

Director's Determination - Bushfire Hazard Areas

I, Peter John Graham, in my capacity as Director of Building Control, and acting pursuant to section 20(1)(c) of the *Building Act 2016* and regulation 51 of the *Building Regulations 2016*, hereby make the following Determination.

Title	Director's Determination - Bushfire Hazard Areas
Description	This Determination specifies requirements for building or demolition work in bushfire-prone areas after certain provisions of the Tasmanian Planning Scheme have commenced.
Version	1.0
Application	<p>For the purposes of section 20(3)(b) of the Act, this Determination commences on the date of its approval and applies until its revocation.</p> <p>This Determination applies in respect of a municipal area when:</p> <ul style="list-style-type: none"> (a) the State Planning Provisions come into effect as part of the Tasmanian Planning Scheme in accordance with section 29(2) of the <i>Land Use Planning and Approvals Act 1993</i>; and (b) the State Planning Provisions come into effect in respect of that municipal area in accordance with section 30(2) of the <i>Land Use Planning and Approvals Act 1993</i>.
Approval date	6 February 2020
Commencement Date	16 March 2020



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Document Development History

Director's Determination - Bushfire Hazard Areas (this Determination)

Version	Date	Description
1.0	6 February 2020	Where applicable to a municipal area after certain provisions of the Tasmanian Planning Scheme have commenced, this Determination applies and it will then supersede the two transitional Director's Determinations on bushfire requirements listed below.

Director's Determination – Requirements for Building in Bushfire-Prone Areas (transitional) doc/17/62962[v2]

Version	Date	Description
2.2	6 February 2020	<ul style="list-style-type: none"> a) References the updated version of Australian Standard AS3959:2018; b) Clarifies that the deemed-to-satisfy provisions in the Determination apply to additions and alterations, not just for new buildings. c) Updated explanatory notes on the continued application of this Determination where provisions of the Tasmanian Planning Scheme have not yet commenced
2.1	1 September 2017	Revised to align with Planning Directive No. 5.1
2.0	23 February 2017	Revised to align with Interim Planning Directive No. 1.1
1.0	14 March 2016	Original publication

Director's Determination – Application of Requirements for Building in Bushfire-Prone Areas (transitional) doc/17/63880

Version	Date	Description
1.3	6 February 2020	<ul style="list-style-type: none"> a) Updated explanatory notes on the continued application of this Determination where provisions of the Tasmanian Planning Scheme have not yet commenced b) Updated formatting for consistency with other Determination

Version	Date	Description
1.2	1 September 2017	Updated references to Director's Determination – Requirements for Building in Bushfire-Prone Areas Version 2.1
1.1	1 July 2017	Categories of work updated to reflect changes to the Director's Determination – Categories of Building and Demolition Work Version 1.3
1.0	23 February 2017	Original publication

Division I – Interpretation

I.1 Short title

This Determination may be cited as the Director's Determination - Bushfire Hazard Areas.

I.2 Application of Determination

Nothing in this Determination affects the operation of Clause 3 of Schedule 6 of the *Building Regulations 2016* as it relates to savings and transitional provisions in place for hazardous areas.

I.3 Interpretation

- (1) The *Acts Interpretations Act 1931* applies to the interpretation of this Determination as if it were by-laws.
- (2) A term that is defined in the *Building Act 2016* or the *Building Regulations 2016*, unless the contrary intention appears, has the same meaning in this Determination.
- (3) A term that is defined in the Director's Determination – Categories of Building and Demolition Work, unless the contrary intention appears, has the same meaning in Schedule I of this Determination.

- (4) In this Determination:

AS 2304 means Australian Standard AS 2304:2019 *Water storage tanks for fire protection systems*;

AS 2419.1 means Australian Standard AS 2419.1-2005 *Fire hydrant installations – System design, installation and commissioning*;

AS 3959 means Australian Standard AS 3959:2018 *Construction of buildings in bushfire-prone areas*;

BAL assessment means an assessment of the bushfire attack level for a building site determined by a bushfire hazard practitioner in accordance with AS 3959 and with any requirements specified by the Chief Officer;

Building class refers to the building classification scheme used in the National Construction Code;

Bushfire attack level (BAL) means the bushfire attack level for a building site determined by a bushfire hazard practitioner in accordance with AS 3959;

Bushfire emergency plan has the same meaning as in the TFS Bushfire Emergency Planning Guideline;

