

# Building Act 2016

## Director's Determination - Categories of Building and Demolition Work

I, Dale Edward Webster, in my capacity as Director of Building Control, and acting pursuant to section 20(1)(a) of the *Building Act 2016*, hereby make the following Determination.

Determination title	Categories of Building and Demolition Work
Description	This Determination specifies: <ul style="list-style-type: none"><li>a) the types of building or demolition work that are categorised as either Low Risk, Notifiable Work or Permit Work; and</li><li>b) the persons who may perform those types of work</li></ul>
Version	Version 1.3 (1 July 2017)
Application	For the purposes of 20(3)(b) of the Act, this Determination applies from 1 August 2017 until its revocation
Previous determination	The Director's Determination – Categories of Building and Demolition Work v1.2 dated 23 February 2017 ceases to have effect from the date of application of this Determination
Date of Director's approval	1 July 2017



Dale Edward Webster  
**Director of Building Control**

## **Contents**

<b>Category 1 – Low Risk Building Work by an owner, or competent person, or licensed builder.....</b>	<b>4</b>
<b>Category 2 – Low Risk Building Work performed by a Licensed Builder (or a competent person only where specified).....</b>	<b>26</b>
<b>Category 3 - Building Work Notifiable by a Building Surveyor to the Permit Authority .....</b>	<b>41</b>
<b>Category 4 - Work that requires a Building Permit or a Demolition Permit.....</b>	<b>52</b>
<b>Standard Limitation clauses (mandatory).....</b>	<b>53</b>
<b>General Explanatory Information (applicable to any category).....</b>	<b>57</b>
<b>Types of Low Risk work to be reported to the council on completion .....</b>	<b>58</b>
<b>Definitions (applicable to any category).....</b>	<b>59</b>
<b>Explanatory Appendix - Extract from the Building Code of Australia (Vol. One of the NCC series) .....</b>	<b>65</b>

## **Document Development History**

<b>Version</b>	<b>Application Date</b>	<b>Reason</b>	<b>Sections amended</b>
I.3	July 2017	Significant Revisions	See separate list of key changes
I.2	23 February 2017	Bushfire-prone areas now addressed in Determination Hazardous areas references modified to reflect savings and transitional provisions	Explanatory notes Categories of work
I.1	19 December 2016	Bushfire-prone area added as relevant hazard area	Definitions
I.0	5 December 2016	Initial Release	All

### **Amendments in this Release:**

<b>Section Title</b>	<b>Clause number</b>	<b>Amendment Summary</b>
		See separate list of key changes

## **Category I – Low Risk Building Work by an owner, or competent person, or licensed builder**

- Some building work is Low Risk. Most of these types are minor work and represent a low risk to occupants and the public.
- This relates to stand alone projects that are not part of or associated with a larger project that may include Notifiable Work or would require a Building Permit.
- The owner is responsible for ensuring that any proposed work conforms with the scope of this Determination, in particular that permitted size limits are not exceeded and that boundary setbacks are complied with.
- Types of Low Risk structures *of sizes greater* than permitted for that Category are to be considered as Notifiable Work
- Some Low Risk building work may include plumbing work that be either notifiable plumbing work (e.g. for stormwater disposal) or require a plumbing permit – for details see the *Director's Determination – Categories of Plumbing Work*.
- Details of some types of Low Risk work must be forwarded to Council so they have record of the erection of the structure and for payment of the Building Administration Fee. See the list in the Explanatory Notes of clauses when this is a requirement.
- These works may require an approval under council planning schemes and the owner and the builder are responsible for complying with all permits and consents under other legislation.

### **Standard Limitations (SL) apply where noted: (see full terms of limitations at end)**

- Cut or fill limits
- Protection Work
- Fire separation of structures
- Removal and handling of asbestos or other hazardous materials
- Stormwater management
- Work in Bushfire-Prone Areas
- Work in Landslip-Prone Areas
- Work over or near easements or affecting infrastructure
- Payment of statutory fees or levies
- Payment of statutory fees or levies

No	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
	Work of the following types may be performed by either: <ul style="list-style-type: none"> <li>• an owner; or</li> <li>• a Competent Person; or</li> <li>• a Licensed Builder</li> </ul>	Clauses 1.0.0 to 1.3.0 apply to work on detached Class 1 or Class 10 buildings	
<b>1.0.0</b>	<b>Repairs to buildings</b>		
1.0.1	Non-structural repairs, replacement of components and maintenance of existing building	Like for like replacement of components	If the work is done for maintenance purposes using the same or similar materials, equipment, installations and components to those being replaced; including, windows and doors, external wall cladding floor and wall finishes
<b>1.1.0</b>	<b>Alterations and additions to Class 1 buildings</b>		
1.1.1	Structures for shade, or weather protection wholly or partly attached to a building open on at least 1 side; including these types: <ul style="list-style-type: none"> <li>• Awning</li> <li>• Blind</li> <li>• Canopy</li> <li>• Shade sail</li> </ul>	<ul style="list-style-type: none"> <li>• Can be non-engineer designed</li> <li>• Max size 18m<sup>2</sup></li> <li>• SL Fire separation</li> <li>• SL Stormwater management</li> <li>• SL Work in Bushfire-Prone Areas</li> <li>• SL Payment of statutory fees or levies</li> </ul>	

No	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
I.1.2	Installation of skylights, roof windows and ventilators	<ul style="list-style-type: none"> <li>• Maximum size of aperture 900mm</li> <li>• Alterations not to affect load bearing building components</li> <li>• Competent person is to install the fixture</li> <li>• SL Work in Bushfire-Prone Areas</li> <li>• SL Fire separation (NCC clause 3.7.1.10 and figure 3.7.1.12)</li> </ul>	<ul style="list-style-type: none"> <li>• Licensed plumber may be required to install required flashings around the fixture</li> </ul>
I.1.3	Thermal insulation installation	Unlimited	
I.1.4	Replacement or changing of any false ceiling with lightweight material	Unlimited	
I.1.5	Installation of roller shutter, roller door or a grilled door	Unlimited <ul style="list-style-type: none"> <li>• SL Work in Bushfire-Prone Areas</li> </ul>	<ul style="list-style-type: none"> <li>• Installation of the door only and not the making of an opening in a wall for the door</li> </ul>
I.1.6	Screen enclosure of a balcony, deck, patio, pergola, terrace veranda or similar	<ul style="list-style-type: none"> <li>• Open mesh and not a solid structure or glazed</li> </ul>	<ul style="list-style-type: none"> <li>• Intent is to provide a privacy screen for a balcony already fitted with a NCC compliant balustrading to prevent falls</li> </ul>
I.1.7	Air conditioning units	<ul style="list-style-type: none"> <li>• Competent person to install units.</li> <li>• Electrical work to be performed by a licensed electrician</li> </ul>	

No	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
I.1.8	Installation of a <ul style="list-style-type: none"> <li>• solid fuel heating appliance; or</li> <li>• pellet fire heater</li> </ul>		<ul style="list-style-type: none"> <li>• Licensed plumber may be required to install flashings around a flue pipe Notification to the Permit Authority is required by the <i>Building Regulations 2016</i> of installation of a solid fuel heater in accordance with AS 2918</li> </ul>
I.1.9	Tank stands	<ul style="list-style-type: none"> <li>• 1.2m or less above ground level and maximum capacity of tank 5,000 l</li> </ul>	<ul style="list-style-type: none"> <li>• Must be capable of bearing static load of a full tank</li> </ul>
I.1.10	Residential lifts of these types: <ul style="list-style-type: none"> <li>• passenger lift</li> <li>• platform lift</li> <li>• stairway lift</li> </ul>	<ul style="list-style-type: none"> <li>• Limit of servicing two storeys and no changes to loadbearing walls or loadbearing floor of the building are required for installation</li> <li>• Competent persons are required to install a lift</li> </ul>	
I.1.11	Porch (roofed and enclosed weather protection around an external doorway) or veranda (roofed)	<ul style="list-style-type: none"> <li>• Maximum size 9m<sup>2</sup></li> <li>• SL Fire separation</li> <li>• SL Work in Bushfire-Prone Areas</li> </ul>	<ul style="list-style-type: none"> <li>• Details to be provided to Council after completion.</li> </ul>

No	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
I.1.12	Tanks installed on a roof (or installed inside roof structure) associated with a heated water service	<ul style="list-style-type: none"> <li>• Must ensure that the installation does not impose loads beyond a rafter's designed bearing capacity.</li> <li>• Plumbing work must be installed by a licensed plumber</li> <li>• Electrical work must be installed by a licensed electrician</li> </ul>	
I.1.13	Photo-voltaic solar panels installed on any roof plane	<p>The installation of either;</p> <ul style="list-style-type: none"> <li>• a proprietary product in accordance with the manufacturer's instructions; or</li> <li>• a pre-engineered solution; and</li> </ul> <p>(i) the solar panels are parallel to the surface of the roof and there is not more than 100 millimetres between the surface of the roof and the underside of the solar panels; and</p> <p>(ii) the solar panels, or any part of the solar panels, do not overhang the roof surface at any point; and</p> <p>(iii) the solar panels are not within 200 millimetres of the edge of</p>	<ul style="list-style-type: none"> <li>• If installation is not parallel to roof plane (tilted) then that is notifiable work (Category 3).</li> </ul>



No	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
		<p>the plane of the roof; and</p> <p>(iv) the solar panel array does not result in more than 100 kilograms of dead load being placed on any single point where a solar panel array is attached to the roof; and</p> <p>(v) the solar panel array does not cover more than 38 square metres of –</p> <p>A. a single roof plane; or</p> <p>B. multiple roof planes that are supported by a single structure</p> <ul style="list-style-type: none"> <li>• All electrical work must be performed by a licensed electrician.</li> <li>• Panel design and installation may be performed by the licensed electrician or a competent person contracted to the electrician.</li> </ul>	

No	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
1.1.14	Photo-voltaic solar panels erected on a dedicated support structure at ground level (not on a roof)	<ul style="list-style-type: none"> <li>• The installation of either;</li> <li>• a proprietary product in accordance with the manufacturer's instructions; or</li> <li>• a pre-engineered solution;</li> <li>• Maximum size 38m<sup>2</sup></li> <li>• Maximum height of support structure 3m</li> <li>• Structure must be capable of bearing static and non-static loads.</li> <li>• Installation of electrical components must be performed by a licensed electrician</li> </ul>	Larger installations are Notifiable work (clause 3.1.2)
<b>1.2.0 Minor habitable structures associated with a caravan</b>			
1.2.1	Caravan annexe (rigid structure such as carport, shed, deck, veranda, porch, sunroom or covered BBQ area)	<ul style="list-style-type: none"> <li>• Associated with the occupation of a registrable motor vehicle</li> <li>• Max size 18m<sup>2</sup></li> <li>• Maximum ridge height 4.5m</li> <li>• Maximum wall height 3m</li> <li>• SL Fire separation</li> <li>• SL Stormwater management</li> <li>• SL Payment of statutory fees or levies</li> </ul>	

