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Planning Report

Bushfire Assessment
3-5 Caldwell Court, Johnsonville

Our reference – 20474

November 2024

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FS 520900



**MEMBER
FIRM**

This assessment has been prepared to identify bushfire hazard and to provide a risk assessment relating to the proposal for the use and development of an education centre, primary school and secondary school at 3-5 Caldwell Court, Johnsonville.

The purpose of this assessment is to:

- Respond to State Planning Policy at Clause 13.02-1S relating to Bushfire Planning.
- Identify vegetation, topographic and climatic conditions that create a bushfire hazard.
- Provide an assessment of the bushfire hazard on the basis of landscape conditions, local conditions, neighbourhood conditions and conditions of the subject land.
- Respond to the identified bushfire hazard, including proposed bushfire protection measures and demonstrate how the protection of human life has been prioritised.

Locality

In terms of bushfire the site is well located being within the township of Johnsonville, close to the local fire brigade building

The site forms part of an existing residential precinct with adjoining properties to the north and east contained within the Low Density Residential Zone. Land to the north and to the east of the subject land has recently been subdivided for residential purposes (Planning Permit 480/2021/P). The allotments within Caldwell Court are typically at or slightly above 2,000m² in area, and many of them have dwellings currently under construction.

Adjoining properties to the west and south of the subject land are also zoned Low Density Residential however, these properties are yet to be further developed and have the appearance of open grazing properties.

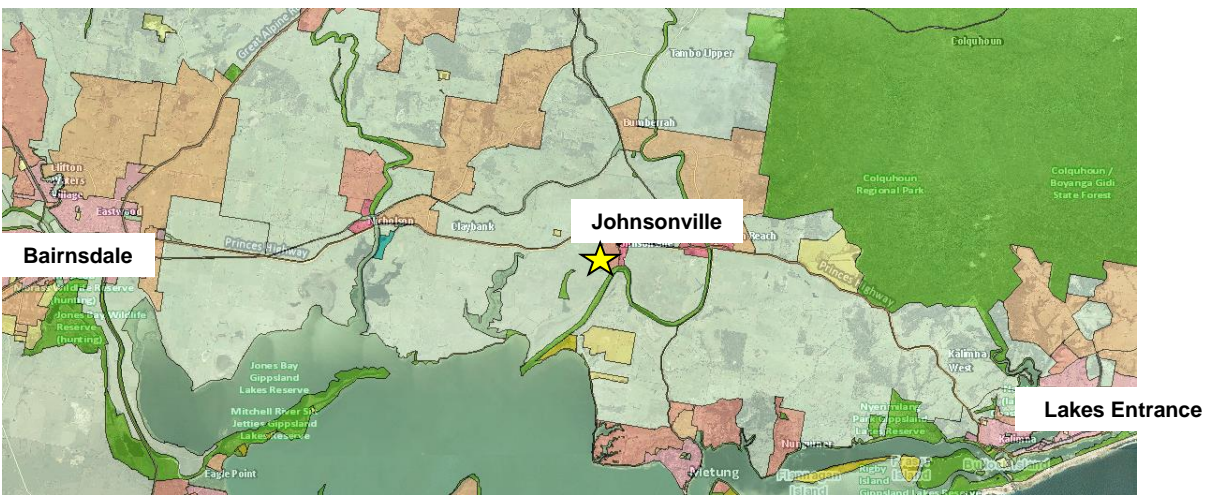
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Aerial image of the subject land and surrounds (Source: Google Earth)

The site is approximately 20km east of Bairnsdale, and approximately 18km west of Lakes Entrance.



Wider Locality Plan – Source: VicPlan

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State Planning Policy Assessment