Bushfire hazard management plan has the same meaning as in the *Fire Service Act 1979*;

Bushfire hazard practitioner means the Chief Officer, a delegate of the Chief Officer, or a person accredited by the Chief Officer under Part IVA of the *Fire Service Act 1979*;

Bushfire-prone area has the same meaning as regulation 62 of the *Building Regulations 2016*;

Carriageway means the section of road formation which is used by traffic, and includes all the area of the traffic lane pavement together with the formed shoulders;

Chief Officer has the same meaning as in the *Fire Service Act 1979*;

Director's Determination – Categories of Building and Demolition Work means the Determination made by the Director of Building Control entitled *Director's Determination – Categories of Building and Demolition Work*, as amended or substituted from time to time;

Explosive means an explosive stored on a premises which is classified as an explosives location or large explosives location as defined in the *Explosives Act 2012*;

Firefighting water point means the point where a fire appliance is able to connect to a water supply for firefighting purposes. This includes a coupling in the case of a fire hydrant, offtake or outlet, or the minimum water level in the case of a static water body (including a dam, lake or pool);

Fire hydrant has the same meaning as in AS 2419.1;

Habitable building means a class 1, 2, 3, 8 or 9 building;

Hardstand has the same meaning as in AS 2419.1;

Hazard management area (HMA) means the area, between a habitable building or building area and bushfire-prone vegetation, which provides access to a fire front for firefighting, which is maintained in a minimal fuel condition and in which there are no other hazards present which will significantly contribute to the spread of a bushfire;

Hazardous chemical means a hazardous chemical specified in schedule 11 of the *Work Health and Safety Regulations 2012* of a quantity greater than the manifest quantity;

Hose lay means the distance between two points established by a fire hose laid out on the ground, inclusive of obstructions;

NASH Standard - Steel Framed Construction in Bushfire Areas means the document entitled *NASH Standard - Steel Framed Construction in Bushfire Areas* published by the National Association of Steel-Framed Housing Inc., as referenced in the National Construction Code;

Non-combustible material has the same meaning as in the National Construction Code;

Property access means the carriageway which provides vehicular access from the carriageway of a road onto land, measured along the centre line of the carriageway, from the edge of the road carriageway to the nearest point of the building area;

Static water supply means water stored in a tank, swimming pool, dam, or lake, that is available for firefighting purposes at all times;

TFS means Tasmania Fire Service;

TFS Bushfire Emergency Planning Guideline means the *Bushfire Emergency Planning Guideline*, as amended or substituted from time to time, published by the TFS;

TFS Water Supply Signage Guideline means the *Tasmania Fire Service Water Supply Signage Guideline*, as amended or substituted from time to time, published by the TFS;

Tolerable risk means the lowest level of likely risk from bushfire to secure the benefits of a use or development in a bushfire-prone area, and which can be managed through routine regulatory measures or by specific hazard management measures for the intended life of each use or development.

- (5) For the purposes of regulation 50(1)(a)(i) of the *Building Regulations 2016* the relevant gross floor area for additions and alterations is set out below:

Dimension	Requirements
20 square metres	Where the extended or altered building will comply with the relevant hazard management area requirements of this Determination
0 square metres	Where the extended or altered building will not comply with the relevant hazard management area requirements of this Determination

- (6) The relevant gross floor area for additions and alterations is measured cumulatively for any three year period from the date this Determination is approved.
- (7) For the purposes of regulation 50(1)(f) of the *Building Regulations 2016* work on land where the TFS or a bushfire hazard practitioner has issued a certificate stating that there is an insufficient risk from bushfire to warrant any specific bushfire protection measures, provided that the certificate is not more than 6 years old, is work to which Part 5 of the *Building Regulations 2016* and Division 2 of this Determination do not apply.