No	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
<b>1.3.0</b>	<b>Non-habitable minor outdoor structures (all Class 10 and Farm Sheds)</b>		
1.3.1	Shed, garage, carport or similar (Non-prefabricated)	<ul style="list-style-type: none"> <li>• Maximum size 18m<sup>2</sup></li> <li>• Single storey</li> <li>• Maximum ridge height 4.5m</li> <li>• Maximum wall height 3.6m</li> <li>• SL Cut or fill</li> <li>• SL Protection Work</li> <li>• SL Fire separation</li> <li>• SL Stormwater management</li> <li>• SL Work in Bushfire-Prone Areas</li> <li>• SL Work in Landslip-Prone Areas</li> <li>• SL Work over or near easements or affecting infrastructure</li> <li>• SL Payment of statutory fees or levies</li> </ul>	<ul style="list-style-type: none"> <li>• For storage purposes, including vehicle parking</li> </ul>

No	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
1.3.2	Shed, garage, carport or similar (pre-engineered and prefabricated manufacture)	<ul style="list-style-type: none"> <li>• Engineer designed and prefabricated</li> <li>• Engineer's design documents are to be purchased and referred to during construction</li> <li>• Maximum size 36m<sup>2</sup></li> <li>• Single storey</li> <li>• Maximum ridge height 4.5m</li> <li>• Maximum wall height 3.6m</li> <li>• SL Cut or fill</li> <li>• SL Protection Work</li> <li>• SL Fire separation</li> <li>• SL Stormwater management</li> <li>• SL Work in Bushfire-Prone Areas</li> <li>• SL Work in Landslip-Prone Areas</li> <li>• SL Work over or near easements or affecting infrastructure</li> <li>• SL Payment of statutory fees or levies</li> </ul>	<ul style="list-style-type: none"> <li>• For storage purposes, including vehicle parking</li> <li>• Details to be provided to Council after completion.</li> </ul>

No	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
I.3.3	Shipping container	<ul style="list-style-type: none"> <li>• Non-habitable structure</li> <li>• One container high and not stacked</li> <li>• Placed at ground level or on a base or pad so can be tied down; pad is to be no more than 300mm high</li> <li>• SL Cut or fill</li> <li>• SL Protection Work</li> <li>• SL Fire separation</li> <li>• SL Stormwater management</li> <li>• SL Work in Bushfire-Prone Areas</li> <li>• SL Work in Landslip-Prone Areas</li> <li>• SL Work over or near easements or affecting infrastructure</li> <li>• SL Payment of statutory fees or levies</li> </ul>	

No	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
1.3.4	Animal shelter (roofed) or an open enclosure	<ul style="list-style-type: none"> <li>• Maximum size 18m<sup>2</sup></li> <li>• Max ridge height 4.5m</li> <li>• Maximum wall height 3m</li> <li>• SL Cut or fill</li> <li>• SL Protection Work</li> <li>• SL Fire separation</li> <li>• SL Stormwater management</li> <li>• SL Work in Bushfire-Prone Areas</li> <li>• SL Work in Landslip-Prone Areas</li> <li>• SL Work over or near easements or affecting infrastructure</li> <li>• SL Payment of statutory fees or levies</li> </ul>	<ul style="list-style-type: none"> <li>• Including aviaries, pigeon house, poultry house, dog or cat enclosures, horse box or stable</li> </ul>

No	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
I.3.5	Deck, non-roofed	<ul style="list-style-type: none"> <li>• The height of the floor of the deck must not be more than 1m above a trafficable surface (a floor, an access path, a landing or the like) or the ground surface.</li> <li>• SL Work in Bushfire-Prone Areas</li> <li>• SL Work in Landslip-Prone Areas</li> <li>• SL Cut or fill</li> <li>• SL Protection Work</li> <li>• SL Work over or near easements or affecting infrastructure</li> <li>• SL Payment of statutory fees or levies</li> </ul>	<ul style="list-style-type: none"> <li>• Non-roofed means not covered by a roof, shade structure, garden structure etc.</li> </ul>
I.3.6	Fence or wall of masonry or concrete	<ul style="list-style-type: none"> <li>• Maximum height 1.2</li> </ul>	
I.3.7	Fence or wall (constructed of a material other than masonry or concrete)	<ul style="list-style-type: none"> <li>• Maximum height 2.1m</li> </ul>	
I.3.8	Chain link fence	<ul style="list-style-type: none"> <li>• Maximum height 3.0m</li> </ul>	

No	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
I.3.9	Non-habitable free standing garden structures for support of plants; including <ul style="list-style-type: none"> <li>• Pergola</li> <li>• Garden arch</li> <li>• Trellis</li> <li>• Garden frame</li> </ul>	<ul style="list-style-type: none"> <li>• Either uncovered or permeable roofing only material is permitted (e.g. shade cloth)</li> <li>• Maximum size of 36m<sup>2</sup> by either an owner/competent person or a licensed builder</li> <li>• Maximum height 3.5m</li> <li>• SL Fire separation</li> <li>• SL Work over or near easements or affecting infrastructure</li> </ul>	
I.3.10	Non-habitable free standing garden structures, open on at least one side, as places of relaxation in a garden or park; including <ul style="list-style-type: none"> <li>• Summer house</li> <li>• Gazebo</li> <li>• Pavilion</li> <li>• Garden shelter or BBQ shelter</li> </ul>	<ul style="list-style-type: none"> <li>• Either uncovered or roofed (any roofing material type is permitted)</li> <li>• Max size 18m<sup>2</sup> by an owner or a competent person</li> <li>• Max height 3.5m</li> <li>• Single storey</li> <li>• SL Fire separation</li> <li>• SL Work over or near easements or affecting infrastructure</li> </ul>	



No	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
1.3.11	A relocatable (temporary) swimming pool	<ul style="list-style-type: none"> <li>• Maximum surface area 9m<sup>2</sup></li> <li>• May only be erected if a Swimming Pool Access Barrier has already been installed as Notifiable Building Work</li> </ul>	<ul style="list-style-type: none"> <li>• Excludes pools less than 300mm deep</li> <li>• A pool cover is not a compliant Swimming Pool Access Barrier</li> </ul>
1.3.12	Spa pool	<ul style="list-style-type: none"> <li>• Constructed on the ground and not on a deck</li> <li>• Maximum surface area of water 5m<sup>2</sup></li> <li>• SL Fire separation</li> <li>• SL Work over or near easements or affecting infrastructure</li> <li>• May only be erected if a Swimming Pool Access Barrier has already been installed as Notifiable Work</li> </ul>	<ul style="list-style-type: none"> <li>• A spa lid or pool cover is not a compliant Swimming Pool Access Barrier</li> <li>• Clause does not apply to a domestic bathtub used for personal hygiene that has spa jets.</li> </ul>
1.3.13	Prefabricated silos	<ul style="list-style-type: none"> <li>• Maximum capacity 45,000L</li> <li>• Height to width ratio not to exceed ratio of 1:2 (to prevent overturning)</li> <li>• SL Fire separation</li> <li>• SL Work over or near easements or affecting infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>• Support or plinth must be capable of withstanding static load of a full silo</li> </ul>

No	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
1.3.14	Water tank and support	<ul style="list-style-type: none"> <li>• Maximum capacity 45,000 litres</li> <li>• Height to width ratio not to exceed ratio of 1:2 (to prevent tank overturning)</li> <li>• SL Fire separation</li> <li>• SL Work over or near easements or affecting infrastructure</li> <li>• SL Stormwater management</li> </ul>	<ul style="list-style-type: none"> <li>• Includes for drinking water or as a fire-fighting water supply, or plant production</li> <li>• If tank is required for fire-fighting, special design requirements apply: see the Director's Determination on Building in Bushfire-Prone Areas</li> <li>• Support or plinth must be capable of bearing static load of a full tank</li> <li>• Water runoff from tank is to be diverted away from building foundations</li> </ul>
1.3.15	Retaining wall	<ul style="list-style-type: none"> <li>• Maximum height of ground to be retained 500mm if wall is located within 1500mm of an allotment boundary, a road or a right of way;</li> <li>• Otherwise maximum height retained can be 1.2m</li> </ul>	
1.3.16	Pathways, driveways and paving	<ul style="list-style-type: none"> <li>• Unlimited size if maximum height of structure is 1m</li> </ul>	

No	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
1.3.17	Cubby house or playground equipment	Cubby house: <ul style="list-style-type: none"> <li>• Maximum size 18m<sup>2</sup></li> <li>• Maximum wall height 3m</li> <li>• Maximum height 4.5m</li> <li>• SL Fire separation</li> <li>• SL Cut or fill</li> <li>• SL Stormwater management</li> </ul>	
1.3.18	Flagpoles, masts, light poles or towers, antennae supports	Maximum height of 6m above: <ul style="list-style-type: none"> <li>• ground level; or</li> <li>• the topmost point of its attachment to a building</li> </ul>	
1.3.19	Communications dishes	<ul style="list-style-type: none"> <li>• Maximum height of 6m</li> <li>• Maximum diameter 2m</li> </ul>	
1.3.20	Conservatory, gazebo, potting shed, glass house, greenhouse, poly-tunnel (non-prefabricated)	<ul style="list-style-type: none"> <li>• Maximum size 18m<sup>2</sup></li> <li>• Maximum height 4.5m</li> <li>• Maximum wall height 3m</li> <li>• SL Fire separation</li> <li>• SL Work in Bushfire-Prone Areas</li> <li>• SL Cut or fill</li> <li>• SL Stormwater management</li> </ul>	<ul style="list-style-type: none"> <li>• Intended for domestic scale plant growing purposes</li> </ul>

No	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
1.3.21	Conservatory, potting shed, glass house, greenhouse, plant grow tunnel (Pre-engineered and prefabricated manufacture)	<ul style="list-style-type: none"> <li>• Maximum size 36m<sup>2</sup></li> <li>• Maximum height 4.5m</li> <li>• Maximum wall height 3m</li> <li>• SL Fire separation</li> <li>• SL Work in Bushfire-Prone Areas</li> <li>• SL Cut or fill</li> <li>• SL Stormwater management</li> </ul>	<ul style="list-style-type: none"> <li>• For domestic scale plant growing purposes</li> <li>• For commercial scale grow tunnels or horticultural crop production covers –see clause 1.4.2.</li> </ul>

