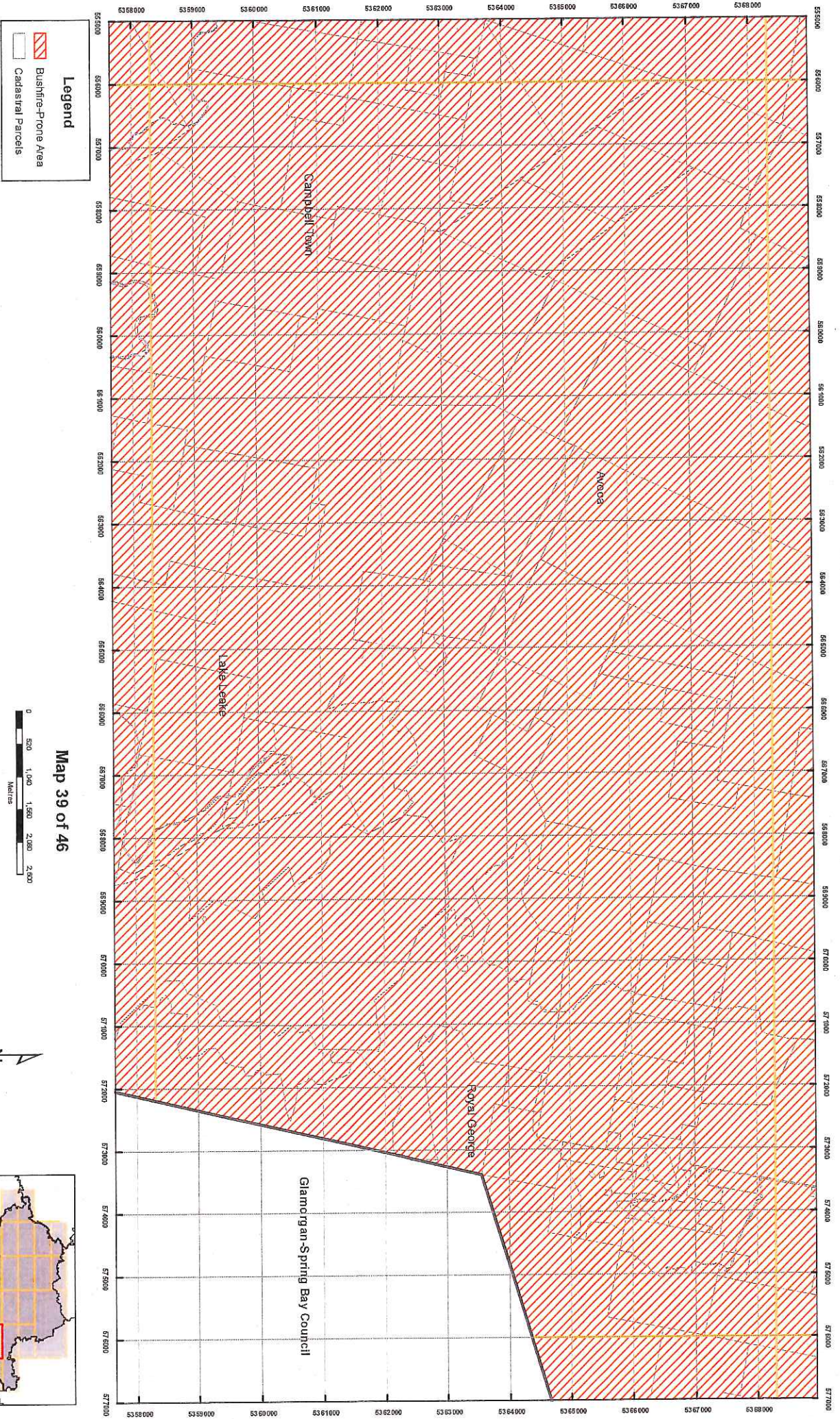
Print Date: 3/09/2018



Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule:

Bushfire-Prone Areas Overlay

1-294



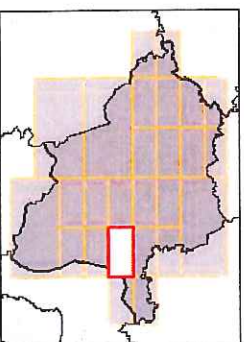
Map 39 of 46



Coordinate System: GDA 94 MGA Zone 55

Overlay data from Northern Midlands Council and Tasmania Fire Service
Base topographic data from the LIST © State of Tasmania