Division 2 – Work in a bushfire-prone area

2.1 Application

- (1) Unless otherwise specified, the requirements of this Division apply to:
- (a) permit building work;
 - (b) permit demolition work;
 - (c) significant work; or
 - (d) building work or demolition work specified in Schedule 1 of this Determination;

performed, or proposed to be performed, in a bushfire-prone area on a building of the following class:

- (i) class 1;
 - (ii) class 2;
 - (iii) class 3;
 - (iv) class 8;
 - (v) class 9; or
 - (vi) class 10a that is closer than 6 metres to a habitable building.
- (2) Despite subsection (1), this Determination does not apply to buildings which are integral to the agricultural use of the land and which are not normally occupied.
- (3) Notwithstanding the *Director's Determination – Categories of Building and Demolition Work*, for the purposes of regulation 51(2)(c) of the *Building Regulations 2016*, building work or demolition work specified in Schedule 1 of this Determination, if performed, or proposed to be performed, in a bushfire-prone area is work to which Part 5 of the *Building Regulations 2016* applies.
- (4) Notwithstanding the *Director's Determination – Categories of Building and Demolition Work*, building work or demolition work specified in Schedule 1 of this Determination, if performed, or proposed to be performed, in a bushfire-prone area is categorised as notifiable work, provided that it would not otherwise be categorised as permit work.

2.2 Performance requirements

- (1) A building to which this Division applies must, to the degree necessary to achieve tolerable risk, be:
- (a) designed and constructed to reduce the ignition from bushfire, appropriate to the:
 - (i) potential for ignition caused by burning embers, radiant heat or flame generated by bushfire; and
 - (ii) intensity of the bushfire attack on the building;
 - (b) provided with property access to the building area to assist firefighting and emergency personnel to defend the building or evacuate occupants;
 - (c) provided with access at all times to a sufficient supply of water for firefighting purposes on the site;
 - (d) provided with appropriate separation of the building from the bushfire hazard; and
 - (e) provided with a bushfire emergency plan.
- (2) The performance requirement specified in subclause (1)(a) is only applicable to the following:
- (a) a Class 1, 2 or 3 building; or
 - (b) a Class 10a building or deck associated with a Class 1, 2 or 3 building.

- (3) The performance requirement specified in subclause 1(e) is only applicable to a Class 1b, 2, 3, 8, or 9 building, a building changing to a class 1a building or a building associated with the use, handling, generation or storage of a hazardous chemical or explosive.
- (4) The performance requirements specified in subclause (1) can only be satisfied by a performance solution or deemed-to-satisfy solution, or a combination of both.
- (5) Where a deemed-to-satisfy solution is proposed, the performance requirements are satisfied by complying with the deemed-to-satisfy provisions in this Determination.
- (6) A performance solution must comply with the performance requirements or be at least equivalent to the deemed-to-satisfy provisions in this Determination, and must be assessed according to one or more of the Assessment Methods in Clause A2.2 of Volume One or Two of the National Construction Code.

2.3 Deemed-to-satisfy provisions

A deemed-to-satisfy solution which complies with the following deemed-to-satisfy provisions is deemed to achieve compliance with the performance requirements in this Determination.

2.3.1. Design and construction

- (1) Building work in a bushfire-prone area must be designed and constructed in accordance with either:
 - (a) AS 3959; or
 - (b) *NASH Standard - Steel Framed Construction in Bushfire Areas*;
as appropriate for a BAL determined for that site using Table 2.6 of AS 3959.
- (2) Subclause (1)(a) is only applicable to the following:
 - (a) a Class 1, 2 or 3 building; or
 - (b) a Class 10a building or deck associated with a Class 1, 2 or 3 building.
- (3) Subclause (1)(b) is only applicable to the following:
 - (a) a Class 1 building; or
 - (b) a Class 10a building or deck associated with a Class 1 building.
- (4) Despite subclause (1), permissible variations from requirements specified in subclauses (1)(a) and (1)(b) are as specified in Table 1.
- (5) Despite subclauses (1) and (4), performance requirements for buildings subject to BAL 40 or BAL Flame Zone (BAL-FZ) are not satisfied by compliance with subclauses (1) or (4).

2.3.2 Property access

- (1) A new building in a bushfire-prone area must be provided with property access to the building area and the firefighting water point, accessible by a carriageway, designed and constructed as specified in subclause (4).

- (2) For an addition or alteration to an existing building in a bushfire-prone area, if there is no property access available property access must be provided to the building area and the firefighting water point accessible by a carriageway as specified in subclause (4).
- (3) An addition or alteration to an existing building in a bushfire-prone area must not restrict any existing property access to the building area or to water supply for firefighting.
- (4) Vehicular access from a public road to a building must:
 - (a) comply with the property access requirements specified in Table 2;
 - (b) include access from a public road to within 90 metres of the furthest part of the building measured as a hose lay; and
 - (c) include access to the hardstand area for the firefighting water point.