No	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
<b>1.4.0</b>	<b>Farm Sheds (Classes 7, 8 or 10) or) related to farming or horticultural activities</b>		
1.4.1	Farm Shed	<ul style="list-style-type: none"> <li>• Engineer designed and prefabricated of steel</li> <li>• Maximum size of <i>less than</i> 200m<sup>2</sup></li> <li>• Single storey</li> <li>• Max wall height 3.6m</li> <li>• Max ridge height 4.5m</li> <li>• Max span 9m</li> <li>• If a Class 7 or 8 building, the required fire separation between a boundary or an adjoining building is a minimum of 3m</li> <li>• Engineer's design documents are to be purchased and referred to during construction</li> <li>• SL Cut or fill</li> <li>• SL Stormwater management</li> <li>• SL Work in Bushfire-Prone Areas</li> <li>• SL Work in Landslip-Prone Areas</li> <li>• SL Work over or near easements or affecting infrastructure</li> <li>• SL Payment of statutory fees or levies</li> </ul>	<ul style="list-style-type: none"> <li>• Examples include for storage purposes including sheltering livestock, vehicle parking etc. (see definition of farm shed in Explanatory Notes)</li> <li>• Details to be provided to Council after completion.</li> </ul>

No	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
I.4.2	Crop protection structures for farming or horticulture production	<ul style="list-style-type: none"> <li>• Unlimited</li> <li>• SL Stormwater management</li> </ul>	Includes: <ul style="list-style-type: none"> <li>• structures for support of netting, shade cloth or similar</li> <li>• pre-engineered and prefabricated growing tunnel systems</li> <li>• pre-engineered and prefabricated retractable roof production system</li> </ul>
<b>I.5.0 Minor commercial structures or industrial, or infrastructure (Class I0)</b>			
I.5.1	Installation, repair or maintenance of public playground equipment	<ul style="list-style-type: none"> <li>• Unlimited if installed to Australian Standard AS 4685 (2014) Parts 1 to 6.</li> </ul>	
I.5.2	The repair or maintenance of a Telecommunications Facility that is a tower, mast, pole or antenna	<ul style="list-style-type: none"> <li>• Unlimited</li> </ul>	“Telecommunications Facility” is defined in the Explanatory Notes.
I.5.3	Any work on height restriction gantries	<ul style="list-style-type: none"> <li>• Unlimited</li> </ul>	<ul style="list-style-type: none"> <li>• Permanent structures for restriction of vehicle sizes or height.</li> <li>• Not applicable for gantries supporting large signs</li> </ul>
I.5.4	Non-habitable underground structures on a mining lease	<ul style="list-style-type: none"> <li>• Unlimited</li> </ul>	

No	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
1.5.5	Any work on marine structures (wharves, jetties, marinas, or pontoons) permanently attached to land	<ul style="list-style-type: none"> <li>• Unlimited</li> </ul>	<ul style="list-style-type: none"> <li>• Any habitable buildings erected on such structures is not Low Risk Work</li> <li>• Construction of a marine structure may require the approval of Marine and Safety Tasmania</li> </ul>
<b>1.6.0</b>	<b>Decks, viewing platforms, road or pedestrian bridges, boardwalks, etc. (Class 10)</b>		
1.6.1	A detached permanent deck, platform, boardwalk, or the like	<ul style="list-style-type: none"> <li>• Work performed by a competent person</li> <li>• A viewing platform, boardwalk or deck, if it is not part of a building;</li> <li>• The height of the floor of the deck must be less than 1m above a trafficable surface (a floor, an access path, a landing or the like) or the ground surface.</li> <li>• SL Fire separation</li> <li>• SL Payment of statutory fees or levies</li> <li>• SL Work in Bushfire-Prone Areas</li> </ul>	<ul style="list-style-type: none"> <li>• Must be notified to Council after completion.</li> </ul>

No	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
I.6.2	Private pedestrian bridge	<ul style="list-style-type: none"> <li>• Maximum height of bridge decking less than 1m above ground level</li> <li>• Work by a competent person (including a civil contractors)</li> </ul>	If a larger bridge is required it is to be approved as Notifiable Work
I.6.3	Private vehicular bridge	<ul style="list-style-type: none"> <li>• Work by a competent person (including a civil contractors)</li> <li>• Maximum span of 5 metres</li> </ul>	<p>Note that in a Bushfire-Prone Area there are minimum standards for a bridge required for the access of fire-fighting vehicles including:</p> <ul style="list-style-type: none"> <li>• Minimum load capacity of at least 20 tonnes,</li> <li>• Minimum carriageway width;</li> <li>• Minimum vertical clearance of 4 metres.</li> </ul>
<b>I.7.0</b>	<b>Demolition (total removal of structure and no new construction) or removal of relocatable buildings</b> <b>Note: For removing relocatable buildings, appropriate disconnection of services prior to removal is to be considered and performed</b>		
I.7.1	Removal of any Low Risk structure (including farm sheds)	<ul style="list-style-type: none"> <li>• Unlimited if that structure could be erected as Low Risk Building Work</li> </ul>	<ul style="list-style-type: none"> <li>• Safe removal of asbestos must be considered.</li> <li>• May require that a Bushfire Hazard Management Plan be reconsidered for its effectiveness</li> </ul>
I.7.2	Removal of signs, plinths, retaining wall, farming structures or playground equipment	<ul style="list-style-type: none"> <li>• Not for removal of retaining wall if wall within 1.5m of road or a boundary</li> </ul>	<ul style="list-style-type: none"> <li>• Safe removal of asbestos must be considered.</li> <li>• May require that a Bushfire Hazard Management Plan be reconsidered for its effectiveness</li> </ul>



No	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
1.7.3	Removal of temporary prefabricated relocatable buildings (any use or building Class) erected or placed on site as building work, that are neither a site shed nor had a temporary occupancy permit granted, or a permit has expired and cannot be renewed.	<ul style="list-style-type: none"> <li>Structure is designed to be capable of being relocated</li> </ul>	
<b>1.8.0 Temporary structures and site sheds</b>			
1.8.1	A temporary structure	Unlimited where: <ul style="list-style-type: none"> <li>the owner has a been granted a temporary occupancy permit; or</li> <li>the structure is exempted under the <i>Building Regulations 2016</i> from the requirement to have a temporary occupancy permit.</li> </ul>	Refer to the NCC Volume One Tasmania Appendix for guidance on standards applicable to the erection of temporary structures
1.8.2	Temporary builders' structures, site sheds, hoardings, barriers or scaffolding etc. used for construction or protection of adjoining properties or the public.	Has to comply with Building Regulations 2016 regulation 70	

## **Category 2 – Low Risk Building Work performed by a Licensed Builder (or a competent person only where specified)**

- Some building work is Low Risk. Most of these types are minor work and represent a low risk to occupants and the public. (A Licensed Builder or competent person can do anything mentioned previously in Category 1 and those types/ specifications are therefore not repeated for Category 2)
- The responsible builder is responsible for ensuring that any proposed work conforms with the scope of this Determination, in particular that permitted size limits are not exceeded and that boundary setbacks are complied with.
- This relates to stand alone projects that are not part of or associated with a larger project that may include Notifiable Work or would require a Building Permit.
- These works may require approval under council planning schemes and the owner and builder are responsible for complying.
- Some low risk building work may include plumbing work and be either notifiable plumbing work (e.g. for stormwater disposal) or require a Plumbing Permit – for details see the *Director's Determination – Categories of Plumbing Work*.
- Types of Low Risk structures of sizes greater than permitted for that Category are to be considered as Notifiable Work

### **Standard Limitations (SL) apply where noted: (see full terms of limitations at end)**

- Cut or fill limits
- Protection Work
- Fire separation of structures
- Removal and handling of asbestos or other hazardous materials
- Stormwater management
- Work in Bushfire-Prone Areas
- Work in Landslip-Prone Areas
- Work over or near easements or affecting infrastructure
- Payment of statutory fees or levies

No.	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
<b>2.0.0</b>	<b>Repair, renewal or maintenance (any Class of building)</b>		
2.0.1	Repair, renewal or maintenance of an existing building, using materials different from the material being replaced	<ul style="list-style-type: none"> <li>• If the work will not adversely affect the structural soundness of the building.</li> <li>• Also does not include—                             <ul style="list-style-type: none"> <li>(i) the removal or alteration of any element of the building that is contributing to the support of any other element of the building; or</li> <li>(ii) work that may adversely affect any prescribed Essential Building Services</li> <li>(iii) work that may adversely affect the safety of the public or occupiers of the building.</li> </ul> </li> <li>• Can be performed by an competent person (including a licensed roof plumber)</li> </ul>	<ul style="list-style-type: none"> <li>• Low Risk Maintenance or repairs that is more than “Like for Like” for an owner                             <ul style="list-style-type: none"> <li>○ Examples: re-roofing an existing building by removing tiles and replacement with steel sheets</li> </ul> </li> </ul>

No.	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
<b>2.1.0</b>	<b>Alterations of a Class I building</b>		
2.1.1	Work on interior non load bearing walls of existing residential buildings	<ul style="list-style-type: none"> <li>• Not for creation of openings between buildings or parts of buildings walls required to have a fire resistance level</li> <li>• SL Payment of statutory fees or levies</li> </ul>	<p>Includes:</p> <ul style="list-style-type: none"> <li>○ Erection, removal, restoration, reinstatement or alteration of any non-load bearing internal partitions or walls and doorways in existing buildings</li> <li>○ Creation of any opening in a non-load bearing wall or the sealing up of any wall opening.</li> <li>○ Bathroom renovations</li> <li>• Note the definition of “load bearing” includes lateral bracing supports</li> <li>• The requirement for more smoke alarms, emergency lighting and exits will need to be considered.</li> </ul>
2.1.2	Porch (roofed and enclosed weather protection around an external doorway); or Veranda (roofed); either <ul style="list-style-type: none"> <li>• New-build; or</li> <li>• Closing in an existing veranda or patio or the like so as to provide an enclosed porch, conservatory, or the like</li> </ul>	<ul style="list-style-type: none"> <li>• Floor area not exceeding 18m<sup>2</sup></li> <li>• SL Fire separation</li> <li>• SL Stormwater management</li> <li>• SL Work in Bushfire-Prone Areas</li> <li>• SL Work over or near easements or affecting infrastructure</li> <li>• SL Payment of statutory fees or levies</li> </ul>	<ul style="list-style-type: none"> <li>• A porch or veranda is not a habitable room</li> <li>• Details to be provided to Council after completion.</li> </ul>
2.1.3	Residential passenger lift / platform lift/ stairway lift	<ul style="list-style-type: none"> <li>• Unlimited if by a licensed builder or a competent person</li> </ul>	

No.	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
2.1.4	Ramps for occupant access	<ul style="list-style-type: none"> <li>• Unlimited</li> </ul>	<ul style="list-style-type: none"> <li>• Class 1a building - threshold ramps located at the entrance of a doorway should have a maximum rise of 35mm with a gradient of 1:8 along an inclined surface length of 280mm maximum. Landing, kerbing or railing is not mandatory.</li> <li>• Class 1b building – for any ramp installed for access of persons with a disability it is <i>mandatory</i> to comply with all NCC disability access provisions in Volume One for a commercial building.</li> </ul>
<b>2.2.0 Additions to, or installations on an existing Class 1 building</b>			
2.2.1	Enclosures of balconies, decks, patios, pergolas, terraces and verandas		<ul style="list-style-type: none"> <li>• Complies with requirements of Part 3.9.2 of NCC Volume Two in relation to protection of openings and barriers where applicable.</li> <li>• Complies with requirements of Part 3.6.4 of NCC Volume Two in relation to glazing Light and ventilation of adjoining rooms must not be adversely affected by the enclosure.</li> </ul>
2.2.2	Awnings (pre-engineered system) open on at least one side.	<ul style="list-style-type: none"> <li>• Installation of an engineer designed awning system by a builder or competent person</li> <li>• Max size of 36m<sup>2</sup></li> <li>• SL Stormwater management</li> <li>• SL Work in Bushfire-Prone Areas</li> </ul>	Details to be provided to Council after completion.

