

# Fact Sheet

January 2017

DOC/17/2805 Version: 1.0

## Low Risk Building Work by an Owner or Competent Person

The new *Building Act 2016* provides a faster and cheaper way to build certain simple structures as “Low Risk Work” as no formal building approval is required from either the council or from a building surveyor.

The following checklist can be useful for owners to avoid problems. Depending on the area and type of work planned there may also be other questions, research or design work needed.

Importantly owners need to understand the provisions of the [Director’s Determination](#) of categories of building or demolition work and review the limits and conditions imposed on Low Risk Work, such as proposed size, location or type of erection, to ensure that what they want to build will fit within the permitted scope. If you don’t know, look it up and if you then have any questions ask a building professional or email your question to [CBOSinfo@justice.tas.gov.au](mailto:CBOSinfo@justice.tas.gov.au).

If you know nothing of building, then even of an apparently simple structure such as a shed may become a daunting undertaking. In that case don’t try to do it yourself. Hire a licensed builder as they will know what to do and who to ask, allowing you to avoid costly mistakes.

Matter the owner is to check	Possible problem avoided	Information obtained from:
Is the proposed work categorised as <i>Low Risk Work by an owner</i> ?	Choosing the wrong category may mean work performed is “illegal” and has to go through a process of being made legal	<a href="#">Director’s Determination</a> of Categories of building or demolition work
Is planning approval required for that work?	Planning (development) approvals are separate from any building approvals  Some areas have strict planning requirements reflecting heritage, residential or other land use decisions	Local council’s planning department
Is the land/ premises in a Hazardous Area?	Hazardous Areas include land subject to bushfires, flooding, landslip or coastal erosion. Special building requirements apply in these areas	<ul style="list-style-type: none"> <li>Local council;</li> <li><a href="#">The List</a> (has online maps of certain Hazardous Areas)</li> </ul>

<b>Matter the owner is to check</b>	<b>Possible problem avoided</b>	<b>Information obtained from:</b>
Is the proposed work within boundary setback limits?	Exceeding these limits means the work is not Low Risk	Owner to measure
Is the proposed work within cut and fill limits?	Exceeding these limits means the work is not Low Risk	Owner to calculate
Not constructed over, or within 2m of TasWater pipes or services easements	Work over or near TasWater infrastructure can damage it or prevent its maintenance.  Damage caused during building work can be very expensive to rectify.	<a href="#">The List</a> or contact <a href="#">TasWater</a>
Not constructed over utilities, pipes or services on the owner's land, such as: <ul style="list-style-type: none"> <li>• Stormwater drains</li> <li>• Sewer drains</li> <li>• Reticulated gas lines</li> <li>• Electrical cabling</li> </ul>	Work over or near services infrastructure can damage them, cause a hazard or prevent its maintenance.  Damage caused during building work can be very expensive to rectify.	<ul style="list-style-type: none"> <li>• Dial before you dig (<a href="https://www.1100.com.au/#">https://www.1100.com.au/#</a>)</li> <li>• Council (stormwater drains)</li> <li>• Utility provider/ owner</li> <li>• iPlan (<a href="http://www.iplan.tas.gov.au">www.iplan.tas.gov.au</a>)</li> <li>• The List (<a href="http://www.thelist.tas.gov.au">www.thelist.tas.gov.au</a>)</li> </ul>
Roof plumbing water can be disposed of and not cause problems	Unregulated disposal of stormwater, especially on small allotments in urban areas can cause damage to buildings and create a nuisance to other owners	Council can advise if a connection to stormwater drain should be installed
In an unsewered area, not building over an on-site wastewater treatment system or the land used for the disposal of treated wastewater	Damage during building work to a plumbing installation or system installed for the treatment of wastewater on the owner's site, can be a costly mistake.  Soil in areas used for dispersal of treated water will eventually clog up, so sufficient land for an alternative area should be set aside for the future and not built over.	Owner to ascertain the location of treatment tank (septic tank, aerated system tank) and the land application area used to dispose of water.  Council may hold as constructed plans of plumbing work

<b>Matter the owner is to check</b>	<b>Possible problem avoided</b>	<b>Information obtained from:</b>
Is the Building and Construction Industry Training Levy payable?	<p>There is a legal requirement that owners pay a Training Levy (funding for training of persons in the building industry)</p> <p>The Levy is payable before you commence work when the value of work is estimated at \$20,000 or more.</p>	<p>Owner to estimate cost of their works including labour and materials</p> <p>Payable at the council office or direct to the <a href="#">Tasmanian Building and Construction Industry Trading Board</a> before work starts.</p>
Is the Building Administration Fee payable?	<p>There is a legal requirement that owners pay an Administration Fee for (funding for Government regulation of the building industry)</p> <p>The Fee is payable when the value of work is estimated at \$20,000 or more.</p>	<p>Owner to estimate cost of their works including labour and materials</p> <p>Payable at the council office; use <a href="#">Approved Form 80</a> for notification that the Fee is payable.</p>
Does the Low Risk Work require <i>post construction notification</i> to the council?	<p>Council is to be informed after certain Low Risk work is performed, so they have records of the work at the premises.</p> <p>The types which council need to know about are:</p> <ul style="list-style-type: none"> <li>• Residential porch up to 9m<sup>2</sup></li> <li>• Shed or carport over 18m<sup>2</sup> and up to 36m<sup>2</sup></li> <li>• Large farm sheds up to 72m<sup>2</sup></li> <li>• Decks not part of a building, viewing platforms, road or pedestrian bridges, boardwalks, etc</li> <li>• Swimming pools (permanent)</li> <li>• Windmills or wind turbines</li> <li>• Signs up to 2.2m<sup>2</sup>, free-standing or attached to building</li> </ul>	<p><a href="#">Director's Determination</a> of Categories of building or demolition work</p> <p>Use <a href="#">Approved Form 80</a> to provide the Notification</p>

## Low Risk Work by owner or competent person

### Approvals aspects

Is a building permit required?	No.
Is a Certification by a building surveyor required?	No.
Is a plumbing approval required?	Depends on whether the water from roofed areas can be disposed of on-site. If plumbing work is required it must be done by a licensed plumber.

### Licensing Aspects

Who can do the building work?	Can be carried or managed by either: <ul style="list-style-type: none"> <li>• the land owner; or</li> <li>• a competent person contracted by the owner; or</li> <li>• a licensed builder contracted by the owner</li> </ul>
Who can do the design work?	Can be carried or managed by either <ul style="list-style-type: none"> <li>• the land owner; or</li> <li>• a competent person contracted by the owner; or</li> <li>• a licensed designer (including an engineer) contracted by the owner; or</li> <li>• may be supplied with design drawings (e.g. a prefabricated shed)</li> </ul>
Who can do any required plumbing work associated with that building work?	A licensed plumber only
Who can do any required electrical work associated with that building work?	A licensed electrician only

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