2.3.3 Water supply for firefighting

- (1) A new building in a bushfire-prone area must be provided with a water supply dedicated for firefighting purposes which complies with the requirements specified in Table 3A or Table 3B.
- (2) For an addition or alteration to an existing building in a bushfire-prone area, if there is no water supply for firefighting available the building must be provided with a water supply dedicated for firefighting purposes which complies with the requirements specified in Table 3A or Table 3B.

2.3.4 Hazard management areas

- (1) A new building, and an existing building in the case of an addition or alteration to a building, in a bushfire-prone area must be provided with a hazard management area.
- (2) The hazard management area must comply with the requirements specified in Table 4.
- (3) The hazard management area for a particular BAL must have the minimum dimensions required for the separation distances specified for that BAL in Table 2.6 of AS 3959.
- (4) The hazard management area must be established and maintained such that fuels are reduced sufficiently, and other hazards are removed such that the fuels and other hazards do not significantly contribute to the bushfire attack.

2.3.5 Bushfire emergency plan

- (1) A bushfire emergency plan must be prepared for:
 - (a) a new building;
 - (b) an existing building in the case of an addition or alteration to a building;
 - (c) an existing building in the case of a change of building class;
 - (d) a building associated with the use, handling, generation or storage of a hazardous chemical or explosive;in a bushfire-prone area.
- (2) A bushfire emergency plan must comply with the requirements specified in Table 5.

3. Bushfire hazard management plan and certificate

- (1) A bushfire hazard management plan must be prepared for work to which this Division applies, except where:
 - (i) the TFS or a bushfire hazard practitioner has certified that a bushfire hazard management plan is not required; and
 - (ii) the certification is in accordance with any requirements specified by the Chief Officer; and
 - (iii) the certification is not more than 6 years old.
- (2) The bushfire hazard management plan must be certified by a bushfire hazard practitioner as being in accordance with the requirements of the Chief Officer.
- (3) The bushfire hazard management plan must identify appropriate protection measures for any hazardous chemical used, handled, generated or stored on the premises, taking into consideration:
 - (a) the potential of the hazardous chemical to cause or contribute to the occurrence or intensification of a bushfire event; and
 - (b) the potential risks of the hazardous chemical to human health and safety as a consequence of a bushfire event.
- (4) If a building permit has been issued for the premises:
 - (a) a bushfire hazard management plan prepared for the building site for the purposes of that permit is taken to satisfy the requirements of this Determination, provided that the bushfire hazard management plan is not more than 6 years old and provided that the work will not result in a higher BAL; and
 - (b) a certificate provided by a bushfire hazard practitioner for the building site for the purposes of that permit is taken to satisfy the requirements of this Determination, provided that the certificate is not more than 6 years old and provided that the work will not result in a higher BAL.
- (5) If the work required a planning permit under a planning scheme, or a planning permit has been issued for the subdivision of which the relevant land is a part:
 - (a) a bushfire hazard management plan prepared for the purposes of that permit is to be taken to satisfy the requirements of this Determination, provided that the bushfire hazard management plan is not more than 6 years old; and
 - (b) a certificate provided by a bushfire hazard practitioner for the purposes of that permit is to be taken to satisfy the requirements of this Determination, provided that the certificate is not more than 6 years old.

4. Design process

- (1) The building design must take into account the bushfire hazard management plan and the BAL assessment.

5. Determining Certificate of Likely Compliance application

- (1) In determining an application for a Certificate of Likely Compliance for building work, the building surveyor must take into account the bushfire hazard management plan and the BAL assessment.

6. Determining building permit application

- (1) In determining an application for a building permit, the permit authority must take into account the bushfire hazard management plan and the BAL assessment.

7. Interpretation of tables

- (1) For the purposes of the deemed-to-satisfy provisions in clause 2.3 of this Determination, Tables 1, 2, 3A, 3B, 4, and 5 must be complied with in the following way:
 - (a) for a particular element specified in column 1, the corresponding requirement specified in column 2 must be complied with.

