

BUSHFIRE RECOVERY

PLANNING AND BUILDING ASSESSMENT FACT SHEET



March 2020



Government of South Australia

Department of Planning,
Transport and Infrastructure



BUSHFIRE RECOVERY – PLANNING AND BUILDING ASSESSMENT

In response to the devastating bushfires across South Australia, the Department of Planning, Transport and Infrastructure (the Department) is working closely with the State Planning Commission, the Country Fire Service (CFS), other agencies and affected councils to ensure we support our communities through the process of rebuilding. This fact sheet is designed to help you understand what approvals, if any, are required for:

1. Demolition of buildings
2. Temporary installation of shipping and storage containers
3. Temporary accommodation, including the use of caravans
4. Building a new house, shed and other structure.

WHAT APPROVALS DO I NEED?

The Department in collaboration with the CFS and other state agencies have implemented measures to streamline assessment processes and provide faster approvals for people looking to repair or build new homes and outbuildings, and has established a *Planning and Building Assessment Recovery Unit* to guide people through the process from start to finish. Please contact us to take advantage of this free professional advisory service to discuss your specific needs on 1800 752 664.

Planning Approval

If buildings on your land have been destroyed or substantially damaged by bushfire, planning approval **IS NOT** required (subject to criteria set out in the checklists below) for:

- Demolition unless buildings are state or local heritage listed or in a historic conservation zone
- Temporary installation of a shipping or storage container for storage of goods and equipment
- Temporary accommodation in the form of a caravan that is not fixed to the land.

Planning approval **IS** required (subject to meeting criteria set out in the checklists below) for:

- Temporary accommodation in the form of a caravan fixed to the land, or other type of transportable/demountable accommodation, your application will be considered 'complying development' and **approved within 10 days**
- A new house or other building in the same location with the same size, appearance and layout, your application will be considered 'complying development' and **approved within 10 days**. If you are building a new house in a Medium Bushfire Risk Area you will still be considered 'complying' provided bushfire requirements in your local council development plan are met
- Any new house located in a High Bushfire Risk Area, regardless of whether you plan to rebuild the same house and/or in the same location
- Any new house or other building where you propose to build in a different location on your land, or it is different in size, appearance or layout.

Building Approval

If buildings on your land have been destroyed or substantially damaged by bushfire, building approval **IS NOT** required (subject to criteria set out in the checklists below) for:

- Work to fix damage to your house if it is not significant (such as smoke damage)
- Temporary structures to store goods and equipment
- Temporary accommodation in the form of a caravan that is not fixed to the land.

Building approval **IS** required for all other building work, including:

- Temporary accommodation in the form of a caravan fixed to the land, or other transportable or demountable building or structure
- Building a new house, carport, verandah, shed or pool or other structure
- Renovating or making additions to existing buildings
- Internal alterations involving any structural changes to existing buildings.



REPAIRING OR BUILDING A NEW HOUSE IN BUSHFIRE RISK AREAS

Repairing Your Current House

The effects of fire are not always obvious. If you intend to repair your house it is recommended it be inspected by your council, a building surveyor or engineer to check it is still structurally sound. If you intend on making repairs, depending on the age of your house, you may need to build to a higher standard of bushfire protection. If the damage to your house is significant, you may need a building approval.

Building a New House

Building a new house requires planning and building assessment, and depending on your bushfire risk may mean you need to meet additional requirements. Your council's development plan identifies whether you are located within a high, medium or general bushfire risk area. You can view these maps at www.maps.sa.gov.au/SAPPA. Bushfire risk area mapping for Cudlee Creek and Kangaroo Island are attached to this fact sheet.

