



Variations and amendments to building work

This Industry Bulletin is intended to assist builders, owners, building surveyors and permit authorities to deal with variations to building permits granted under the *Building Act 2011* (the Building Act).

Minor variations or amendments to a building or building work, that do not alter the building in any significant way and are not otherwise contrary to any statutory provisions such as planning, building, health, and heritage, may be exempt from requiring a building permit under the Building Act.

The *Building Regulations 2012* (Schedule 4 Clause 2 Items 1 to 12) outlines building work that does not require a building permit. In particular Item 2 states that any renovation, alteration, improvement, repair or maintenance of a building or incidental structure may not require a building permit if it:

- does not involve a change of use or change of classification of the building; and
- will not adversely affect the structural soundness of the building or incidental structure and does not include —
 - an increase or decrease in the floor area or height of the building or incidental structure; or
 - underpinning or replacement of footings; or
 - the removal or alteration of any element of the building or incidental structure that is contributing to the support of any other element of the building or incidental structure; and
- is done using materials commonly used for the same purpose as the material being replaced; and
- will not adversely affect the safety and health of the occupants or other users of the building or incidental structure or of the public; and
- will not affect whether the building or incidental structure complies with each building standard that applies to the building or incidental structure; and
- is not work of a kind to which section 76, 77, 78 or 79 relates; and
- is not subject to an order, agreement or permit under the *Heritage of Western Australia Act 1990*.

To allow work to meet contractual time provisions all changes should be recorded.

Owners, builders and certifiers should liaise with permit authorities to ascertain what level of detail is required for its records. Permit authorities should be provided sufficient detail that reflects the variations and amendments.

Where the variation requires a building permit then an application should be made as soon as practicable and prior to the builder submitting a notice of completion under section 33 of the Building Act.

The Building Act requires that building work complies with building standards and also that permit authorities have powers to prosecute where a contravention of the Building Act occurs.

4 May 2012