Objective

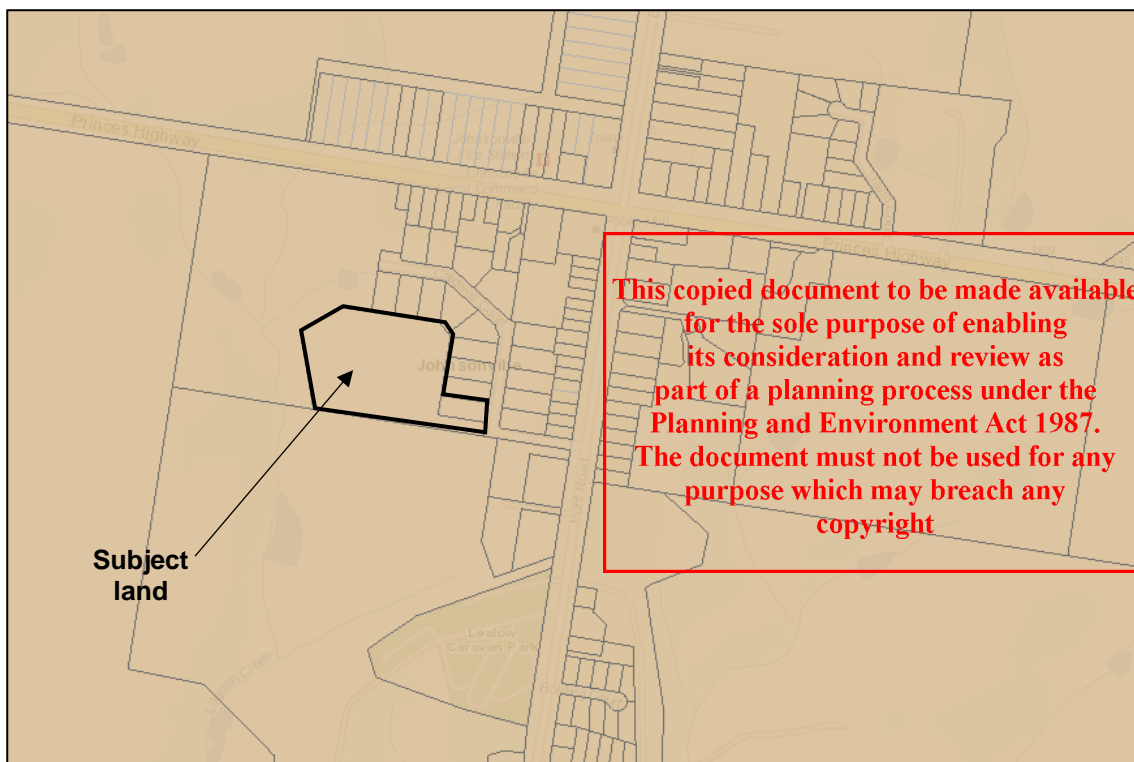
Clause 13.02-1S of State Planning Policy seeks 'to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritizes the protection of human life'.

Policy Application

The Bushfire Planning Policy at Clause 13.02-1S is to be applied to all planning and decision making under the *Planning & Environment Act 1987* relating to land that is:

- Within a designated bushfire prone areas;
- Subject to a Bushfire Management Overlay; or
- Proposed to be used or developed in a way that may create a bushfire hazard.

The subject land is not contained within the Bushfire Management Overlay however the proposed use and development requires consideration of bushfire risk, pursuant to Clause 13.02-1S. The subject land is a designated Bushfire Prone Area, meaning the policy has a heightened statutory weight.



Designated Bushfire Prone Mapping – Source: VicPlan

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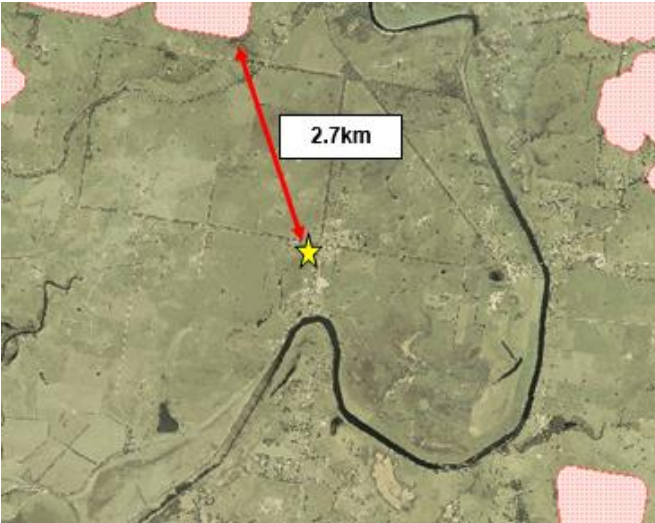
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Strategies

The following tables outline the various Strategies to be implemented under the provisions of Clause 13.02-1S relating to Bushfire Planning and also provides responses specific to the proposal at hand.

Protection of Human Life	
Strategy	Response
<p>Prioritising the protection of human life over all other Policy Considerations</p>	<p>The proposed education centre in this location is considered to ensure protection of human life.</p> <ul style="list-style-type: none"> The subject land is not contained in the Bushfire Management Overlay. The site is located within an existing township area and is within walking distance to commercial properties and community facilities. It is also only a short drive along the Princes Highway from the slightly larger township areas of Swan Reach and Nicholson. The subject land and surrounding properties are contained on relatively flat land and the landform does not generate hazardous fire runs. Surrounding properties contain residential development and cleared grassland and do not provide a severe fire threat.
<p>Directing population growth and development to low risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire.</p>	<p>The subject land is considered to be a low risk location given its location in an existing settlement and the surrounding conditions.</p> <p>The site is located within close proximity to the Princes Highway which provides safe access to nearby township areas such as Lakes Entrance to the east and Bairnsdale to the west. There is no requirement to traverse through extensive vegetated areas to gain access to safe refuge from bushfire.</p> <p>Being within the township area of Johnsonville with good vehicle access enhances the protection of human life from the bushfire risk.</p>
<p>Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision making at all stages of the planning process.</p>	<p>Although the subject land is not contained within the Bushfire Management Overlay, the development has been designed having regard for the proposed buildings in accordance with Australian Standard AS3959-2018.</p> <p>Given the inclusion of the subject land within a declared Bushfire Prone Area, a Bushfire Attack Level (BAL) will need to be established for future buildings.</p> <p>The building layout setback from the western and southern grassland allows for future school buildings that can achieve an acceptable BAL construction standard. It is noted that the school may wish to construct to higher BAL construction should they wish.</p>