Planning Assessment

Planning takes into account things like siting of your house, clearance from vegetation, access to and from your property and proximity to other activities like farming or industry

- For **General or Medium Bushfire Risk Areas** if you intend to rebuild the same house in the same location your application will be 'complying development' and **approved within 10 days** provided your house complies with your council's bushfire hazard requirements.
- For **General or Medium Bushfire Risk Areas** if you intend to rebuild a substantially different house or in a different location on your land your application will need to be assessed, and again you will need to meet your council's bushfire hazard requirements.
- For **High Bushfire Risk Areas** all new houses will be assessed, and your Bushfire Attack Level (BAL - refer below) assessment will ensure your new house is built to mitigate against fire risk in accordance with your council's bushfire hazard requirements as well as meet the Building Rules.

Bushfire Attack Level (BAL)

*If you live in a High Bushfire Risk Area you will need a Bushfire Attack Level Assessment (BAL) to help you make decisions about siting your home and how you construct it. The South Australian Government has committed funding to undertake BAL assessments **At No Cost To The Applicant** for properties in High Bushfire Risk Areas where a house has been destroyed or substantially damaged by bushfire.*

*Once you have a BAL assessment, the **Planning and Building Assessment Recovery Unit** will work with you to make the best possible decisions in relation to siting, access and other bushfire measures for your new house. Siting your house in the safest location on your land will significantly speed up your assessment. If you choose to locate in a risky area on your land, CFS advice will be provided to assess the safety of your chosen location.*

Importantly, your BAL will also assist your designer or builder to understand additional construction measures you may need for approval under Building Rules. The requirements of Minister's Specification SA78 Additional Requirements in Designated Bushfire Prone Areas, will need to be considered.

*If you live in a General or Medium Bushfire Risk Area a BAL assessment is **NOT REQUIRED**, although you are still required to comply with your council's bushfire hazard requirements.*



Building Assessment

Once your designer or builder has completed your plans, building approval can be sought from either your council or a private certifier that you engage. Your council or the certifier will assess your new house against the Building Rules to ensure it has been designed to the necessary standard, including bushfire protection requirements.



PLANNING AND BUILDING ASSESSMENT COSTS

Under normal circumstances, fees for planning and building assessment in bushfire risk areas can be \$1000 or more. In addition, a BAL assessment can take time, and would ordinarily cost around \$500 depending on where you live.

Given the challenging financial circumstances that South Australian affected by bushfires are facing, the Government and councils are offering concessions, and as set out previously is offering assistance in relation to undertaking BAL assessments on behalf of people whose houses have been destroyed or substantially damaged by bushfire. To find out if concessions are available to you for a bushfire reconstruction project, please contact the **Planning and Building Assessment Recovery Unit** or your local council.

KEY CONTACTS

If you require support or advice please contact the following organisations which are there to assist you with your building and planning applications:

Planning and Building Assessment Recovery Unit (DPTI)

Level 5, 50 Flinders Street
Adelaide SA 5000

Phone: 08 7109 7060

Email: dpti.bushfirerecoveryunit@sa.gov.au

SA Country Fire Service

Level 7, 60 Waymouth Street
Adelaide SA 5000

Phone: (08) 8115 3300



Bushfire Recovery Centres

The Department also understands a range of design, planning, building and environmental services are being offered free of charge to support South Australia's bushfire recovery. It is recommended you get in touch with your local **Bushfire Recovery Centre** for further information about how you can access these services:

- Cudlee Creek – dhs.sa.gov.au/services/disaster-recovery/cudleecreek
- Kangaroo Island – dhs.sa.gov.au/services/disaster-recovery/kangaroo-island-fire-recovery
- Yorketown – dhs.sa.gov.au/services/disaster-recovery/yorketown
- Keilira – dhs.sa.gov.au/services/disaster-recovery/keilira-fire-recovery





Please refer to the checklists below which will help you make an application for planning and/or building approval where required. Providing the right information up front will speed up your assessment.

