

## List of amendments of the Director’s Determination – Categories of building or demolition work (V.1.2) Feb 2017

**Amendments 1 July 2017 to apply from 1 August 2017**

### General Matters

<b>New Clause No.</b>	<b>Issue</b>	<b>Proposed Determination change</b>
All	Clause numbering	Numbering revised where necessary due to other changes
Explanatory notes	Separate mandatory details and advisory clauses	Explanatory notes now moved to the end of the Determination
New Explanatory notes	New Checklist	Checklist created as general guidance on what is needed to check and establish before this Determination can be used
Definitions	To conform to NCC/ BA 2016	Wording reviewed and made consistent with NCC/ Act (but also some variations such as for “Farm sheds” etc.) Explanatory information moved to the back of the Determination
Standard Limitations (SL) apply where noted: (see full terms of limitations at Explanatory notes)	Various (where applicable to the work)	<ul style="list-style-type: none"> <li>• Cut or fill limits</li> <li>• Protection Work</li> <li>• Fire separation of structures (with extracts from the NCC clauses to be provided on CBOS website)</li> <li>• Removal and handling of asbestos or other hazardous materials</li> <li>• Stormwater management</li> <li>• Work in Bushfire-Prone Areas</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>

### Category I - Low Risk Building/ demolition work by owner, competent person or licensed builder

<b>Cat I Low Risk Work</b>	General words	Addition of a sentence that unless specified in Notifiable Work, works larger than LR are then considered as Notifiable Work
1.0.1	Repairs	Apply to any class of building and not just I or IO
(old 1.0.2)	Repairs	Clause deleted as it is covered by 1.0.1
1.1.1	Awning/ shade	Remove requirement that structure is be open on at

New Clause No.	Issue	Proposed Determination change
	structures	least 3 sides By a home owner etc. up to 18m <sup>2</sup> (e.g. could be timber framed and covered by laserlite. (refer also to new clause 2.2.2 for larger size)
I.1.2	Skylights	<ul style="list-style-type: none"> <li>• Add limitation about a fire source feature (Setback from boundary wall)</li> <li>• Add Notation regarding bushfire requirements</li> <li>• Flashings may be required to installed by plumber</li> </ul>
I.1.5	Roller doors	Notation regarding in a Bushfire Prone area
I.1.8	Heater Flue	Flashings may be required by a licensed plumber
I.1.14 & 15	Photo-voltaic panels	The installation of either; <ul style="list-style-type: none"> <li>• a proprietary product in accordance with the manufacturer's instructions; or</li> <li>• a pre-engineered solution</li> </ul>
I.1.15	Photo-voltaic panels on ground	New maximum size of 38m <sup>2</sup> inserted
New I.2.0	Caravan annexes New heading added <i>Minor habitable structures associated with a caravan</i>	<ul style="list-style-type: none"> <li>• Caravan annexe as habitable structure (permanent rigid structures)</li> <li>• May be enclosed four sides and roofed</li> <li>• Non-prefab 18m<sup>2</sup></li> <li>• Prefabricated 36m<sup>2</sup></li> <li>• Not just in a caravan park – includes private land</li> </ul>
I.3.1	Sheds/ garage etc.	<ul style="list-style-type: none"> <li>• Words “masonry/ timber” deleted</li> <li>• Max ridge and wall heights inserted</li> <li>• Standard limitations inserted</li> </ul>
I.3.2	Sheds/ garage etc.	<ul style="list-style-type: none"> <li>• Pre-engineered type</li> <li>• Max ridge and wall heights inserted</li> <li>• Standard limitations inserted</li> </ul>
I.3.3 (new)	Shipping containers	<ul style="list-style-type: none"> <li>• New Clause inserted for these containers</li> <li>• Non-habitable and a sub clause of class I0)</li> <li>• One container high (not stacked)</li> <li>• Not elevated</li> <li>• On a base/ pad so can be tied down</li> <li>• Other standard limitations inserted</li> </ul>
I.3.4	Roofed animal shelter	Height of wall max 3.0m Height of ridge max 4.5m
I.3.5	Deck height measurement	Clarify height – if less than 1m – and no barrier required
I.3.6, I.3.7	Fences	No “setback” of 900mm required for a boundary (see the new Standard limitation on fire separation consistent with NCC)

