

PERMIT REQUIREMENTS FOR REBUILDING & REPAIRING AFTER A HIGH WIND EVENT AND FLOOD

Brisbane
City Council

To assist you during the difficult re-building phase, guidelines have been established which may assist you in obtaining necessary development permits for re-building your home.

These guidelines are intended to provide some simple solutions and give you an understanding of the requirements of the *Building Act 1975 and Building Regulation 2006*.

If you have any questions about the process, you should consult your building certifier.

These guidelines also include some fire safety, plumbing and planning requirements from a number of local authorities and some local re-building laws applicable to individual councils.

FEBRUARY 2013

Permit Requirements for Rebuilding & Repairing after a Flood - Brisbane City Council area

| Scenario | Permit required | Type of permit | Requirements | Comments |
|--|--|----------------|--|---|
| BUILDING | | | | |
| Building required to be totally demolished and rebuilt | Yes | BA | Building work to comply with current standards | New building work will be required to comply with all current standards and any other approvals for your local government area such as town planning or built-over-sewer approvals. |
| Part or total replacement of internal linings (no structural damage) | No | Not applicable | Internal linings to be fitted to current manufacturer's requirements | Replacement of internal linings is not considered structural work and therefore does not need an approval. However, you may need approval if the internal lining is contributing to the structural bracing and tie down or if the lining is impacting on wet areas such as laundry and toilet. |
| Minor repairs to structural elements eg. framing less than 20% of elements | No | Not applicable | Repairs can comply with existing standards | If less than 20% of structural framing members need to be repaired, the work can be considered minor. To establish the percentage of structural framing requiring repair you should contact your builder or certifier. They will also be able to recommend which building standards the repairs should comply with. |
| Minor repairs to non- structural external cladding and internal walls | No | Not applicable | Repairs can comply with existing building standards or published tie-down guidelines | If less than 20% of non-structural framing members need to be repaired, the work can be considered minor. To establish the percentage of framing requiring repair you should contact your builder or certifier. They will also be able to recommend which building standards the repairs should comply with. |
| Substantial repairs to structural and non-structural framing members | Yes | BA | Repairs can comply with current standards or to building certifiers conditions | For substantial repairs greater than 20% to structural and non-structural framing members, it is recommended current standards are applied where possible. You should seek advice from your builder, building certifier or even an engineer if the repair work is extensive. |
| Retaining walls (rebuild) | Yes, if over 1m in height or within 1.5m of another structure or building or where surcharge loading is present. | BA | Refer building certifier | Building approval will be required if: <ul style="list-style-type: none"> over 1m in height or less than 1m in height and supporting a surcharge loading – for example other structures near the wall that may affect the stability of the soil. Engineering design may be required. |

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| Retaining walls (repair) | No, if loss of structural integrity | Not applicable | Refer to building certifier | Wall can be rebuilt to standards when wall originally constructed. It is recommended advice be sought from your building certifier or registered structural engineer |
| Fire rated walls and ceilings | Yes | BA | Refer to building certifier | Any repairs to fire rated walls or ceilings will need to be assessed and approved under a building development approval with all work complying with current standards. |
| Substantial repairs to damaged pool fencing. | Yes | BA | All pool fencing to comply with current standards | If substantial repair work is required to the pool fence, the provisions of the <i>Building Act 1975</i> require it to be replaced with a new one that complies with current standards |
| Flooded swimming pool | No | Not applicable | Pool is full of debris | Do not empty pool until ground surrounding the pool has dried out otherwise this may cause the pool structure to rise out of the ground |
| Minor repairs to damaged pool fencing | No | Not applicable | All repairs to comply with current safety standards | Formal approval is not required if: <ul style="list-style-type: none"> a. the part of pool fencing being repaired or replaced is no longer than a total of 2.4m and includes no more than 2 posts; or b. if a pool safety inspector issues a pool safety certificate for the minor repairs and the part repaired is no longer than 5m and includes no more than 6 posts. |

PLUMBING

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| Plumbing (rebuild) Plumbing (repair) | Yes | Contact council | Refer to council – repair work may be undertaken as ‘emergency work’ under the Notifiable Minor Work | Either a Form 1 (Application for compliance assessment) is lodged with Council prior to commencement of the works, or a Form 4 (Notifiable Minor Work) is lodged with council within 40 business days after completing the replacement. |
| Stormwater drainage | No | Not applicable | Refer to building certifier | If stormwater drainage is repair only then discharge to existing is permitted. Complete rebuild may require compliance with current standards. |
| Hot water system requires replacement | Yes | Contact plumber | Refer to council – repair work, and solar and heat pump hot water system replacement may be undertaken as ‘emergency work’ under the Notifiable Minor Work | Plumber should be contacted to make arrangements. Either a plumbing approval from council is required (Form 1) or the plumber lodges a Form 4 (Notifiable Minor Work) within 40 business days after completing the replacement. |
| Hot water system requires repair | May be required | Contact plumber | Notifiable Minor Work may require permit | Plumber should be contacted and will make notification to council (Form 4) |

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| Toilet system malfunctioning | May require | Contact plumber | Notifiable – minor work refer to plumber | If sewage is malfunctioning plumber should be contacted. Plumber will advise you as to whether it is a homeowner responsibility or a council issue |
| Trade waste system malfunctioning | May require | Contact council | Council will give priority | Contact local council |
| PLANNING | | | | |
| <i>REPAIRS ONLY</i> | | | | |
| Internal repairs | No | – | E.g. wall & ceiling linings, cabinetry, floors, carpets – also see Building Scenario | |
| External repairs with same materials | No | – | See building scenario | |
| External Repairs with different materials and fittings | Maybe | DA | E.g. windows - Call contact centre, Brisbane City Council | |
| Rebuild in whole or part to lawful pre-flood condition | Maybe | DA | Call contact centre, Brisbane City Council | |
| <i>REBUILD DIFFERENTLY</i> | | | | |
| Rebuild with new design, changed location, alternate materials, altered height or addition | Likely | DA | Call contact centre, Brisbane City Council | |
| Raising an existing house higher | Maybe | DA | Call contact centre, Brisbane City Council | |
| Minor work | Maybe | DA | Call contact centre, Brisbane City Council | |
| Other works | Yes | DA | Call contact centre, Brisbane City Council | |
| Any demolition (including removal or replacement of any part of the building) | Yes | DA | Call contact centre, Brisbane City Council | |
| Pre 1946 buildings in DCP | Yes | DA | Unless minor demolition works - Call contact centre, Brisbane City Council | |
| Heritage buildings | Yes | DA | Call contact centre, Brisbane City Council | |
| Pontoons | Yes | DA | Call contact centre, Brisbane City Council | |
| All other scenarios | | | Call contact centre, Brisbane City Council | |

Note:

1. House where non-compliant with the House Code (eg >8.5m, < flood level), in a DCP, or a small lot or in a non Residential Area.
2. DA means a permit for development assessable under Brisbane City Plan 2000 or SPA.
3. BA means a permit from a building certifier for building work assessable under the Building Act 1975
4. If a DA is required, then a BA is required.

Need more information?

Visit qbcc.qld.gov.au or call us on 139 333.



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