Demolition Checklist

For demolition of buildings affected by bushfire, you do not require planning or building approval (except where it is a state or local heritage place listed under the *Development Act 1993* and the *Heritage Act 1993* or is within a Historic Conservation Zone or Policy Area). It is recommended you follow the checklist below:

- DEMOLITION CRITERIA
- All demolition work is undertaken in a manner which minimises risk to people on site.
 - You engage a qualified tradesperson if demolition work is beyond your capabilities, particularly if significant structural demolition work is required.
 - If hazardous materials (e.g. asbestos) are encountered then licensed SafeWork SA contractors are to be engaged.

DEMOLITION

Planning Approval

X

Building Approval

X

- Provided it is not Local or State Heritage listed or within a Historic Conservation Zone



Temporary Installation of a Shipping / Storage Container Checklist

The siting and installation of a shipping or storage container for use on bushfire affected properties will not require planning or building approval up until 1 January 2022, subject to the criteria below:

SHIPPING / STORAGE CONTAINER CRITERIA

- The container is for use by the owners of land on which a building has been destroyed or significantly damaged by a bush fire, and
- Has a maximum height of 3m measured from ground level, and
- Has a maximum length of 12.5m, and
- Has a maximum width of 2.5m.

NOTES

- *If a person wishes to keep the shipping or storage container on their land beyond 1 January 2022, council approval will be required.*
- *You should be aware of any easements over your land, as you may need approval from the easement beneficiary to undertake any works within an easement.*

INSTALLATION OF SHIPPING/STORAGE CONTAINER

On land where a previously existing dwelling has been destroyed or substantially damaged by bushfire.

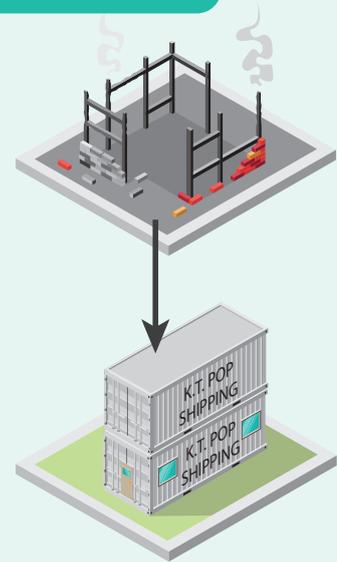
Planning Approval



Building Approval



- Subject to meeting above criteria





Temporary Caravan Accommodation Checklist

People whose homes have been damaged or destroyed in a bushfire can live in a caravan on their land without planning or building approval up until 1 January 2022, subject to the criteria below:

CARAVAN CRITERIA

- The caravan is fitted with a working smoke alarm and a fire extinguisher

NOTES

- *A caravan becomes a building where it is fixed to the land. If you propose to fix your caravan to the land at any time, council approval will be required.*
- *If you intend to live in the caravan beyond 1 January 2022, council approval will be required.*
- *You should be aware of any easements over your land, as you may need approval from the easement beneficiary to undertake any works within an easement.*
- *You should be aware of any public and environmental health requirements under the Local Government Act, and contact your council accordingly.*

TEMPORARY ACCOMMODATION CARAVAN

On land where a previously existing dwelling has been destroyed or substantially damaged by bushfire.

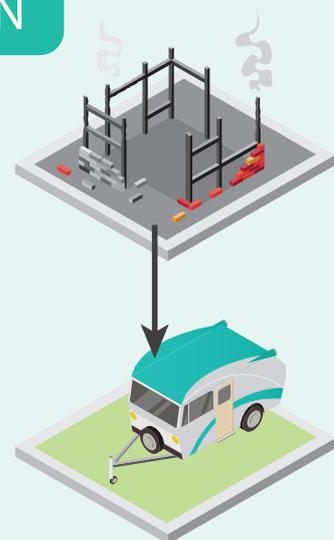
Planning Approval



Building Approval



- Subject to meeting above criteria



You must have a bushfire survival plan

- *A caravan will not provide safe shelter in the event of a bushfire. Persons intending to occupy a caravan must have a bushfire survival plan which includes leaving early on days of heightened fire danger, or when there is a bushfire in the area.*



