

BUILDING SYSTEM

Building regulation advisory note

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Related	

ABCB Handbook for Community Bushfire Refuges

This circular is to advise councils, certifiers, industry practitioners and other stakeholders of the release of a non-mandatory Handbook by the Australian Building Codes Board for use in the design and construction of community bushfire refuges, and its application in NSW.

Design and Construction of Community Bushfire Refuges Handbook

The Royal Commission, which investigated the cause and response to the 2009 Victorian bushfires, delivered its final report in July 2010. Among other things, the report identified the need for a comprehensive approach to the options for shelter from a bushfire, including the development of technical handbooks for local community refuges.

Subsequently, the Australian Building Codes Board (ABCB) was requested to develop a technical handbook for the design and construction of community bushfire refuges in collaboration with the Victorian Fire Service Commissioner.

The *Design and Construction of Community Bushfire Refuges Handbook* aims to provide guidance in the design and construction of community bushfire refuges, and to promote informed decision making by the professional practitioners designing and constructing these refuges.

The Handbook is a non-mandatory document which is presented in a performance-based format. It contains 'performance criteria' which describe the level of performance to be achieved, and enables the design of a refuge to be developed from first principles, to maximise its potential to meet community needs on a specific site.

There are no comprehensive design solutions for refuges included in the Handbook. Instead, the Handbook includes acceptance criteria related to compliance with specific components of the performance criteria.

Designers will therefore need to use professional judgement, on a case by case basis, in order to develop designs which satisfy the performance criteria.

Appendix C of the Handbook outlines the advice specific to each State and Territory regarding the approval and construction of community bushfire refuges.

It must be emphasised that community bushfire refuges should only be considered as one of a suite of measures to protect residents from the dangers of a bushfire. They are not a stand-alone solution to mitigating the hazards of bushfire, nor should they replace good planning and building design. They should only be considered when it is no longer possible to evacuate to an area which is not at risk of bushfire.

A refuge designed in accordance with the Handbook is not a guarantee of occupant safety and will not eliminate all risk of serious injury or fatality.

A copy of *Design and Construction of Community Bushfire Refuges Handbook* is available from the ABCB website www.abcb.gov.au/

Application in NSW

Community bushfire refuges on bushfire prone land

The development of a community bushfire refuge must follow the requirements for all developments on bushfire prone land in NSW.

Section 79BA of the *Environmental Planning and Assessment (EP&A) Act 1979* requires that before granting consent for development on bushfire prone

land (other than certain subdivisions), a consent authority must:

- be satisfied that the development conforms with the relevant specifications and requirements of *Planning For Bush Fire Protection 2006*, produced by the NSW Rural Fire Service; or
- be provided with a certificate issued by a person who is recognised by the NSW Rural Fire Service as a qualified consultant in bushfire risk assessment, which states that the development conforms to the relevant specifications and requirements; or
- if the development does not conform to the relevant specifications and requirements, consult with the Commissioner of the NSW Rural Fire Service, on the measures to take with respect to the development to protect against the dangers of bushfire.

Planning for Bush Fire Protection 2006 does not specially address community bushfire refuges and as such, the assessment of such developments requires consultation with the Commissioner of the NSW Rural Fire Service.

In addition, a bushfire safety authority issued under Section 100B of the *Rural Fires Act 1997* must be obtained for the subdivision of bushfire prone land that could lawfully be used for residential or rural residential purposes, or for the development of bushfire prone land for a special fire protection purpose.

Note: Approval for a community bushfire refuge requires a development application and construction certificate.

Community bushfire refuges not on bushfire prone land

Where a community bushfire refuge is proposed on land that is not bushfire prone land, councils should consult with the Commissioner of the NSW Rural Fire Service, before granting consent for the development.

Further information

For further information please contact the Department of Planning & Environment's information centre on 1300 305 695.

Department of Planning & Environment circulars are available from <http://www.planning.nsw.gov.au/circulars>

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Important note: This circular does not constitute legal advice. Users are advised to seek professional advice and refer to the relevant legislation, as necessary, before taking action in relation to any matters covered by this circular.

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