

Information Sheet

Re-building and repairing buildings damaged by bushfires



This fact sheet provides advice if you have been affected by the recent bushfires.

First Steps

- Only return to your home when you are advised by the appropriate authority that it is safe.
- Contact your insurance company as soon as possible to report the damage.
 - Be sure to ask your insurance company if they have a list of preferred contactors for the clean-up and repairs;
 - Do not throw away damaged items until your insurance company advises you to do so; and
 - Keep a record and receipts for any emergency repairs in case they are needed by your insurance company.
- If you are uninsured, contact a licensed building contractor to assess the damage and provide a quote for the necessary repairs.
 - Uninsured residents and those who have limited income/assets may be eligible for a disaster relief grant (contact Disaster Welfare on 1800 018 444)
 - Do not forget to check qualifications and experience before hiring a builder.
 - Ask for a written damage report that will help you to get quotes for repairing your home.

Asbestos

- All fire affected buildings are being assessed by a Public Works Team who will be determining whether the building has asbestos contamination or not. Public Works will then report back to the landowner on the outcome of the assessment.
- **For uninsured houses,** Public Works will be organising clean-up by a registered asbestos removal contactor in consultation with the landholder at no cost.
- **For insured houses,** you should contact your insurance company to organise the clean-up as part of your claim.
- After the clean-up and if you later lodge a development application for a new home you will need to provide Council with:
 - Landfill disposal receipts for asbestos; and
 - Asbestos Clearance Certificate from an Occupational Hygienist.
- Our staff and private contractors are unable to access sites identified as having fire damaged asbestos containing materials until an Asbestos Clearance Certificate has been provided.

Demolition, repair, replacing and rebuilding fire damaged structures

For guidance regarding the demolition or rebuilding of fire damaged structures please contact Council's Building and Development Team on 6354 9999. Our Building and Development Officers will gladly assist you by providing guidance on the best way forward.

The following general information is provided to assist you in relation to rebuilding, replacing and repairing fire damaged structures:

Fire damaged septic tanks, collection wells & AWTs tanks

Fire damaged septic tanks / collection wells / AWTs for dwellings not destroyed by bushfire can be replaced by a licenced Plumber and Drainer if Council has issued a current Approval to Operate. The following advice is provided:

- Ensure that the damaged septic tank / vessel is pumped out by a licensed liquid waste removalist (listed under septic tank cleaning services in the phone book).
- The destruction or removal of the damaged septic tank / vessel shall comply with NSW Health Advisory Note No. 3 available at:
<https://www.health.nsw.gov.au/environment/domesticwastewater/Documents/adnote3.pdf>
- Ensure that the replacement vessel is NSW Health accredited. Further details are available at
<https://www.health.nsw.gov.au/environment/domesticwastewater/Pages/default.aspx>
- Ensure the works are carried out by a licensed plumber and drainer. Please refer to the following website to undertake a licence check of a tradesperson -
<https://www.fairtrading.nsw.gov.au/help-centre/online-tools/home-building-licence-check>
- Provide Council with a Certificate of Compliance from the licensed plumber and drainer.
- The minimum septic tank size is 3000 litres however it is recommended that the capacity of the replacement vessel is suitable for the wastewater load of the dwelling and sized according to Australian Standard 1547:2012, Table J1. Please call Council's Building and Development Officers for further information.

Fire damaged septic tanks / collection wells / AWTs and Damaged Onsite wastewater systems that do not have a current Approval to Operate will require assessment by Council's Environmental Health Officers available on 6354 9999.

Onsite wastewater systems including septic tanks etc. for replacement dwellings will require the submission of a S68 Application under the Local Government Act and submission of a Wastewater / geotechnical report along with the Development Application for the replacement dwelling.

Fire damaged rainwater tanks

Fire damaged rainwater tanks for dwellings not destroyed by bushfire can be replaced and connected by a licenced Plumber and Drainer:

- Ensure that the rainwater tank is installed as per manufacturer's details.
- Ensure the water connection to the dwelling is carried out by a licensed plumber and drainer.