Temporary Accommodation Checklist

Temporary Accommodation including demountable and transportable buildings on bushfire affected properties will require planning and building approvals. Temporary Accommodation which meets the criteria and information requirements set out below will be 'complying development' and **approved within 10 days**:

TEMPORARY ACCOMMODATION PLANNING CRITERIA

- Details of the temporary accommodation provided on a site plan showing:
 - ▶ the location of the accommodation
 - ▶ property boundaries (include dimensions)
 - ▶ the location of other buildings and structures
 - ▶ the location of existing trees and vegetation
 - ▶ the location of access points.
- The building is to be used as accommodation by the owner of the land
- Notification is provided to the council of the intent to seek approval for a new dwelling
- The temporary accommodation is removed before 1 January 2022, or until a replacement dwelling is occupied – whichever comes first
- The temporary accommodation is a minimum of 20 metres from any remaining or regenerating vegetation (on the land or adjoining land) and the clearance area is maintained at all times.

TEMPORARY ACCOMMODATION BUILDING CRITERIA

- Meets the provisions of the National Construction Code (NCC) for a habitable building in relation to footings and structural support, weatherproofing, and facilities including a laundry, kitchen, toilet and bathroom
- Is fitted with a working smoke alarm and fire extinguisher
- Includes a 2,000 litre dedicated fire-fighting water supply with a domestic tap fitting where the site is connected to mains water, or a 5,000 litre dedicated fire-fighting water supply with a domestic tap fitting in other cases
- Waste water is disposed of through, or connected to, an approved waste water system, SA Water sewer or council community waste water system.

NOTES

- *If you intend to live in the temporary accommodation beyond 1 January 2022, council approval will be required.*
- *You should be aware of any easements over your land, as you may need approval from the easement beneficiary to undertake any works within an easement.*
- *You should be aware of any public and environmental health requirements under the Local Government Act, and contact your council accordingly.*

You must have a bushfire survival plan

- *Temporary accommodation will not provide safe shelter in the event of a bushfire. Persons intending to occupy a caravan on their land must have a bushfire survival plan which includes leaving early on days of heightened fire danger, or when there is a bushfire in the area.*



GENERAL TEMPORARY ACCOMMODATION

On land where a previously existing dwelling has been destroyed or substantially damaged by bushfire.

Planning Approval

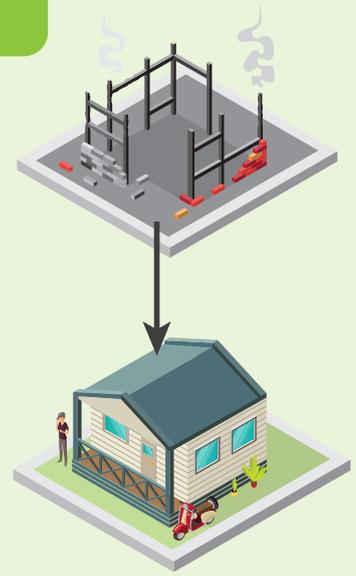


Building Approval



- Subject to meeting complying criteria

- Subject to meeting complying criteria





New Dwellings and Structures Checklist

New Dwellings and Structures to be built in bushfire affected areas will require planning and building approval although these may differ if the replacement building is in the same location with the same layout and appearance, or if the replacement building is built in a different location or is different in size, appearance or layout. There are also different requirements depending on the level of bushfire risk.

Are you replacing your house or buildings 'like for like'?

If you propose to rebuild 'like for like' – namely the same house or building in the same location and you are in a General or Medium Bushfire Risk Area, your application may be complying development. You will need to:

- Confirm the current location of previous buildings prior to damage from bushfire. This can be shown using an aerial photograph
- Confirm the size and appearance of the new building is similar in size and appearance to the previous building prior to damage incurred by bushfire. This can be shown using previous drawings, plans and photographs
- Confirm the water supply you have on your premises for firefighting purposes.

