

Director's Determination – Requirements for Building in Bushfire-Prone Areas (transitional)

I, Brad Wheeler, 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 for the purposes of the provisions of the *Building Act 2000* and *Building Regulations 2014* that remain in force by virtue of clause 3(2) of Schedule 6 of the *Building Regulations 2016*.

Title	Director's Determination - Requirements for Building in Bushfire-Prone Areas (transitional)
Description	This Determination specifies the requirements for building or demolition work in bushfire-prone areas, for the purposes of the savings and transitional provisions of the <i>Building Regulations 2016</i> .
Version	2.3
Application	For the purposes of section 20(3)(b) of the Act, this Determination applies from the date of the Director's approval- (a) until its revocation; or (b) in respect of a municipal area until – (i) 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 (ii) 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> ; whichever of (a) or (b) is sooner.
Previous determination	The Director's Determination - Requirements for Building in Bushfire-Prone Areas Version 2.2 dated 6 February 2020 ceases to have effect from the date of the application of this Determination.
Approval date	16 July 2024
Commencement date	16 July 2024



Director of Building Control
Consumer, Building and Occupational Services
Department of Justice

Table of Contents

Document Development History	3
1 Definitions	4
Division 2 -Work in a bushfire prone area.....	6
2.1 Application.....	6
3 Performance Requirements.....	6
4 Deemed-to-Satisfy Provisions	7
4.1 Construction Requirements	7
4.2 Property Access	8
4.3 Water Supply for Firefighting	8
4.4 Hazard Management Areas.....	9
4.5 Bushfire Emergency Plan	10
5 Interpretation of Tables.....	10
Table 4.1 Construction Requirements and Construction Variations.....	11
Table 4.2 Requirements for Property Access	12
Table 4.3A Requirements for Reticulated Water Supply for Firefighting	14
Table 4.3B Requirements for Static Water Supply for Firefighting	15
Table 4.4 Requirements for Hazard Management Area.....	18
Table 4.5 Requirements for Bushfire Emergency Planning	20
Explanatory notes	21

Document Development History

Version	Application Date	Sections amended
2.3 REF: DOC/23/78449		(a) Updated to reflect NCC 2022 and additional requirements; (b) Standardisation of Directors Determination terminology and formatting.
2.2 REF: DOC/17/62962[v2]	6 February 2020	(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.
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 release

1. Definitions

- (1) This Determination may be cited as the Director's Determination – Bushfire Hazard Areas (transitional).
- (2) A term defined in the *Building Act 2000*, *Building Regulations 2014* or Planning Directive No. 5.1 Bushfire-Prone Areas Code which came into effect on 1 September 2017, unless a contrary intention appears, has the same meaning in this Determination.
- (3) The *Acts Interpretations Act 1931* applies to the interpretation of this Determination as if it were by-laws.
- (4) A term defined in the *Building Act 2016*, *Building Regulations 2016*; or the NCC, unless the contrary intention appears, has the same meaning in this Determination.

- (5) In this Determination:

Accredited person means accredited bushfire hazard assessor as defined in the *Building Regulations 2014*, the Chief Officer, or a delegate of the Chief Officer;

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

AS 2419.1 means Australian Standard AS 2419.1-2021 *Fire hydrant installations – System design, installation and commissioning*;

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

Bushfire Attack Level (BAL) means the bushfire attack level as determined by TFS or an accredited person in accordance with AS 3959:2018;

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

Bushfire Hazard Management Plan (BHMP) has the same meaning as in the *Fire Service Act 1979*;

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;

Certain Class 9 Buildings are as defined in the application of TAS G5P2 of the NCC;

- (a) a Class 9a health-care building; and
- (b) a Class 9b –
 - i. early childhood centre; and
 - ii. primary or secondary school; and
- (c) a Class 9c residential care building.

