

When is a Building Permit not required

The Building Act 2011 requires that a Building Permit is issued 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.

Under the Building Regulations 2012 the following building work is exempt from requiring a Building Permit within the City of Mandurah.

All 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.

For further information, please contact Building Services on 9550 3777

Item	Building work for which building permit is not required
1.	Construction, erection, assembly or placement of a freestanding Class 10a building (patio, shed or the like) that — (a) has a floor area not exceeding 10m ² ; and (b) is no more than 2.4m in height.
2.	Renovation, alteration, improvement, repair or maintenance of a building or incidental structure if the building work — (a) will not adversely affect the structural soundness of the building or incidental structure and does not include — (i) an increase or decrease in the floor area or height of the building or incidental structure; or (ii) underpinning or replacement of footings; or (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; and (b) is done using materials commonly used for the same purpose as the material being replaced; and (c) will not change the use or classification of the building or incidental structure; and (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 (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 (f) is not work related to an encroachment, adverse impact or protection works for adjoining property (section 76, 77, 78 or 79); and (g) is not subject to protection order, heritage works permit, repair notice or repair order.

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 work is completed, or after the expiry of the Building Permit. (r.41)
4.	Construction, erection, assembly or placement of a fence, if constructed in accordance with the City's local law. Note: 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 - (a) if attached to a building — (i) is no more than 2m in height above the highest point of attachment to the building; and (ii) will not affect the way in which the building complies with each building standard that applies to the building; and (b) if not attached to a building, is no more than 3m in height.
6.	Construction, erection, assembly or placement of a retaining wall that — (a) retains ground no more than 0.5m in height; and (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 (c) is not work related to an encroachment, adverse impact or protection works for adjoining property (section 76, 77, 78 or 79).
7.	Construction, erection, assembly or placement of a pergola associated with a Class 1 building that — (a) is no more than 2.4m in height; and (b) covers an area not exceeding 20m ² . Note: 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 5,000 L or less.
9. 9A.	Building work for a park home or annexe as those terms are defined in the <i>Caravan Parks and Camping Grounds Act 1995</i> section 5(1). Building work for a <i>manufactured home</i> or attachment as those terms are defined in the <i>Caravan Parks and Camping Grounds Regulations 1997</i> regulation 40A. Note: 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 Class 1 (single house) or Class 10a (shed, patio or the like) building.



11. 12.	Not applicable to new structures.
13.	<p>The installation of a roof mounted evaporative cooling unit on a building or incidental structure if -</p> <ul style="list-style-type: none"> (a) the building or incidental structure is not located in a bush fire prone area; or (b) the building is a Class 4 to Class 9 building; or (c) the building or incidental structure is in a bush fire prone area and the BAL for the building site is BAL-Low; or (d) the building or incidental structure — <ul style="list-style-type: none"> (i) is in a bush fire prone area; and (ii) the BAL for the building site is BAL-12.5, BAL-19 or BAL-29; and (iii) the 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.
r.42	<p>Demolition of a shed, patio or pergola (Class 10 building) if:</p> <ul style="list-style-type: none"> (a) the floor area of the building does not exceed 40m²; and (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 (c) the building or incidental structure is not the subject of a protection order, heritage works permit, repair notice or repair order.

NOTE

incidental structure means a structure attached to or incidental to a building and includes —

- (a) a chimney, mast, swimming pool, fence, free-standing wall, retaining wall or permanent protection structure;
- and
- (b) a part of a structure;