NEW DWELLINGS AND STRUCTURES CRITERIA

The following information is required for Planning Assessment:

Three copies of the following:

- Site plan (see below for additional advice)
- Additional plans (see below for additional advice).

Site Plan

A site plan must include the location of the development, and

- Be a minimum scale of 1:500 and have a north point
- Show all property or site boundaries (include dimensions)
- Show the location, size and nature of existing and proposed structures (including fences and retaining walls), other land uses and easements
- Show the location of existing trees and vegetation to be retained or removed
- Identify the key topographical features (e.g. creek line, drainage line, slope of the land, direction of flow of stormwater, flood plains)
- Where appropriate, identify the location of access points, adjoining roads, footpaths, kerbs and side-entry pits, on-site parking, access arrangements for emergency vehicles, and line of sight for access to public roads
- Identify existing dams or bores
- Location and details of effluent disposal (e.g. septic tank) if not connected to services
- Location of any excavation, earthworks and embankments for the proposed development.

Additional Plans and Details

- Provide scaled external elevations of your building
- Provide internal floor plans
- Bushfire Attack Level (BAL) if you propose to build a new house in a High Bushfire Risk Area.

NOTES

The SA CFS through the Planning and Building Assessment Recovery Unit will undertake the BAL assessment on your behalf at no cost.



NEW DWELLINGS AND STRUCTURES CRITERIA

The following information is required for **Building Assessment**:

- Identification of any trees that might affect the building or structure, both on the site and adjacent to the site (where relevant)
- Details of services and infrastructure (e.g. sewer lines near footings, stormwater disposal)
- Details of any significant excavation angle of batter-cut or fill
- The position, height and engineering details (if required) of any retaining walls
- A roof, wall and floor layout of any buildings, including dimensions and calculations
- Wall and roof bracing details
- Engineer's footing construction report
- Details of construction materials (internal and external) and design (including heights and ceiling levels)
- Specifications and schedules of work to be undertaken
- The location of smoke detectors
- Wet area details
- Provision of sanitary facilities.

NOTES

This checklist sets out the general information requirements for the majority of planning and building applications. You are encouraged to see advice from your local council, private building certifier or the Planning and Building Assessment Recovery Unit at DPTI, in relation to your particular property and development, especially for a new house.

NEW DWELLINGS & STRUCTURES (In General or Medium Bushfire Risk Areas)

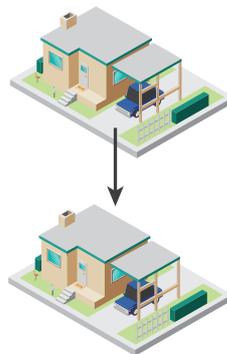
- Same style house
- Same place on block
- In Medium Risk Area subject to bushfire risk requirements



- Complying development will be granted approval within 10 days



- Up to date bushfire construction



Medium or general bushfire risk area
- no CFS referral

NEW DWELLINGS & STRUCTURES (In High Bushfire Risk Areas)

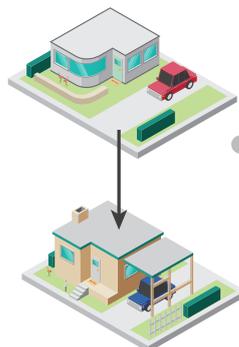
- In High Bushfire Risk Area
- Different style of house
- Different place on block