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Bushfire Hazard Identification & Assessment	
Strategy	Response
Identify bushfire hazard and undertake appropriate risk assessment by:	
Applying the best available science to identify vegetation, topographic and climatic conditions that create a bushfire hazard	<p>The Planning Application triggers consideration of the proposal under Clause 13.02-1S of the East Gippsland Planning Scheme despite the site not being contained in the Bushfire Management Overlay.</p> <p>The need to consider the requirements of Australian Standard AS3959 is triggered through Clause 13.02-1S, as the subject land is within a Bushfire Prone area.</p> <p>The Application has therefore considered the methodology (Method 1) and controls of Australian Standard AS3959 as part of the assessment.</p>
Considering the best available information about bushfire hazard including the map of designated bushfire prone areas prepared under Building Act 1993 or regulations made under that Act.	<p>The proposal responds to the provisions of Australian Standard AS 3959, as the subject land is within a Bushfire Prone area.</p> <p>This assessment demonstrates that future development on the subject land is able to achieve sufficient setbacks from classifiable vegetation to meet the requirements of Table 2.4.2 of Australian Standard AS3959.</p>
Applying the Bushfire Management Overlay to areas where the extent of vegetation can create an extreme bushfire hazard.	<p>The subject land is not within the Bushfire Management Overlay. The nearest Bushfire Management Overlay mapping is approximately 2.7km to the north.</p> <p>The omission of the site from the Bushfire Management Overlay highlights that the site is not at severe risk from bushfire.</p>
<div style="border: 1px solid red; padding: 5px; color: red; text-align: center;"> <p>This copied document to be made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright</p> </div>	 <p style="text-align: center;"><i>Bushfire Management Overlay Mapping</i></p>
Considering and assessing the bushfire hazard on the basis of: -Landscape Conditions (Meaning conditions in the landscape	<p>Refer to the landscape section of this assessment which includes an assessment of the proposal against the landscape conditions, local conditions, neighbourhood conditions and site circumstances.</p>

<p>within 20km (& potentially up to 75km) of a site). -Local Conditions (Meaning conditions in the area within approximately 1km of a site). -Neighbourhood conditions (Meaning conditions in the area within 400m of a site). -The site for the development.</p>	
<p>Consulting with emergency management agencies and the relevant fire authority early in the process to receive their recommendations and implement appropriate bushfire protection measures.</p>	<p>The Planning Application will not need to be formally referred to the Country Fire Authority for a review of the response to the surrounding bushfire hazard, however the responsible authority will need to be satisfied that the proposal adequately addresses Clause 13.02-1S.</p>
<p>Ensuring that strategic planning documents, planning scheme amendments, planning permit applications and development plan approvals properly assess bushfire risk and include appropriate bushfire protection measures.</p>	<p>The location of the site within an established residential area provides good opportunity for future development to achieve appropriate bushfire protection measures.</p> <p>The predominate vegetation classification surrounding the subject land to the north and east within the 100m assessment area is "low threat" which is excluded from a BAL assessment at 2.2.3.2 of AS 3959. The "low threat" nature of the surrounding vegetation ensures the ability to easily achieve BAL 12.5 separation distances prescribed by AS 3959 to the north and east.</p> <p>To the south and west are grassland vegetation, allowing a setback from these interfaces to be achieved to provide for an appropriate BAL in accordance with AS 3959.</p>
<p>Not approving development where a landowner or proponent has not satisfactorily demonstrated that the relevant policies have been addressed, performance measures satisfied or bushfire protection measures can be adequately implemented.</p>	<p>This report demonstrates that the proposal responds satisfactorily to the provisions of Clause 13.02-1S.</p>