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

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;

Group home – means use of land for residential accommodation for people with disabilities;

Hardstand has the same meaning as in AS 2419.1;

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

Hazard management area (HMA) means the area, between a building or building site 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 use means a use where:

- (a) the amount of hazardous chemical used, handled, generated or stored on a site exceeds the manifest quantity as specified in the *Work Health and Safety Regulations 2022*; or
- (b) explosives are stored on a site and where classified as an explosive location or large explosives location as specified in the *Explosives Act 2012*;

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

National Construction Code (NCC) means the National Construction Code series published by the Australian Building Codes Board, as amended or substituted from time to time;

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 firefighting water points and buildings to be protected;

Significant work has the same meaning as regulation 63(1) of the *Building Regulations 2016*;

Specification 43 means Specification 43 of the National Construction Code Volume 1;

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 Guidelines means the *Bushfire Emergency Planning Guidelines*, as amended 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;

In this Determination, where reference is made to a particular building class, the specified class is as defined in the part of the NCC which relates to the classification of buildings and structures.

For the purposes of the definition of "building work in a bushfire-prone area" which appears in the *Building Regulations 2014* and is preserved and amended by Schedule 6 of the *Building Regulations 2016*, "hazardous use" is taken to have the same meaning as in this Determination.

Division 2 -Work in a bushfire prone area

2.1 Application

- (1) This Determination applies to a building located in a bushfire-prone area of the following Class:
 - (i) Class 1;
 - (ii) Class 2;
 - (iii) Class 3;
 - (iv) Class 8;
 - (v) Class 9; or
 - (vi) Class 10a or deck that is:
 - (a) closer than 6 metres to a habitable building; or
 - (b) closer than 6 metres to another Class 10a Building that is within 6m of a habitable building.
- (2) Despite subclause (1), this Determination does not apply to buildings that are integral to the agricultural use of the land and which are not habitable buildings.

3 Performance Requirements

- (1) A building to which this Division applies and where defined in the applications of TAS G5P1 must be designed and constructed to comply with TAS G5P1 of the National Construction Code.
- (2) Certain Class 9 Buildings as defined in the application of TAS G5P2 must also comply with TAS G5P2 of the National Construction Code.
- (3) A Class 1 Building or a Class 10a Building or deck associated with a Class 1 Building to which this Division applies must be designed and constructed to comply with TAS H7P5 of the National Construction Code and as quantified by H7P5 of the National Construction Code.
- (4) A building to which this Division applies must be:
 - (a) provided with property access to the building to assist firefighting and emergency personnel to defend the building and to support occupant evacuations;
 - (b) provided with access at all times to a sufficient supply of water for firefighting purposes on the site;
 - (c) provided with appropriate separation of the building from the bushfire hazard;
 - (d) provided with a bushfire emergency plan.
 - (i) Subclause 4(d) does not apply to Class 1a Buildings.
- (5) The Performance Requirements specified in subclauses (1), (2), (3) and (4) can only be satisfied by a Performance Solution or Deemed-to-Satisfy solution or a combination of both.

- (6) Where a Deemed-to-Satisfy solution is proposed, the Performance Requirements are satisfied by complying with the Deemed-to-Satisfy provisions in this Determination for BAL-Low to BAL-29 only given that the performance requirements for BAL-40 and BAL-FZ cannot be satisfied by the Deemed-to-Satisfy provisions.
- (7) A Performance Solution must comply with the Performance Requirements or be at least equivalent to the Deemed-to-Satisfy provisions in this Determination. Further, a Performance Solution must comply with the Governing Requirements of Section A and be assessed according to one or more of the Assessment Methods in Clause A2G2 of Volume One or Two of the National Construction Code.

Note: All performance solutions relating to bushfire must be referred to the TFS by the request for report from Chief Officer (Form 41) in accordance with *Building Regulations 2016*. The following provides further information in relation to building work with a BAL-40 or BAL-FZ rating.

A building at BAL-40 is expected to be exposed to extreme levels of radiant heat with occasional direct flame contact from the bushfire. A building at BAL-FZ is expected to be exposed to extreme levels of radiant heat and continuous direct flame contact from bushfire. There is considerable uncertainty regarding the performance of buildings at such levels of bushfire exposure. Failure of building elements at these BALs may allow the building interior to ignite and threaten the lives of anyone present.

Additionally, the minimum dimensions of the hazard management areas provided for either BAL-40 or BAL-FZ buildings will severely limit the ability of occupants and firefighters to observe the approaching fire. This will increase the risk to occupants and firefighters as well as restricting the capacity for property defence.

