

**44.06**

12/03/2009  
VC54

**WILDFIRE MANAGEMENT OVERLAY**

Shown on the planning scheme map as **WMO**.

**Purpose**

To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

To identify areas where the intensity of wildfire is significant and likely to pose a threat to life and property.

To ensure that development which is likely to increase the number of people in the overlay area:

- Satisfies the specified fire protection objectives.
- Does not significantly increase the threat to life and surrounding property from wildfire.

To detail the minimum fire protection outcomes that will assist to protect life and property from the threat of wildfire.

**44.06-1**

12/03/2009  
VC54

**Buildings and works****Permit requirement**

A permit is required to construct a building or construct or carry out works associated with the following uses:

- Accommodation
- Child care centre
- Education centre
- Hospital
- Industry
- Place of assembly
- Retail premises
- Timber production

This does not apply to any of the following:

- A building or works associated with a dwelling that is sited in the same location on the land as a dwelling that was damaged or destroyed by bushfire that occurred after 1 January 2009. The construction of the building or the construction or carrying out of the works must commence prior to 31 March 2011.
- A building or works consistent with a fire risk management plan, where the fire risk management plan has been prepared to the requirements of the relevant fire authority and has been submitted to, and is to the satisfaction of, the responsible authority prior to the commencement of building or works.
- An alteration or extension to an existing building used for accommodation less than 50% of the floor area of the existing building.
- A building or works with a floor area of less than 100 square metres ancillary to a dwelling not used for accommodation.

## Application requirement

An application to construct a building or construct or carry out works must be accompanied by a statement which demonstrates that all fire protection requirements for water supply, access, buildings and works, vegetation and any other relevant matter have been considered and incorporated. The statement must show how the following objectives and outcomes are achieved, as appropriate:

### Water supply

OBJECTIVE	OUTCOME
<b>To ensure that water is available to landholders and emergency services to enable life and property to be defended from wildfire.</b>	<p>A reticulated or non-reticulated water supply must provide a water discharge to provide an appropriate level of protection to assets.</p> <p>The water supply must be maintained, accessible and able to be effectively employed for personal and fire brigade use at all times.</p> <p>The water supply system must include an outlet and connectors compatible with standard fire brigade equipment.</p>

### Access

OBJECTIVE	OUTCOME
<b>To ensure that safe access is provided for emergency and other vehicles at all times.</b>	<p>Appropriate access to, and surrounding, the property and the water supply must be provided to allow emergency and other vehicles to traverse with ease and safety.</p> <p>The property has a road that provides suitable access for emergency vehicles and which:</p> <ul style="list-style-type: none"><li>▪ Has adequate width and a stable surface, with no horizontal or vehicle encroachments which restrict emergency vehicles.</li><li>▪ Is not a dead-end road, unless there are adequate passing bays.</li><li>▪ Is sufficient to allow two vehicles to pass or has adequate passing bays.</li></ul>

## Buildings and works

OBJECTIVE	OUTCOME
<b>To ensure that the design and siting of buildings and works improves protection for life and minimises the level of fire impact.</b>	<p>The design and siting of any building or works, including outbuildings, driveways, vegetation and storage areas for flammable materials, must minimise the fire risk to life and property.</p> <p>The design of any building must incorporate fire protection construction features to prevent the entry and build up of embers to the building and reduce the likelihood of direct flame contact.</p> <p>The siting of any building in relation to slope, access, aspect, orientation and vegetation must minimise the fire risk to life and property.</p>

## Vegetation

OBJECTIVE	OUTCOME
<b>To ensure that fuel (ground fuel and shrubs) is managed to reduce potential fire intensity in the vicinity of buildings.</b>	A building protection zone, landscaped to reduce fuel load, distribution and continuity, must be established to inhibit the spread of fire and minimise the fire risk to life and property.

### 44.06-2

19/01/2006  
VC37

## Subdivision

### Permit requirement

A permit is required to subdivide land.

### Application requirements

An application for subdivision must be accompanied by a statement which demonstrates that all fire protection requirements for protective features, access, water supply, public open space and vegetation have been considered and incorporated. The statement must show how the following objectives and outcomes are achieved, as appropriate.

### Protective Features

OBJECTIVE	OUTCOME
<b>To ensure that the level of protection from fire in terms of the level of fire risk and potential loss of life is reduced by the design, siting and layout of the subdivision.</b>	<p>Topographical features must be utilised to best advantage to prevent the spread of wildfire both into the subdivision and within the subdivision.</p> <p>The subdivision must be designed so that the building protection zone is separated from the hazard by a fuel modified buffer zone.</p> <p>A building protection zone must be maintained by planning the subdivision to allow for the setback of buildings within the building envelope.</p>

## Access

OBJECTIVE	OUTCOME
<b>To ensure that both public and private access is designed to provide safe access for emergency and other vehicles at all times.</b>	<p>Access to and within the subdivision must take into account:</p> <ul style="list-style-type: none"><li>▪ The type and density of development.</li><li>▪ The type and source of fire hazard.</li><li>▪ The requirements of emergency vehicles.</li><li>▪ The need to provide for simultaneous evacuation.</li></ul> <p>The road network should provide at least two access options.</p>

## Water requirements

OBJECTIVE	OUTCOME
<b>To ensure adequate quantities of water are available to landholders or emergency services to enable life and property to be defended from fire.</b>	<p><b>Reticulated areas</b></p> <p>If the subdivision has provision for a reticulated water supply, the minimum water flow rate measured at any hydrant must not be less than 270 litres/minute.</p> <p>If the building envelope is more than 130 metres from the nearest hydrant, a supply of static water on site or an additional street hydrant or hydrant must be supplied.</p> <p><b>Non-reticulated areas</b></p> <p>A supply of water solely for fire-fighting purposes must be maintained in an accessible location at all times.</p>

## Public Open Space

OBJECTIVE	OUTCOME
<b>To provide a fuel managed buffer between a potential or existing fire hazard and subdivision.</b>	<p>Areas of public open space should be used as a fuel modification buffer zone where appropriate.</p>

## Vegetation

OBJECTIVE	OUTCOME
<b>To ensure that the subdivision is designed to recognise the effect of vegetation on the level of fire intensity.</b>	The design of the subdivision must consider: <ul style="list-style-type: none"><li>▪ The location of vegetation in relation to existing and potential building envelopes and its potential to increase the fire risk to property.</li><li>▪ The ability of vegetation to be used as a windbreak to protect buildings from radiated heat and windblown debris.</li></ul>

### 44.06-3

19/01/2006  
VC37

#### Referral of applications

An application must be referred to the relevant fire authority under Section 55 of the Act unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the fire authority.

### 44.06-4

19/01/2006  
VC37

#### Exemption from notice and review

An application under this overlay 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.

### 44.06-5

19/01/2006  
VC37

#### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The views of the relevant fire authority.
- Whether the design and siting of any proposed building, works or access road appropriately meets the objectives and outcomes of this overlay.
- Any adopted municipal fire prevention plan.
- The principles and guidelines included in:
  - Design and Siting Guidelines, Bushfire Protection for Rural Houses, Country Fire Authority and Ministry for Planning and Environment, 1990.
  - Planning Conditions and Guidelines for Subdivisions, Country Fire Authority, 1991.
  - Building in Bushfire-Prone Areas - CSIRO & Standards Australia (SAA HB36-1993), May 1993.

#### Notes:

*Refer to the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement, for strategies and policies which may affect the use and development of land.*

*Check the requirements of the zone which applies to the land.*

*Other requirements may also apply. These can be found at Particular Provisions.*