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Settlement Planning	
Strategy	Response
Plan to strengthen the resilience of settlements and communities and prioritise protection of human life by:	
Directing population growth and development to low risk locations, being those locations assessed as having a radiant heat flux of less than 12.5 kilowatts/square metre under AS 3959-2009 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009).	<p>Johnsonville is considered a low risk area given its urbanised environment.</p> <p>The proposed development layout can generally accommodate future development to BAL12.5 based on assessment under Australian Standard AS 3959.</p> <p>Whilst each building, with the exception of building 2 is capable of accommodating a structure with BAL-12.5 the school may wish to construct the proposed buildings to a higher BAL level.</p> <p>Building 2 given the bushfire risk is from “grassland vegetation” could be constructed to a BAL-29 standard offering protection in a grassland fire event.</p> <p>The omission of the subject land from the Bushfire Management Overlay provides certainty that the subject land is not a high risk bushfire location.</p> <p>Providing an education centre in this location is considered appropriate and will not result in any adverse bushfire risk or risk to life and property.</p>
Ensuring the availability of, and safe access to, areas assessed as a BAL-Low rating under AS 3959-2009 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009) where human life can be protected from the effects of bushfire.	<p>The subject land is located within the township area of Johnsonville which offers refuge from bushfire however access is also easily obtained to the larger nearby township areas of Bairnsdale and Lakes Entrance via the Princes Highway.</p> <p style="text-align: center; color: red; font-weight: bold; font-size: 1.2em;">ADVERTISED PLAN</p>
Ensuring the bushfire risk to existing and future residents, property and community infrastructure will not increase as a result of future land use and development.	<p>The bushfire risk will not increase as a result of the development of an education centre. If anything, the establishment of the education centre on the land will provide additional protection to existing and future development, as there will be ongoing management and maintenance of the land, which currently presents a bushfire hazard in the form of “grassland” vegetation.</p>
Achieving no net increase in risk to existing and future residents, property and community infrastructure, through the implementation of bushfire protection measures and where possible reducing bushfire risk overall.	<p>There will be no net increase in risk resulting from the proposal, as there is the ability to implement appropriate bushfire protection measures.</p> <p>The subject land is surrounded by establishing residential properties and roads, resulting in the land having a separation distance greater than 100m from any classifiable vegetation to the east and north.</p> <p>Management of vegetation across the subject land to a “low threat” condition will reduce risks to the local community.</p>

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	The development will have convenient access to the existing road network without traversing a bushfire hazard.
Assessing and addressing the bushfire hazard posed to the settlement and the likely bushfire behavior it will produce at a landscape, settlement, local, neighbourhood and site scale including the potential for neighbourhood-scale destruction.	<p>Although the site is not considered to be at high risk from bushfire, indicated by the exclusion from the Bushfire Management Overlay, there is a risk from bushfire which is evident by the inclusion of the locality within a designated Bushfire Prone Area.</p> <p>The greatest fire threat is from the north and northeast of the subject land where land is vegetated with “forest” vegetation. This main threat is several kilometres away. Further information on the bushfire behaviour at a landscape, local, neighbourhood and site level are provided within the assessment.</p>
Assessing alternative low risk locations for settlement growth on a regional, municipal, settlement, local and neighbourhood basis.	The subject land is already contained within an existing residential precinct within the Low Density Residential Zone which supports the establishment of an education centres.
Not approving 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 BAL 12.5 rating under AS3959-2009 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009).	This submission has been prepared in support of an application for Planning Permit which is able to be approved given future buildings can achieve an acceptable construction standard.

Areas of Biodiversity Conservation Value	
Strategy	Response
Ensure settlement growth and development approvals can implement bushfire protection measures without unacceptable biodiversity impacts by discouraging settlement growth and development in bushfire affected areas that area important areas of biodiversity.	The proposed development of the subject land is to be undertaken on a cleared allotment that contains exotic pasture grasses and there will be no unacceptable biodiversity impacts associated with the development.

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Use & Development Control in Bushfire Prone Area	
Strategy	Response
When assessing a Planning Permit Application for the uses and development:	
Consider the risk of bushfire to people, property and community infrastructure.	<p>Whilst the application seeks approval for an education centre, it results in the expectation that students and staff could be subject to a fire event.</p> <p>Establishment of a school in this location is most appropriate having regard for the surrounding residential use, in- town location and the separation from the steeper terrain and larger areas of forest in the wider landscape.</p> <p>The development as proposed and the surrounding residential development taking place will ultimately provide protection to one another and provide a managed low fuel condition.</p>
Require the implementation of appropriate bushfire protection measures to address the identified bushfire risk.	<p>The low threat nature of the vegetation to the north and east within the surrounding 100 mete assessment area ensures that more than ample separation is achieved from classifiable vegetation to accommodate a minimum separation to achieve an appropriate BAL.</p> <p>Setbacks to the west and south from the grassland vegetation is proposed allowing for the majority of the buildings to achieve a BAL-12.5, with the exception of building 2 that can achieve a BAL-29 construction standard.</p> <p>In practice development is likely to exceed the construction requirements for BAL-12.5, buildings will be constructed using slab design, many elements of the buildings will use robust materials including rammed earth, hardwoods and Colorbond roofing thereby enhancing protection and resilience further from bushfire.</p>
Ensure new development can implement bushfire protection measures without unacceptable biodiversity impacts.	<p>The proposed allotments will be provided with more than sufficient separation from classifiable vegetation to accommodate an education centre that can achieve appropriate BAL construction. This is assured by the intervening low threat and grassland status of the vegetation on adjoining properties.</p>

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Policy Guidelines

Policy Guidelines & Documents	Response
The following must be considered as relevant:	
Any applicable approved state, regional and municipal fire prevention plan.	The Municipal Fire Prevention Plan has been considered as part of this assessment and is elaborated upon further within the assessment.
AS 3959-2009 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009)	Australian Standard AS3959 has been used as part of this assessment to classify slope and vegetation to determine BAL requirements or otherwise for the proposed buildings.
Building in bushfire-prone areas – CSIRO & Standards Australia (SAA HB36-1993, 1993).	This is the handbook to Australian Standard AS 3959 and will be achieved through the proposed BAL construction standards.
Any bushfire prone area map prepared under the Building Act 1993 or regulations made under that Act.	The current Bushfire Prone Area mapping has been considered as part of this assessment. The subject land is within a Designated Bushfire Prone Area.

