

Building permit requirements for rainwater storage tanks and wind turbine towers and anemometers

The Victorian Building Authority (VBA) regularly receives queries as to whether the installation of rainwater storage tanks, wind turbine towers and anemometers require a building permit.

It is the VBA's view that rainwater storage tanks, wind turbine towers and anemometers, where they are self-supporting and stand-alone, are not classifiable structures under the Building Code of Australia, Volumes One or Two of the National Construction Code. The Building Regulations 2006 provide an exemption from the requirement to obtain a building permit for a building or structure that cannot be classified under the BCA. This means that a building permit is not required in the situations as noted above.

However if the rainwater storage tanks, wind turbine towers and anemometers are:

- contained within or on a proposed building, then the structural adequacy of the building would need to be considered under the application for a building permit for that building; or
- proposed to be supported by an existing building, a building permit would be required because the proposed building work would be an alteration to that building with potential structural adequacy implications.

It should also be noted that:

- like heating equipment, cooling equipment and domestic fuel tanks, rainwater storage tanks are allowable encroachments into certain setbacks under Part 4 of the Regulations subject to depth and/or height limitations;
- a planning permit is required for a wind energy facility (which includes wind turbine towers and associated facilities such as sub-stations etc) and may be required for the installation of a rainwater storage tank or anemometer;
- as is normally the case with construction sites, the Victorian Workcover Authority is the governing agency administering the safety legislation relating to construction practices at a wind energy facility; and
- it is the responsibility of the relevant building surveyor to classify a building (or determine that it is unclassifiable) for which they have received an application for a building permit.

For a definition of a wind energy facility, refer to clause 74, 'Land Use Terms' of the relevant planning scheme. For further information about building permit requirements please contact the Victorian Building Authority.

Victorian Building Authority
Goods Shed North
733 Bourke Street, Docklands VIC 3008