- Merit assessment and criteria



- Up to date bushfire construction

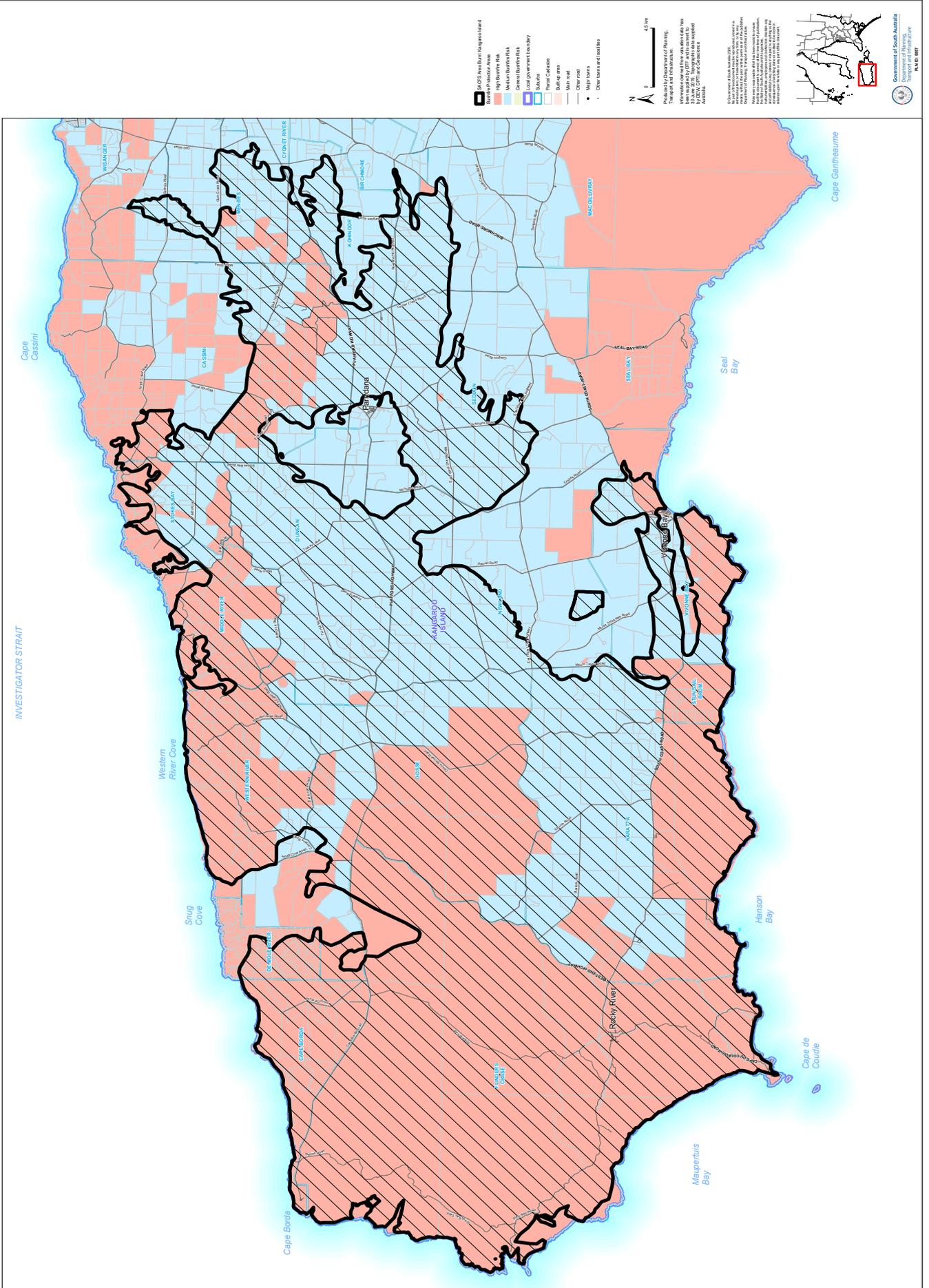


DPTI and CFS will undertake BAL assessment at no cost. May require referral to CFS for further assessment.

