

This Practice Note updates the previous Practice Note 2014-36 issued March 2014.

Purpose

To provide advice to building practitioners on applying for, and approving, an application for stage approval of building work.

Background

Section 20 of the *Building Act 1993* (the Act), provides that where building work is proposed to be carried out in stages, a building permit may be specific to each stage of the building work. A permit issued for a particular stage is a permit in its own right.

Section 20 states that a building permit may be—

- a permit for all of the proposed building work; or
- a permit for a stage of the proposed building work.

Application for a stage of building work

An application for a building permit for each proposed stage of building work must be made in the form of Form 1 (Schedule 4 to the *Building Regulations 2018* (the Regulations)). The application for the building permit must, amongst other things, identify the—

- nature of the building work to be carried out;
- the extent of that stage of building work;
- the total cost of the building work, the cost of building work for that stage (for the purpose of calculating the building permit levy); and

- building practitioners involved with that stage of building work.

The application form can be downloaded from the Victorian Building Authority website <http://www.vba.vic.gov.au>.

Regulation 27 permits the relevant building surveyor (RBS) to exempt an application for a building permit from any of the requirements of regulations 25 or 26 if the RBS considers it to be unnecessary or inappropriate for that stage of building work.

Report and consent from reporting authorities

Where required under the Act or the Regulations, a report and consent from a reporting authority relevant to the particular stage of building work needs to be obtained.

The reporting authority must be provided with relevant information to accompany the application, as required under Schedule 2 to the Act.

Issue of building permit

A building permit may be issued for each stage of work set out in a Form 1 application.

Building work must not proceed beyond that approved by the building permit for a stage of building work until the further work is approved by another permit. Additional work may be considered an offence under Division 1 of Part 3 of the Act and be subject to significant penalties.

Lodging of Documents

A copy of the building permit, and any plans and other documents that form part of the application for the permit, prescribed documents under regulation 44(1) as well as the checklist approved by the VBA for the purposes of section 30A of the Act must be lodged with the relevant council within 7 days of the issue of each building permit, together with the lodgement fee prescribed under regulation 45 and paid to the relevant building surveyor under clause 1 of Schedule 2 to the Act.

Pay the building permit levy

The building permit levy is calculated on the stage cost of building work being undertaken under a building permit for a stage of building work, not the total cost of the building project. The levy must be paid before the building permit can be issued, in accordance with Part 12 of the Act.

Further information

Want to know more?

If you have a technical enquiry, please email technicalenquiry@vba.vic.gov.au or call 1300 815 127.

Victorian Building Authority
733 Bourke Street Docklands VIC 3008

www.vba.vic.gov.au

Frequently asked Questions

Do you need a separate appointment for each stage of building work?

The Act does not require a separate appointment for each stage of building work where there is a building permit. A single appointment could cover the appointment of the RBS for all stages of building work, and the appointment may apply to multiple stages of building work. Where a different RBS is used for particular stages of the building work then separate appointments will be required.

Is a section 80 notification required for each permit application?

The Act does not stipulate that a separate notification is required for each stage of building work. One notification of the acceptance of an appointment for building work could be provided if that is the way the appointment is made and accepted. Where a different RBS is used for a particular stage of the building work then a separate section 80 notification will be required for each appointment.

Can you have one application form covering all stages of the proposed building works?

An application is required for each building permit for a stage of building work, as there is information that is required, and can only be applicable, to that stage. Therefore, each application must be made on a separate application form, detailing specifics of the stage of works proposed.

Can one report and consent apply to more than one stage of building work?

A report and consent must be relevant to the applicable stage of building work. However, a report and consent may address an issue that is relevant to more than one stage of proposed building work.