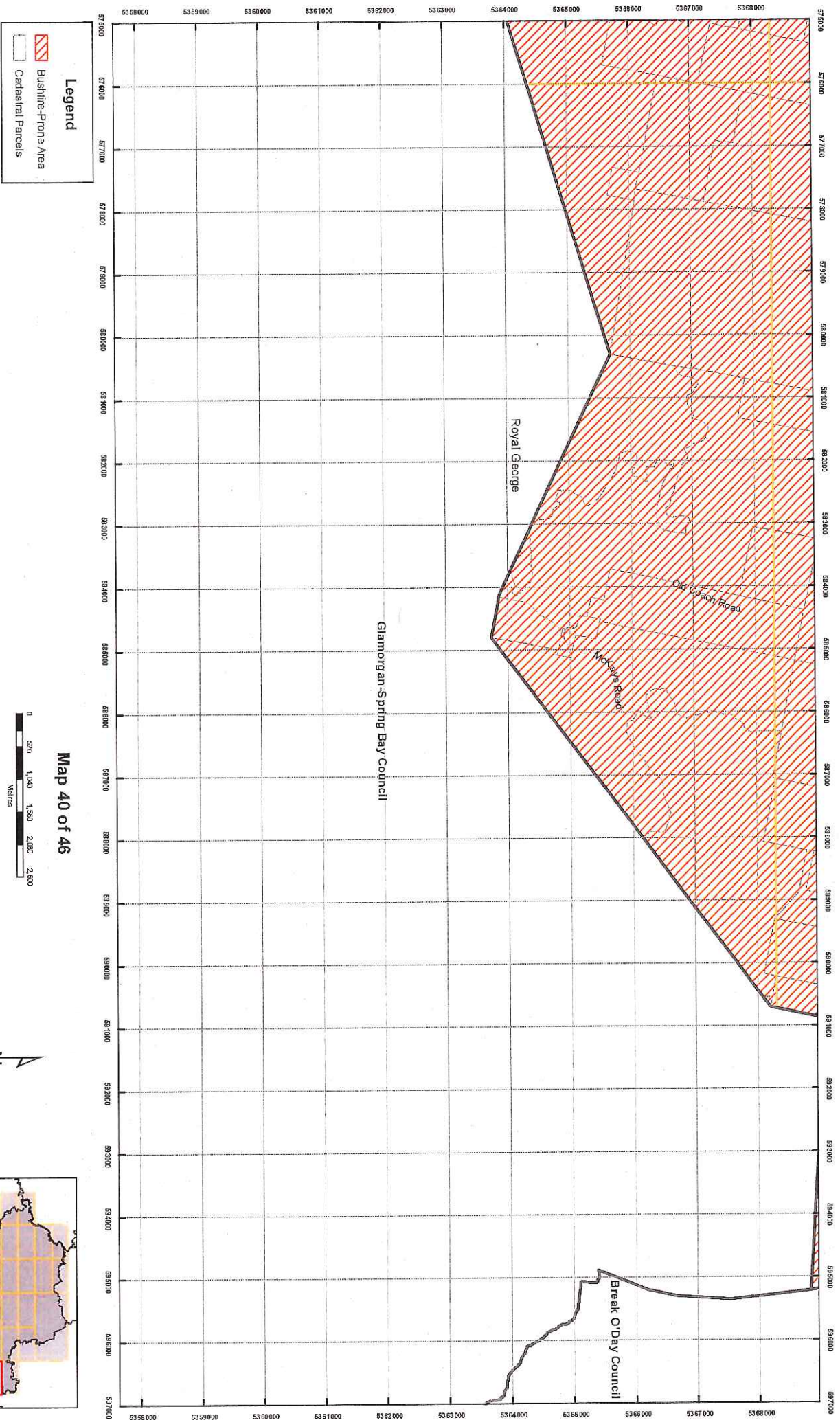
Print Date: 3/09/2018



Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule:

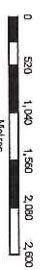
Bushfire-Prone Areas Overlay

1-295



Legend

- Bushfire-Prone Area
- Cadastral Parcels

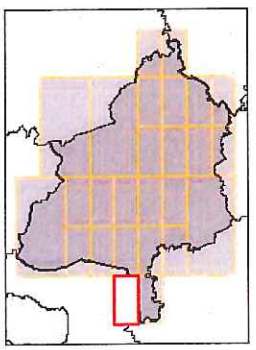


Map 40 of 46

Coordinate System: GDA 94 MGA Zone 55

Overlay data from Northern Midlands Council and Tasmania Fire Service
Base topographic data from the LIST © State of Tasmania