BUSHFIRE RISK MAPPING

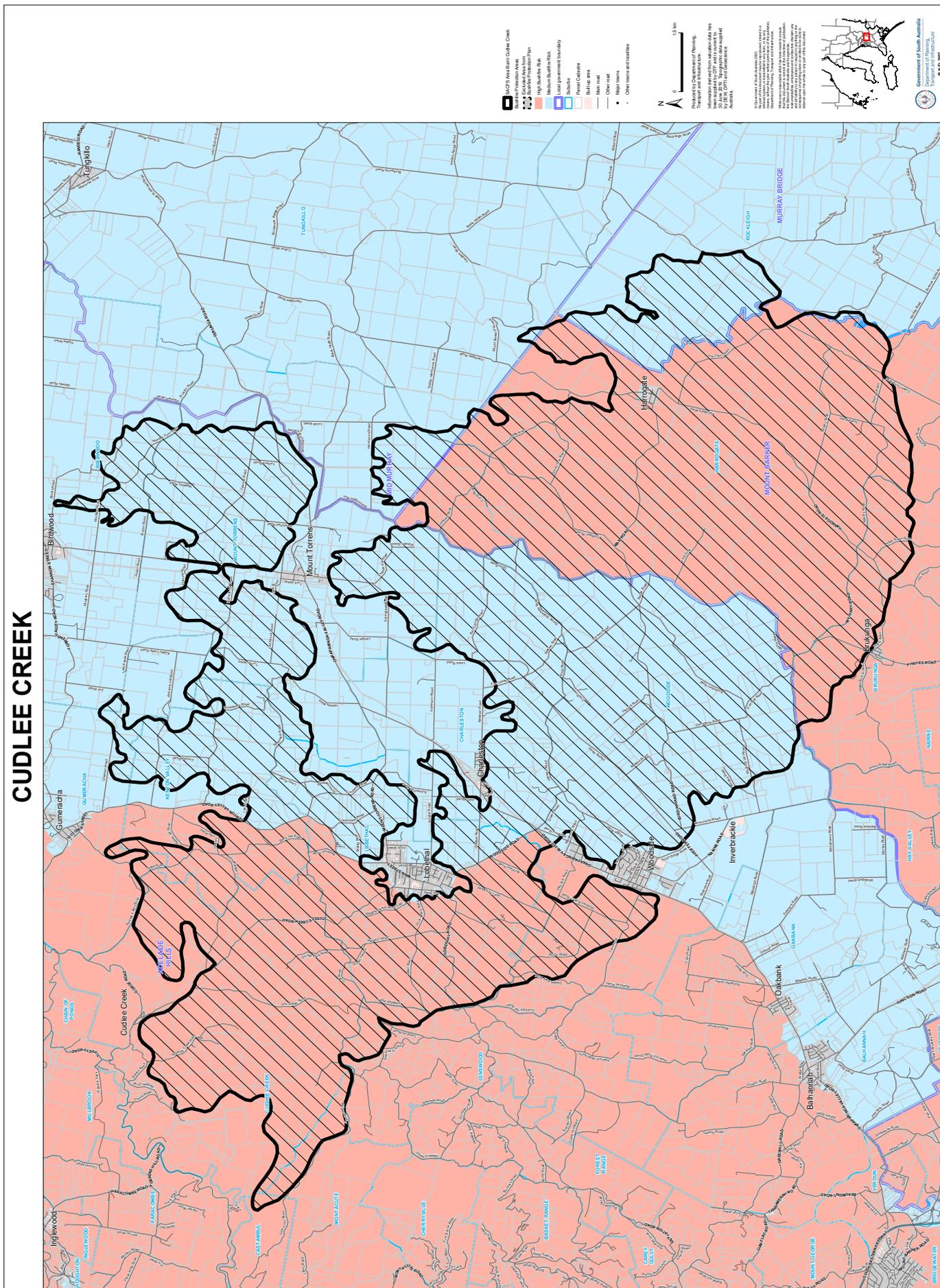
KANGAROO ISLAND

INVESTIGATOR STRAIT



BUSHFIRE RISK MAPPING

CUDLEE CREEK





Government of South Australia

Department of Planning,
Transport and Infrastructure