

52.1006/05/2020
VC179**BUSHFIRE RECONSTRUCTION****Purpose**

To facilitate the reconstruction of buildings damaged or destroyed by a bushfire.

To facilitate the re-establishment of businesses and services following a bushfire.

To facilitate the continued use of land for dwellings after a bushfire.

52.10-106/05/2020
VC179**Use exemptions - dwelling**

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits the use of land, requires the use of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to the use of land for a dwelling if the following requirements are met:

- A dwelling on the land must have been damaged or destroyed by a bushfire after 1 January 2019.
- The use must commence within 5 years after the date the dwelling was damaged or destroyed.
- The dwelling must not be a building that was constructed under Clause 52.07.
- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

52.10-206/05/2020
VC179**Exemption from notice and review**

An application under any provision of this planning scheme to use or develop land (other than the subdivision of land) for or in association with a use that was lawfully carried out on the land immediately before a building on the land was damaged or destroyed by a bushfire is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the following requirements are met:

- The building was damaged or destroyed by a bushfire after 1 January 2019.
- The application was lodged within 5 years of the date the building was damaged or destroyed.
- If the application is to use or develop land for a dwelling:
 - A dwelling on the land must have been damaged or destroyed by a bushfire.
 - The application must only be for the number of dwellings that were damaged or destroyed.