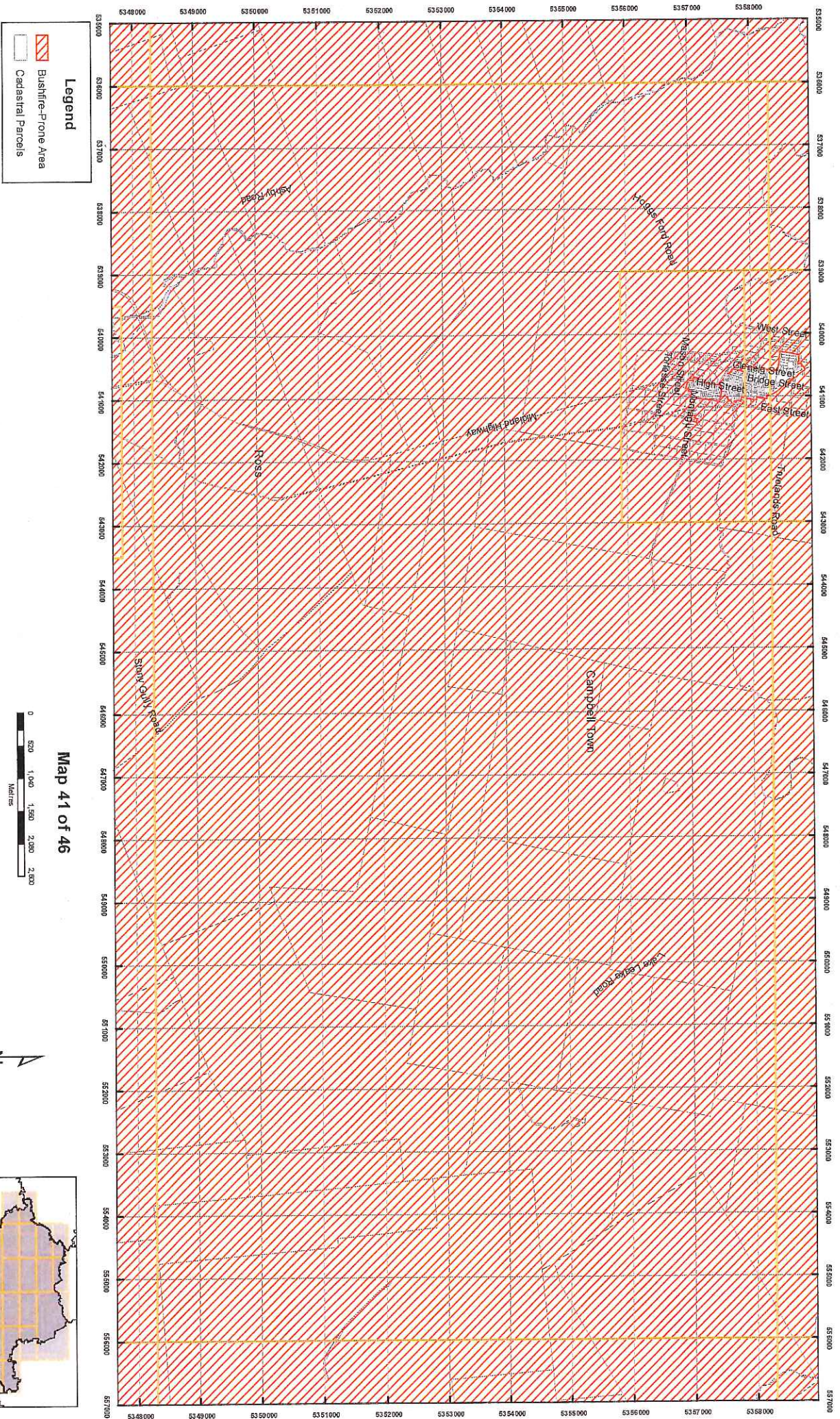
Print Date: 3/09/2018



Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule:

Bushfire-Prone Areas Overlay

1-296



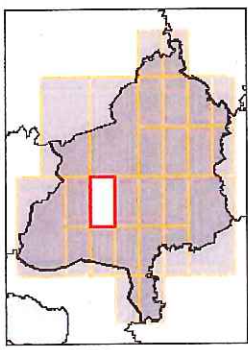
Map 41 of 46



Coordinate System: GDA 94 WGA Zone 55

Overlay data from Northern Midlands Council and Tasmania Fire Service
Base topographic data from the LIST @ State of Tasmania

