

Re-building and repairing buildings damaged by bush fires

This fact sheet assists people who have been affected by the recent bush fires.

Updated 10 February 2020

Fact Sheet

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 contractors for the clean-up and repairs.
- 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).
- Should you require Council is happy to provide you with a letter confirming that your property was affected by the recent bush fires to assist you with dealing with various authorities and agencies.
- More information is available on Council's website via:
<https://www.pmhc.nsw.gov.au/Services/Environment/Bushfire-Emergency-Information>

Asbestos

- All fire affected buildings have been assessed by a Public Works team who determine whether the building has asbestos contamination or not. Public Works Advisory will then report back to the landowner on the findings of the assessment.
- For uninsured houses, Public Works will be organising a clean-up by a registered asbestos removal contractor in consultation with the landholder at no cost. Please contact Public Works Advisory on 1800 88 55 39.
- For insured houses, you should contact your insurance company for clean-up as part of your claim. If you have concerns about your insurer, contact the Insurance Council of Australia on 1800 734 621.

- After the clean-up and at the time of lodging your development application for your new home, you will need to provide us with:
 - Landfill disposal receipts for asbestos
 - Asbestos clearance certificate.
- Council 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.

Are approvals required?

- If damage to a lawful building is minor or non-structural it is considered to be maintenance and/or repairs. Approval from us is not required provided a like for like replacement is undertaken.
- A licensed plumber is required to do repairs to damaged plastic septic tanks and associated pipework. A Certificate of Compliance (NSW Fair Trading format) for all replaced plumbing and drainage works should be obtained from the contractor and forwarded to Council.
- Rebuilding and repairing of non-habitable outbuildings will not need the approval in the majority of instances. Contact us for advice.
- The replacement/rebuilding of a dwelling or part of a dwelling is structural and therefore it will require development consent and a Construction Certificate. This must be obtained beforehand to ensure new work complies with current requirements particularly in regard to bushfire construction standards.
- We will fast track applications and provide you with a dedicated Building Surveyor to process your applications.
- Copies of previously issued approvals and plans will be available to landowners free of charge. Contact our Customer Service Centre on 6581 8111 and ask to be transferred to the Development Assessment Records Administration Officer.
- If no approval exists for a fire damaged rural dwelling, it may still be considered a lawful dwelling and approvals to re-build dwellings may still be possible through various formalisation processes. Council assessment staff will endeavour to investigate all available avenues to allow such replacement dwellings to be legally approved if possible.

Supporting documentation and fees

Waiver of fees for bushfire affected properties

In addition to Council waiving all DA related fees, the Department of Planning, Industry and Environment (DPIE) have waived applicable government fees on all development applications related to dwellings damaged or destroyed in the recent bushfires. The Planning Reform Fund fee is not required to be collected by Council when DA's are lodged and affected property owners can contact the Department to arrange for a BASIX Certificate to be issued free of charge (1300 054 464).

When submitting an application to rebuild you will need:

- When submitting an application to rebuild you will need:
- A completed Development Application (DA) and Construction Certificate (CC) Application.
- BASIX certificate available at <https://www.planningportal.nsw.gov.au/basix/>
- A bushfire hazard assessment report.

- Plans and specifications (it's OK to include specifications on the plans).
- A statement or appropriate document confirming the date of construction of the dwelling if it was originally constructed prior to the introduction of building controls.
- Visit Council's website <https://www.pmhc.nsw.gov.au/Building-Planning/Development/Application-Process> for more information regarding supporting documents.

Local Environmental Plan LEP

If you have a fire damaged dwelling that you intend to rebuild on an allotment that is affected by the Port Macquarie-Hastings LEP and you are unsure of its legal status you are encouraged to contact Council for advice on options for retaining any existing dwelling eligibility that the allotment may have.

Exempt structures

Details on the structures and building work that can be erected without Council approval are available from the 'Exempt development' page on our website at: <https://www.pmhc.nsw.gov.au/Building-Planning/Development/Types-of-development/Exempt-development>

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. Contact your insurance company as soon as possible to report the damage.

**For more information visit [pmhc.nsw.gov.au](https://www.pmhc.nsw.gov.au)
or contact Council on (02) 6581 8111**