No.	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
2.3.0	<b>Outdoor structures (Class 10)</b>		
<b>The Standard Limitations apply to these structures (where indicated)</b>			
2.3.1	Shed/ garage/ carport or similar – (Non-prefabricated)	<ul style="list-style-type: none"> <li>• Licensed builder only</li> <li>• Maximum size 36m<sup>2</sup></li> <li>• Single storey</li> <li>• Maximum ridge height 4.5m</li> <li>• Max wall height 3.6m</li> <li>• Max span 9m</li> <li>• SL Cut or fill</li> <li>• SL Protection Work</li> <li>• SL Fire separation</li> <li>• SL Stormwater management</li> <li>• SL Work in Bushfire-Prone Areas</li> <li>• SL Work in Landslip-Prone Areas</li> <li>• SL Work over or near easements or affecting infrastructure</li> <li>• SL Payment of statutory fees or levies</li> </ul>	<ul style="list-style-type: none"> <li>• For storage purposes, including vehicle parking</li> <li>• Details to be provided to Council after completion.</li> </ul>

No.	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
2.3.2	Shed, garage, carport or similar (Pre-engineered and prefabricated manufacture)	<ul style="list-style-type: none"> <li>• Engineer designed and prefabricated</li> <li>• Engineer's design documents are to be purchased and referred to during construction</li> <li>• Maximum size 36m<sup>2</sup></li> <li>• Single storey</li> <li>• Maximum ridge height 4.5m</li> <li>• Maximum wall height 3.6m</li> <li>• SL Cut or fill</li> <li>• SL Protection Work</li> <li>• SL Fire separation</li> <li>• SL Stormwater management</li> <li>• SL Work in Bushfire-Prone Areas</li> <li>• SL Work in Landslip-Prone Areas</li> <li>• SL Work over or near easements or affecting infrastructure</li> <li>• SL Payment of statutory fees or levies</li> </ul>	<ul style="list-style-type: none"> <li>• For storage purposes, including vehicle parking</li> <li>• Details to be provided to Council after completion.</li> </ul>
2.3.3	Retaining wall	<ul style="list-style-type: none"> <li>• Max of 1.8m high if constructed by a licensed builder and designed by a licensed engineer</li> <li>• Filling or excavation must not adversely affect sewer, stormwater or water utility infrastructure</li> <li>• SL Fire separation</li> </ul>	

No.	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
2.3.4	A permanent swimming pool or spa pool	<ul style="list-style-type: none"> <li>• Maximum surface area of pool or spa 18m<sup>2</sup></li> <li>• If elevated (such as on a deck) the supporting structure must be capable of withstanding static load of a full pool or spa</li> <li>• May only be erected if a Swimming Pool Access Barrier has already been installed as Notifiable Work</li> <li>• SL Cut or fill</li> <li>• SL Protection Work</li> <li>• SL Fire separation</li> <li>• SL Work in Landslip-Prone Areas</li> <li>• SL Work over or near easements or affecting infrastructure</li> <li>• SL Payment of statutory fees or levies</li> </ul>	<ul style="list-style-type: none"> <li>• A Swimming Pool Access Barrier must be provided as an integral part of the work to erect a pool and that barrier is Notifiable Work to be constructed by a licensed builder (see clause 3.1.10)</li> <li>• A spa lid or pool cover is not a compliant barrier</li> <li>• Details to be provided to Council after completion</li> </ul>
2.3.5	Small scale domestic windmill or wind turbine	<ul style="list-style-type: none"> <li>• Engineer designed</li> <li>• Maximum height of support structure less 6m above ground level</li> <li>• Wind turbine installed in accordance with the Standard AS IEC 61400.2-2013 Wind turbines - Design requirements for small wind turbines</li> </ul>	<ul style="list-style-type: none"> <li>• “Small” wind turbine, mean a turbine of a size that would suit the needs of a domestic dwelling or small business. These are less than 150kW maximum capacity and are most commonly in the range of 1-10kW.</li> <li>• A windmill also includes farm structures for pumping water</li> </ul>



No.	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
2.3.6	<p>Non-habitable free standing garden structures, open on at least one side, as places of relaxation in a garden or park; including</p> <ul style="list-style-type: none"> <li>• Summer house</li> <li>• Gazebo</li> <li>• Pavilion</li> <li>• Garden shelter or BBQ shelter</li> </ul>	<ul style="list-style-type: none"> <li>• Either uncovered or roofed (any roofing material type is permitted)</li> <li>• Max size 36m<sup>2</sup> by a licensed builder</li> <li>• Max height 3.5m</li> <li>• Single storey</li> <li>• SL Cut or fill</li> <li>• SL Protection Work</li> <li>• SL Fire separation</li> <li>• SL Stormwater management</li> <li>• SL Work in Bushfire-Prone Areas</li> <li>• SL Work over or near easements or affecting infrastructure</li> <li>• SL Payment of statutory fees or levies</li> </ul>	<ul style="list-style-type: none"> <li>• Details to be provided to Council after completion (Form 80)</li> </ul>

No.	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
<b>2.4.0</b>	<b>Minor commercial or industrial structures, or infrastructure (Class 10)</b>		
2.4.1	Shed/ garage/ carport or similar – Non-prefabricated	<ul style="list-style-type: none"> <li>• Licensed builder only</li> <li>• Maximum size 36m<sup>2</sup></li> <li>• Single storey</li> <li>• Maximum ridge height 4.5m</li> <li>• Max wall height 3.6m</li> <li>• Max span 9m</li> <li>• Fire separation; the required fire separation between a boundary or an adjoining building is a minimum of 3m</li> <li>• SL Cut or fill</li> <li>• SL Protection Work</li> <li>• SL Stormwater management</li> <li>• SL Work in Bushfire-Prone Areas</li> <li>• SL Work in Landslip-Prone Areas</li> <li>• SL Work over or near easements or affecting infrastructure</li> <li>• SL Payment of statutory fees or levies</li> <li>• Engineer's design documents are to be purchased and referred to during construction</li> </ul>	<ul style="list-style-type: none"> <li>• For storage purposes, including vehicle parking</li> <li>• Details to be provided to Council after completion (Form 80).</li> </ul>

No.	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
2.4.2	Shed/ garage/ carport or similar– Pre-engineered and pre-fabricated	<ul style="list-style-type: none"> <li>• Licensed builder or a competent person</li> <li>• Maximum size 36m<sup>2</sup></li> <li>• Single storey</li> <li>• Maximum ridge height 4.5m</li> <li>• Max wall height 3.6m</li> <li>• Max span 9m</li> <li>• SL Cut or fill</li> <li>• SL Protection Work</li> <li>• Fire separation; the required fire separation between a boundary or an adjoining building is a minimum of 3m</li> <li>• SL Stormwater management</li> <li>• SL Work in Bushfire-Prone Areas</li> <li>• SL Work in Landslip-Prone Areas</li> <li>• SL Work over or near easements or affecting infrastructure</li> <li>• SL Payment of statutory fees or levies</li> </ul>	<ul style="list-style-type: none"> <li>• For storage purposes, including vehicle parking</li> <li>• Details to be provided to Council after completion.</li> </ul>
2.4.3	Building work in connection with any plinth or similar foundation if the plinth or foundation supports plant, a tank, equipment, machinery, or any similar item.	<ul style="list-style-type: none"> <li>• Unlimited</li> </ul>	

No.	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
2.4.4	Erection of a detached booth, guardhouse, bin centre or similar	<ul style="list-style-type: none"> <li>• Single storey</li> <li>• Maximum floor area 18m<sup>2</sup></li> <li>• SL Fire separation</li> <li>• SL Stormwater management</li> <li>• SL Payment of statutory fees or levies</li> </ul>	
2.4.5	Small scale commercial windmill or wind turbine	<ul style="list-style-type: none"> <li>• Engineer designed</li> <li>• Maximum height of support structure 6m or less above ground level</li> <li>• Wind turbine installed in accordance with the Standard AS IEC 61400.2-2013 Wind turbines - Design requirements for small wind turbines</li> <li>• SL Payment of statutory fees or levies</li> </ul>	<ul style="list-style-type: none"> <li>• “Small” wind turbine, mean a turbine of a size that would suit the needs of a domestic dwelling or small business. These are less than 150kW maximum capacity and are most commonly in the range of 1-10kW.</li> <li>• A windmill also includes farm structures for pumping water</li> <li>• To be notified to council after completion</li> </ul>
2.4.6	Infrastructure for energy reticulation, and transmission, distribution and supply including powerlines, poles or towers, lighting poles; equipment support structures, blast walls, sound attenuation enclosures, equipment for metering, monitoring, or control of electricity or energy	<ul style="list-style-type: none"> <li>• Unlimited if owned or controlled by a gas supplier, electricity or energy supply utility, business or entity, or a public or other authority or similar organisations.</li> <li>• SL Payment of statutory fees or levies</li> </ul>	<ul style="list-style-type: none"> <li>• Constructed to appropriate Australian Standards</li> </ul>

No.	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
2.4.7	Non-habitable detached buildings (substations, machinery or plant rooms etc.)	<ul style="list-style-type: none"> <li>• Maximum 36m<sup>2</sup></li> <li>• SL Protection Work</li> <li>• SL Fire separation</li> <li>• SL Payment of statutory fees or levies</li> </ul>	<ul style="list-style-type: none"> <li>• Erection of any detached structure, appurtenant to another building and</li> <li>• Contains fixed plant or machinery and under normal circumstances is entered only on intermittent occasions for the routine inspection and maintenance of that plant or machinery;</li> </ul>
2.4.8	The construction, or demolition of a Telecommunications Facility that is a tower, mast, pole or antenna less than 6m in height	<ul style="list-style-type: none"> <li>• Unlimited by a licensed builder where the work performed is within an easement of the facility owner or operator</li> <li>• SL Payment of statutory fees or levies</li> </ul>	<ul style="list-style-type: none"> <li>• See Explanatory Notes for definition of Telecommunications Facility</li> <li>• To be notified to council after completion</li> </ul>
<b>2.5.0 Minor repairs or alterations of commercial or industrial buildings – Building Classes 2-8</b>			
2.5.1	Maintenance and minor repairs	<ul style="list-style-type: none"> <li>• Unlimited</li> <li>• May be performed by a licensed builder or a competent person</li> </ul>	<ul style="list-style-type: none"> <li>• For maintenance purposes and is like for like replacement of parts and components</li> </ul>

No.	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
2.5.2	Internal shop fit-out - minor alterations	Unlimited Shop fitting: - <ul style="list-style-type: none"> <li>• if installed by a competent person</li> <li>• Requires a statement by a building surveyor prior to the work commencing that they have assessed the risks of the proposed work</li> <li>• SL Removal of asbestos or other hazardous materials</li> <li>• SL Payment of statutory fees or levies</li> </ul>	To be notified to council after completion. Examples of minor alterations may include changing a door, or changing a rangehood in a commercial kitchen. Work affecting disability access is required to comply with all disability access provisions of Volume One of the NCC. Work must not include: <ul style="list-style-type: none"> <li>• alterations to structural elements</li> <li>• creation of multiple tenancies</li> <li>• where it could have an adverse effect on operation of Essential Building Services, occupant egress, or elements required to be fire resistant</li> </ul>
2.5.3	Ramp installed for access of persons with a disability	<ul style="list-style-type: none"> <li>• Installed by a competent person</li> <li>• Requires a statement by a building surveyor prior to the work commencing that they have assessed the risks of the proposed work</li> </ul>	To be notified to council after completion A ramp installed for a commercial building is required to comply with all disability access provisions of Volume One of the NCC.