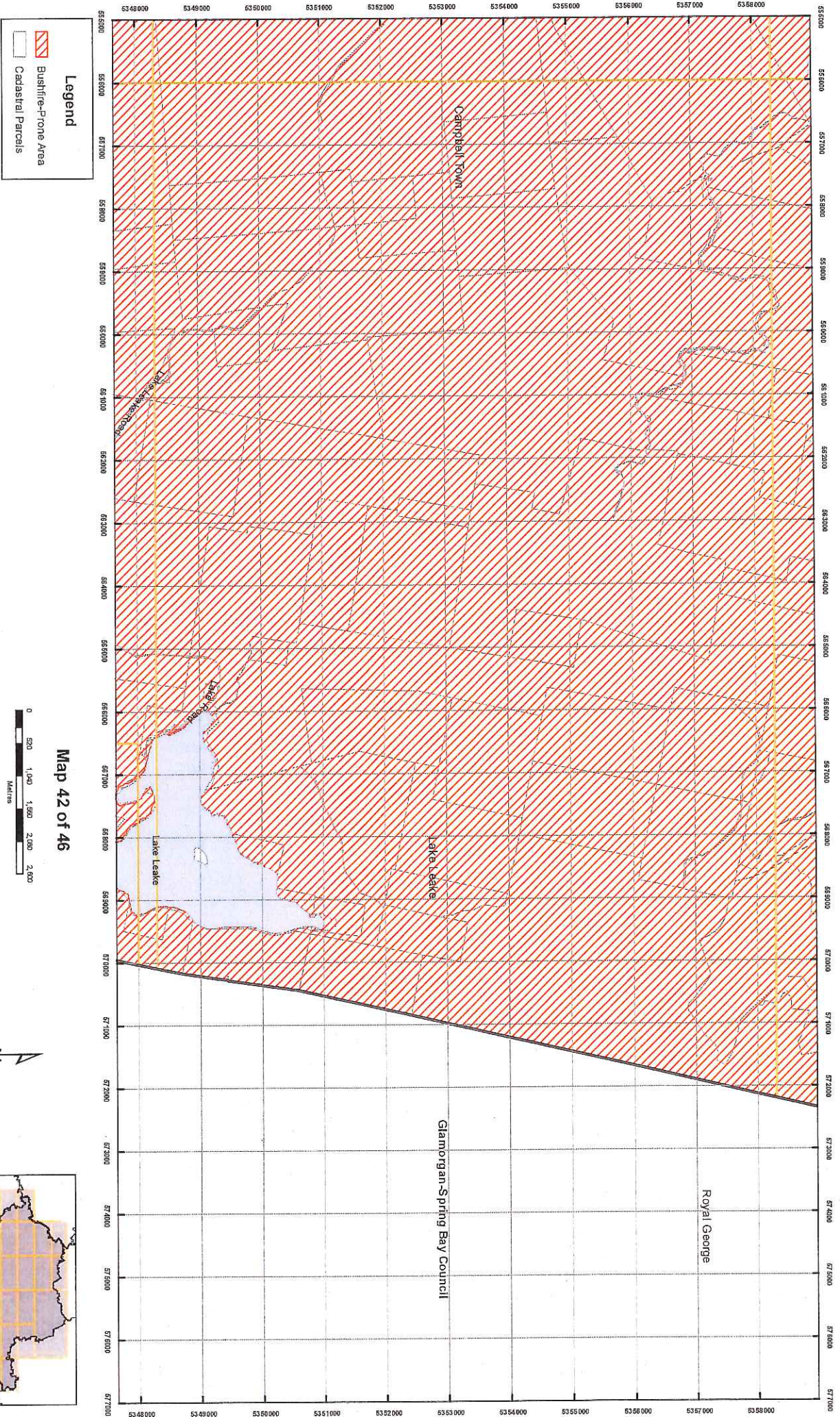
Print Date: 3/09/2018



Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule:

Bushfire-Prone Areas Overlay

1-297



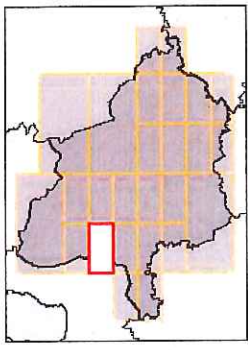
Map 42 of 46



Coordinate System: GDA 94 MGA Zone 55

Overlay data from Northern Midlands Council and Tasmania Fire Service
 Base topographic data from the LISI © State of Tasmania

