



Farms Shed and Building Exemptions

The purpose of these guidelines is to set out the process for individuals who wish to apply for an application for exemption to obtain a building permit for farm sheds and buildings.

For the purpose of this policy the following definitions apply:

Farming is defined by the Building Code of Australia to mean:

- (a) cultivating, propagating and harvesting plants or fungi or their products or parts, including seeds, spores, bulbs or the like, but does not include forestry; or
- (b) maintaining animals in any physical environment for the purposes of —
 - i. breeding them; or
 - ii. selling them; or
 - iii. acquiring and selling their bodily produce such as milk, wool, eggs or the like; or
 - iv. a combination of (a), and (b),

but does not include forestry or maintaining animals for sport or recreational purposes.

Farm vehicle is defined by the Building Code of Australia to mean:

A vehicle used in connection with **farming**.

Farm land means any rateable land —

- (a) that is not less than 2 hectares in area; and
- (b) that 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 or repetitive basis from its activities on the land; and
- 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.

Exemptions from the requirements to obtain a building permit for farm sheds are not 'as of right', and owners are required to apply for an exemption where the application will be considered on a case by case basis. The application will be assessed and the classification of the farm shed together with any conditions will be determined by the building surveyor.

An application for exemption for a Class 10 farm shed can be lodged via the 'Application for Exemption' form. You can access that form [here](#).

What information is required for an Application for Exemption?

A copy of title, and copy of plan / plan of subdivision (LP or PS), including any other relevant title instruments;

Title instruments includes any encumbrance, covenant, section 173 agreement, etc;

Titles and property certificates can be obtained from <https://www.landata.vic.gov.au/>

A signed & dated statement concerning:

- (a) The nature and intended use for the proposed building;
- (b) Whether or not the building is proposed to be used for:
 - i. The storage or display of goods or produce for sale by wholesale; and/or
 - ii. The production, assembling, altering, repairing, packing, finishing, or cleaning of goods or produce for sale;
- (c) The frequency with which the building is intended to be used, including duration of occupation;
- (d) The number of persons required to use the building at any one time, including employees (if applicable);

Note: This exemption only applies to a Class 10 **non-habitable** building;

A copy of the structural design prepared by a registered civil engineer;

A copy of the plan/s showing the elevations of the building;

A copy of the site plan/s (to scale) showing the following information as a minimum:

- (a) The boundaries and dimensions of the allotment and any relevant easements; and
- (b) The position and dimensions of the proposed building and its relationship to:

- i. The boundaries of the allotment;
- ii. Any existing building on the allotment;

Any relevant supporting information.

What is a Class 10 farm shed that may be exempt?

- (c) Any single storey Class 10 building that is to be constructed on **land primarily used for farming** that is:
 - i. Used in connection with **farming**; or
 - ii. Used primarily to store one or more **farm vehicles**; or
 - iii. A combination of (i) or (ii); and
- (d) occupied neither frequently nor for extended periods by people; and
- (e) in which the total numbers of persons accommodated at any time does not exceed two (2); and
- (f) with a total floor area of 500 square metres or less; and
- (g) separated from any other building or allotment boundary by a distance of not less than 6m.