

**SHIRE OF CHITTERING**

**TOWN PLANNING SCHEME NO. 6**

**Local Planning Policy  
No. 21**

**FIRE MANAGEMENT PLANS**

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LOCAL PLANNING POLICY No. 21  
FIRE MANAGEMENT PLANS**

**1. STATUTORY CONTEXT**

The Shire of Chittering, as enabled under Part 2 of Town Planning Scheme (TPS) No. 6, hereby makes this Local Planning Policy regarding Fire Management Plans throughout the Shire of Chittering.

Any Local Planning Policy prepared under this part shall be consistent with the Scheme and if any inconsistency arises the Scheme shall prevail.

A Local Planning Policy is not part of the Scheme and shall not bind the Local Government in any respect of any application for Planning Approval but the Local Government shall have due regard to the provisions of any Policy and the objectives which the Policy is designed to achieve before making its decision.

This policy applies to all land zoned Rural Residential, Rural Retreat and Small Rural Holdings in TPS No. 6 and any other area specified by the Council within the Shire of Chittering. It supersedes Local Planning Policy No. 21 Fire Management Plans adopted by the Council 30 November 2005.

**2. DEFINITIONS**

The following are definitions that relate directly to the application of this policy:

“*Council*” means the Council of the Shire of Chittering. (Local Government Act 1995)

“*Developer*” has the same meaning as subdivider.

“*Lot*” has the same meaning as in the Town Planning and Development Act 1928, but does not include a strata or survey strata lot. (TPS No. 6)

“*Owner*” has the same meaning as in TPS No. 6.

“*Shire*” means the Shire of Chittering.

**3. BACKGROUND**

Arising from its natural circumstances the Shire of Chittering is at risk to property damage, and possibly loss of life, from bush fires.

The Shire Council, in association with Fire and Emergency Services Authority (FESA) administers the *Bush Fires Act 1954 (as amended)*. This specifies responsibilities for owners and occupiers, with an emphasis on hazard reduction and firebreaks.

TPS No. 6 makes the following references to fire management:

5.8 *Development Provisions – Rural Residential Zone, Rural Retreat Zone and Small Rural Holding Zone*

*The following general clauses will apply to the development and use of land in these rural zones.*

5.8.1. *Requirement for a Development Plan*

*Subdivision shall be generally in accordance with a Development Plan or any subsequent variation approved by the Council.*

*An application for subdivision of land in these zones is to be accompanied by a Development Plan which indicates and addresses the following but is not limited to:*

(c) *strategic firebreaks;*

#### **5.8.5 Non-Potable Water Supply**

*All buildings intended for residential use must include provision for the storage of water in tanks of not less than 120,000 litres capacity unless satisfactory arrangements have been made for connection to a reticulated water supply provided by a licensed water provider. Council may permit the reduction in the size of storage tanks if the quality of water on-site meets or is treated to potable water standards.*

#### **5.8.9 Fire Control**

*Strategic Fire Breaks as shown on the Development Plan shall be constructed by the developer and maintained to the satisfaction of the Council and the Fire and Emergency Services Authority by the landholder.*

*A Fire Management Plan shall be prepared by the developer/subdivider to the satisfaction of Council and Fire Emergency Services Authority and shall be referred to any government agency that owns or manages land with a common boundary with the area the subject to the Fire Management Plan.*

In addition, the Council is prepared to accept the installation and maintenance of communal strategic fire breaks, instead of individual fire breaks, where decided by the subdivider and subsequent owners jointly meet the cost.

This policy has been created to provide guidance for Council, land owners and developers in satisfying the Fire Management Plan requirements of TPS No. 6.

## **4. OBJECTIVES**

The objectives of this policy are:

*To protect life and property;*

*To maintain the rural character of the Shire.*

## **5. POLICY STATEMENT**

### **5.1 General Requirements**

Private property owners and occupiers have a legal responsibility for fire safety, as follows:

- a) in accordance with FESA and Shire requirements under the Bush Fires Act 1954 (see also Firebreak Notice to all Residents and Ratepayers of the Shire of Chittering) and the Shire of Chittering Fire Protection Plan. These requirements include clearing of individual firebreaks not less than 3 metres wide completely surrounding and not more than 20 metres from the perimeter of all buildings, haystacks and fuel storage areas within Rural Residential Zones, unless otherwise approved;
- b) in accordance with TPS No. 6 requirements for Development and Fire Management Plans, which are to be prepared for each proposed estate in Rural Residential, Rural Retreat and Small Rural Holdings zones and elsewhere as decided by Council.