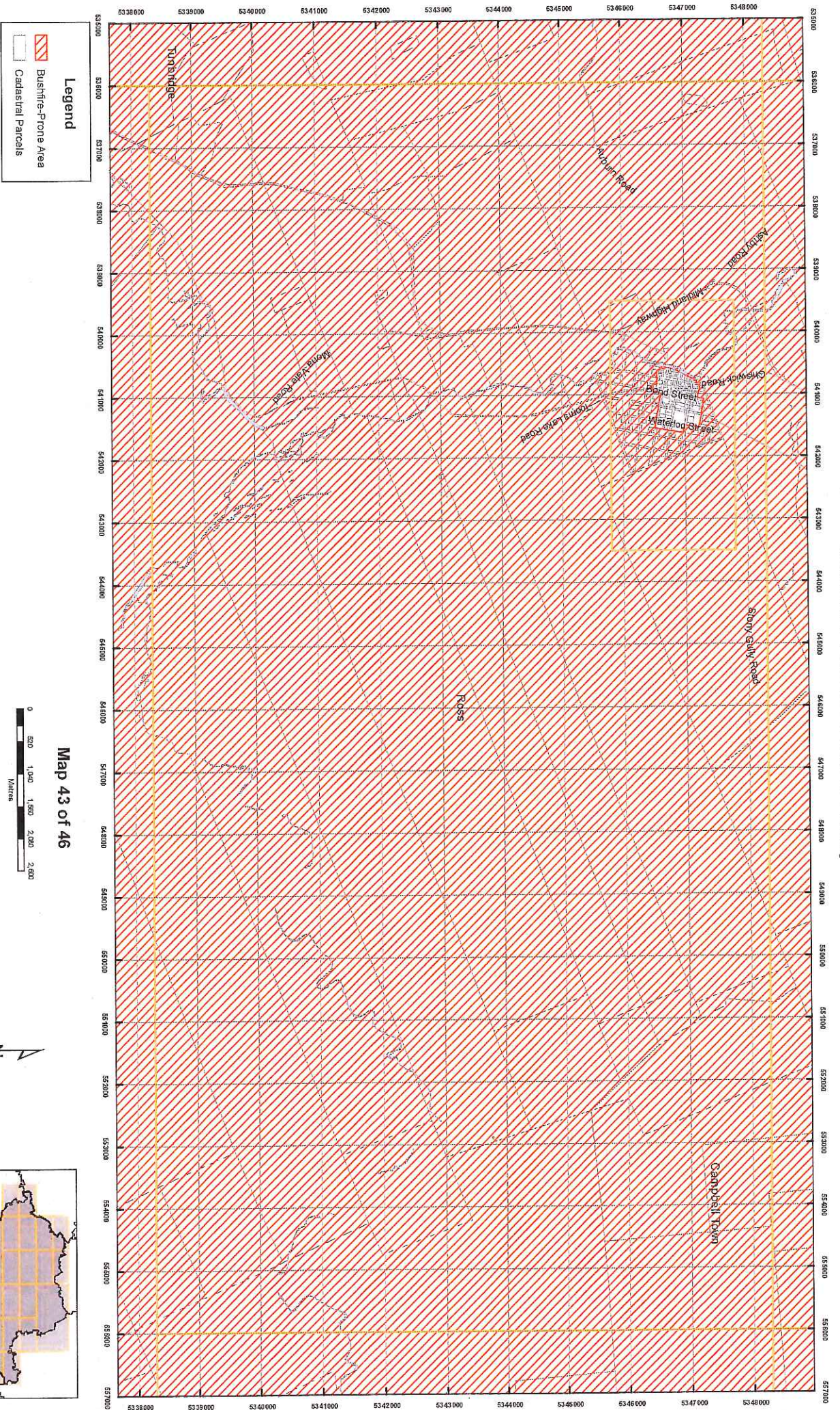
Print Date: 3/09/2018



Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule:

Bushfire-Prone Areas Overlay

1-298



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Coordinate System: GDA 94 MGA Zone 55