Table I - Construction Requirements and Construction Variations

Column 1		Column 2
Element		Requirement
A.	Straw bale construction	May be used in exposures up to and including BAL 19.
B.	Shielding provisions under Section 3.5 of AS 3959	<p>To reduce construction requirements due to shielding, building plans must include suitable detailed elevations or plans that demonstrate that the requirements of Section 3.5 of the Standard can be met.</p> <p>Comment: Application of Section 3.5 of the Standard cannot result in an assessment of BAL – LOW.</p>

Table 2 - Requirements for Property Access

Column 1		Column 2
Element		Requirement
A.	Property access length is less than 30 metres, or access is not required for a fire appliance to access a firefighting water point.	There are no specified design and construction requirements.
B.	Property access length is 30 metres or greater, or access is required for a fire appliance to access a firefighting water point.	The following design and construction requirements apply to property access: <ul style="list-style-type: none"> (a) all-weather construction; (b) load capacity of at least 20 tonnes, including for bridges and culverts; (c) minimum carriageway width of 4 metres; (d) minimum vertical clearance of 4 metres; (e) minimum horizontal clearance of 0.5 metres from the edge of the carriageway; (f) cross falls of less than 3 degrees (1:20 or 5%); (g) dips less than 7 degrees (1:8 or 12.5%) entry and exit angle; (h) curves with a minimum inner radius of 10 metres; (i) maximum gradient of 15 degrees (1:3.5 or 28%) for sealed roads, and 10 degrees (1:5.5 or 18%) for unsealed roads; and (j) terminate with a turning area for fire appliances provided by one of the following: <ul style="list-style-type: none"> (i) a turning circle with a minimum outer radius of 10 metres; (ii) a property access encircling the building; or (iii) a hammerhead “T” or “Y” turning head 4 metres wide and 8 metres long.
C.	Property access length is 200 metres or greater.	The following design and construction requirements apply to property access: <ul style="list-style-type: none"> (a) complies with requirements for B above; and (b) passing bays of 2 metres additional carriageway width and 20 metres length provided every 200 metres.

Column 1		Column 2
D.	Property access length is greater than 30 metres, and access is provided to 3 or more properties.	The following design and construction requirements apply to property access: (a) complies with requirements for B above; and (b) passing bays of 2 metres additional carriageway width and 20 metres length must be provided every 100 metres.

Table 3A - Requirements for Reticulated Water Supply for Firefighting

Column 1		Column 2
Element		Requirement
A.	Distance between building area to be protected and water supply	The following requirements apply: (a) the building area to be protected must be located within 120 metres of a fire hydrant; and (b) the distance must be measured as a hose lay, between the firefighting water point and the furthest part of the building area.
B.	Design criteria for fire hydrants	The following requirements apply: (a) fire hydrant system must be designed and constructed in accordance with <i>TasWater Supplement to Water Supply Code of Australia WSA 03 – 2011-3.1 MRWA Edition V2.0</i> ; and (b) fire hydrants are not installed in parking areas.
C.	Hardstand	A hardstand area for fire appliances must be provided: (a) no more than three metres from the hydrant, measured as a hose lay; (b) no closer than six metres from the building area to be protected; (c) a minimum width of three metres constructed to the same standard as the carriageway; and (d) connected to the property access by a carriageway equivalent to the standard of the property access.

Table 3B - Requirements for Static Water Supply for Firefighting

Column 1		Column 2
Element		Requirement
A.	Distance between building area to be protected and water supply	The following requirements apply: (a) the building area to be protected must be located within 90 metres of the firefighting water point of a static water supply; and (b) the distance must be measured as a hose lay, between the firefighting water point and the furthest part of the building area.
B.	Static water supplies	A static water supply: (a) may have a remotely located offtake connected to the static water supply; (b) may be a supply for combined use (firefighting and other uses) but the specified minimum quantity of firefighting water must be available at all times; (c) must be a minimum of 10,000 litres per building area to be protected. This volume of water must not be used for any other purpose including firefighting sprinkler or spray systems; (d) must be metal, concrete or lagged by non-combustible materials if above ground; and (e) if a tank can be located so it is shielded in all directions in compliance with Section 3.5 of AS 3959, the tank may be constructed of any material provided that the lowest 400 mm of the tank exterior is protected by: (i) metal; (ii) non-combustible material; or (iii) fibre-cement a minimum of 6 mm thickness.
C.	Fittings, pipework and accessories (including stands and tank supports)	Fittings and pipework associated with a firefighting water point for a static water supply must: (a) have a minimum nominal internal diameter of 50mm; (b) be fitted with a valve with a minimum nominal internal diameter of 50mm; (c) be metal or lagged by non-combustible materials if above ground; (d) if buried, have a minimum depth of 300mm;