Proposed building work assessed as BAL-40 or BAL-FZ requires a Performance Solution that demonstrably responds to the site-specific risks to the proposed building and its occupants.

4 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.

4.1 Construction Requirements

- (1) Building work (including additions or alterations to an existing building) in a bushfire-prone area must be designed and constructed in accordance with the relevant Deemed-to-Satisfy provisions of:
 - (a) NCC Volume 1, Part G5 for Class 2 or Class 3 Buildings or Certain Class 9 Buildings and a Class 10a Building or deck associated with a building to which this Division applies.
 - (b) NCC Volume 2, Part H7 for Class 1 Building and Class 10a Building or deck associated with a building to which this Division applies.

- (2) Despite subclause (1) above, permissible variations are specified in Table 4.1 below for Class 1, Class 2 and Class 3 Buildings and an associated Class 10a Building or deck.
- (3) Performance Requirements for buildings subject to BAL-40 or BAL Flame Zone (BAL-FZ) cannot be satisfied by Deemed-to-Satisfy provisions and must be satisfied by means of a Performance Solution (see note in Performance Requirements).

4.2 Property Access

- (1) The following building work must be provided with property access to the building and the firefighting water point, accessible by a carriageway, designed and constructed as specified in subclause (4) below:
 - (a) a new habitable building; or
 - (b) a new Class 10a Building to which this Determination applies, if not accessible using an existing property access.
- (2) For an addition or alteration to an existing building in a bushfire-prone area referred to in regulation 11E(2)(b)(ii)(C) of the *Building Regulations 2014*, property access must be provided to the building and the firefighting water point accessible by a carriageway designed and constructed as specified in subclause (4) below.
- (3) For an addition or alteration to an existing building in a bushfire-prone area which is 20 metres squared gross floor area or less which does result in the building being closer to bushfire-prone vegetation and there is no property access available, property access must be provided to the building and the firefighting water point accessible by a carriageway designed and constructed as specified in subclause (4) below.
- (4) Vehicular access from a public road to a building must:
 - (a) comply with the property access requirements specified in Table 4.2;
 - (b) include access from a public road to a hardstand within 90 metres of the furthest part of the as building measured by a hose lay;
 - (c) include access to the hardstand area for the firefighting water point.
- (5) Certain Class 9 Buildings have additional property access requirements as specified in Table 4.2.

4.3 Water Supply for Firefighting

- (1) The following building work must be provided with a water supply dedicated for firefighting purposes as specified in subclauses (4) and (5) below:
 - (a) a new habitable building; or
 - (b) a new Class 10a Building to which this Determination applies, if not protected by an existing firefighting water supply.
- (2) For an addition or alteration to an existing building in a bushfire-prone area referred to in regulation 11E(2)(b)(ii)(B) of the *Building Regulations 2014*, a

water supply for firefighting must be provided as specified in subclauses (4) and (5) below.

- (3) For an addition or alteration to an existing building in a bushfire-prone area which is 20 metres squared gross floor area or less which does result in the building being closer to bushfire-prone vegetation and there is no water supply for firefighting available, a water supply for firefighting must be provided as specified in subclauses (4) and (5) below.
- (4) Water supplies for firefighting must meet the requirements described in Tables 4.3A or 4.3B.
- (5) Certain Class 9 Buildings have specific requirements for water supply for firefighting as specified in Tables 4.3A or 4.3B.