No.	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
<b>2.6.0</b>	<b>Signs</b>		
2.6.1	Work in connection with a sign (free-standing or attached to a structure) and the structural support of the sign	<ul style="list-style-type: none"> <li>• Assessment of risk from wind loading in accordance with AS/NZS 1170 is required for freestanding signs or if the structure projects more than 300mm from a wall</li> <li>• No side of free-standing sign is to exceed 2 m<sup>2</sup>; and it is to be sited 2.2m or less above ground level.</li> <li>• If erected on a building or structure, the uppermost side of a sign is to be a maximum 3m or less above ground level.</li> <li>• Performed by competent person or a licensed builder</li> <li>• A sign erected over a public way/ footpath/ street requires a risk assessment by a building surveyor as to whether it is Low Risk or Notifiable work</li> </ul>	<ul style="list-style-type: none"> <li>• Details to be provided to Council after completion (Form 80).</li> </ul>
<b>2.7.0</b>	<b>Demolition (total removal of structure and no new construction)</b>		
2.7.1	Removal of a structure that could be erected as Low risk Work	<ul style="list-style-type: none"> <li>• SL Protection Work</li> <li>• SL Removal of asbestos or other hazardous materials</li> <li>• SL Work in Bushfire-Prone Areas</li> </ul>	

No.	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
<b>2.6.0</b>	<b>Signs</b>		
2.7.2	Any Class 10 buildings or farm sheds (up to two storeys)	<ul style="list-style-type: none"> <li>• SL Protection Work</li> <li>• SL Work in Bushfire-Prone Areas</li> <li>• SL Removal of asbestos or other hazardous materials</li> </ul>	
2.7.3	Removal of sign, plinth, retaining wall, farming structure, playground equipment or similar structures	<ul style="list-style-type: none"> <li>• SL Protection Work</li> <li>• SL Removal of asbestos or other hazardous materials</li> </ul>	
<b>2.8.0</b>	<b>Other work assessed by a licensed building surveyor as being Low Risk Work by a licensed builder</b>		
	<p>The following limitations apply: The building surveyor must</p> <ul style="list-style-type: none"> <li>• Analyse the work and conduct an assessment</li> <li>• Document the process and the outcome of their risk assessment; and</li> <li>• how they decided that the risk in carrying out the work is no greater than the risk of other documented Category 2 work.</li> <li>• SL Removal of asbestos or other hazardous materials</li> <li>• SL Payment of statutory fees or levies</li> </ul>	<ul style="list-style-type: none"> <li>• The category does not extend to: - <ul style="list-style-type: none"> <li>○ a new residence major work</li> <li>○ a new commercial building</li> <li>○ work on a Special Use Building requiring licensing by a Function Control Authority, or reporting on by a Reporting Authority.</li> </ul> </li> <li>• Details to be provided to Council after completion (Form 80)</li> </ul>	



### Category 3 - Building Work Notifiable by a Building Surveyor to the Permit Authority

- The builder is responsible for ensuring that any proposed work conforms with the scope of this Determination, in particular that permitted size limits are not exceeded and that boundary setbacks are complied with.
- Notifiable Work does not include Low Risk Work
- Notifiable Work to be performed by a licensed builder, with an exception of a competent person may install solar panels under the supervision of a licensed electrician.
- The builder will specify the nature of the proposed work in their Notice of Work to the building surveyor.
- Owner and builder are to check on planning requirements and approvals are in place before Notice of Work is sent.
- Specific requirements are also provided in the Building Act for notifications to the building surveyor to obtain authorisation to start work, inspections (if required) and completion of the work.

No.	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
3.0.0	<b>Residential buildings (Classes 1a, or 1b) including new construction, alteration and additions, structural repairs; and their associated structures (10a or 10b)</b>		
<p><b>Standard Limitations (SL) apply where noted: (see full terms of limitations at end)</b></p> <ul style="list-style-type: none"> <li>• <b>Cut or fill limits</b></li> <li>• <b>Protection Work</b></li> <li>• <b>Fire separation of structures</b></li> <li>• <b>Removal and handling of asbestos or other hazardous materials</b></li> <li>• <b>Stormwater management</b></li> <li>• <b>Work in Bushfire-Prone Areas</b></li> <li>• <b>Work in Landslip-Prone Areas</b></li> <li>• <b>Work over or near easements or affecting infrastructure</b></li> <li>• <b>Payment of statutory fees or levies</b></li> </ul>			

No.	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
<p><b>The following additional conditions are applicable to Clause 3.0.1 only (new work on a Class 1 residential building):</b></p> <ul style="list-style-type: none"> <li>• Conforms to the Permitted Use or no Planning Permit required criteria of Planning Directive 4.1 or</li> <li>• Is in a zone not covered by Planning Directive 4.1 and is exempt, permitted use or no planning permit required under the relevant planning scheme</li> </ul>			
3.0.1	New residence (Class 1), additions or alterations	<ul style="list-style-type: none"> <li>• Unlimited where Standard Limitations are met</li> <li>• SL Work in Bushfire-Prone Areas</li> <li>• Protection Work</li> <li>• Fire separation of structures</li> <li>• Stormwater management</li> <li>• Work in Landslip-Prone Areas</li> <li>• Work over or near easements or affecting infrastructure</li> <li>• Payment of statutory fees or levies</li> </ul>	

No.	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
3.0.2	Photo-voltaic solar panels installation (domestic) greater than the types permitted for Low Risk (erected on or associated with a Class I or I0)	<ul style="list-style-type: none"> <li>• Unlimited.</li> <li>• Electrical work is to be performed by a licensed electrician</li> <li>• A competent person contracted by the owner may install solar panels under supervision of the electrician.</li> <li>• A ground level support structure is to be designed by an engineer</li> </ul>	
3.0.3	Repairs to Class I building	<ul style="list-style-type: none"> <li>• Unlimited</li> </ul>	Includes major structural repairs
3.0.4	Underpinning Class I building	<ul style="list-style-type: none"> <li>• Unlimited</li> </ul>	Design of remedial works of this nature may require a site and soil test to AS2870 and design by an engineer prior to work commencing
<b>3.1.0</b>	<b>Structures (Class I0) associated with a Class I residential building</b>		
3.1.1	Shed, garage, carport or similar Includes either: <ul style="list-style-type: none"> <li>• Prefabricated and pre-engineer designed, steel framed and clad; or</li> <li>• Non-prefabricated</li> </ul>	<ul style="list-style-type: none"> <li>• Unlimited</li> <li>• SL Protection Work</li> <li>• SL Stormwater management</li> <li>• SL Work in Bushfire-Prone Areas</li> </ul>	<ul style="list-style-type: none"> <li>• Structure includes base or slab</li> </ul>
3.1.2	Residential decks	<ul style="list-style-type: none"> <li>• Unlimited</li> <li>• SL Work in Bushfire-Prone Areas</li> </ul>	
3.1.3	Retaining walls	<ul style="list-style-type: none"> <li>• Unlimited</li> </ul>	
3.1.4	Fences, screens and boundary walls	<ul style="list-style-type: none"> <li>• Unlimited</li> </ul>	

No.	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
3.1.5	Tank and support slab	<ul style="list-style-type: none"> <li>• Unlimited</li> <li>• SL Stormwater management</li> </ul>	
3.1.6	Tank or silo and its supporting base, slab, pad or plinth	<ul style="list-style-type: none"> <li>• Unlimited</li> <li>• SL Stormwater management</li> </ul>	<ul style="list-style-type: none"> <li>• Height to width ratio not to exceed ratio of 1:2 (to prevent silo or tank overturning)</li> <li>• Support must be capable of withstanding static load of a full tank</li> </ul>
3.1.7	Single storey covered walkway	<ul style="list-style-type: none"> <li>• SL Work in Bushfire-Prone Areas</li> <li>• Maximum span of beams 6m</li> </ul>	
3.1.8	Pedestrian bridge	<ul style="list-style-type: none"> <li>• Unlimited</li> <li>• Work by a competent person (civil construction contractor)</li> </ul>	
3.1.9	Swimming pool, or spa pool (over 18m <sup>2</sup> ) and required Swimming Pool Access Barrier	<ul style="list-style-type: none"> <li>• Unlimited</li> </ul>	<ul style="list-style-type: none"> <li>• Any swimming pool or a spa pool must be protected by a Swimming Pool Access Barrier constructed by a licensed builder.</li> </ul>
3.1.10	Swimming pool or spa pool access barrier	<ul style="list-style-type: none"> <li>• Unlimited</li> <li>• Work by a licensed builder</li> </ul>	

No.	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
<b>3.2.0</b>	<b>Demolition (total removal of structure and no new construction)</b>		
3.2.1	Demolition or removal of Class I and I0a buildings	<ul style="list-style-type: none"> <li>• Must be located more than the distance from another building, or an adjoining property boundary, that is equal to the height of the structure being demolished and:</li> <li>• Must be a type of demolition work that does not require performance of any Protection Works</li> <li>• Demolition work is not to affect users of a road or way</li> <li>• SL Removal of asbestos or other hazardous materials</li> <li>• SL Work in Bushfire-Prone Areas</li> <li>• SL Work in Landslip-Prone Areas</li> </ul>	
3.2.2	Demolition or removal of I0b structures	<p>Unlimited if that structure could be erected as Low Risk Work or Notifiable Work.</p> <ul style="list-style-type: none"> <li>• SL Work in Bushfire-Prone Areas</li> </ul>	