Column 1		Column 2
Element		Requirement
		<ul style="list-style-type: none"> (e) provide a DIN or NEN standard forged Storz 65 mm coupling fitted with a suction washer for connection to firefighting equipment; (f) ensure the coupling is accessible and available for connection at all times; (g) ensure the coupling is fitted with a blank cap and securing chain (minimum 220mm length); and (h) ensure underground tanks have either an opening at the top of not less than 250mm diameter or a coupling compliant with this Table; and (i) where a remote offtake is installed, ensure the offtake is in a position that is: <ul style="list-style-type: none"> (i) visible; (ii) accessible to allow connection by firefighting equipment; (iii) at a working height of 450mm – 600mm above ground level; and (iv) protected from possible damage, including damage by vehicles.
D.	Signage for static water connections	<p>The firefighting water point for a static water supply must be identified by a sign permanently fixed to the exterior of the assembly in a visible location. The sign must:</p> <ul style="list-style-type: none"> (a) comply with water tank signage requirements within AS 2304; or (b) comply with the TFS Water Supply Signage Guideline.
E.	Hardstand	<p>A hardstand area for fire appliances must be provided:</p> <ul style="list-style-type: none"> (a) no more than three metres from the firefighting water point, measured as a hose lay (including the minimum water level in dams, swimming pools and the like); (b) no closer than six metres from the building area to be protected; (c) a minimum width of three metres constructed to the same standard as the carriageway; and (d) connected to the property access by a carriageway equivalent to the standard of the property access.

Table 4 - Requirements for Hazard Management Area

Column 1		Column 2
Element		Requirement
A.	Hazard management areas for new buildings on lots provided with a BAL at the time of subdivision.	A new building must: <ul style="list-style-type: none"> (a) be located on the lot so as to be provided with a HMA no smaller than the required separation distances for the BAL determined at the time of subdivision; and (b) have a HMA established in accordance with a certified bushfire hazard management plan.
B.	Hazard management areas for new buildings on lots not provided with a BAL at the time of subdivision.	A new building must: <ul style="list-style-type: none"> (a) be located on the lot so as to be provided with a HMA no smaller than the separation distances required for BAL 29; and (b) have a HMA established in accordance with a certified bushfire hazard management plan.
C.	Hazard management areas for alterations or additions to buildings.	An alteration or addition to a building must: <ul style="list-style-type: none"> (a) be located on the lot so as to be provided with a HMA which: <ul style="list-style-type: none"> (i) has the separation distances required for the BAL assessed for the construction of the existing building; or (ii) in the case of a building without an existing BAL assessment, is no smaller than the separation distances required for BAL 29; and (b) have a HMA established in accordance with a certified bushfire hazard management plan.
D.	Hazard management areas for new buildings and additions and alterations to buildings classified as an accommodation building Class 1b, Class 2, or Class 3, other than communal residence for persons with	A new building or an alteration or addition must: <ul style="list-style-type: none"> (a) be located on the lot so as to be provided with HMAs no smaller than the separation distances required for BAL 12.5; and (b) have a HMA established in accordance with a certified bushfire hazard management plan.

Column 1		Column 2
Element		Requirement
	a disability, a respite centre or a residential aged care facility or similar.	
E.	Hazard management areas for new buildings and additions and alterations to existing buildings classified as vulnerable use as defined in the relevant planning scheme.	A new building or an addition or alteration including change of use must: <ul style="list-style-type: none"> (a) be located on the lot so as to be provided with HMAs no smaller than the separation distances required for BAL 12.5; and (b) have a HMA established in accordance with a certified bushfire hazard management plan.
F.	Hazard management areas for new buildings or additions and alterations to buildings associated with the use, handling, generation or storage of a hazardous chemical or explosive.	A new building or an alteration or addition, including change of use, for a building associated with the use, handling, generation or storage of a hazardous chemical must: <ul style="list-style-type: none"> (a) be located on the lot so as to be provided with a HMA no smaller than the required separation distances for the BAL determined in the certified bushfire hazard management plan; and (b) have a HMA established in accordance with a certified bushfire hazard management plan.

Table 5 - Requirements for Emergency Planning

Column 1		Column 2
Element		Requirement
A.	Bushfire emergency plans	A bushfire emergency plan must be developed for the site which is: (a) consistent with the TFS Bushfire Emergency Planning Guideline; and (b) approved by the TFS or a person accredited by the TFS.