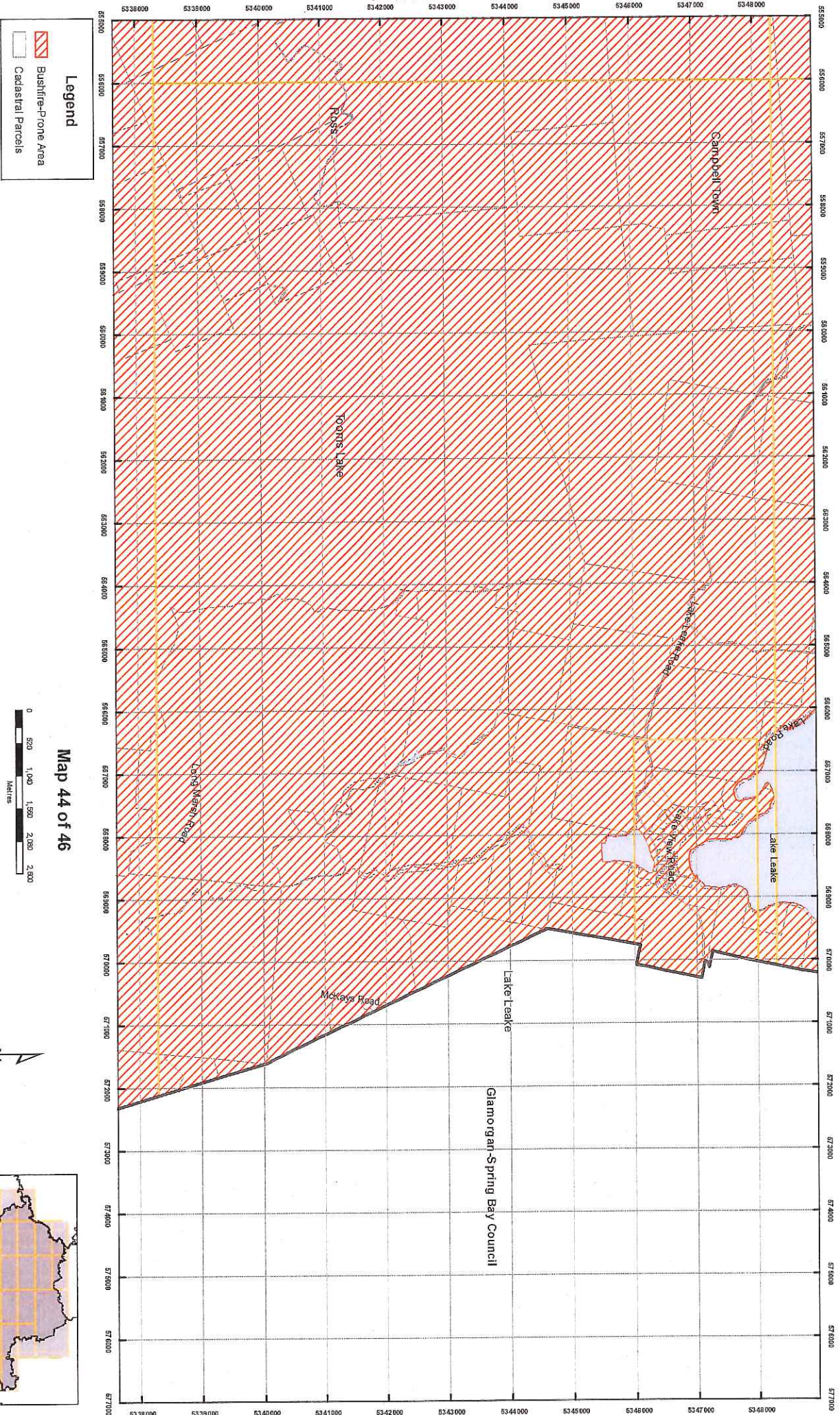
Overlay data from Northern Midlands Council and Tasmania Fire Service
Base topographic data from the LIST © State of Tasmania

Print Date: 3/09/2018

Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule:

Bushfire-Prone Areas Overlay

1-299

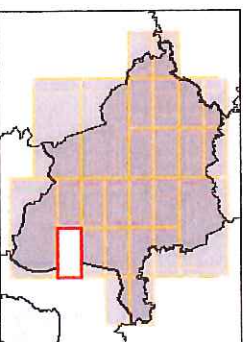


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Coordinate System: GDA 94 MGA Zone 55



Overlay data from Northern Midlands Council and Tasmania Fire Service
 Base topographic data from the LIST@ State of Tasmania
 Print Date: 3/09/2018



