

Documentation Required for Applications for Building Permits

Reference to the Building Code of Australia (BCA) in this Practice Note means Volume One and Volume Two of the National Construction Code Series.

1. PURPOSE

The purpose of this Practice Note is to advise persons submitting an application for a building permit of the minimum standard of documentation required and the importance that the documentation contains sufficient information and is of sufficient quality to enable assessment by the Relevant Building Surveyor (RBS) for compliance with the Building Act 1993 (the Act), the Building Regulations 2006 (the Regulations), the BCA, referenced Australian Standards and other associated legislative requirements.

2. INTRODUCTION

Section 24(1)(a) of the Act states that the RBS must not issue a building permit unless he or she is satisfied that the building work and the building permit will comply with the Act and the Regulations. In order to do this, the RBS must assess and determine that the information contained in a building permit application demonstrates compliance with the Act, the Regulations and the building work if constructed in accordance with the approved documentation.

Part 3 of the Regulations establishes the minimum documentation requirements for an application for a building permit that is to be submitted to the RBS. It may be the case that more than the minimum documentation required under Part 3 will be necessary to enable the RBS to make the assessments. As the approval authority, the RBS must not supplement or augment the application of design documents by either participating in or preparing designs or submissions or by correcting errors or by making assumptions as a consequence of poor quality documents. For example:

The documents provided to the RBS must be, but not limited to:

- a) Clearly document (in the plans) all calculations of building areas, site areas, site coverage, floor areas, building heights, habitable rooms, windows and secluded private open space on adjoining allotments in order to enable the RBS to determine compliance with Part 4 of the Regulations.
- b) In the case of plans or drawings, contain all necessary notes, specifications and analysis necessary to enable the RBS to determine compliance with the Act, the Regulations and the BCA. These may include notes in relation to the construction of sanitary compartments, location of smoke alarms or a glazing calculation.
- c) Contain full details of any Alternative Solution proposed - see Practice Note 2014-

- d) 63 'Alternative Solutions - procedures and documentation' for further details.
- e) Contain all submissions necessary in support of the exercise of discretionary powers under regulations 608, 609 and 1011.

The foregoing is not intended to prevent the RBS discussing suitability of a proposed design prior to lodgement, however, the applicant must not place the RBS in a position where the RBS is being called upon to assess his or her own design input.

3. APPLICATION OF PART 3 OF THE BUILDING REGULATIONS

Regulation 301

An application for building permit is to contain the prescribed information set out in Form 1 of Schedule 2 of the Regulations.

The prescribed information includes details of the owner, property, building practitioners, nature of building work, costs associated with the building work and the signature of the owner or agent.

It is important that the information provided is accurate, particularly the proposed use of the building as this will determine the classification of the building work under the BCA and how the RBS assesses the submitted drawings.

For example:

If the building consists of a dwelling, garage, swimming pool and side and rear fences, it is not sufficient to just indicate domestic use or dwelling house. All the uses must be clearly stated, e.g. if the building is proposed to be a furniture warehouse with an office, then it must be clearly stated that it is proposed to be a warehouse for the storage of furniture and administration office and not just warehouse.

Regulation 301 (3) states that an application for a building permit must contain sufficient

information to show that the building work will comply with the Act and the Regulations and the relevant provisions of Part 3. The following regulations provide the minimum requirements that must be provided with the application for a building permit.

Regulation 302 (1)

An application for a building permit to construct a building must be accompanied by:

- a) 3 copies of drawings showing the plan at each floor level, elevations, sections, dimensions, the sizes and locations of structural members to a scale of not less than 1:100, together with any details that are necessary to show compliance, to a scale of not less than 1:20, or other approved scales.

The information on the drawings must include but is not limited to:

- Floor plans showing the use of each room, window, including open-able sections, and door locations, floor coverings, lighting layout, internal and external wall construction, dimensions and areas of rooms, air circulation details, etc
- Elevations providing wall heights, floor levels, roof pitch, location of hot water services, roof lights and windows
- Structural drawings should include connections of floor to roof tie downs, floor and wall connections, roof and wall connections, beam and column locations, timber floor or slab construction details, truss to beam or top plate
- Window and door schedules, (for Class 1 buildings and sole occupancy units of a Class 2 or 4 parts of a building these could be included as part of the energy efficiency requirements)
- Energy efficiency details either in accordance with the Deemed-to-Satisfy (D-t-S) provisions or House Thermal Energy Rating Scheme (HERS) Assessor's report and stamped plans

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Electrical lighting layout and schedule (for

Class 1 buildings and sole occupancy units of a Class 2 or 4 parts of a building these could be included as part of the energy efficiency requirements)

- Fire service plans, layout and schedule.

The layout between the architectural and structural drawings must be consistent, particularly in relation to the location of walls, columns, footings and openings to ensure that the design loads are correctly distributed.

- b) 3 copies of specifications describing materials and methods to be used in the construction.
- Building specifications should be fully detailed and include information specific to the project including the evidence of the compliance of proposed building methods, designs, products and systems including certificates from approved testing authorities, CodeMark Certificates of Compliance, BRAC accreditation certificates, BPB compliance determination or other evidence of compliance with the Regulations (including BCA and referenced Standards).
 - General references in the specifications such as: "All timber framing and bracing to comply with AS1684" or "Pool barrier to comply with AS 1926" or "in accordance with the manufacturer's specification" or regulatory clauses are not in themselves sufficient and more detailed information should be provided.

For example: Where a swimming pool and pool barrier are being proposed for, specific details such as the construction of boundary fences, notations or diagrams in relation to swing and location of gates, latch details and clear arc areas must be shown on the drawings along with the reference to AS 1926. Refer to Practice Note 2011- 05 Swimming Pool and Spa Barriers for more detailed information.

- c) 3 copies of allotment plans to a scale of not less than 1:500 or other approved scale showing the matters set out in sub-regulation (2).

The matters set out in sub-regulation (2) must be provided on the site plans, irrespective of the nature of the building work. These details enable the RBS to consider and understand matters including the need for protection work, proper fire separation, site cut or fill, adequate falls for the drainage of the allotment, and site coverage.

- d) A statement of the use or intended use of all buildings shown on allotment plans. The applicant must provide a statement of the proposed use or intended use of the building(s) as well as on the application form (Form 1). The statement use or intended use may be included on the plans. The RBS requires this information so that the appropriate building classification, Act and regulatory requirements to the building proposal are applied.
- e) (e) A copy of any computations or reports necessary to demonstrate that the building will, if constructed in accordance with the computations and reports, comply with the Act and these Regulations.

All computations and reports supporting any aspect of the design provided should be relevant to the site and the building work proposed. They should clearly specify:

- The address of the property,
- The proposed building work covered by the computations and report,
- The name and registration number of the registered building practitioner,
- A date and signature.
- Computations and / or analysis calculations and what they are required for:
- Structural designs (footings, floor, wall, and roof etc.)

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- Hydraulic designs (stormwater drainage, fire services)
- Electrical designs (lighting, emergency lighting, smoke detection and alarm systems etc)
- Lighting and glazing analysis (energy efficiency)

Note: It is desirable that roof truss system designs are obtained prior to the issuance of the building permit. However, where this is not practical, the roof truss system design and installation drawings must be submitted to the RBS prior to the construction of the wall framing.

Where the roof truss design is to be submitted after the issue of the building permit, the RBS must include a condition on the building permit that the roof truss details and layout plans are to be submitted prior to the installation of the wall framing.

Certificates of Compliance that are provided by a Registered Building Practitioner (RBP) for the above designs must clearly describe the proposed building work covered by the certificate, and include all the information required by the form and must be addressed to the RBS.

Reports and / or assessments are required to be provided from:

- Geotechnical engineers (foundations and footings)
- Water supply authority (pressures and flow rates for fire services)
- Electricity supply authority (substations)
- HERS assessors (energy efficiency reports)
- Chief Fire Officers (fire safety & bushfire matters)
- BAL assessments (bushfire prone areas)
- