

25/07/2019  
C106well

## **SCHEDULE 1 TO CLAUSE 44.06 BUSHFIRE MANAGEMENT OVERLAY**

Shown on the planning scheme map as **BMO1**.

### **1.0**

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#### **Statement of the bushfire management objectives to be achieved**

To support the rebuilding of dwellings damaged or destroyed by a bushfire in January and February 2013 in a manner that maximises the bushfire protection that can be achieved having regard to relevant site constraints.

### **2.0**

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#### **Application**

This schedule applies where all of the following are met:

- The application is for the construction of a building or the construction and carrying out of works associated with the rebuilding of a dwelling that was damaged or destroyed by a bushfire that occurred in January and February 2013.
- The application includes the substitute approved measures or applicable alternative measure set out in this schedule.

Clause 53.02 applies in all other circumstances.

### **3.0**

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#### **Permit requirement**

None specified.

### **4.0**

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#### **Application requirements**

The following application requirements apply to an application for a permit under Clause 44.06:

- In addition to the application requirements in Clause 44.06-3 of this planning scheme, an application to construct a building or construct or carry out works associated with the rebuilding of a dwelling that was damaged or destroyed by a bushfire that occurred in January and February 2013 must be accompanied by:
  - The application requirements set out in Clause 53.02 of this planning scheme.
  - A site plan that shows:
    - The boundaries of the property.
    - The location of any damaged or destroyed dwelling.
    - The proposed location of the replacement dwelling.
    - The existing and proposed access to the lot.
    - Vegetation to be removed, destroyed or lopped to enable rebuilding construction of vehicle access.
  - A report which considers whether the development:
    - Reduces the bushfire risk from that which existed in association with the previous use of the land.
    - Does not increase the likely intensity of use of the land.
    - Is sited no closer to the bushfire hazard than the previous building footprint.
    - Uses siting to enhance bushfire protection where reasonable siting options are available on land
    - Implements approved measures or relevant alternative measures in Clause 53.02 to the fullest reasonable extent having regard to any relevant site constraints, including lot size.

**5.0**25/07/2019  
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None specified.

**6.0**25/07/2019  
C106well**Substitute approved measures for Clause 53.02**

Approved Measure	Substitute approved measure
AM2.1	The approved measure in Clause 53.02 applies unless the application demonstrates that the approved measures set out in this schedule have been implemented to the fullest reasonable extent.
AM2.2	None specified.
AM2.3	None specified.
AM3.1	The approved measure in Clause 53.02 applies unless it cannot be met due to the size of the lot in which case defensible space should be provided to the property boundary.
AM3.2	None specified.
AM4.1	None specified.
AM4.2	None specified.
AM5.1	None specified.
AM5.2	None specified.
AM5.3	None specified.
AM5.4	None specified.

**7.0**25/07/2019  
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None specified.

**8.0**25/07/2019  
C106well**Mandatory Condition**

None specified.

**9.0**25/07/2019  
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None specified.

**10.0**25/07/2019  
C106well**Notice and review**

None specified.

**11.0**25/07/2019  
C106well**Decision guidelines**

The following decision guidelines apply to an application for a permit under Clause 44.06, in addition to those specified in Clause 44.06 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The extent to which development can reasonably achieve compliance with the relevant requirements of Clause 53.02 of this scheme.
- The extent to which the replacement dwelling can be located on the land to assist the minimisation of risk to life and property from bushfire.