Bushfire Risk

Under Clause 13.02-1S relating to Bushfire Planning triggers the need to consider and assess the bushfire hazard on the basis of:

- Landscape conditions
- Local conditions
- Neighbourhood conditions &
- The site for the development

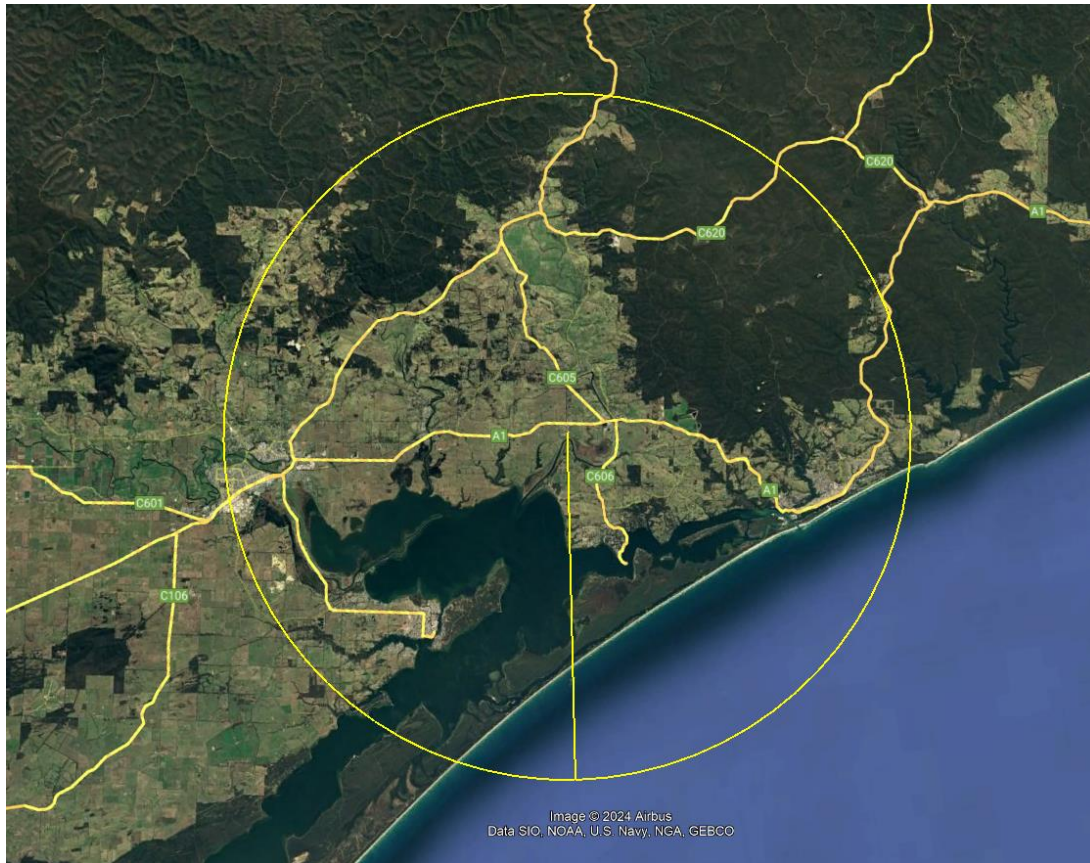
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Landscape Conditions

