

## When is a Building Permit not required

The Building Act 2011 requires that a Building Permit is required prior to doing any building work. Building work includes the construction of new buildings as well as the alteration or extension of existing buildings, regardless of how minor the building work is unless otherwise exempted.

It should be noted that buildings must still comply with requirements of the Building Code of Australia, Town Planning Scheme and Residential Design Codes, even if exempt from obtaining approval.

The Building Regulations 2012 specifically exempt the following works from requiring a Building Permit:

**For further information, please contact Building Services on 9550 3777**

|    | <b>Building work for which building permit is not required</b>  |
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| 1. | Construction, erection, assembly or placement of a freestanding Patio or Shed (Class 10a building) that — <ul style="list-style-type: none"> <li>a) has a floor area not exceeding 10m<sup>2</sup>; and</li> <li>b) is no more than 2.4m in height</li> </ul>   |
| 2. | Renovation, alteration, improvement, repair or maintenance of a building or incidental structure if the building work — <ul style="list-style-type: none"> <li>a) will not adversely affect the structural soundness of the building or incidental structure and does not include —               <ul style="list-style-type: none"> <li>(i) an increase or decrease in the floor area or height of the building or incidental structure; or</li> <li>(ii) underpinning or replacement of footings; or</li> <li>(iii) the removal or alteration of any element of the building or incidental structure that is contributing to the support of any other element of the building or incidental structure;</li> </ul> </li> </ul> and <ul style="list-style-type: none"> <li>b) is done using materials commonly used for the same purpose as the material being replaced; and</li> <li>c) will not change the use or classification of the building or incidental structure; and</li> <li>d) will not adversely affect the safety and health of the occupants or other users of the building or incidental structure or of the public; and</li> <li>e) will not affect the way in which the building or incidental structure complies with each building standard that applies to the building or incidental structure; and</li> <li>f) is not work related to an encroachment, adverse impact or protection works for adjoining property (section 76, 77, 78 or 79); and</li> <li>g) is not subject to an order, agreement or permit under the Heritage Act.</li> </ul> |

|    | <b>Building work for which building permit is not required</b>   |
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| 3. | Construction, erection, assembly or placement of a temporary office, shed or sanitary facility to be used by a builder in connection with building work carried out on the land on which the office, shed or sanitary facility is, or is proposed to be, located. NOTE: The temporary building must not remain on the land after the building is completed, or after the expiry of the Building Permit.  |
| 4. | Construction, erection, assembly or placement of a fence, screen or similar structure, other than a fence forming part of a barrier to a private swimming pool, if constructed in accordance with the City's local law.<br><b>Note:</b> See the City's Front Fences information sheet for more information.  |
| 5. | Construction, erection, assembly or placement of a mast, antenna or similar structure that;<br><ul style="list-style-type: none"> <li>a) if attached to a building — <ul style="list-style-type: none"> <li>(i) is no more than 2m in height above the highest point of attachment to the building; and</li> <li>(ii) will not affect the way in which the building complies with each building standard that applies to the building; and</li> </ul> </li> <li>b) if not attached to a building, is no more than 3m in height.</li> </ul> |
| 6. | Construction, erection, assembly or placement of a retaining wall that —<br><ul style="list-style-type: none"> <li>a) retains ground no more than 0.5m in height; and</li> <li>b) is not associated with other building work or with the protection of land adjoining the land on which the retaining wall is located; and</li> <li>c) is not work related to an encroachment, adverse impact or protection works for adjoining property (section 76, 77, 78 or 79).</li> </ul>  |
| 7. | Construction, erection, assembly or placement of a pergola associated with a single house (Class 1 building) that —<br><ul style="list-style-type: none"> <li>a) is no more than 2.4m in height; and</li> <li>b) covers an area not exceeding 20m<sup>2</sup>.</li> </ul> <b>Note:</b> pergola means an open structure that does not have a roof but may have a covering of open weave permeable material.   |
| 8. | Construction, erection, assembly or placement of a water storage tank with a capacity of 5000 L or less.   |
| 9. | Building work for a park home or annexe  |



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|  | <b>Note:</b> An approval from the City is required under the Caravan Parks and Camping Grounds Act 1995. See the City's Park Homes and Annexes information sheet for further details.  |
| 10   | Attachment of photovoltaic panels or solar hot water systems to the roof of a single house (Class 1) or shed, patio or the like (Class 10a building).  |
| 11.<br>12.   | Not applicable (administrative provisions of the Regulations)  |
| 13   | The installation of a roof mounted evaporative cooling unit on a building if — <ul style="list-style-type: none"> <li>a) the building is not located in a bush fire prone area; or</li> <li>b) the building is a Class 4 to Class 9 building (eg commercial building such as a shop, warehouse, factory, or public building); or</li> <li>c) the building is located in a bush fire prone area and the BAL for the building site is BAL-Low; or</li> <li>d) the building — <ul style="list-style-type: none"> <li>(i) is located in a bush fire prone area; and</li> <li>(ii) the BAL for the building site is BAL-12.5, BAL-19 or BAL-29; and</li> <li>(iii) installation of the evaporative cooling unit complies with the requirements for roof penetration in respect of the building or incidental structure set out in AS 3959.</li> </ul> </li> </ul> |
| r42  | Demolition of a shed, patio, pergola (Class 10 building) if: <ul style="list-style-type: none"> <li>a) the floor area of the building does not exceed 40m<sup>2</sup>; and</li> <li>b) the demolition work will not adversely affect the safety and health of the occupants or other users of the building or incidental structure or of the public; and</li> <li>c) the building or incidental structure is not the subject of an order, agreement or permit under the Heritage Act.</li> </ul>   |