SCHEDULE I – Building Work and Demolition Work with Limitations

I. Interpretation of table

- I. For the purposes of this Determination, the limitations and requirements specified in column 2 apply to the corresponding building work or demolition work in column 1.

	Column 1	Column 2
Reference*	Building work or demolition work	Limitations
	Alterations/ additions to Class I buildings	
1.1.1 1.1.2 1.1.5 1.1.11	<ul style="list-style-type: none"> Shade structure, including an awning, blind, canopy or shade sail Skylight, including roof windows and ventilators Roller shutter, including roller door or a grilled door Porch or veranda (roofed) 	<ul style="list-style-type: none"> If shade structure, porch or veranda is greater than 20m² gross floor area and/or results in the habitable building being closer to bushfire-prone vegetation Skylights with polycarbonate sheeting as coverings to comply with AS 3959. Roller shutters to comply with shielding provisions of Table I
	Outdoor structures (Class 10 and Farm sheds)	
1.3.1 1.3.2 1.3.3 1.3.4 1.3.5 1.3.20 1.3.21	<ul style="list-style-type: none"> Shed, garage, carport or similar (prefabricated or non-prefabricated) Shipping container Animal shelter (roofed) or an open enclosure Deck Conservatory, gazebo, potting shed, glass house, greenhouse, plant grow tunnel 	If closer than 6 metres to a habitable building
	Farm sheds etc. related to farming or large scale horticultural activities	
1.4.1	Farm shed	If closer than 6 metres to a habitable building
	Decks, platforms etc.	
1.6.1	Detached permanent deck, platform, boardwalk, or the like	If closer than 6 metres to a habitable building

	Column 1	Column 2
Reference*	Building work or demolition work	Limitations
	Demolition or removal of a Class 10	
1.7.1	Demolition of Low Risk Work	If the structure is required to exist as a component of a certified bushfire hazard management plan
	Alterations of Class 1 buildings	
2.1.2	Porch	If the addition results in the habitable building being closer to bushfire-prone vegetation
	Additions to Class 1 buildings	
2.2.2	Awning – pre-engineered and open on at least one side	<ul style="list-style-type: none"> If the awning, as an addition, is greater than 20m² gross floor area of the habitable building and/or results in the habitable building being closer to bushfire-prone vegetation Awnings with polycarbonate sheeting as coverings have to comply with AS 3959.
	Outdoor structures (Class 10)	
2.3.1 2.3.2	Shed, garage, carport or similar (prefabricated or non-prefabricated)	If closer than 6 metres to a habitable building
2.3.6	Garden structures, including summer house, gazebo, pavilion, garden shelter or BBQ shelter	If closer than 6 metres to a habitable building
	Minor commercial or industrial structures, or infrastructure (Class 10)	
2.4.1 2.4.2	Shed, garage, carport or similar (prefabricated or non-prefabricated)	If closer than 6 metres to a habitable building
2.4.4	Detached booth, guardhouse, bin centre or similar	If closer than 6 metres to a habitable building

	Column 1	Column 2
Reference*	Building work or demolition work	Limitations
2.4.7	Non-habitable detached building, including substations, machinery or plant room etc.	If closer than 6 metres to a habitable building
	Demolition of Low Risk Work	
2.7.1	Demolition of Low Risk Work	If the structure is required to exist as a component of a certified bushfire hazard management plan
2.7.2	Demolition of a Class 10 building or farm shed	If the structure is required to exist as a component of a certified bushfire hazard management plan
	Class 1 residential buildings,	
3.0.1	New residence, alterations, additions	<ul style="list-style-type: none"> • Except if permit work • Additions: If greater than 20m² gross floor area of the habitable building and/or results in the building being closer to bushfire-prone vegetation
	Class 10 associated with a Class 1	
3.1.1	Shed, garage, carport or similar	If closer than 6 metres to a habitable building
3.1.2	Deck	If closer than 6 metres to a habitable building
3.1.7	Covered walkway	If closer than 6 metres to a habitable building