No.	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
<b>3.3.0</b>	<b>Commercial buildings Classes 2-9 and associated Class 10b alterations and additions</b>		
3.3.1	Additions to existing buildings	<ul style="list-style-type: none"> <li>• Only if a permitted use or no planning permit is required under a planning scheme</li> <li>• SL Payment of statutory fees or levies</li> <li>• SL Work in Bushfire-Prone Areas</li> </ul>	
3.3.2	Alterations, including minor external works	<ul style="list-style-type: none"> <li>• Minor external works is work that does not structurally change the exterior of the building</li> <li>• SL Payment of statutory fees or levies</li> <li>• SL Work in Bushfire-Prone Areas</li> </ul>	
3.3.3	Alteration to existing entrance or internal doorway to facilitate access for persons with disabilities	Building work in connection with an existing entrance or internal doorway of a detached or semi-detached dwelling to improve access for persons with disabilities.	
<b>3.4.0</b>	<b>Non habitable buildings (Class 10) or Farm Sheds larger than provided for as Low Risk Work</b>		
3.4.1	Non-habitable buildings (Prefabricated and pre-engineered)	Unlimited size if designed by an engineer, architect or building designer <ul style="list-style-type: none"> <li>• SL Cut or fill</li> <li>• SL Protection Work</li> <li>• SL Stormwater management</li> </ul>	<ul style="list-style-type: none"> <li>• Non-habitable structures (sheds, farm sheds garages, carport etc.) only. See the definition of a Farm Shed in the Explanatory Notes</li> <li>• Includes prefabricated and pre-engineered structures, or non-prefabricated structures</li> </ul>

No.	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
		<ul style="list-style-type: none"> <li>• SL Work in Bushfire-Prone Areas</li> <li>• SL Work in Landslip-Prone Areas</li> <li>• SL Work over or near easements or affecting infrastructure</li> <li>• SL Payment of statutory fees or levies</li> </ul>	
<b>3.5.0</b>	<b>Decks, viewing platforms, road or pedestrian bridges, boardwalks etc. (Class 10b)</b>		
3.5.1	A permanent deck, platform, boardwalk, or the like	<ul style="list-style-type: none"> <li>• Unlimited</li> <li>• A viewing platform, boardwalk or deck, that members of the public normally use or are permitted access and it is not part of a building;</li> <li>• SL Fire separation</li> <li>• SL Work in Bushfire-Prone Areas</li> </ul>	

No.	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
3.5.2	Other Class 10 structures not already covered	<ul style="list-style-type: none"> <li>• SL Stormwater management</li> <li>• SL Fire separation</li> <li>• SL Work in Bushfire-Prone Areas</li> <li>• SL Payment of statutory fees or levies</li> </ul>	<p>Non-habitable only. Examples include:</p> <ol style="list-style-type: none"> <li>a. Booths or security guard huts</li> <li>b. Vehicle garage</li> <li>c. Tanks and supporting slab or stand</li> <li>d. Silos</li> <li>e. Viaduct, pedestrian bridge, overpass or underpass, passenger boarding bridge associated with access to a building</li> </ol> <ul style="list-style-type: none"> <li>• Items (a) – (e) are not attached to another Class of building</li> <li>• Items (c) – (e) Unlimited if designed by an engineer</li> </ul>
3.5.3	Boundary or retaining walls	Unlimited if work does not include work on party walls or on walls that requires Protection Work	
3.5.4	Signs (freestanding or fixed to a structure)	Unlimited if the sign is engineer designed.	



No.	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
<b>3.6.0</b>	<b>Construction or demolition of commercial buildings for energy generation or telecommunications structures</b>		
3.6.1	<p>Construction or demolition of buildings for production or transmission of energy and associated infrastructure. Including</p> <ul style="list-style-type: none"> <li>• Electrical control buildings and substations</li> <li>• Wind turbines support structures over 6m in height</li> <li>• Electrical or gas generation plant and power stations</li> </ul>	<ul style="list-style-type: none"> <li>• Unlimited including where the work is in the easement of the owner or operator</li> <li>• SL Removal of asbestos or other hazardous materials</li> <li>• SL Payment of statutory fees or levies</li> <li>• SL Work in Bushfire-Prone Areas</li> <li>• SL Work in Landslip-Prone Areas</li> </ul>	<p>If owned or operated by an electricity supply business or entity or a public or other authority</p>
3.6.2	<p>The construction, or demolition of a Telecommunications Facility as defined in the Telecommunications Act 1997 (Commonwealth) that is a tower, mast, pole or antenna 6m or more in height</p>	<p>Unlimited including where the work performed is within an easement of the facility owner or operator</p>	<p>For a definition of a Telecommunications Facility” see the Explanatory Notes</p>

No.	Description of the work	Limitations, Maximum dimensions etc. (if any)	Explanatory Notes
3.6.3	<p>Photo-voltaic solar panel installation (Commercial)                      Either roof mounted or on a dedicated support structure at ground level</p>	<ul style="list-style-type: none"> <li>• Unlimited if the installation of either;                             <ul style="list-style-type: none"> <li>(i) a proprietary product in accordance with the manufacturer's instructions; or</li> <li>(ii) a pre-engineered solution;</li> </ul> </li> <li>• A ground level support structure is to be designed by an engineer</li> <li>• A competent person contracted by the owner may install solar panels under supervision of the electrician.</li> <li>• Electrical work is to be performed by a licensed electrician</li> <li>• SL Fire separation</li> </ul>	
<b>3.7.0 Protection work and temporary support work (any Class of building)</b>			
3.7.1	<p>Protection work associated with proposed building work or demolition work that <i>has not</i> been assessed as part of a documentation submitted for a Certificate of Likely Compliance (for Notifiable Work or Permit Work)</p>		<p>Any required Protection Work, for protection of adjoining buildings, during construction work</p>

<b>No.</b>	<b>Description of the work</b>	<b>Limitations, Maximum dimensions etc. (if any)</b>	<b>Explanatory Notes</b>
3.7.2	Temporary support work associated with proposed building work or demolition work or protection work that <i>has not</i> been assessed as part of the documentation submitted for a Certificate of Likely Compliance (for Notifiable Work or Permit Work)		Any required work for the temporary support of a building during construction work

## **Category 4 - Work that requires a Building Permit or a Demolition Permit**

1. Erection of a vehicular bridge for private access to premises (of dimensions larger than permitted as Low Risk Work).
2. Other types building work that are not listed in Categories 1, 2 or 3 require a Building Permit from the council Permit Authority.
3. Other types of demolition work that are not what is listed in Categories 1, 2 or 3 require a Demolition Permit from the council Permit Authority (applicable where demolition is the only work to be performed and no new building work).
4. All work by an owner that is not Low Risk Work by an owner and requires an Owner Builder Permit, also requires a building permit from the council Permit Authority.
5. Where a Performance Requirement is proposed to be satisfied, wholly or partially by the adoption of a Performance Solution for the design of building work, in particular of work that may impact on likely compliance with **fire safety requirements**, or the required performance of **Essential Building Services**, a risk assessment by a building surveyor is required to be carried out to decide whether that work is Notifiable Building Work or Permit Building Work.

## **Standard Limitation clauses (mandatory)**

These limitations are applicable as mandatory requirements (where applicable):

### **Cut or fill limits (Low Risk Work):**

by an Owner or a Competent Person:

- If within 1.5m from an allotment boundary – maximum cut or fill is 500mm
- If more than 1.5m from an allotment boundary – maximum cut or fill is 1.2m

by a Licensed Builder:

- If within 1.5m from an allotment boundary – maximum cut or fill is 500mm
- If more than 1.5m from an allotment boundary – maximum cut or fill is 1.8m.

### **Fire separation of structures: (Low Risk Work)**

Work must comply with NCC Vol 2, part 3.7.1.6 - Class 10a buildings

- a) Where a Class 10a building is located between a Class 1 building and the allotment boundary, other than the boundary adjoining a road alignment or other public space, the Class 1 building must be protected by one of the following methods shown in Figure 3.7.1.4.
- b) Where a Class 10a building is located between a Class 1 building to which it is appurtenant and another building on the same allotment, the Class 1 building must be protected by one of the methods shown in Figure 3.7.1.5.
- c) Where two or more Class 10a buildings on the same allotment are appurtenant to different Class 1 buildings, the Class 10a buildings must be separated in accordance with one of the methods shown in Figure 3.7.1.6.
- d) A carport is exempt from (a), (b) and (c) if—
  - (i) it has two or more sides open and not less than one third of its perimeter open and, for the purposes of this clause, a side is considered to be open if the roof covering adjacent to that side is not less than 500 mm from another building or allotment boundary; and
  - (ii) it has a polycarbonate or non-combustible roof covering and any ceiling lining and wall cladding, including gables, is also non-combustible (see Figure 3.7.1.7); and
  - (iii) it does not provide direct vertical support to any part of the Class 1 building; and
  - (iv) in the case where it has a common roof structure with the Class 1 building and the carport does not have a ceiling (see Figure 3.7.1.8), the opening between the top of the wall of the Class 1 building and the underside of the roof covering is infilled with —
    - (A) a non-combustible material; or
    - (B) construction clad with non-combustible material on the carport side.

- See the Extract from NCC Part 3.7.1 on the CBOS Website at [www.justice.tas.gov.au](http://www.justice.tas.gov.au)
- The NCC is also available free on the [ABCB Website](#)

### **Types of work to be reported to the council on completion (Low Risk Work)**

Certain structures that may be erected as Low Risk Work are required on completion to be reported using Approved Form 80 by the responsible person to the Permit Authority.

- Individual clauses of the Determination identify this requirement.
- **For easy reference**, the Table in the Explanatory section lists all of those types.

### **Progression from Low Risk Work) to Notifiable Work**

Building projects intended to larger than as provided for as Low Risk Work in Categories 1 or 2, become Notifiable Work and are to be approved under that Category.

### **Removal and handling of asbestos or other hazardous materials (any work)**

Safe removal of asbestos or other hazardous materials must be considered during any work. Removal of asbestos must comply with the *Work Health and Safety Regulations 2012*. This Determination does not permit an unlicensed person to perform any work that requires a specialist licence, such as for the removal of materials containing asbestos.

### **Stormwater management (any work)**

A property owner must ensure that stormwater is not discharged from a private stormwater system so that it causes or is likely to cause a nuisance to a neighbouring property or its residents. A private stormwater system includes roofs or covered surfaces of structures, roof gutters and downpipes, rainwater tanks, subsoil drains and stormwater drains.

### **Work in Bushfire-Prone Areas (any work)**

Low risk work and notifiable work in a bushfire-prone area may be subject to additional building controls. Refer to two separate Determinations relating to the requirements for building in bushfire-prone areas for details.