## **5.2 Strategic Fire Breaks**

- a) In Rural Residential subdivisions, as part of Development and Fire Management Plans, Council may:
  - (i) accept the installation of strategic fire breaks in lieu of individual fire breaks, or
  - (ii) require the installation of strategic fire breaks in addition to individual fire breaks.
- b) Council may accept maintenance responsibility for strategic fire breaks where:
  - (i) the cost to each property within the subdivision is shared;
  - (ii) the Council raises invoices for each Rural Residential lot owner with the rate notice each year for the maintenance of strategic fire breaks;
- c) Strategic fire breaks are to be:
  - (i) located around the perimeter of the estate, property or elsewhere as required;
  - (ii) in public ownership, where it is practicable to do so;
  - (iii) a minimum of 6 metres wide, 4 metres of which is to be trafficable, eg. gravel surface, without being impeded by fences (see also Local Planning Policy No. 22), gates or over-hanging trees;
- d) Where a strategic fire break in public ownership meets a public open space, road or footway, there may be a gate of approved design; otherwise no fence or gate may be constructed across a strategic fire break;
- e) Where a strategic fire break is located on private property, any fence crossing the fire break is to include a gate of approved design;

## **5.3 Individual Fire Breaks**

Individual fire breaks are to be constructed adjoining property boundaries as follows:

- a) On any property with an area greater than 2.2ha;
- b) Where required at the direction of the Shire or the Chief Bush Fire Control Officer;
- c) 3m wide with a 4m vertical clearance, for four wheel drive access;

provided that where a strategic fire break or a road adjoins a property boundary, an individual fire break is not required;

## **5.4 Water Supply**

- a) With land subdivisions, as part of Development and Fire Management Plans, water supply/storage, including tanks, dams and standpipes, shall be provided off-site for community use, as follows:
  - (i) as may be required by Council;
  - (ii) land shall be in public ownership, ceded free of charge to the Council;
  - (iii) maintenance costs may be shared among benefiting property owners, at the discretion of the Council;
- b) With development approval, water supply/storage shall be provided on-site, as follows:
  - (i) in the case of buildings intended for residential use, in accordance with TPS No. 6 requirements for 120,000 litres capacity water supply, of which 10,000 litres is to be held in reserve for fire fighting purposes, provided that where bore water is available with an independent power supply, this requirement may be reduced to 110,000 litres with 10,000 litres held in reserve. All water tanks intended to reserve 10,000 litres for fire fighting purposes are to install a 50mm male Camlock fitting to the floor of the tank and the draw point for residential purposes is to be 10,000 litres above the floor of the tank;
  - (ii) in the case of all other development, as required by the Council.

## **5.5 Fire Management Plans**

- a) Where required by Council, a Fire Management Plan is to be prepared with a format as specified in Schedule 1 for estates or Schedule 2 for individual properties, unless otherwise approved by the Council;
- b) The Fire Management Plan, which may include initial fire hazard reduction by the Developer, is to be approved prior to any construction being commenced on site;
- c) The Fire Management Plan is approved when it bears the signatures of:
  - (i) Shire Planner;
  - (ii) Deputy Chief Executive Officer;
  - (iii) Chittering Fire Services Chief Bush Fire Control Officer;
- d) The approved Fire Management Plan is to be retained at the Shire Offices and be available for public inspection.

## **5.6 Implementation of Development and Fire Management Plans**

- a) It is the responsibility of the Developer, on behalf of the owner, to supply to prospective purchasers of any newly created lots covered by approved Development and Fire Management Plans, copies of those plans, and subsequent owners to any further owners, to be enforced by a notification on title under s.70A of the Transfer of Land Act 1893;
- b) The wording of the s.70A notification for Note 4 on Form N1, required on all newly created lots, is as follows:

*“Registered proprietors and prospective purchasers of the land described above are notified that the use of the land is subject to approved Development and Fire Management Plans. It is the responsibility of the vendor to supply to prospective purchasers an endorsed copy of each of these plans. Non-compliance with the requirements of these plans will render the registered proprietor and/or the occupier of the land liable to prosecution. Further information may be obtained from the offices of the Shire of Chittering.”*