	Column 1	Column 2
Reference*	Building work or demolition work	Limitations
	Demolition/ removal Class 1 or 10	
3.2.1	Demolition of Class 1 or 10a buildings	If the structure is required to exist as a component of a certified bushfire hazard management plan
3.2.2	Demolition of Class 10b structures	If the structure is required to exist as a component of a certified bushfire hazard management plan
	Commercial buildings, alterations or additions	
3.3.1	Additions to existing buildings	If greater than 20m ² gross floor area of the habitable building and/or results in the building being closer to bushfire-prone vegetation
3.3.2	Alterations, to existing buildings including minor external works	If external work is greater than 20m ² gross floor area of the habitable building and/or results in the building being closer to bushfire-prone vegetation
	Non-habitable structures (Class 10) or farm sheds larger than low risk	
3.4.1	Class 10 structures or farm sheds	If closer than 6 metres to a habitable building
	Decks, viewing platforms, road or pedestrian bridges, boardwalks, etc. (Class 10b)	
3.5.1	A permanent deck, platform, boardwalk or the like	If closer than 6 metres to a habitable building
3.5.2	Other types of Class 10 structures	If closer than 6 metres to a habitable building

	Column 1	Column 2
Reference*	Building work or demolition work	Limitations
	Construction or demolition of structures for energy generation or telecommunications	
3.6.1	<p>Construction or demolition of buildings for production or transmission of energy and associated infrastructure, including:</p> <ul style="list-style-type: none"> • Electrical control buildings and substations • Wind turbines support structures over 6m in height • Electrical or gas generation plant and power stations 	<ul style="list-style-type: none"> • If owned or operated by an electricity supply business or a public or other authority • Construction – If closer than 6 metres to a habitable building • Demolition - If the structure is required to exist as a component of a certified bushfire hazard management plan
	Other work required in a Bushfire-Prone Area	
n/a	Work performed to provide a water supply for firefighting purposes	
n/a	<p>Work performed to provide vehicular access to:</p> <ul style="list-style-type: none"> (a) enable evacuation of persons; or (b) provide access for firefighting vehicles to fight fires. 	

* Indicative reference number refers to Director's Determination – Categories of Building and Demolition Work

Explanatory Notes

These notes are not part of the Determination

1. This Determination should be read in conjunction with the following:
 - (a) *Building Act 2016*
 - (b) *Building Regulations 2016*
 - (c) Tasmanian Planning Scheme – Bushfire-Prone Areas Code available at www.iplan.tas.gov.au
 - (d) Bushfire Hazard Advisory Notes published by the Chief Officer under the *Fire Service Act 1979* (available at www.fire.tas.gov.au - building for bushfire)
 - (e) TFS Bushfire Emergency Planning Guideline available at www.fire.tas.gov.au - building for bushfire
2. This Determination applies in a municipal area where:
 - (i) the State Planning Provisions come into effect as part of the Tasmanian Planning Scheme in accordance with section 29(2) of the *Land Use Planning and Approvals Act 1993*; and
 - (ii) the State Planning Provisions come into effect in respect of that municipal area in accordance with section 30(2) of the *Land Use Planning and Approvals Act 1993*.

Note: Where those planning provisions have **not** commenced in a municipal area, the provisions of the two transitional Director's Determinations for Building in Bushfire-Prone Areas apply instead.
3. Clause 3 of schedule 6 of the *Building Regulations 2016* specifies savings and transitional provisions relating to hazardous areas, and in particular that Part 5 of the *Regulations* do not come into force in respect of a municipal area until the State Planning Provisions of the Tasmanian Planning Scheme come into effect in that municipal area.
4. The *Director's Determination – Requirements for Building in Bushfire-Prone Areas (transitional)* and *Director's Determination – Application of Requirements for Building in Bushfire-Prone Areas (transitional)* relate to the provisions of the *Building Act 2000* and *Building Regulations 2014* that remain in force by virtue of the savings and transitional provisions of the *Building Regulations 2016*. This Determination effectively supersedes the abovementioned Determinations in respect of a municipal area once the State Planning Provisions of the Tasmanian Planning Scheme come into effect in respect of that municipal area.
5. The requirements of the Chief Officer for a bushfire hazard management plan under the *Fire Service Act 2009* are specified in a *Bushfire Hazard Advisory Note*.
6. For the purposes of consultation under section 20(2) of the *Building Act 2016*, the Chief Officer, the Tasmanian Planning Commission, and the Office of Security and Emergency Management of the Department of Premier and Cabinet are organisations and stakeholders relevant to the content of this Determination.
7. A reference to a clause in the National Construction Code in the *Building Regulations 2016* should be read as a reference to the equivalent clause in the current National Construction Code as amended or substituted from time to time.