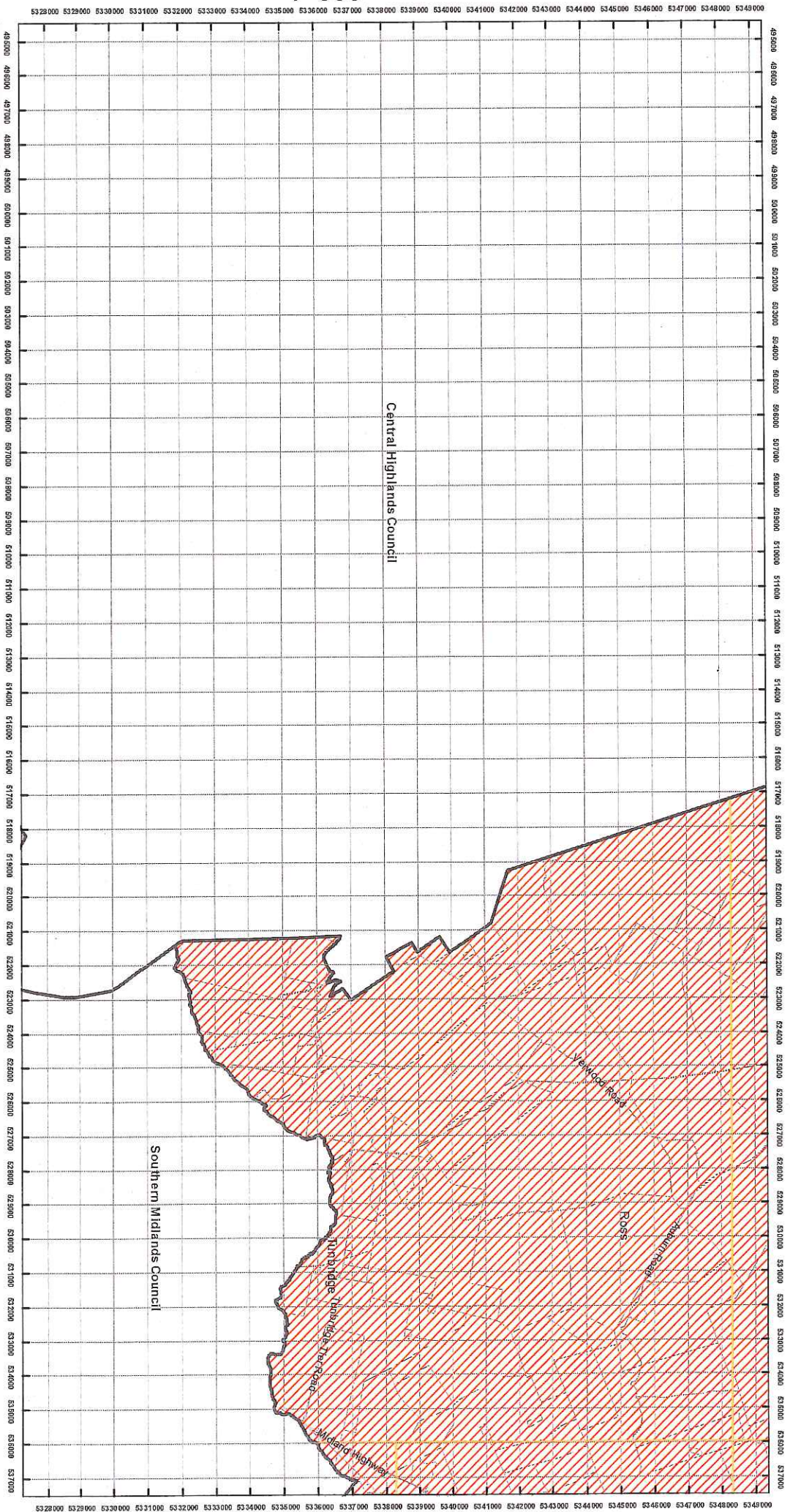
Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule:

Bushfire-Prone Areas Overlay

1-300

Legend

-  Bushfire-Prone Area
-  Cadastral Parcels



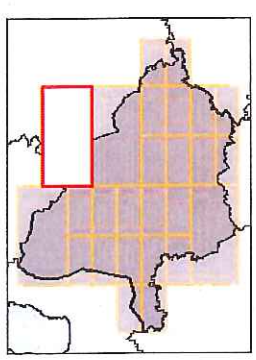
Map 45 of 46



Coordinate System: GDA 94 MGA Zone 55

Overlay data from Northern Midlands Council and Tasmania Fire Service
Base topographic data from the LIST @ State of Tasmania

