

FORM 1
Regulation 24
Building Act 1993
Building Regulations 2018
APPLICATION FOR A BUILDING PERMIT

To Inform Building Permits
1/170 Forster Road, Mount Waverley VIC 3149
Steven Esler BSU23308 - Private Building Surveyor

From

*Owner/*Agent of Owner _____ *ACN/*ARBN _____
*Owner(s) [insert full name(s)] _____ *ACN/*ARBN _____
*Owner(s) [insert full name(s)] _____ *ACN/*ARBN _____
*Owner(s) [insert full name(s)] _____ *ACN/*ARBN _____
Postal Address _____ Postcode _____
Telephone _____ Mobile _____ Email _____
Contact Person _____ Telephone _____ Mobile _____
Email _____

Address for serving or giving documents – Owner

Postal Address _____ Postcode _____

Indicate if the applicant is a lessee or license of Crown land to which this application applies ☐ ☐

Contact Person _____ Telephone _____ Mobile _____

Lessee responsible for building work

Indicate if the lessee of the building, of which parts are leased by different persons, is responsible for the alterations to a part of the building leased by the lessee ☐ ☐

*** Ownership details** (if applicant is agent of owner)

*Owner(s) [insert full name(s)] _____ *ACN/*ARBN _____
*Owner(s) [insert full name(s)] _____ *ACN/*ARBN _____
*Owner(s) [insert full name(s)] _____ *ACN/*ARBN _____
*Owner(s) [insert full name(s)] _____ *ACN/*ARBN _____
Postal Address _____ Postcode _____
Telephone _____ Mobile _____ Email _____
Contact Person _____ Telephone _____ Mobile _____
Email _____

Property Details

Number _____ Lot/s _____ Street/Road _____ City/Suburb/Town _____ Postcode _____
LP/PS _____ Volume _____ Folio _____ Crown Allotment _____ Section _____
Parish _____ Country _____ Municipal District _____ Allotment Area (for new dwellings only) m² _____
Land owned by Crown or a public authority ☐ ☐

Builder

Name _____ *ACN/*ARBN _____
Contact Person _____ Telephone _____ Mobile _____
* Building practitioner registration no. _____
Postal Address _____ Postcode _____
Email _____

[If the builder is carrying out domestic building work under a major domestic building contract, attach an extract of the major domestic building contract showing the names of the parties to the contract in relation to the proposed building work and a copy of the certificate of insurance (if applicable).]

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*** Natural person for service of directions, notices and orders (if builder is a body corporate)**

Name _____
Postal Address _____ Postcode _____
Contact Person _____ Telephone _____ Mobile _____
Email _____

Building practitioner or architect engaged to prepare documents for this permit

[List any building practitioner or architect engaged to prepare documents forming part of the application for this permit.]

Name _____	Category/Class _____	Reg No. _____
Name _____	Category/Class _____	Reg No. _____
Name _____	Category/Class _____	Reg No. _____
Name _____	Category/Class _____	Reg No. _____
Name _____	Category/Class _____	Reg No. _____
Name _____	Category/Class _____	Reg No. _____
Name _____	Category/Class _____	Reg No. _____
Name _____	Category/Class _____	Reg No. _____
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Name _____	Category/Class _____	Reg No. _____
Name _____	Category/Class _____	Reg No. _____
Name _____	Category/Class _____	Reg No. _____
Name _____	Category/Class _____	Reg No. _____
Name _____	Category/Class _____	Reg No. _____
Name _____	Category/Class _____	Reg No. _____

Nature of building work

Construction of a new building	<input type="checkbox"/> ↑	Alterations to an existing building	<input type="checkbox"/> ↑
Demolition of a building	<input type="checkbox"/> ↑	Removal of a building	<input type="checkbox"/> ↑
Extension to an existing building	<input type="checkbox"/> ↑	Change of use of an existing building	<input type="checkbox"/> ↑
Re-erection of a building	<input type="checkbox"/> ↑	Construction of a swimming pool barrier	<input type="checkbox"/> ↑
Construction of a swimming pool	<input type="checkbox"/> ↑	Other [give description]	<input type="checkbox"/> ↑

Proposed use of building _____

Note

Under the **Building Act 1993 swimming pool** is defined to include a spa.