## Schedule 1: Format of an ESTATE FIRE MANAGEMENT PLAN

Title Page

Contents Page

- 1.0 Introduction - purpose of plan, site location, district context (including strategic fire breaks), zoning, lot number and area, general description of development proposal, any stages, relationship of Fire Management Plan to approval requirements, reference to any superseded plan(s) (**Map 1**: Location Plan eg. cadastral boundaries, existing strategic fire breaks);
  - 2.0 Site Details - topography, rock outcrops, soils, existing vegetation, water resources, existing land use and improvements (**Map 2**: Site Details eg. contours, site features, existing improvements, access roads);
  - 3.0 Statutory Requirements – quote condition of approval that is to be satisfied by preparation of the Fire Management Plan:
  - 4.0 Fire Risk - fuel loadings, risk factors, climate, effect of Fire Management Plan on overall risk;
  - 5.0 Fire Management Plan - list components eg. initial fire hazard reduction by Developer, main access roads, sealed subdivisional roads, strategic firebreaks, selective firebreaks on properties, location of access gates if required, established water sources/storage, building envelopes (**Map 3**: Fire Management Plan eg. contours, roads, remnant vegetation, building envelopes, fire breaks, water sources/storage, gates, buffer zones, fire stations, etc).
  - 6.0 Estate Layout and Road Pattern – structure of estate in terms of access, circulation, fire breaks, emergency escape routes;
  - 7.0 Strategic Firebreak System – purpose, width, surface, location, ownership, access, care and control, fencing, gates, keys, Developer/Owner/Shire responsibilities;
  - 8.0 Shire Fire Protection Plan and Standard Firebreaks - purpose of Shire Plan, emergency contact personnel, responsibilities of property owners to attend an induction course and to satisfy general Shire requirements, individual firebreaks, chemical firebreaks;
  - 9.0 Dwelling Construction – building design and construction requirements, fuel reduction zone;
  - 10.0 Fire Fighting Facilities
    - 10.1 Community Water Supplies
    - 10.2 Domestic Water Supplies
  - 11.0 Summary
    - 11.1 Overall Fire Threat
    - 11.2 Fire Management Plan
    - 11.3 Owner's Responsibility
    - 11.4 Developer's Responsibility
    - 11.5 Shire's Responsibility
- Appendices - as required eg. field gate details, chemical firebreaks.
- Endorsement Page - signatories as described in Clause 5.5, date (see Schedule 3).

## Schedule 2: Format of a PROPERTY FIRE MANAGEMENT PLAN

Title Page

Contents Page

- 1.0 Introduction - purpose of plan, site location, district context (including strategic fire breaks), zoning, lot number and area, brief general description of development proposal, any stages, relationship of Fire Management Plan to approval requirements, reference to any superseded plan(s) (**Map 1**: Location Plan eg. main roads, cadastral boundaries, existing strategic fire breaks);
- 2.0 Site Details - topography, rock outcrops, soils, existing vegetation, water resources, existing land use and improvements
- 3.0 Proposed Development – intended land use and buildings, specifying materials (**Map 2**: Development Plan eg. contours, site features, existing and proposed buildings, access roads);
- 4.0 Fire Risk - fuel loadings, risk factors, climate, effect of Fire Management Plan on overall risk (**optional map** of relative fire hazards: low-medium-high-extreme);
- 5.0 Property Layout and Circulation Pattern – structure of property in terms of emergency access/egress, circulation, fire breaks, emergency escape routes, assembly area(s);
- 6.0 Fire Management Plan - list and discuss components eg. communications, hydrants, water sources/storage, fire fighting equipment/vehicles, building protection zones, storage of hazardous materials, internal gates/keys, back up generation, personnel/chain of command, hazard elimination, precautions for special events eg. refueling (**Map 3**: Fire Management Plan eg. roads, buildings, protection zones, fire breaks, water sources/storage, gates, location of equipment, hydrants, communications, key personnel, etc).
- 7.0 Shire Fire Protection Plan - purpose of Shire Plan, emergency contact personnel, responsibilities of property owners to attend an induction course and to satisfy general Shire requirements for locked gates, individual firebreaks, chemical firebreaks.
- 8.0 Emergency Procedures – in event of fire, evacuation plan, first aid, traffic management.
- 9.0 Maintenance - equipment maintenance, fire drills, training of key personnel, frequency of hazard reduction.
- 10.0 Summary
  - 10.1 Overall Fire Threat
  - 10.2 Fire Management Plan
  - 10.3 Owner's Responsibility
  - 10.4 Shire's Responsibility
- Appendices - as required eg. field gate details, chemical firebreaks, hydrant markings.
- Endorsement Page - signatories as described in Clause 5.5, date (see Schedule 3).

**Schedule 3: Format of an ENDORSEMENT PAGE**

Fire Management Plan  
*(insert here name of estate or property)*  
*(insert here date of plan document)*

Endorsement

Shire Planner .....  
Name Signature

Deputy Chief Executive Officer .....  
Name Signature

Chittering Fire Services .....  
Chief Bush Fire Control Officer Name Signature

Dated this ..... day of ..... 2.....

**ADOPTED FOR PRELIMINARY APPROVAL** by resolution of the **Shire of Chittering** at the Ordinary Meeting of the Council held on the 5th day of April 2006.

**ADOPTED FOR FINAL APPROVAL** by resolution of the **Shire of Chittering** at the Ordinary Meeting of the Council held on the 15<sup>th</sup> day of November 2006

and the seal of the Municipality was pursuant to that resolution hereunto affixed in the presence of:

**PRESIDENT**.....

**CHIEF EXECUTIVE OFFICER**.....

**Date:** .....