

STRUCTURES NOT REQUIRING A PERMIT

Building Information Sheet #10

Objective

This Information Sheet formally identifies structures which do not require a formal Building Permit Approval. These are structures which are contained in Schedule 4 of the *Building Regulations 2012*, (see extract below)

General Requirements

In respect of all minor and incidental structures, the following will apply:

- a) Minor or incidental structures and their use must comply with the requirements of the Building Code of Australia, the relevant Australian Standard, the City of Kalamunda Local Planning Scheme, the City of Kalamunda Local Laws and any other relevant legislation that has jurisdiction over the proposed works.
- b) Minor and incidental structures may only be constructed within the lot boundaries. They are not to be constructed on verges or thoroughfares.
- c) It is the Owner's responsibility to seek approvals from any other Authority that has jurisdiction over the proposed works or locality.
- d) It is the Owner's responsibility to check with the City's Planning and Health Departments to confirm if there are any other provisions or approvals required for any structures listed here prior to erection or use of the structures.
- e) It is the Owner's responsibility to check their Titles for any restrictions that may have been imposed such as, but not limited to, covenants, caveats and section 70A Notifications.
- f) All materials to be new and fit for the purpose. City approval is required for the use of any used or second-hand materials.
- g) For the purposes of this information an incidental use is defined as being the following, as stipulated under the City's Local Planning Scheme:

"A use of premises which is ancillary and subordinate to the predominant or primary use."

Associated Information

This policy should be read in conjunction with the City's Building Information Sheets which may have a bearing on the structures listed here:

- Information Sheet 2 – Building Applications
- Information Sheet 3 – Retaining Walls
- Information Sheet 5 – Setbacks
- Information Sheet 6 – Outbuildings
- Information Sheet 7 – Fencing
- Information Sheet 8 – Unauthorised Building approval
- Information Sheet 9 – Signs

Extract from Building Regulations 2012

Schedule 4: Kinds of building work for which a building permit is not required

In this clause —

pergola means an open structure that does not have a roof but may have a covering of open weave permeable material.

Table

<i>Item</i>	<i>Description of building work for which building permit is not required</i>
1.	<p>Construction, erection, assembly or placement of a freestanding Class 10a building that —</p> <ul style="list-style-type: none">(a) has a floor area not exceeding 10 m²; and(b) is no more than 2.4 m in height; and(c) is not located in wind region C or D as defined in AS 1170.2.
2.	<p>Renovation, alteration, improvement, repair or maintenance of a building or incidental structure if the building work —</p> <ul style="list-style-type: none">(a) will not adversely affect the structural soundness of the building or incidental structure and does not include —<ul style="list-style-type: none">(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 of a kind to which section 76, 77, 78 or 79 relates; and(g) is not subject to an order, agreement or permit under the Heritage Act.
3.	<p>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.</p>

<i>Item</i>	<i>Description of building work for which building permit is not required</i>
4.	<p>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 —</p> <p>(a) the fence, screen or similar structure is constructed in accordance with a local law made under the <i>Local Government Act 1995</i> section 9.60 that applies to the construction of the fence, screen or similar structure in the district in which the fence, screen or similar structure is, or is to be, located; or</p>
	<p>(b) the fence, screen or similar structure is, or is to be, located in a district in which there is no local law of a type referred to in paragraph (a) and the fence, screen or similar structure —</p> <p>(i) if constructed of masonry, is no more than 0.75 m in height; and</p> <p>(ii) if constructed of a material other than masonry, is no more than 1.8 m in height; and</p> <p>(iii) is not located in wind region C or D as defined in AS 1170.2.</p>
5.	<p>Construction, erection, assembly or placement of a mast, antenna or similar structure that —</p> <p>(a) is not located in wind region C or D as defined in AS 1170.2; and</p> <p>(b) if attached to a building —</p> <p>(i) is no more than 2 m in height above the highest point of attachment to the building; and</p> <p>(ii) will not affect the way in which the building complies with each building standard that applies to the building;</p> <p>and</p> <p>(c) if not attached to a building, is no more than 3 m in height.</p>
6.	<p>Construction, erection, assembly or placement of a retaining wall that —</p> <p>(a) retains ground no more than 0.5 m in height; and</p> <p>(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</p> <p>(c) is not work of a kind to which section 76, 77, 78 or 79 of the Building Act 2011 relates.</p>
7.	<p>Construction, erection, assembly or placement of a pergola associated with a Class 1 building that —</p> <p>(a) is no more than 2.4 m in height; and</p> <p>(b) is not located in wind region C or D as defined in AS 1170.2; and</p> <p>(c) covers an area not exceeding 20 m².</p>
8.	<p>Construction, erection, assembly or placement of a water storage tank with a capacity of 5 000 L or less.</p>
9.	<p>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).</p>

<i>Item</i>	<i>Description of building work for which building permit is not required</i>
10.	Attachment of photovoltaic panels or solar hot water systems to the roof of a Class 1 or Class 10a building that is not located in wind region C or D as defined in AS 1170.2.
11.	Building work for which a building licence was not required under the former provisions if, before commencement day — (a) the on-site building work had commenced; or (b) a contract to carry out the building work was entered into.
12.	Building work for buildings owned or occupied by, or under the control or management of the Crown in right of the State or a department, agency or instrumentality of the Crown in right of the State that — (a) commences before 30 June 2017; and (b) has, when it commences, an estimated value of less than \$50,000.
13.	The installation of a roof mounted evaporative cooling unit on a building or incidental structure if — (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 located in a bush fire prone area and the BAL for the building site is BAL-Low; or (d) the building or incidental structure — (i) is located 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.

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