<b>New Clause No.</b>	<b>Issue</b>	<b>Proposed Determination change</b>
I.3.11	Pool (relocatable)	The required Pool Barrier itself is Notifiable work
I.3.12	Spa pool	Surface area of water of 5m <sup>2</sup> replaces “footprint” The required barrier itself is Notifiable work A pool cover is not a compliant Swimming Pool Access Barrier (see the definition on page 6)
I.3.14	Water Tanks	Just described as water tanks (water for whatever use, drinking or bushfire supply)
I.3.15	Retaining wall	Work by owner: <ul style="list-style-type: none"> <li>• Height of wall clarified 1.2m maximum</li> <li>• “Surcharge” reference deleted</li> </ul>
I.3.17	Cubby House	Max height specified, same as a shed (4.5m)
I.3.21	Conservatory etc.	Non Prefabricated only 18m <sup>2</sup>
I.3.20 (New)	Conservatory etc.	Prefab only – 36m <sup>2</sup> (clause 2.3.6 moved to here)
I.4.1 (old)	Silo	Clause deleted as silos are covered in clause 1.3.14
I.4.2	Farm sheds (pre-engineered)	<ul style="list-style-type: none"> <li>• As defined in determination– no need for the examples</li> <li>• Size for owner now <i>less than</i> 200m<sup>2</sup></li> <li>• Max wall height 3.6m</li> <li>• Max ridge height 4.5m</li> <li>• Max span 9m</li> <li>• Larger than that – Notifiable work</li> <li>• Standard Limitations include stormwater disposal etc.</li> <li>• Owner is required to obtain the engineered plans of the prefabricated structure</li> </ul>
I.4.3	Crop protection structures	Combined clause includes all types of protection including tunnels and retractable roof systems (Former Clause 1.3.4 (grow tunnel) deleted)
I.6.1	Platform/ deck/ boardwalk	Height less than 1m = no barrier required Fire separation standard clause inserted
I.6.2, 163	Private bridges	Separation of pedestrian and vehicular bridges A “larger” vehicular bridge is to be permit work. Guidance inserted on maximum span length and capacity (vehicle mass) consistent with fire services vehicles (in the BFP Areas Determination; A vehicular bridge must be engineer designed

<b>New Clause No.</b>	<b>Issue</b>	<b>Proposed Determination change</b>
1.7.1	Demolition – Low Risk work	Max size of 36m <sup>2</sup> removed. Now unlimited if that structure could be erected as Low Risk Building Work
1.7.3 (new)	Removal of temporary prefabricated buildings	Removal of temporary prefabricated buildings (used for whatever Class), erected or placed on site as building work, that are neither a site shed nor had a temporary
1.8.2	Temporary site sheds etc.	Requirements are as prescribed in the Building Regulations

### **Category 2 Low Risk Building/ demolition work by licensed builder/ demolisher**

<b>Cat 2</b>	General words	Types of Low Risk structures of sizes greater than permitted for that Category are to be considered as Notifiable Work
2.0.1	Repairs (any Class)	Applies to any class type of building, and is more extensive changes than “like for like”
2.1.0	Alterations Class I	Delete “detached” to include any Class I as defined in NCC
2.1.1	Alterations of interior non load bearing walls Class I	Additional explanatory notes to describe scope \Clarify that clause not applicable where the wall is a required fire-proof wall between buildings or parts
2.1.2, 2.1.3, 2.1.4	Openings in non-load bearing walls etc.	All these clauses have been combined into 2.1.1
2.1.5	Porch – fire separation	Standard limitations apply including fire separation
2.2.2 (New)	Awning	<ul style="list-style-type: none"> <li>• Engineer designed system up to 36m<sup>2</sup> etc. (regardless of roof material, comprising installation of an engineer designed system.</li> <li>• Awning (defined): <ul style="list-style-type: none"> <li>○ Includes a permanent roofed structure of impermeable or rigid roofing material to provide shelter from rain or sun over a deck, patio, doorway etc. and open on at least one side.</li> <li>○ An awning can be freestanding or attached to another structure.</li> </ul> </li> </ul>
2.3.1 and 2.3.2	Shed etc.	<ul style="list-style-type: none"> <li>• Max wall height 3.6m</li> <li>• Max ridge height 4.5m</li> <li>• Max span 9m</li> </ul>

