

South Australia

## **Development (Private Bushfire Shelters) Variation Regulations 2010**

under the *Development Act 1993*

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### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Development (Private Bushfire Shelters) Variation Regulations 2010*.

#### **2—Commencement**

These regulations come into operation on the day on which they are made.

#### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

### **Part 2—Variation of *Development Regulations 2008***

#### **4—Variation of regulation 3—Interpretation**

Regulation 3(6)—after the definition of *Local Government Infrastructure Program* insert:

*outbuilding* does not include a private bushfire shelter;

*private bushfire shelter* means a building, associated with a Class 1a building under the *Building Code*, that may as a last resort provide shelter for occupants from the immediate life threatening effects of a bushfire event;

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## **5—Variation of regulation 28—Special provisions—referrals**

Regulation 28—after subregulation (6) insert:

- (7) For the purposes of subsection (2c) of section 36 of the Act, building work comprising or including the construction or installation of a private bushfire shelter must not be granted a building rules consent unless the Building Rules Assessment Commission concurs in the granting of the consent.

## **6—Variation of Schedule 1A—Development that does not require development consent**

Schedule 1A—after clause 9 insert:

### **9A—Private bushfire shelters**

The construction, installation or alteration of a private bushfire shelter unless any part of the private bushfire shelter is, or will be, situated—

- (a) in front of any part of the building line of the building with which it is associated that faces the primary street; or
- (b) within 900 millimetres of a boundary of the land with a secondary street (if the land has boundaries on 2 or more roads); or
- (c) within 6 metres of the intersection of 2 boundaries of the land where those boundaries both face a road, other than where a 4×4 metre corner cut-off has already been provided (and is to be preserved).

## **7—Variation of Schedule 9—Public notice categories**

Schedule 9, clause 2—after paragraph (d) insert:

- (da) the construction, installation or alteration of a private bushfire shelter; or

### **Note—**

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

## **Made by the Governor**

with the advice and consent of the Executive Council  
on 26 August 2010

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