

BMO Subdivision Conditions

The mandatory subdivision condition

Clause 44.06-5 of the planning scheme requires that a mandatory condition be included in every applicable planning permit.

The condition requires a Section 173 Agreement to be entered into which sets out the bushfire protection measures contained in the subdivision permit.

The purpose of this requirement is to ensure that the bushfire protection measures are clearly set out at the subdivision stage. Where the bushfire protection measures contained in the Section 173 Agreement are implemented no further approvals are required to develop the land with a single dwelling under the BMO.

CFA's approach for standard conditions

CFA's standard permit conditions set out the specific bushfire protection measures that need to be included in the Section 173 Agreement. These conditions apply to residential subdivisions in the BMO where:

- A detailed Bushfire Management Plan (BMP) has been provided
- The required defensible space is fully contained within the boundaries of each lot – i.e. there is no sharing of defensible space between lots in the subdivision.
- The subdivision does not create communal open space.

CFA expects that the responsible authority will apply the mandatory condition, so the CFA's standard conditions support and inform the content of the mandatory condition. The standard conditions are as follows:

Additional standard condition will usually apply where there is a sharing / overlapping of defensible space between lots within the subdivision. This additional condition is required to ensure that the defensible space required for each lot in the subdivision is implemented prior to the occupation of a dwelling commencing on any lot.

What other conditions may apply to a subdivision in the BMO?

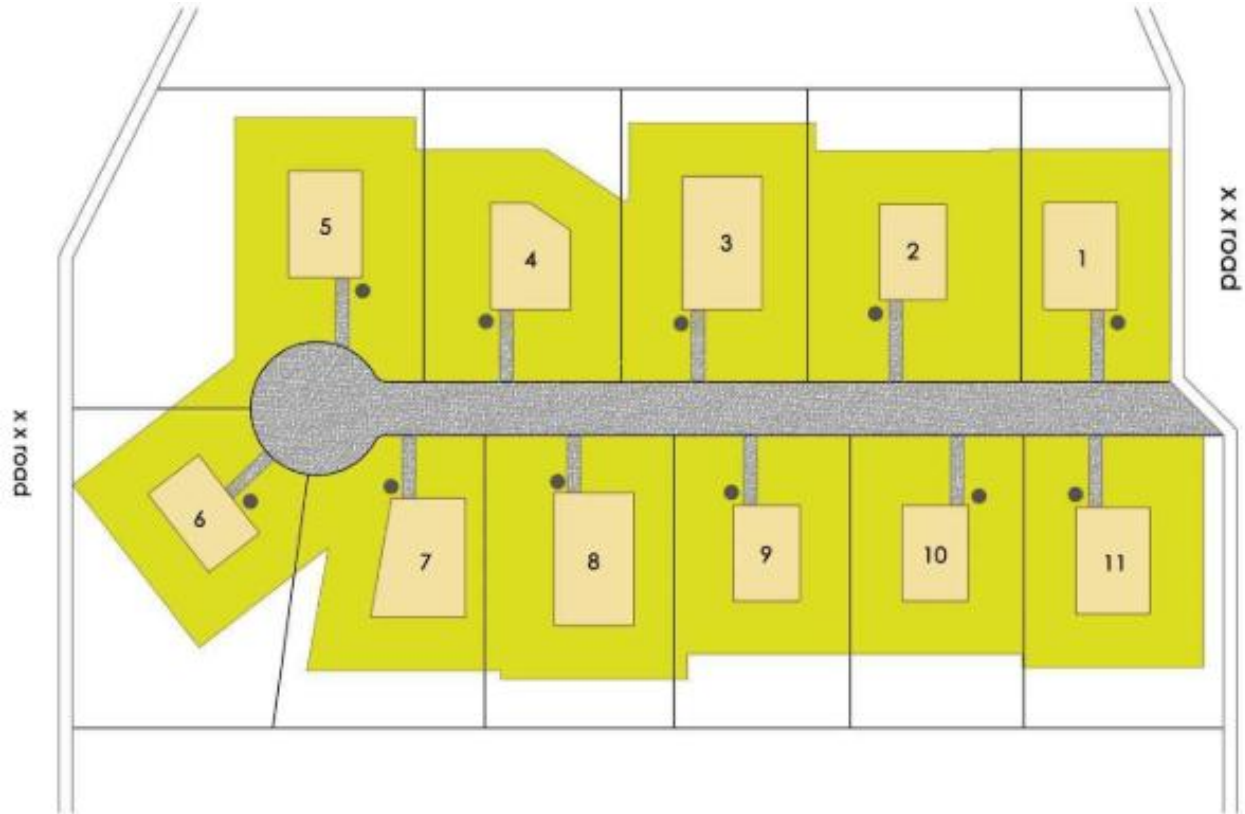
Depending on the nature of the subdivision, a range of additional permit conditions may be applied. This may include conditions which require:

- The implementation and maintenance of bushfire protection measures for existing buildings (but generally not construction).
- The approval and implementation of management plans for areas of open space within a subdivision





How are the residential subdivision conditions implemented?

CFA's conditions are implemented through a detailed BMP. The diagrams below show examples of BMP where there is shared defensible space and where there is not. A schedule to the BMO will often be required to specify some of the more detailed bushfire mitigation measures.

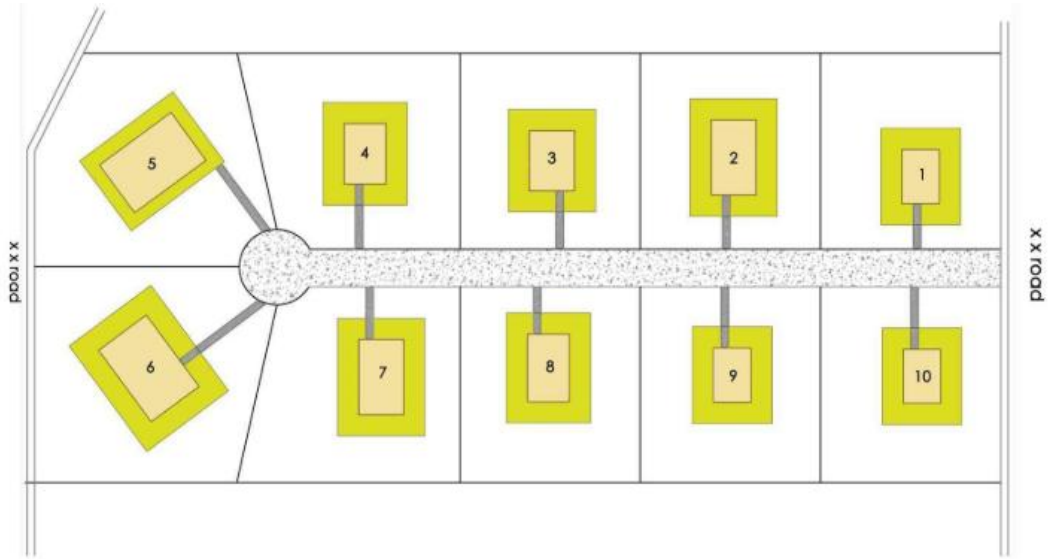
Shared defendable space







Legend

-  Defendable space
-  driveway (3.5m wide) to provide emergency vehicle access to static water supply
-  10,000L static water tank (nominal location)
-  building envelopes

Defendable space within each lot



Legend

-  Defendable space
-  driveway (3.5m wide) to provide emergency vehicle access to static water supply
-  10,000L static water tank (nominal location)
-  building envelopes