<b>New Clause No.</b>	<b>Issue</b>	<b>Proposed Determination change</b>
		<ul style="list-style-type: none"> <li>• Owner of prefabricated shed has to purchase the engineered plans</li> </ul>
2.3.3	Retaining wall	<ul style="list-style-type: none"> <li>• Max height of 1.8m if constructed by a licensed builder and designed by a licensed engineer</li> <li>• No effect on utility services</li> <li>• Filling or excavation must not adversely affect sewer, stormwater or water utility infrastructure</li> <li>• Protection from spread of fire between structures must be considered</li> </ul>
2.3.4	Pool	Barrier is Notifiable work project on its own Pool itself is Low Risk work by a builder
2.3.5	Wind Turbine (domestic)	Designed by an engineer
2.3.6	Free standing garden structures,	Max size 36m <sup>2</sup> by a licensed builder Details to be provided to Council after completion (Form 80)
2.4.1 and 2.4.2 (new)	Sheds associated with commercial premises	New Clauses inserted as LR Work by an owner <ul style="list-style-type: none"> <li>• Max wall height 3.6</li> <li>• Max ridge height 3m</li> <li>• Engineer's design documentation documents are to be purchased and referred to during construction</li> <li>• Standard limitations inserted</li> </ul>
2.4.5	Wind turbine	<ul style="list-style-type: none"> <li>• Commercial and small scale (not large scale)</li> <li>• Engineer designed</li> <li>• Same requirements as clause 2.3.5</li> </ul>
2.4.8	Telecom towers less than 6m high	New clause inserted
2.5.0	Heading – minor repairs to commercial buildings	Include Classes 2-8, But not class 9 buildings
2.5.2	Internal shop fit-out Minor alterations of commercial buildings	<ul style="list-style-type: none"> <li>• Scope clarified as internal shop fit-out, minor alterations, and non-structural.</li> <li>• Now requires an assessment and a statement by a building surveyor before proceeding</li> <li>• To be notified to council after completion</li> </ul>
2.5.3	Access to premises ramp	<ul style="list-style-type: none"> <li>• Performed by a competent person</li> <li>• Subject to an assessment by a building surveyor.</li> <li>• To be notified to council after completion</li> </ul>
2.6.1	Signs	<ul style="list-style-type: none"> <li>• Clarify heights – measured from top of sign, not face</li> <li>• Signs over paths/ ways need an assessment by a building surveyor before proceeding</li> </ul>

<b>New Clause No.</b>	<b>Issue</b>	<b>Proposed Determination change</b>
2.7.2	Demolish farm shed	Farm Shed added to that clause
New 2.8.0	Building surveyor discretion	Building surveyor has discretion on decision of doing a risk analysis of work “marking it down” to a low risk category where most work does fit within that low risk category.

### **Category 3 - Notifiable Building Work**

<b>CAT 3.0.0</b>	Notifiable Class 1a work	Additional sub-clauses to specifically cover: <ul style="list-style-type: none"> <li>• New house or Alterations 3.0.1</li> <li>• Photo-voltaic solar panels 3.0.2</li> <li>• Repair class 1 or 10 – clause 3.0.3</li> <li>• Underpinning 3.0.4 (May require a soil test)</li> </ul>
3.0.0	Heading amended	Heading amended to clarify that Part 3.0.0 applies generally to “residential buildings” Class 1 and associated Class 10
3.0.1	New residence/ alteration or addition	Clarification that <ul style="list-style-type: none"> <li>• Clause 3.0.1 applies to Class 1 and not to any associated Class 10; and</li> <li>• the criteria of meeting this clauses is now either; <ul style="list-style-type: none"> <li>○ complying with PD 4.1 or</li> <li>○ premises 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> </li> </ul>
3.0.2	Solar arrays on ground	Designed by an engineer
3.1.0	General words for heading	Standard Limitations apply to Class 10 where noted
3.1.8	Pedestrian bridge	Pedestrian bridge remains as Notifiable Work Vehicular bridge (larger than provided for in clause 1.6.3) becomes building permit work
3.1.10 (New)	Swimming Pool barrier	Unlimited pool size. Barrier is by a licensed builder
(old 3.2.3)	Removal of plinth wall, playground equipment etc.	This clause was deleted as it duplicated another clause

<b>New Clause No.</b>	<b>Issue</b>	<b>Proposed Determination change</b>
3.2.1	Demolition Class 1 or 10	Correction that it must be located <b>more</b> than the distance from another building, or an adjoining property boundary, that is equal to the height of the structure being demolished
3.3.0	Heading - Classes	Commercial buildings now include Class 2 buildings
3.4.0	Heading – Classes	Covers Classes 10 and Farm Sheds (as defined) larger than Low Risk sizes
(old 3.5.2)	Private Bridge	This clause was deleted as work is covered by either clause 1.6.3, or if larger it is then permit work
3.6.3 (new)	Photo-voltaic array	Commercial scale installation

### **Category 4 - Permit Building Work**

<b>Cat 4</b>	Performance Solutions	Building Surveyor is to exercise discretion/ professional judgment for these design solutions
Standard Limitations		Details of mandatory limits that are applicable to preceding clauses where noted
Explanatory information	List of Low Risk Building work to be reported to the Permit Authority	Brief explanation provided of what this reporting is for; <i>Clauses added:</i> <ul style="list-style-type: none"> <li>• Awnings</li> <li>• Wind turbines</li> <li>• Internal shot fit out</li> <li>• Access ramp</li> <li>• Telecommunications tower under 6m</li> <li>• Viewing platform</li> <li>• Other work assessed by a building surveyor as Low Risk Work</li> </ul>
Definition	retaining wall “surcharge”	Definition deleted as it now no longer used.
New Definitions	Various including:	<ul style="list-style-type: none"> <li>• Boundary</li> <li>• Engineer designed</li> <li>• Essential Building Services</li> <li>• Load bearing</li> <li>• Nuisance</li> <li>• Pre-engineered</li> <li>• Wall height (e.g. for retaining wall)</li> </ul>