Social Housing

Does any of the building work include the construction of social housing as referred to in regulation 281B of the Building Regulations 2018? [Yes/No]

[Indicate Yes if the building work, which is the subject of this application, includes the construction of social housing or if any other building work, which is the subject of a related staged building permit, includes the construction of social housing.]

Emergency Recovery

Does any of the building work include the construction of a dwelling that was destroyed or damaged in an emergency referred to in regulation 166J(b) of the Building Regulations 2018? [Yes/No]

[Indicate Yes if the building work, which is the subject of this application, includes the construction or repair of a dwelling within the same municipal district as the destroyed or damaged residential dwelling.]

* Owner-builder

I intend to carry out the work as an owner-builder [Yes/No]

Owner builder certificate of consent No. (if applicable) _____

Cost of building work

Is there a contract for the building?

If yes, state the contract price \$ _____

If no, state the estimated cost the building work (including cost of labour and materials) and attach details of the method of estimation

\$ _____

Does the building work relate to more than one class of building, including a class of building referred to in section 205G(2A) of the **Building Act 1993** and a class 1, 9 or 10 building?

[Yes/No]

If yes, provide the cost of the building work that relates to the class or classes referred to in section 205G(2A) of the **Building Act 1993** and the cost of the building work that relates to a class 1, 9 or 10 building:

Cost of building work relating to a class 2, 3, 4, 5, 6, 7 or 8 building \$ _____

Cost of building work relating to a class 1, 9 or 10 building \$ _____

Stage of building work

If application is to permit a stage of the work –

Extent of Stage _____

Cost of work for this stage \$ _____

Cost of work for the whole of the building work \$ _____

Signature

Signature of applicant _____ Date _____

* Delete if inapplicable

† Tick if applicable

Building and Construction Industry Security of Payment Act 2002
Inform Building Permits appointment pursuant to section 78 of the Building Act 1993, Building Regulation 2018
TERMS AND CONDITIONS OF APPOINTMENT (BUILDING PERMIT APPLICATION)

1. DISBURSEMENTS

- (a) State Government building permit levy as nominated by Inform Building Permits must be paid before a building permit can be issued by the RBS pursuant to Section 201 of the Act.
- (b) Statutory fees incurred by the RBS over and above the sum nominated by Inform Building Permits relating to property information, council lodgements and the like will be charged at cost.

2. PAYMENT

The fee specified by Inform Building Permits is payable prior to consideration of the building permit application. Schedule 2 of the Act requires an application for a building permit to be accompanied by the fee determined by the council in accordance with the Local Government Act or as determined by the relevant private building surveyor. Inform Building Permits may consent to an alternate arrangement, however under the Building and Construction Industry Security of Payment Act 2002 fees payable must be paid within the specified terms indicated on the tax invoice issued by Inform Building Permits. Failure to pay fees within the terms may incur interest and debt recovery disbursements involved in recuperating outstanding fees. No refunds will be provided if an application is cancelled after the building permit is issued. Refer to fee proposal for refund policy for cancellations prior to the building permit being issued. Generally, 30% refunds will be provided on permit fees after the first assessment has been carried out plus council lodgement fee and government levies.

3. OWNER/AGENT AUTHORITY

The applicant warrants that they are the owner of the land at the project address referred to in this application, or the authorised agent of the owner. If required by the RBS the agent will produce written consent from the owner to allow them to act on their behalf.

4. NO DUAL APPOINTMENTS

It is an offence pursuant to Section 78 of the Act to appoint a person as a building surveyor if another building surveyor has already been appointed or otherwise authorised for the project. The applicant therefore warrants that no other building surveyor has been appointed (or has otherwise commenced duties) in relation to the project referred to in this agreement.