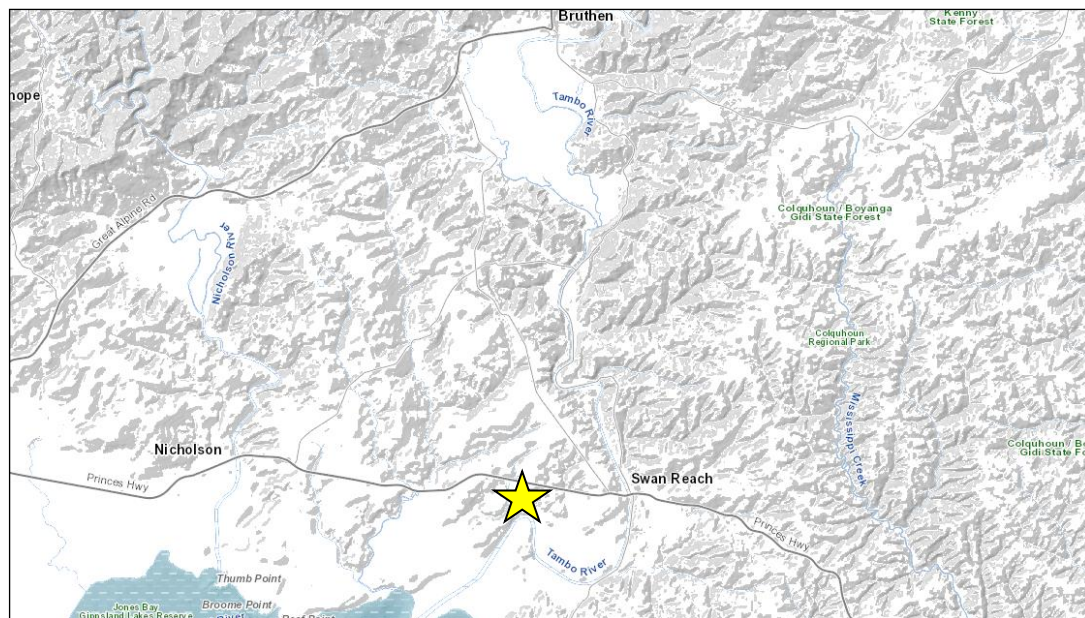
When considering and assessing the bushfire hazard the landscape risk needs to be taken into consideration which includes the extent of vegetation cover, the area available to a landscape bushfire, terrain and accessibility to low threat areas.

Under Clause 13.02-1S pertaining to Bushfire Planning ‘landscape conditions’ means the conditions in the landscape within 20km (and potentially up to 75km) of a site.

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Landscape Conditions within 20km of the subject land (Source: Google Earth)



Terrain – yellow star depicts subject land (Source: NatureKit (DELWP))

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The key features within the 20km assessment area surrounding the subject land include:

- Large areas of residential and rural residential development, particularly to the west of the property.
- Large areas of grassland coverage throughout most of the assessment area, much of which is utilised for grazing activities.
- The northern and eastern portions of the 20km assessment area contain forested areas which are connected to larger expanses of forested Crown land which poses a threat of bushfire.
- The terrain within most of the assessment area is not steep, however it is undulating in nature. The northern portion of the assessment area does become steeper incorporating higher hills and low mountains.
- The land between the subject land and the larger township areas of Bairnsdale to the west and Lakes Entrance to the east is not heavily vegetated and is easily accessed by a good quality sealed road network.

The subject land is located within the township area of Johnsonville and is surrounded by residential properties to the north and east. The vegetation within the wider landscape is mostly representative of grassland which generally provides a lower risk to bushfire.

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Local Conditions

Under Clause 13.02-1S pertaining to Bushfire Planning 'local conditions' means conditions in the area within approximately 1km of a site.



Local conditions within 1km of the subject land – Source: VicPlan

The key features within the 1km assessment area surrounding the subject land include:

- Land in all directions best described as “grassland” however there is some roadside vegetation present.
- The assessment area includes the entire township area of Johnsonville and therefore contains a high number of established residential properties and developed land.
- Areas of grassland extending beyond the township area are typically grazed.
- The assessment area is dissected in an east west direction by the Princes Highway which is a principal road.
- The landform is relatively flat in nature and does not comprise steep slopes or mountainous terrain.

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Neighbourhood Conditions

Under Clause 13.02-1S pertaining to Bushfire Planning 'neighbourhood conditions' mean conditions in the area within 400 metres of a site.



Neighbourhood conditions within the 400m assessment area of the subject land
(Source: Google Earth)



Completed subdivision of Caldwell Court currently being developed with dwellings
(Source: VicPlan)

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The key features within the 400m assessment area surrounding the subject land include:

- Presence of numerous residential style properties and well managed land. These properties generally present a “low threat” vegetation classification to the east and north.
- The predominate vegetation classification to the west and south is “grassland”.
- Caldwell Court and immediate surrounds are developed with dwellings being constructed on the allotments.
- The landform is relatively flat and only mildly undulating.

Bushfire Scenarios

Bushfire from the North

The most likely bushfire scenario for this site will be for a fire approaching from the north or the northeast given the presence of the forested area in the broader landscape. Such a fire would have the potential for long fire runs through the forested areas and through the buffering grassland areas.

The change from the steeper terrain and forested areas further to the north in the broader context to a flatter landscape which is predominately grassland benefits the subject land and aids with reducing the intensity of bushfire approaching the subject land.

Localised Grass Fires

There is a threat from more localised grassland fires from most directions however the terrain is not steep, and immediately surrounding properties are well managed and maintained.

Bushfire Hazard Site Assessment

The vegetation on the subject land and the immediately surrounding area has been classified in accordance with Table 2.3 of Australian Standard AS 3959, consistent with Clause 13.02-1S of the *East Gippsland Planning Scheme*.

