



BUSHFIRE RISK AREAS A GUIDE TO LEGISLATIVE REQUIREMENTS

Along with approximately 39 other council areas, the Light Regional Council has been proclaimed by the State Government as being within a Bushfire Protection Area. Changes were made to the Council's Development Plan effective as of 18 January 2007. The proclamation and Development Plan changes mean that from 18 January 2007 any application for building work of a residential nature (Class 1, 2 or 3 under the Building Code) must be assessed against the relevant bushfire provisions for both Development Plan Consent and Building Rules Consent.

Whilst the whole of the Light Regional Council is within a proclaimed Bushfire Protection Area, it is divided into areas that are classified as being low risk (also known as general risk) or medium risk. Unlike other council areas, no land within Light Regional Council is classified as high risk. Some townships are also classified as excluded meaning an excluded site is exempt from requiring the bushfire provisions with residential development. (Please note that Gawler Belt, Hewett and parts of Roseworthy and Kapunda are not classified as excluded). There are different requirements for the different risk areas.

Construction within low risk and medium risk areas is generally required to incorporate a dedicated water supply for fire fighting, buffer zones between homes and flammable or combustible vegetation, appropriate access roads and building features which increase bushfire protection (e.g. spark and ember protection).

The relevant law applicable to construction within Bushfire Protection Areas within Light Regional Council is consistent with other Councils across the state and may be summarised as follows:-

Light Regional Council Development Plan - Bushfire Protection Provisions

Bushfire Protection principles of development control apply to the General, Medium and High Bushfire Risk areas shown on Bushfire Protection Area Figures Lig(BPA)/1 to 15, except where exempted.

Buildings and structures should be located away from areas that pose an unacceptable bushfire risk as a result of one or more of the following:

- (a) vegetation cover comprising trees and/or shrubs;
- (b) poor access;
- (c) rugged terrain;
- (d) inability to provide an adequate building protection zone; or
- (e) inability to provide an adequate supply of water for fire-fighting purposes.

Residential, tourist accommodation and other habitable buildings should:

- (a) be sited on the flatter portion of allotments and avoid steep slopes, especially upper slopes, narrow ridge crests and the tops of narrow gullies, and slopes with a northerly or westerly aspect;
- (b) be sited in areas with low bushfire hazard vegetation and set back at least 20 metres from existing hazardous vegetation; and

- (c) have a dedicated water supply available at all times for fire fighting which:
 - (i) is located adjacent to the building or in another convenient location on the allotment accessible to fire fighting vehicles,
 - (ii) comprises a minimum of 5,000 litres in areas shown as General or Medium Bushfire Risk on Bushfire Protection Area figures; or
 - (iii) comprises a minimum of 22,000 litres in areas shown as High Bushfire Risk on Bushfire Protection Area figures.

Development Regulations 2008

Regulation 78 provides that where building work is proposed of Class 1, 2 or 3 under the Building Code of Australia (generally residential forms of development) in a Medium or High bushfire risk area then Ministers Specification SA78 must be complied with. In all bushfire risk areas Appendix F8 of the South Australian Housing Code must also be complied with. Where a Class 1, 2 or 3 building is proposed to be altered in a bushfire risk area, so that total floor area increases by at least 50%, the Council may require that the entire building be made to conform to the relevant requirements for new buildings.

Regulation 106A requires that any development (including land division applications) within a bushfire protection area (i.e. a general, medium or high risk area) must also be assessed taking into account the relevant requirements of the Minister's Code — Undertaking development in Bushfire Protection Areas — February 2009.

Schedule 11 requires that any development application for development within a bushfire protection area must be accompanied by, or incorporate, the plans, drawings, specifications and other documents or drawings required under the Minister's Code, insofar as they are relevant in the circumstances of the particular case.

Minister's Specification SA 78

The Minister's Specification SA 78 'Bushfire Fighting Equipment and Water Supply Requirements in Designated Bushfire Prone Areas', is aimed at providing facilities for occupants when under the threat of a bushfire, to undertake life safety and property protection measures and for the fire authority to undertake bushfire fighting operations.

The Minister's Specification SA 78 describes requirements for tanks, pumps, hoses, outlet couplings and their location on a site. The Minister's Specification SA 78 is available in PDF format from the Light Regional Council website or the website for the Department of Planning and Local Government.

South Australian Housing Code - Appendix F8

The South Australian Housing Code, Appendix F8, specifies construction and structural requirements for a building within a bushfire risk area. Most of the additional requirements for construction relate to buildings within a Medium or High risk area, however, there are also requirements applicable for Low / General areas. These relate to flooring systems, supporting posts and columns, vents and weepholes and verandahs and decks. Within a General Risk Area, particular consideration must be given to dwellings constructed with an underfloor space or transportable dwellings.

Ministers Code – Undertaking Development in Bushfire Risk Areas – February 2009

The Minister's Code was adopted to assist applicants seeking to undertake development in bushfire protection areas, and the professionals who assess development applications. It covers bushfire-related planning and building requirements and includes a checklist of information required when lodging a development application for land division, new dwellings, tourist accommodation or other habitable buildings (or additions or alterations to any of these buildings).

The Minister's Code applies to all applications lodged since 26 February 2009 and is available from www.planning.sa.gov.au.

Determining Bushfire Risk Areas and their Requirements

To determine whether a property is within a Bushfire Risk Area, there are many options publicly available, including:-

- Visit the Department for Local Government and Planning website, <http://www.planning.sa.gov.au/go/bushfire-protection> and follow the links to bushfire protection. From your rates notice you may enter the Valuer General's (VG) number and the web site will provide the details including the requirements applicable. Alternatively, you may enter the Certificate of Title reference for your property.
- View the Light Regional Council Development Plan and view the maps available to determine if a property is within a particular bushfire risk area or exempt. The Council's Development Plan may be downloaded from www.planning.sa.gov.au or www.light.sa.gov.au.
- Contact the Council and speak with an officer who may be able to advise following reference to Council's GIS mapping system or the Development Plan, if accurate address details are provided.

Once the bushfire risk area is determined, additional detailed construction information can be found in relation to each of the risk areas at www.planning.sa.gov.au or from the South Australian Housing Code Section F8, Table F8.1.

*Please note the information contained herein is intended as a guide only.
Further clarification may be obtained by contacting the Council on 8525 3200.*