5. PLANNING PERMITS

Where a planning permit is required, it is the applicant's responsibility to provide the planning permit and approved drawings for review.

6. SCOPE OF ENGAGEMENT

The appointment of Inform Building Permits Pty Ltd as the relevant building surveyor under the Act is limited to the functions of a private building surveyor pursuant to Section 76 of the Act; which includes issuing of building permits, carrying out inspections of buildings, building work, issuing occupancy permits and temporary approvals under Part 4 and Part 5 of the Act.

7. ADDITIONAL SERVICES

Any additional services that are not included in the scope listed above or if inspections required exceed the nominated number of building inspections detailed in the fee proposal, additional fees will apply. Additional inspections will be charged at a rate of \$220 per inspection, and any additional services will be charged at a rate of \$275.00 Inc. GST per hour, which is required to be paid within fourteen (14) days of invoice.

8. APPLICANT TO NOTIFY RELEVANT BUILDING SURVEYOR OF OTHER BUILDING PRACTITIONERS

The applicant must give written notice to the RBS of each building practitioner engaged by the applicant for the building work referred to in this agreement, including details of any building practitioner certificate (Certificate of Compliance - Design) issued under Part 11 of the Act. Such notice must be given either upon the appointment of the RBS where the applicant has already engaged a building practitioner/s or within fourteen (14) days of the client engaging the building practitioner/s where the building practitioner/s is/are engaged after the appointment of the RBS.

9. TERMINATION OF APPOINTMENT

The appointment of the RBS may be terminated by the applicant only with the written consent of the Victorian Building Authority. On such termination the RBS is entitled to be paid all fees and disbursements incurred to the date of termination. If the building work nominated in this agreement is terminated before commencement or completion, the applicant must notify the Victorian Building Authority by written notice. When this written notice is issued the appointment of the RBS is deemed terminated. The applicant must therefore pay all fees and disbursements incurred to the date of termination and the RBS shall be entitled to deliver an account for the same. Furthermore, the applicant must not engage another building surveyor to complete the functions of the RBS specified in this agreement in respect of the building work without the written consent of the Victorian Building Authority or site transfer forms being signed by the relevant building surveyor.

10. THE BUILDING PERMIT & THE RBS

The building permit issued will be an assessment of the drawings for compliance with the Building Act and Regulations and not the serviceability, quality or functionality of the work approved by the permit. This appointment of an RBS is limited to ensuring the work carried out complies to the Act and Regulations that are applicable at this time. The RBS is responsible for the carrying out of inspections that will be listed on the Building Permit. The client is responsible to ensure that the RBS is given adequate notification for inspection and shall ensure that works do not continue beyond the notification stage until the inspection is approved.

11. NON-COMPLIANCES

A written direction to fix will automatically be issued if the works are identified on inspection as being non-compliant. If the works are then rectified and re-inspected within the specified time frame on the written direction to fix no additional fees will be charged apart for the re-inspection fee of \$220 Inc. GST. If the works are not rectified and re-inspected within the specified time frame on the written direction to fix, a referral to the VBA will be automatically generated and a \$660 Inc. GST fee will apply plus \$275 Inc. GST per hour for any time spent with the VBA or responding to any investigation for legal proceedings, which is required to be paid within fourteen (14) days of invoice.

BUILDING NOTICES & ORDERS

Building notices and building orders are formal documents prescribed in the Regulations to address breaches and non-compliances that are identified for the purpose of securing compliance with the permit documents and other relevant provisions of the Regulations. Notices and orders are required to be served as a matter of course for significant areas of non-compliance or where occupant safety is or may be compromised. In the case where a building notice is not complied with, then a building order is required to be issued. Where building orders are not complied with within the specified time frame listed on the building order, the matter is required by the Act to be referred to the VBA for investigation in which case additional fees will be apply. Building notices & orders will be charged at a minimum rate of \$880 Inc GST per building notice and/or building order and \$275 Inc GST per hour after the building notice/order has been issued to resolve the non-compliances. The property owner is responsible for payment of all fees associated with a Building Notices or Building Orders, which is required to be paid within fourteen (14) days of invoice.