- Provide Council with a Certificate of Compliance from the licensed plumber and drainer.
- It is recommended that the minimum capacity of the water tank be 70,000 litres - 50,000 litres for domestic use and an additional 20,000 litres for fire fighting purposes with a standard 65mm metal Storz outlet for with a gate or ball valve provided to the tank. The gate or ball valve, pipes and tank penetration of any tank must be adequate for full 50mm inner diameter water flow through the Storz fitting and made of metal.
- The water tank/s should be non-combustible.
- For information regarding protection of your rainwater supply please refer to NSW Health fact sheets available at
<https://www.health.nsw.gov.au/environment/water/Pages/rainwater-bushfires.aspx>
<https://www.health.nsw.gov.au/environment/water/Pages/rainwater.aspx>

Exempt structures and repairs

If damage to a lawful building is minor, non-structural and classified as exempt development under The **State Environmental Planning Policy (Exempt and Complying Development Codes) 2008**, then approval from Council is not required.

Details on the structures that can be erected and building repairs / works that can be undertaken without Council approval are available from the Exempt Development page on Council's website at <http://council.lithgow.com/exempt-development/>

What approvals are required for repairs, rebuilding or reconstruction

The repair, replacement or rebuilding of a dwelling or part of a dwelling or outbuilding is structural and will require Development Consent and a Construction Certificate. This must be obtained beforehand to ensure new work complies with current requirements, particularly with regard to bushfire construction standards.

- Council will fast track your applications.
- Council may be able to provide you with a paper copy of your current building plans free of charge.

Supporting Documentation

It is recommended that you engage a building designer or draftsman to prepare your updated house plans for you. Using a qualified professional who is familiar with the approval process and documentation required will ensure a smooth assessment process.

When submitting an application to rebuild you will need:

- A Completed Development Application (DA) and Construction Certificate (CC) form available at <http://council.lithgow.com/forms-2/>
- A BASIX certificate (available at <https://www.planningportal.nsw.gov.au/basix>)
- A bushfire hazard assessment report. Please refer to the NSW Rural Fire Service single dwelling assessment kit available at https://www.rfs.nsw.gov.au/_data/assets/pdf_file/0017/4355/Guidelines-for-Single-Dwelling-Development-Applications.pdf
- Plans and specifications including site plan, floor plan, elevations and sectional drawings showing compliance with current Building Code of Australia.

- Structural plans and specifications (note the structure shall be designed for the site specific wind and snow load) from a professional structural engineer. Structural certification from a professional structural engineer will be required for the use of any existing reinforced concrete slab, footings etc.
- An Asbestos Clearance Report from an Occupational Hygienist and landfill disposal receipts for asbestos.
- A current Home Building Compensation Fund (HBCF) Insurance certificate or Owner Builder Permit.
- A report from a qualified wastewater consultant for the replacement onsite wastewater system demonstrating Compliance with Australian Standard 1547:2012 & Onsite Sewage Management for Single Households (Silver Book) and Installing On-Site Wastewater Systems (Sydney Catchment Authority, 2019).
- A Statement of Environmental Effects.
- Erosion and Sedimentation Control Plan.

Fees and charges for approvals

Council will not charge standard development application fees, S94 contribution and S68 application fees for lodgment of applications to rebuild or replace buildings which have been damaged or destroyed by the bushfires.

Note: Construction Certificate Application fees are still applicable. Long Service Levy and Planning Reform fund fees may be applicable and will be calculated at the time of lodgment of any application. These are not Council fees and therefore cannot be waived by Council.

Additional information

More information is available from:

Safe Work Australia - <https://www.safework.nsw.gov.au/resource-library/natural-disasters/property-hazards-following-a-bushfire-fact-sheet>

NSW Health - <https://www.health.nsw.gov.au/environment/factsheets/Pages/bushfire-returning.aspx>

NSW Rural Fire Service

<https://www.rfs.nsw.gov.au/plan-and-prepare/building-in-a-bush-fire-area>

<https://www.rfs.nsw.gov.au/plan-and-prepare/building-in-a-bush-fire-area/building-after-bush-fire/faqs>

Australian Institute of Architects

Free Practice notes are available for architects to use during this period at:
<https://www.architecture.com.au/about/national-bushfire-response/>

Architects Assist

Architects Assist is providing relief to those who have limited or no funds to rebuild by providing disaster recovery architecture and design pro bono services. For further information visit: <http://architectsassist.com.au/>

See also:

<https://www.architecture.com.au/about/national-bushfire-response/>

Disclaimer:

This information is provided in good faith as a guide. The relevant legislation and planning documents take precedent over the information in this fact sheet.