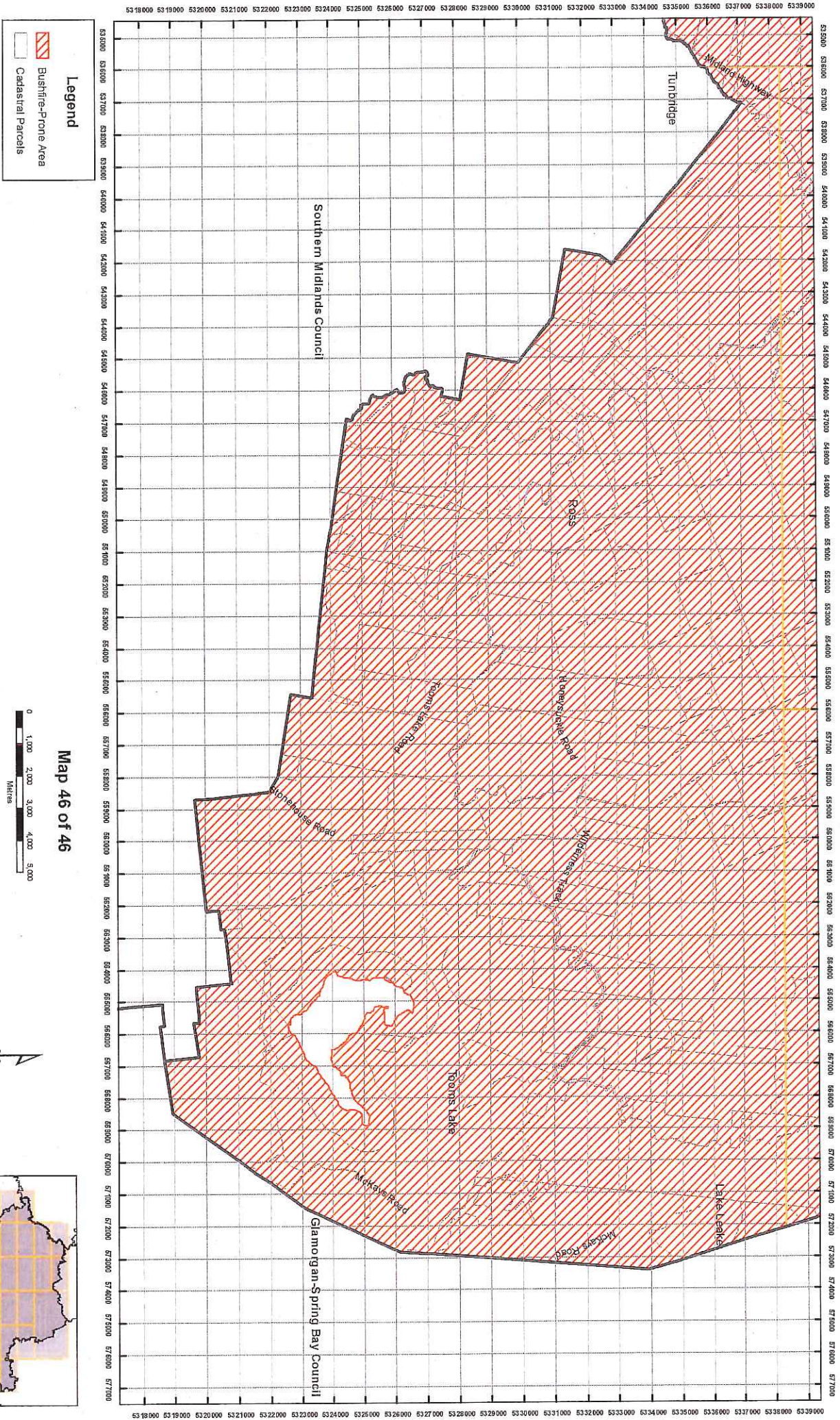
Print Date: 3/09/2018



Tasmanian Planning Scheme - Northern Midlands Local Provisions Schedule:

Bushfire-Prone Areas Overlay

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Coordinate System: GDA 94 MGA Zone 55
 Overlay data from Northern Midlands Council and Tasmania Fire Service
 Base topographic data from the LIST @ State of Tasmania
 Print Date: 3/09/2018