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Aerial view of subject land and surrounds – Source: VicPlan

Exclusions & Low Threat Vegetation

Existing residential development is established to the north and east which is generally well managed and maintained. These areas contain minimal vegetation, which is less than 1ha in area and not within other areas of classifiable vegetation and has therefore been assessed as “low threat”.

Land immediately to the west and south comprise well maintained “grassland” vegetation and contain waterways with few scattered trees. Both the adjoining properties are downslope between 0>5 degrees.

Whilst there are still some vacant parcels of land within Caldwell Court they are generally well managed and maintained given their size and residential status. It is reasonable to expect that they will be developed for residential purposes in due course.

Mature trees flank the adjoining road reserves however the width is less than 25m and contains minimal understory. The extent of vegetation within the adjoining road reserves would not substantially alter the bushfire hazard generated from surrounding grassland.

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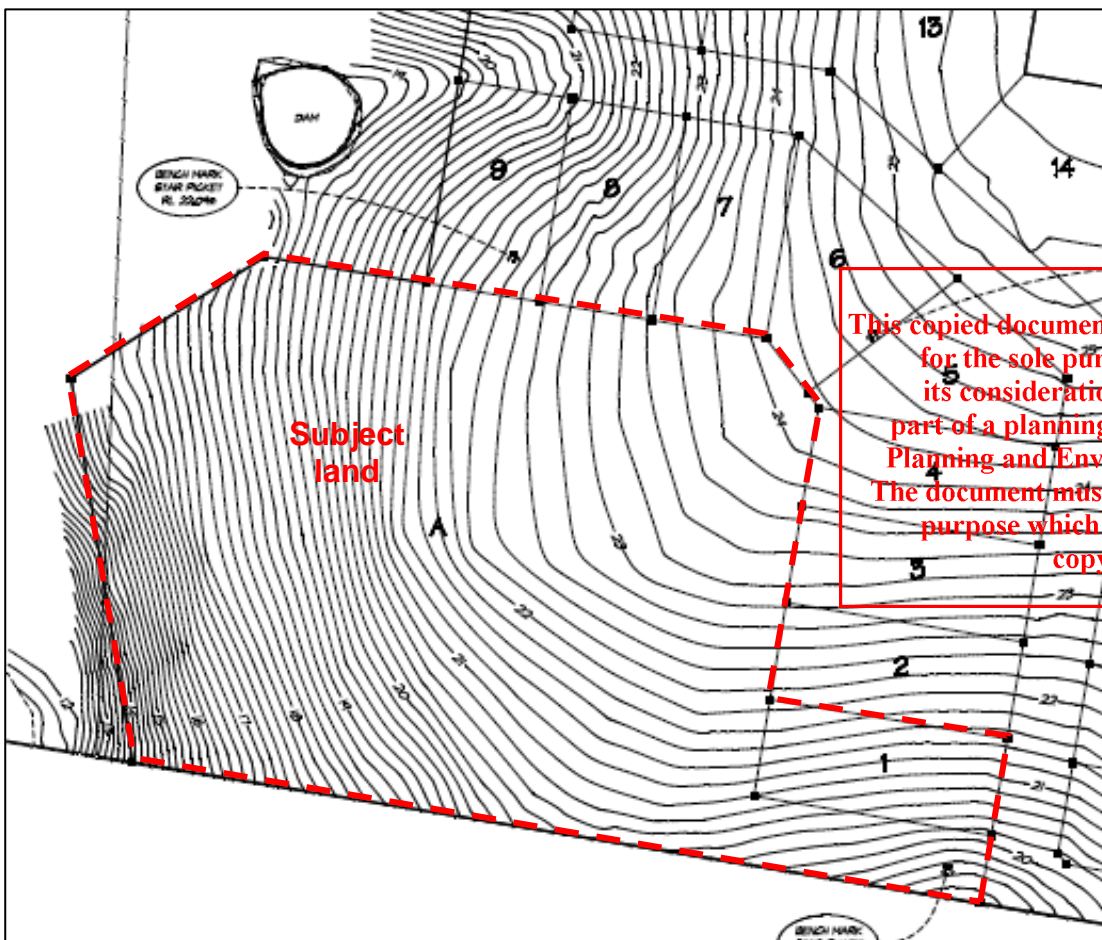
20474 Bushfire Assessment



View south along Punt Road

Topography

The subject land and surrounding 100m assessment area is generally quite flat however land to the west and south is on a slight downslope 0-5°. The below diagram includes contour detail that demonstrates the gentle fall in grade to the west and south.