1. Director's Determination – Requirements for Building in Bushfire-Prone Areas (*general requirements for building work*)
2. Director's Determination – Application of Requirements for building in Bushfire-Prone Areas (*specific requirements for Low Risk and Notifiable building work*)

### **Work in Landslip-Prone Areas (any work)**

Low risk work and notifiable work in a landslip-prone area may be subject to additional building controls. Refer to the specific provisions of the *Building Regulations 2014* and *Building Act 2000* that have been continued in operation by the *Building Act 2016*. See the Fact Sheet "[Building requirements for hazardous areas](#)" February 2017.

### **Work over or near easements or affecting infrastructure (any work)**

A person must not perform any building work:

- over an existing drain or within one metre from the edge of an existing drain measured horizontally, unless the owner of the building obtains written consent from the general manager of the council for the municipal area where the work is performed.
- within a service easement unless the person obtains written consent to do so from the person on whose behalf the service easement was created.
- over an on-site wastewater management systems or its land application area
- within 1m of gas infrastructure
- within a strategic gas pipeline easement of TasGas Pty Ltd

Works, including installation of services (other than those crossing perpendicular +/- 15 degrees to TasWater infrastructure), must also be outside of TasWater easements as shown on title documents and not within 2m of TasWater infrastructure.

### **Protection Work – safety of adjoining properties (any work)**

Owners proposing to perform building, demolition or associated plumbing work have obligations under the Building Act 2016 to take measures to protect: -

1. adjoining property from potential damage; and
2. users of adjoining property or users of roads and footpaths:

Typical examples include:

- excavations or trenching along a property, boundary or below the level of the foundations of an adjacent building; or
- excavations or voids where the public could gain access are required to be covered.

For details as to when Protection Work is required to be performed refer to the Director's Protection Work Determination 2017.

### **Payment of statutory fees or levies (any work)**

Building work (and associated plumbing work) of \$20,000 or more requires the payment of: -

1. a Building and Construction Industry Training Levy, to be paid to the Tasmanian Building and Construction Industry Training Board; and
2. a Building Administration Fee (BAF) to be paid to the council permit authority. The BAF is to be paid using the Approved Form 80.

### **Work requiring input by a Reporting Authority or a Function Control Authority (Permit Work or Notifiable Work)**

#### **I. Reporting Authorities:**

##### **Food premises**

Building work (or a change of use) involving changes to food premises affect the licence granted to those premises under the Food Act. Therefore plans of the proposed work/change are to be referred to the council's Environmental Health Officer for their consideration and response before that work commences. A report will also be required for an application for a new occupancy permit.

### **Fire safety**

Plans of building work (or a change of use) involving fire safety requirements of commercial premises are to be referred to the Chief Fire Officer for consideration and response before that work commences. A report will also be required for an application for a new occupancy permit.

### **Requirements for reportable work:**

Plans of proposed work/ change of use for those types of premises are to be provided to the relevant Reporting Authority for its review and response, before that work commences. That work may include Notifiable or Permit Building Work.

## **2. Work requiring changes to “Special Use Buildings” that a Function Control Authority administers**

“Special use buildings” are those that require a special licence or approval for their use. In particular they include:

- Private hospitals and medical procedure centres
- Child care centres
- Primary produce food businesses and dairies
- Licenced liquor premises
  - A list of types of Special Use Buildings is found in Schedule 3 of the *Building Regulations 2016*.
  - See also the Director's “Referral to Function Control Authorities Determination 2016”.

### **Requirements**

Plans of proposed work/ change of use for any Special Use Buildings are to be provided to the relevant Function Control Authority for its information, before that work commences. That work includes Notifiable or Permit Building Work.



## **General Explanatory Information** (applicable to any category)

### **Building Checklist**

A building checklist is provided by CBOS as an explanatory aid to the types of matters that need to be taken into consideration and signed off on before using this Determination.

### **Standards of work**

All work must comply with relevant provisions of the:

- *Building Act 2016* and the *Building Regulations 2016*;
- National Construction Code 2016;
- *Occupational Licensing Act 2005*; and
- *Water and Sewerage Industry Act 2008*.

### **All required building work may be approved as one application**

The Determination divides the categories of building work to apply specific requirements where particular work may be the sole component of a building project.

Where the applicant is required to apply for an approval for the proposed building work (such as by making a Notification for Category 3 Work or an application for a Building Permit for Category 4 work) that application for approval may incorporate all the proposed building work, regardless of whether that may also include works that could fall in the Notifiable or Low Risk Categories.

*Example:*

Construction of a new house and associated work requires:

- A dwelling (which could be Permit Building Work) and
- A garage (which alone is classed as Low Risk Work) and
- Retaining walls (which alone is classed as Low Risk Work);
- The Building Surveyor is to assess all design documentation and can issue their CLC for all that work.
- Permit Authority – Building may then grant a building permit for all the required building work necessary for completion of that building project.

This approach avoids duplication of effort and offers greater certainty that all work is assessed holistically rather than each component viewed in isolation.

### **Effect of required planning (development) approvals:**

Other than where specifically provided in this Determination, there is no connection between the requirement for planning approval and the category of work as Determined by the Director.

- a requirement for planning approval for the work does not always place that work into the high risk category that requires a building permit
- some work may require a planning permit, and not a building permit, or vice versa.

## Measurements

- Measurements of a floor area of premises in this Determination include the external walls of a building. (See the also the definition of Floor Area in the National Construction Code).
- Measurement of a height of a retaining wall includes the distance between the ground level in front of the wall and the level of the ground that is retained.
- Building height means the vertical distance from ground level at any point to the uppermost part of a building directly above that point, excluding minor protrusions such as aerials, antennae, solar panels, chimneys and vents.

## Site Plans of any Class 10 structures or 7b Farm Sheds

A site plan for any Class 10 structure or a 7b farm shed, may be prepared by an engineer, builder or any other competent person.

## Types of Low Risk work to be reported to the council on completion

Certain structures that may be erected as Low Risk Work are required on completion to be reported using Approved Form 80 by the responsible person to the Permit Authority.

For work of \$20,000 or more than the Building Administration Fee is required to be paid by the owner.

The following is a list of such structures required to be reported:

Description	Clause number of Determination
Porch	1.1.12, 2.1.5
Shed/ Garage	1.3.2
Farm Shed	1.4.1
Viewing deck/ platform	1.6.1
Awning	2.2.2
Shed/ Garage	2.3.1, 2.3.2, 2.4.1, 2.4.2
Pools	2.3.4
Wind turbine (small commercial)	2.4.5
Telecommunication tower	2.4.8
Internal shop fit-out	2.5.2
Disability access ramp	2.5.3
Signs	2.6.1
Other work assessed by a building surveyor as Low Risk Work	2.8.0

## **Definitions (applicable to any category)**

*(text boxes provide more explanatory information)*

**Alteration**, in relation to a building, includes an addition or extension to a building

**Alternative Solution** means a Performance Solution.

**Awning** includes a permanent roofed structure of impermeable and rigid roofing material, to provide shelter from rain or sun, over a deck, patio, doorway etc. and open on at least one side. An awning can be freestanding or attached to another structure.

**Boundary means** a property (allotment) boundary and not an individual strata title lot boundary.

**Builder** in relation to building work or demolition work, means –

- (a) a person engaged, to manage or carry out building work or demolition work, by the owner of premises where the work is to be performed; and
- (b) if such a person does not exist, the owner of such premises;

**Building** includes –

- (a) a building or a proposed building; and
- (b) a part of a building or proposed building; and
- (c) a structure or a proposed structure; and
- (d) a part of a structure or proposed structure;

**Building Administration Fee** means the fee payable in respect of work under Division 1 of Part 21 of the Building Act

*The building administration fee is a payment required to be made by the owner to the Council for certain building or demolition work costing \$20,000 or more. It was formerly called the Building Permit Levy.*

**Building Permit** means a building permit issued under section 143;

**Building Work** means work relating to –

- (a) erecting, re-erecting, constructing, altering, repairing, underpinning, or demolishing (whole or part demolition) of a building; or
- (b) adding to a building; or
- (c) excavating or filling incidental to an activity referred to in paragraph (a) or (b); or
- (d) any other work prescribed in the Building Regulations;

**Classification** means classification of a building under the National Construction Code;

**Competent person** is someone who has sufficient training and experience or knowledge and other qualities that allow them to perform that work to comply with the NCC or a particular Standard. The level of competence required will depend on the complexity of the building work. That person may specialise in a particular type of work, but is not necessarily the holder of a builder's licence.

### **Cost of work**

The cost of building or demolition work is determined by either;

- (a) the contract price as agreed between the builder and owner, or
- (b) if there is no contract, then by an estimate of the value by a building surveyor;

(see s.295(3)(a) of the *Building Act 2016* that provides a mechanism for the calculation of the Building Administration Fee).

**Demolition work** is building work that –

- a) completely, or partially, demolishes a building or structure by pre-planned and controlled methods or procedures; and
- b) does not include the building of any new building or structure, or associated building works;

**Director of Building Control** means the person appointed under section 15(1) of the Building Act as the Director of Building Control;

**Effective height** means the vertical distance between the floor of the lowest storey included in the calculation of rise in storeys and the floor of the topmost storey (excluding the topmost storey if it contains only heating, ventilating, lift or other equipment, water tanks or similar service units).

**Engineer designed** in relation to prefabricated metal framed and clad buildings means that the design of the structure and its components has been performed by either:

1. a licensed Building Services Provider in Tasmania either in the category of Engineer-Civil or as a Civil Designer; or
2. a Civil Engineer with the qualifications to be licensed as an Engineer – Civil and has professional indemnity insurance; or
3. a Chartered Professional Engineer who holds recognition by Engineers Australia with the general areas of practice of Civil, Structural or Environmental Engineering.

**Design of prefabricated metal sheds** may include the preparation of any of the following:

1. architectural and structural drawings
2. a bracing schedule
3. a tie down schedule
4. a calculation method
5. a calculation of the wind speed appropriate for the building's location
6. a foundation plan (footings or slabs) (this may be a generic design that suits all soil types)
7. any computations or reports necessary to demonstrate that the building is likely to comply with the Building Act 2016 (including the NCC and referenced Standards)
8. any other evidence that the proposed building methods, designs, products and systems is likely to comply with the *Building Act 2016*. That may include:
  - certificates from approved testing authorities

- CodeMark Certificates of Compliance
- any certification of the engineer provided with the design as evidence of suitability for compliance with Clause A2.2 of the NCC

**Essential building services** means the features of a building, or the measures in or associated with a building, that are prescribed (for safety, health or amenity of occupants);

**Farming means—**

- (a) cultivating, propagating and harvesting plants or fungi or their products or parts, including seeds, spores, bulbs or the like, but does not include forestry; or
- (b) maintaining animals in any physical environment for the purposes of—(i) breeding them; or
  - (ii) selling them; or
  - (iii) acquiring and selling their bodily produce such as milk, wool, eggs or the like; or
- (c) a combination of (a) and (b),

**Farm shed** means a single storey Class 7, 8 or 10 building located on land primarily used for farming that is—

- (i) used in connection with farming; or
- (ii) used primarily to store one or more farm vehicles; or
- (iii) a combination of (i) and (ii); and
- occupied neither frequently nor for extended periods by people; and
- in which the total number of persons accommodated at any time does not exceed 2.

