

Title:	Farm Shed Building Permit Exemption
Key Result Area:	Building Department
Document type:	Application
Reference:	

I/we the undersigned hereby apply for an exemption from building permit as permitted by Regulation 280 of the Building Regulations 2018 for the construction of a Class 10 building on farm land.

Note: This exemption is available for the replacement of Farm Buildings destroyed by Bushfire. A Planning Permit may be required even if building permit exemption is approved.

APPLICANT INFORMATION

Surname _____ Given name _____
 Mailing Address _____
 Phone _____ Mobile _____
 Email _____

PROPERTY INFORMATION

Owner Surname: _____ Given name: _____
 Property Address: _____
 Phone _____ Mobile _____
 Lot No: _____ [] Lodged Plan
 _____ [] Title Plan No: _____
 _____ [] Plan of Subdivision
 Crown Allotment No: _____
 Section No: _____
 Parish / Township Name: _____
 Describe the current agricultural use of the property: _____

DESCRIPTION OF EXEMPT BUILDING

Floor Area: _____ Height: _____
Building being used for: _____

FLOOR PLAN AND SITE PLAN

- Floor plan submitted _____
- Site plan submitted. Proposed structure, distances to all existing structures and property boundary shown _____

COMPLIANCE WITH STRUCTURAL CODE REQUIREMENTS

The proposed structure must comply with the Building Code of Australia.

Please specify how this will be done.

- Plans will be prepared by a licensed architect or registered building practitioner
- Other (please specify):

Rules for agricultural building exemptions

Regulation 280 in the Victorian Building Regulations 2018 allows the relevant Council to exempt a class 10 building that is to be constructed on farm land and that is used for farming purposes from all or any of the requirements of the Regulations. This may include certain agricultural buildings from the necessity of having a building permit. In order to qualify for the exemption, a proposed agricultural building must meet the definition of a Class 10 building as defined in the Building Code of Australia as well as the specific criteria set by Council.

Agricultural Building

Is a structure designed and constructed to house farm implements, hay, grain, livestock or other agricultural products that are used on the land where the building is constructed. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated, or packaged: nor shall it be a place used by the public.

Regulation 280 of the Building Regulations exempts agricultural buildings (as defined above) from a building permit requirements if the property owner files the required exemption form with the Building Department, and if the following criteria are satisfied:

- ❖ The building site must be within the Farming Zone, Rural Living Zone or Rural Activity Zone
- ❖ The property must meet the definition of **farm land** as defined in the Valuation of Land Act 1960 in that:-
 - a. That it is not less than 2Ha in area and

- b. Is used primarily for grazing (including agistment), dairying, pig-farming, poultry-farming, fish-farming, tree-farming, bee-keeping, viticulture, horticulture, fruit-growing or the growing of crops of any kind or for any combination of those activities:- and
- c. That is used by a business –
 - i. That has a significant and substantial commercial purpose or character: and
 - ii That seeks to make a profit on a continuous and repetitive basis from it activities on the land
 - iii that is making a profit from its activities on the land, or that has a reasonable prospect of making a profit from its activities on the land if it continues to operate in the way that it is operating.

DECLARATION

In applying for this exemption, I certify the structure will not be used for any purpose other than those allowed for a Class 10 building as defined by Regulation 280. No portion of the building will be used for storing household equipment such as caravans, boats, cars / lawnmowers or the like, living or sleeping quarters, the sale of merchandise, mechanical repairs other than on the equipment permitted to be stored, agricultural processing, or any other use that is not directly related to the agricultural operations on the same property where the building is to be located. I also certify that all work will comply with the provisions of all applicable construction codes.

I have read and understand the above information on this form, and am aware of the enforcement provisions under the Building Act 1993. I agree to allow routine inspections (if requested) by Council Officers to assure continuing compliance with this exemption.

Property owner (s) signature: _____

Date: _____

Office use only:

Determination of your application for exemption is as follows:

Planning Department:

Property Number:

Zone:

Overlays:

Planning Permit Required: YES / NO

Signed: _____

Signed: _____ Date: _____

Title: _____

This building meets the criteria to be constructed without a building permit.

This Building does not meet the criteria to be constructed without a building permit.