

Building work that does not require building permit **Schedule 4, cl. 2**  
**Table**

Item	Description of building work for which building permit is not required
1.	Construction, erection, assembly or placement of a <b>freestanding Class 10a</b> building that — (a) has a floor area <b>not exceeding 10 m<sup>2</sup></b> ; and (b) is <b>no more than 2.4 m in height</b> ; and (c) is <b>not located in wind region C or D as defined in AS 1170.2</b> .
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 of a kind to <b>which section 76, 77, 78 or 79</b> relates; and (g) is not subject to an order, agreement or permit under the <b>Heritage Act</b> .
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.
4.	Construction, erection, assembly or placement of a fence, screen or similar structure, other than a fence forming part of an enclosure for a private swimming pool, if — (a) the fence, screen or similar structure is constructed in accordance with a local law made under the <b>Local Government Act 1995 section 9.60</b> 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 (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 — (i) if constructed of masonry, is <b>no more than 0.75 m in height</b> ; and (ii) if constructed of a material other than masonry, is no more than 1.8 m in height; and (iii) is <b>not located in wind region C or D as defined in AS 1170.2</b> .
5.	Construction, erection, assembly or placement of a mast, antenna or similar structure that — (a) is <b>not located in wind region C or D as defined in AS 1170.2</b> ; and (b) if attached to a building — (i) is <b>no more than 2 m in height</b> 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 (c) if not attached to a building, is <b>no more than 3 m in height</b> .

**Building Regulations 2012** (from the July 2012 edition)  
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**Table (cont.)**

Item	Description of building work for which building permit is not required
6.	Construction, erection, assembly or placement of a retaining wall that — (a) retains ground <b>no more than 0.5 m</b> 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 of a kind to which <b>section 76, 77, 78 or 79</b> relates.
7.	Construction, erection, assembly or placement of a <b>pergola associated with a Class 1</b> building that — (a) is <b>no more than 2.4 m in height</b> ; and (b) is <b>not located in wind region C or D as defined in AS 1170.2</b> ; and (c) <b>covers an area not exceeding 20 m<sup>2</sup></b> .  <b>NOTE:</b> pergola means an open structure that <u>does not have a roof</u> but may have a covering of open weave permeable material.
8.	Construction, erection, assembly or placement of a rainwater tank with a <b>capacity of 5 000 L or less</b> .
9.	Building work for a <b>park home</b> or <b>annexe</b> as those terms are defined in the <i>Caravan Parks and Camping Grounds Act 1995 section 5(1)</i> .
10.	Attachment of photovoltaic panels or solar hot water systems to the roof of a <b>Class 1 or Class 10a building</b> that is <b>not located in wind region C or D as defined in AS 1170.2</b> .
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 2014; and (b) has, when it commences, an estimated value of less than \$50 000.

**Building Act 2011 Division 2** — Work affecting other land that requires consent or court order

- 76.** No encroachment without consent or court order
- 77.** Other land not to be adversely affected without consent or court order
- 78.** No protection structure in or on other land without consent or court order
- 79.** Certain work not to affect party walls etc. without consent or court order

Wind region C or D as defined in AS 1170.2.



**Local Government Act 1995**

**Division 6 — Regulations, directions and orders**

**9.60.** Regulations that operate as local laws [such as fencing local laws if applicable]

**Caravan Parks and Camping Grounds Act 1995 Part 1 Preliminary s. 5**

**5. Interpretation**

(1) In this Act, unless the contrary intention appears —

**annexe** means an attachment to a caravan, of a prescribed type or description, used as an extension of the habitable area of that caravan;

**park home** means a vehicle of a prescribed class or description that is fitted or designed for habitation;