4.4 Hazard Management Areas

- (1) The following building work must be provided with a hazard management area of sufficient dimensions and which provides an area around the building which separates the building from the bushfire hazard and complies with subclauses (4), (5) (6) and (7) below:
 - (a) a new habitable building;
 - (b) an existing building in the case of an addition or alteration to a building; or
 - (c) a new Class 10a Building to which this Determination applies unless fire separation is provided in accordance with clause 3.2.3 of AS 3959;
- (2) For an addition or alteration to an existing building in a bushfire-prone referred to in regulation 11E(2)(b)(ii)(A) of the *Building Regulations 2014*, the building must be provided with a hazard management area of sufficient dimensions and which provides an area around the building which separates the building from the bushfire hazard and complies with subclauses (4), (5) (6) and (7) below;
- (3) For an addition or alteration to an existing building in a bushfire-prone area which is 20 metres squared gross floor area or less which does result in the building being closer to bushfire-prone vegetation it must be provided with a hazard management area of sufficient dimensions and which provides an area around the building which separates the building from the bushfire hazard and complies with subclauses (4), (5) (6) and (7) below;
- (4) The hazard management area must comply with the requirements specified in Table 4.4;
- (5) 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 (Method 1);
- (6) 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;
- (7) Certain Class 9 Buildings have additional requirements for hazard management areas as specified in Table 4.4.

4.5 Bushfire Emergency Plan

- (1) A bushfire emergency plan must be prepared for:
 - (a) new buildings and additions and alterations to buildings classified as an accommodation building (Class 1b, Class 2, or Class 3) other than a group home for persons with a disability, a respite centre, a residential aged care facility, or a similar accommodation use; or
 - (b) a new building, extension or addition to a building, or change of use classified as a vulnerable use, as defined in Regulation 11A of the *Building Regulations 2014*, constructed in a bushfire-prone area.
- (2) A bushfire emergency plan must comply with the requirements specified in Table 4.5.

5 Interpretation of Tables

- (1) For the purposes of paragraphs 4.1, 4.2, 4.3, 4.4 and 4.5 above, the corresponding Tables 4.1, 4.2, 4.3A, 4.3B, 4.4 and 4.5 below must be respectively 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 4.1 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 AS3959	To reduce construction requirements due to shielding, building plans or supporting documentation must include suitable detailed elevations or plans that demonstrate that the requirements of Section 3.5 of the Standard can be met. Comment: Application of Section 3.5 of the Standard cannot result in an assessment of BAL – LOW.
C.	Construction standard for vulnerable use as defined in Reg. 11A of the <i>Building Regulations 2014</i>	Building work for a building classified as a vulnerable use must be constructed to a BAL that is determined in a BHMP certified by an accredited person.
D.	Additional requirements for Certain Class 9 Buildings	Refer to NCC Vol. 1 – Part G5 (incorporating TAS G5P1 and TAS G5P2) and Specification 43.

Table 4.2 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: (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, excluding gate posts; (f) cross falls of less than 3° (1:20 or 5%); (g) dips less than 7° (1:8 or 12.5%) entry and exit angle; (h) curves with a minimum inner radius of 10 metres; (i) maximum gradient of 15° (1:3.5 or 28%) for sealed roads, and 10° (1:5.5 or 18%) for unsealed roads; and (j) terminate with a turning area for fire appliances provided by one of the following: (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: (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
Element		Requirement
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.
E.	Additional requirements for Certain Class 9 Buildings	Refer to NCC Vol. 1 – Part G5 (incorporating TAS G5P1 and TAS G5P2) and Specification 43.

Table 4.3A Requirements for Reticulated Water Supply for Firefighting

Column 1		Column 2
Element		Requirement
A.	Distance between building to be protected and water supply	The following requirements apply: (a) the building 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.
B.	Design criteria for proposed fire hydrants	The following requirements apply: (a) fire hydrant system must be designed and constructed in accordance with TasWater Supplement to Water Supply Code of Australia WSA 03 – 2011-3.1 MRWA Edition 2.0 as amended from time to time; and (b) fire hydrants are to be installed outside of the minimum access road width, and clear of any passing bay or parking area, to ensure access at all times to reticulated water for fire suppression.
C.	Hardstand associated with proposed fire hydrants	A hardstand area for fire appliances must be provided: (a) no more than thirty metres from the hydrant, measured as a hose lay; (b) no closer than six metres from the building to be protected; (c) with a minimum width of three metres and a minimum length of six 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.
D.	Additional requirements for Certain Class 9 Buildings	Refer to NCC Vol. 1 – Part G5 (incorporating TAS G5P1 and TAS G5P2) and Specification 43.

Table 4.3B Requirements for Static Water Supply for Firefighting

Column 1		Column 2
Element		Requirement
A.	Distance between building to be protected and water supply	The following requirements apply: (a) the building 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.
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 including associated Class 10 Building or deck 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.

