Private Bush Fire Shelters

This Fast Fact outlines the NSW Rural Fire Service (RFS) position for the construction of private bush fire shelters in NSW.


In NSW any proposal to construct a private bush fire shelter, on land identified as bush fire prone, will be subject to the provisions of section 79BA of the \textit{Environmental Planning and Assessment Act 1979} (EP&A Act). As such, development consent cannot be granted unless the consent authority:

\begin{itemize}
  \item [a)] Is satisfied that the development conforms to the specifications and requirements of Planning for Bushfire Protection, produced by the NSW Rural Fire Service (or, if another document is prescribed by the regulations for the purposes of this paragraph, that document), that are relevant to the development, or
  \item [b)] has consulted with the Commissioner of the NSW Rural Fire Service concerning measures to be taken with respect to the development to protect persons, property and the environment from danger that may arise from a bush fire.\(\text{(http://www.legislation.nsw.gov.au)}\)
\end{itemize}

Planning for Bush Fire Protection does not specifically address the construction of private bush fire shelters. Therefore, consent authorities must follow path b. of section 79BA and consult with the Commissioner of the RFS prior to granting development consent. For applications that propose a private bush fire shelter on land that is not identified as bush fire prone, council have the option of seeking comments from the RFS via section 79C of the EP&A Act.
Regardless of the development approval path followed and level of bush fire attack relevant to the development, the RFS will require that all proposals to construct a private bush fire shelter comply with Table 2.4 – Acceptance Criteria of the Performance Standard for Private Bush Fire Shelters (see page 13 – 18).

Private bush fire shelters will not be accepted by the RFS as an offset for compliance with other aspects of the Building Code of Australia, Australian Standard 3959 - Construction of buildings in bushfire-prone areas or Planning for Bush Fire Protection.

It must be emphasized that private bush fire shelters provide only one component of an integrated approach to bush fire protection and should not be relied on as the sole answer to reducing the risk to residents in bush fire prone areas. Inadequately designed, badly located and poorly maintained shelters are extremely dangerous and present significant confined space and other life safety issues to occupants.

In all cases, families living in bush fire prone areas are encouraged to complete a Bush Fire Survival Plan from www.rfs.nsw.gov.au to increase their preparedness for bush fires. For existing development, consideration should be given to upgrading existing buildings, increasing the separation of dwellings from bush fire hazards and implementing other bush fire protection measures before contemplating a private bush fire shelter. Private bush fire shelters should only be considered as a last resort and as part of a well thought out bush fire survival plan.

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