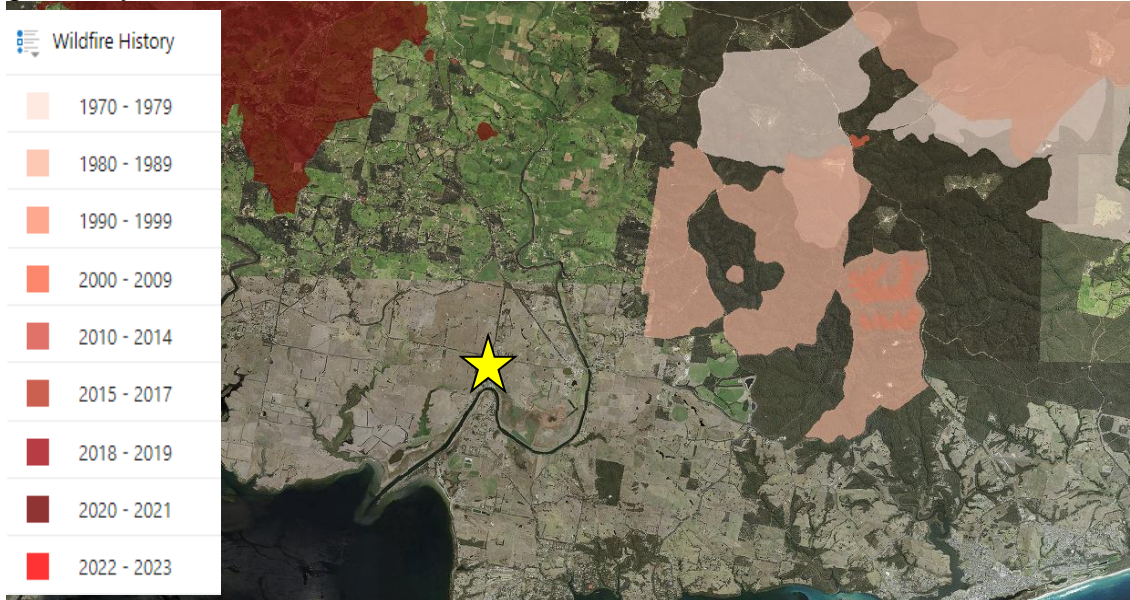
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Contours of the subject land and surrounds (Source: IntraMaps)

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Other Bushfire Matters

Although there is some record of fire history within the wider landscape since the 1970's, there has been no record of bushfire history on the subject land or generally within the Johnsonville area.



Bushfire History – Source: Mapshare



Planned Burn History – Source: Mapshare

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Municipal Fire Management Plan

The East Gippsland Fire Management Plan (2017-2020) recognizes that bushfire poses a serious threat to life and property within East Gippsland and identifies the need for integrated bushfire management strategies to mitigate the risk.

The Plan identifies Johnsonville (VFRR Asset ID 19024) as a human settlement – residential area with a risk rating for bushfire of ‘high’ as the likely bushfire scenario is for direct flame attack (grassfire) from all directions with smoke impact and ember attack.

There are several existing treatments identified within the Plan which are being undertaken across the Municipality such as community education, power line clearance, roadside vegetation management and burn program.

Additional treatments have been identified as necessary within the Management Plan for community education, burn program, Crown Land fuel reduction, patrol/inspection and local incident management plan.

Surrounding Road Network

The subject land has frontage to Caldwell Court which leads to Punt Road to the east which is a good quality sealed road which then provides direct and convenient access to the Princes Highway which is approximately 340 metres to the north.

Princes Highway is classified as principal road and is a good quality sealed bitumen road which is the main access route to nearby towns and localities. Whilst the road reserves adjoining this road are generally well vegetated, the road network provides for safe egress and access to the larger township areas of Lakes Entrance to the east and Bairnsdale to the west without traversing any extensive vegetated areas or steep terrain.



Looking north at the Punt Road & Princes Highway Intersection

Response & Mitigation Measures

The proposed development is considered to respond positively to the bushfire risk of the area.

Proposed buildings can be developed that can achieve appropriate BAL construction standards consistent with AS 3959.

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- The predominate vegetation classification within the surrounding 100 metre assessment area is “low threat” given the presence of established and emerging residential properties and “grassland” vegetation.
- The roadside vegetation provided within Punt Road and Princes Highway has been classified as ‘excludable’ given its limited width and fragmented nature.
- Land within the surrounding 100 metre assessment area is predominately ‘upslope’ to the north and east and downslope >0-5° is provided on the western and southern aspects.
- The low threat vegetation within the 100 metre assessment area is excluded from a BAL assessment pursuant to 2.2.3.2 to AS 3959. Most buildings to the west and south are well setback from the required 22 metres with the exception of building 2 (being the reception and administration building) that will require an increased BAL-29.

	North	South	East	West
Slope	Upslope	Downslope >0-5°	Upslope	Downslope >0-5°
Veg Type	Low Threat	Grassland	Low Threat	Grassland
Separation Distance	Excluded	22 metres	Excluded	22 metres

The intended school use of the land will ultimately provide ongoing management and maintenance across the site thereby reducing fuel loads and enhancement of protection to life and property.

Concluding Remarks

In summary, the proposed education use and development at 3-5 Caldwell Court, Johnsonville has considered the bushfire controls under the *East Gippsland Planning Scheme* and will not result in adverse outcomes with respect to bushfire risk.

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