12. PURPOSE OF INSPECTION

Mandatory inspections carried out under this permit will be the minimum required to ensure compliance with the Act and Regulations. Site safety and workmanship is the responsibility of the builder and not will not be addressed under mandatory inspections. It is the responsibility of the builder to construct the building in accordance with the approved permit documents. Variations must be approved by the RBS prior to construction which will incur additional fees.

13. VBA REFERRALS

VBA referrals due to defective works or regulation breaches will be charged at a rate of \$660 Inc. GST and \$275 Inc. GST per hour for any time spent after the initial referral, which is required to be paid within fourteen (14) days of invoice.

CONDITION: By signing this form you are accepting our terms of engagement listed above and the owner(s) of the land confirms that no previous appointment has been made to another building surveyor for this project.

Project Address _____ Project Type _____

1. Owner(s) _____ Date _____ 2. Owner(s) _____ Date _____

3. Owner(s) _____ Date _____ 4. Owner(s) _____ Date _____

Signature of Owner(s) 1. _____ 2. _____ 3. _____ 4. _____

Builder _____ Signature of Builder _____ Date _____

Agent _____ Signature of Agent _____ Date _____

DOMESTIC BUILDING WORK

BUILDING PERMIT APPOINTMENT OF PRIVATE BUILDING SURVEYOR

PURSUANT TO SECTION 78 OF THE VICTORIAN BUILDING ACT 1993

OWNER(S): _____
OWNER(S): _____
OWNER(S): _____
OWNER(S): _____

PROJECT ADDRESS: _____

PROJECT TYPE: _____

I/we the owner(s) of the land hereby appoint **Steven Esler** of **Inform Building Permits** pursuant to Section 78 of the **Building Act 1993** to be the Relevant Building Surveyor for the above listed project and carry out building permit functions as set out in section 76 of the **Building Act 1993**.

I/we the owner(s) of the land hereby confirm no previous appointments have been made with any other private or municipal building surveyors for this project.

SIGN: _____ SIGN: _____

PRINT NAME(S): _____ PRINT NAME(S): _____

DATE: _____ DATE: _____

SIGN: _____ SIGN: _____

PRINT NAME(S): _____ PRINT NAME(S): _____

DATE: _____ DATE: _____

EXPLANATORY INFORMATION: When may a private building surveyor be appointed?

A builder who acts or proposes to act as a domestic builder in relation to domestic building work must not appoint a private building surveyor on behalf of the owner of the land on which the domestic building work is to be carried out. A building surveyor must not accept an appointment from a domestic builder.

The owner of the land is required to appoint a building surveyor in respect of that building or building work. Domestic builders can still be listed as an agent on the building permit application form. Refer to the Victorian Building Authority fact sheet, Appointment of a private building surveyor for further information.

Dual Appointments

A person must not appoint a private building surveyor to complete any building permit functions set out in section 76 of the **Building Act 1993** for a building or building work if another private building surveyor or a municipal building surveyor has already been appointed in respect of that building or building work.

BUILDING NOTICES & ORDERS

Building notices and building orders are formal documents prescribed in the Regulations to address breaches and non-compliances that are identified for the purpose of securing compliance with the permit documents and other relevant provisions of the Regulations. Notices and orders are required to be served as a matter of course for significant areas of non-compliance or where occupant safety is or may be compromised. In the case where a building notice is not complied with, then a building order is required to be issued. Where building orders are not complied with within the specified time frame listed on the building order, the matter is required by the Act to be referred to the VBA for investigation in which case additional fees will be apply. Building notices & orders will be charged at a minimum rate of \$880 Inc GST per building notice and/or building order and \$275 Inc GST per hour after the building notice/order has been issued to resolve the non-compliances. The property owner or builder is responsible for payment of all fees associated with a Building Notices or Building Orders.