Column 1		Column 2
Element		Requirement
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; (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); (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: (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	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: (a) comply with water tank signage requirements within AS 2304; or (b) comply with the Tasmania Fire Service Water Supply Signage Guideline published by the Tasmania Fire Service.
E.	Hardstand	A hardstand area for fire appliances must be provided: (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 to be protected; (c) with a minimum width of three metres and a minimum length of six 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.

Column 1		Column 2
Element		Requirement
F.	Additional requirements for Certain Class 9 Buildings	Refer to NCC Vol. 1 – Part G5 (incorporating TAS G5P1 and TAS G5P2) and Specification 43.

Table 4.4 Requirements for Hazard Management Area

Column 1		Column 2
Element		Requirement
A.	New buildings on lots provided with a BAL at the time of subdivision.	A new building must: (a) be provided with a HMA no smaller than the required separation distances required for BAL-19, except where a higher BAL was approved as part of the subdivision bushfire hazard management plan; and (b) have a HMA established in accordance with a certified bushfire hazard management plan.
B.	New buildings on lots not provided with a BAL at the time of subdivision.	A new building must: (a) be provided with a HMA no smaller than the required separation distances required for BAL-29; and (b) have a HMA established in accordance with a certified bushfire hazard management plan.
C.	Alterations or additions to buildings.	An alteration or addition to a building must: (a) be located on the lot so as to be provided with a HMA which: (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.

Column 1		Column 2
Element		Requirement
D	New buildings and additions and alterations to buildings classified as an accommodation building Class 1b, Class 2, or Class 3 Buildings, other than communal residence for persons with a disability, a respite centre or a residential aged care facility or similar.	A new building or an alteration or addition must: (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.
E.	New buildings and additions and alterations to existing buildings classified as vulnerable use as defined in the <i>Bushfire-Prone Areas Code (Planning Directive 5.1)</i>	A new building or an addition or alteration including change of use must: (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.	New buildings or additions and alterations to buildings associated with a hazardous use	A new building or an alteration or addition, including change of use, for a building determined as a hazardous use must: (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.
G.	Additional requirements for Certain Class 9 Buildings and associated Class 10a Buildings and decks.	Refer to NCC Vol. 1 – Part G5 (incorporating TAS G5P1 and TAS G5P2) and Specification 43.

Table 4.5 Requirements for Bushfire 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 Guidelines; and (b) endorsed by the TFS or a person accredited by the TFS.

Explanatory notes

These notes are not part of the determination

1. This Determination supersedes the Determination on Requirements for Building in Bushfire-Prone Areas, version 2.1 that applied from 1 September 2017.
 - It applies in a municipal areas where certain provisions the Tasmanian Planning Scheme have not commenced.
 - For areas where those planning provisions have commenced, the Director's Determination - Bushfire Hazard Areas applies instead.
2. Clause 3(2) of Schedule 6 of the *Building Regulations 2016* specifies savings and transitional provisions relating to hazardous areas, and in particular that:
 - (a) 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 respect of that municipal area; and
 - (b) relevant requirements in the *Building Act 2000* and *Building Regulations 2014* relating to building work in bushfire-prone areas remain in force until that time.
3. This Determination should be read in conjunction with the following:
 - (a) those parts of the *Building Act 2000* and *Building Regulations 2014* relating to bushfire-prone areas which remain in effect through the savings and transitional provisions of the *Building Regulations 2016*
 - (b) Bushfire-Prone Areas Code (published as Planning Directive No. 5.1) available at www.planning.tas.gov.au
 - (c) Director's Determination – Application of Requirements for Building in Bushfire-Prone Areas, as amended from time to time available at www.cbos.tas.gov.au
 - (d) TFS Emergency Planning Guidelines, published by the TFS available at www.fire.tas.gov.au
 - (e) Tasmanian Fire Service Water Supply Signage Guideline, published by the TFS available at www.fire.tas.gov.au.
4. A reference to a clause in the National Construction Code in the *Building Regulations 2014* should be read as a reference to the equivalent clause in the current National Construction Code as amended or substituted from time to time.