**Fire-source feature** means—

- (a) the far boundary of a road, river, lake or the like adjoining the allotment; or
- (b) a side or rear boundary of the allotment; or
- (c) an external wall of another building on the allotment which is not a Class 10 building.

*See also Explanatory Notes for setback distances*

**Floor area** means—

- (a) in relation to a building — the total area of all storeys; and
- (b) in relation to a storey — the area of all floors of that storey measured over the enclosing walls, and includes—
  - (i) the area of a mezzanine within the storey, measured within the finished surfaces of any external walls; and
  - (ii) the area occupied by any internal walls or partitions, any cupboard, or other built-in furniture, fixture or fitting; and
  - (iii) if there is no enclosing wall, an area which has a use that—
    - (A) contributes to the fire load; or

- (B) impacts on the safety, health or amenity of the occupants in relation to the provisions of the BCA; and
- (c) in relation to a room — the area of the room measured within the finished surfaces of the walls, and includes the area occupied by any cupboard or other built-in furniture, fixture or fitting; and
- (d) in relation to a fire compartment — the total area of all floors within the fire compartment measured within the finished surfaces of the bounding construction, and if there is no bounding construction, includes an area which has a use which contributes to the fire load; and
- (e) in relation to an atrium — the total area of all floors within the atrium measured within the finished surfaces of the bounding construction and if no bounding construction, within the external walls.

**Habitable room** means a room used for normal domestic activities, and—

- (a) includes a bedroom, living room, lounge room, music room, television room, kitchen, dining room, sewing room, study, playroom, family room, home theatre and sunroom; but
- (b) excludes a bathroom, laundry, water closet, pantry, walk-in wardrobe, corridor, hallway, lobby, photographic darkroom, clothes-drying room, and other spaces of a specialised nature occupied neither frequently nor for extended periods.

**Heating appliance** – includes solid fuel or pellet fires, not including appliances using gas or electricity

**Licensed builder**, in relation to building work, means –

- (a) the holder of a building services licence under the Occupational Licensing Act 2005 that authorises the holder of the licence to perform the building work; or
- (b) an owner builder who holds an owner builder permit under that Act that authorises the owner builder to perform the building work;

**Loadbearing** means intended to resist vertical forces additional to those due to its own weight

**Nuisance** means a wrongful disturbance or interference with a person's use of enjoyment of land and for which there is a legal remedy. This may include allowing or causing the escape of deleterious things (such as water, dust, fumes etc.) onto another person's land that must be removed or that interference terminated.

**Owner**, in relation to premises, includes the following persons:

- (a) every person who jointly or severally, whether at law or in equity, is entitled to the premises for any estate in freehold in possession;
- (b) a person who has contracted to buy the premises;
- (c) in the case of premises that are subject to a mortgage, the person for the time being holding the equity of redemption in that mortgage;
- (d) in the case of premises held under a tenancy for life, the person who is the life tenant;

- (e) in the case of premises held under a lease for a term of not less than 99 years or for a term of not less than such other prescribed period, the person who is the lessee of the premises;
- (f) if the premises are Crown land, the Minister, authority or other person responsible for the management of the land;
- (g) any other person holding a prescribed interest in the premises;

**Owner builder** means the holder of an owner builder permit under the *Occupational Licensing Act 2005*;

**Party structure** includes –

- (a) a wall that –
  - (i) forms part of a building; and
  - (ii) separates adjoining buildings that belong to different owners or that are occupied by different persons; and
- (b) a wall, forming part of a building, that stands –
  - (i) outside the footings of the building; and
  - (ii) on lands that belong to more than one owner; and
- (c) a wall, partition, arch, floor or other structure separating buildings vertically or horizontally that is approached by a distinct staircase or separate entrance;

**Protection Work or Temporary Support Work** means taking measures to protect an adjoining property or the public from any potential adverse effects of carrying out of building, demolition or plumbing work.

*Situations where Protection Work or Temporary Support Work is likely to be required include:*

- *under-pinning of adjoining premises' footings;*
- *where excavations have occurred*
- *retaining walls where site cuts have occurred;*

*Types of Protection Work or Temporary Support Work include:*

- *Barriers to prevent material from falling on the roof or other part of an adjoining property.*
- *Underpinning, including vertical support, lateral support, protection against variation in earth pressures, ground anchors and other means of support for the adjoining property.*
- *Shoring up of the adjoining property.*
- *Overhead protection for adjoining property.*
- *Other work designed to maintain the stability of adjoining property or to protect it from damage from building work.*
- *Any work or use of equipment necessary for the provision, maintenance and removal of work referred to above, whether or not the work or equipment is carried out or used on, over, under, or in the air space above the land on which the building work is or is to be carried out or the adjoining property.*

**Pre-engineered** means constructed of or employing prefabricated modules, mainly formed of standard sections and connections, using standard architectural details and interfaces.

**Prefabricated** in relation to non-habitable structures means factory-made components or units that are transported and assembled on-site to form the complete building and are designed and manufactured by competent persons to appropriate standards.

**Swimming pool** means any excavation or structure containing water and principally used, or that is designed, manufactured or adapted to be principally used for swimming, wading, paddling, or the like, including a bathing or wading pool, or spa.

**Swimming Pool Access Barrier** means a combination of barriers, gates and doors, fitting with latching mechanisms, to prevent access to a pool by young children, compliant with the NCC and ASI926 Parts 1 and 2

**Storey** means a space within a building which is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but not—

- (a) a space that contains only—
  - i. a lift shaft, stairway or meter room; or
  - ii. a bathroom, shower room, laundry, water closet, or other sanitary compartment; or
  - iii. accommodation intended for not more than 3 vehicles; or
  - iv. a combination of the above; or
- (b) a mezzanine

**Telecommunications Facility** (as defined in the Telecommunications Act 1997 (Commonwealth)) means:

- (a) any part of the infrastructure of a telecommunications network; or
- (b) any line, equipment, apparatus, tower, mast, antenna, tunnel, duct, hole, pit, pole or other structure or thing used, or for use, in or in connection with a telecommunications network.

**Temporary structure** includes –

- (a) a booth, tent or other temporary enclosure, whether or not part of the booth, tent or temporary enclosure is permanent; and
- (b) a temporary seating structure; and
- (c) a structure prescribed for the purposes of this definition;

**Work** includes building work, plumbing work or demolition work.



## **Explanatory Appendix - Extract from the Building Code of Australia (Vol. One of the NCC series)**

### **PART A3 - CLASSIFICATION OF BUILDINGS AND STRUCTURES**

#### **A3.1 Principles of classification**

The classification of a building or part of a building is determined by the purpose for which it is designed, constructed or adapted to be used.

#### **A3.2 Classifications**

Buildings are classified as follows:

Class 1: one or more buildings which in association constitute—

- (a) Class 1a — a single dwelling being—
  - (i) a detached house; or
  - (ii) one of a group of two or more attached dwellings, each being a building, separated by a fire-resisting wall, including a row house, terrace house, town house or villa unit; or
- (b) Class 1b —
  - (i) a boarding house, guest house, hostel or the like—
    - A. with a total area of all floors not exceeding 300 m<sup>2</sup> measured over the enclosing walls of the Class 1b; and
    - B. in which not more than 12 persons would ordinarily be resident; or
  - (ii) 4 or more single dwellings located on one allotment and used for short-term holiday accommodation,

which are not located above or below another dwelling or another Class of building other than a private garage.

Class 2: a building containing 2 or more sole-occupancy units each being a separate dwelling.

Class 3: a residential building, other than a building of Class 1 or 2, which is a common place of long term or transient living for a number of unrelated persons, including—

- (a) a boarding house, guest house, hostel, lodging house or backpackers accommodation; or
- (b) a residential part of a hotel or motel; or
- (c) a residential part of a school; or
- (d) accommodation for the aged, children or people with disabilities; or
- (e) a residential part of a health-care building which accommodates members of staff; or
- (f) a residential part of a detention centre.

Class 4: a dwelling in a building that is Class 5, 6, 7, 8 or 9 if it is the only dwelling in the building.

Class 5: an office building used for professional or commercial purposes, excluding buildings of Class 6, 7, 8 or 9.

Class 6: a shop or other building for the sale of goods by retail or the supply of services direct to the public, including—

- (a) an eating room, cafe, restaurant, milk or soft-drink bar; or
- (b) a dining room, bar area that is not an assembly building, shop or kiosk part of a hotel or motel; or
- (c) a hairdresser's or barber's shop, public laundry, or undertaker's establishment; or
- (d) market or sale room, showroom, or service station.

Class 7: a building which is—

- (a) Class 7a — a carpark; or
- (b) Class 7b — for storage, or display of goods or produce for sale by wholesale.

Class 8: a laboratory, or a building in which a handicraft or process for the production, assembling, altering, repairing, packing, finishing, or cleaning of goods or produce is carried on for trade, sale, or gain.

Class 9: a building of a public nature—

- (a) Class 9a — a health-care building, including those parts of the building set aside as a laboratory; or
- (b) Class 9b — an assembly building, including a trade workshop, laboratory or the like in a primary or secondary school, but excluding any other parts of the building that are of another Class; or
- (c) Class 9c — an aged care building.

Class 10: a non-habitable building or structure—

- (a) Class 10a — a non-habitable building being a private garage, carport, shed, or the like; or
- (b) Class 10b — a structure being a fence, mast, antenna, retaining or free-standing wall, swimming pool, or the like; or
- (c) Class 10c — a private bushfire shelter.

### **A3.3 Multiple classification**

Each part of a building must be classified separately, and—

- (a)
  - (i) where parts have different purposes — if not more than 10% of the floor area of a storey, being the minor use, is used for a purpose which is a different classification, the classification applying to the major use may apply to the whole storey; and
  - (ii) the provisions of (i) do not apply when the minor use is a laboratory or Class 2, 3 or 4 part; and
- (b) a plant room, machinery room, lift motor room, boiler room or the like must have the same classification as the part of the building in which it is situated; and

- (c) if a building has parts of different classification, each part must comply with all the relevant provisions for its classification.

**A3.4 Parts with more than one classification**

- (a) Notwithstanding A3.3, a building or part of a building may have more than one classification applying to the whole building or to the whole of that part of the building.
- (b) If a building or part of a building has more than one classification applying to the whole building or part in accordance with (a), that building or part must comply with all the relevant provisions of the BCA for each classification.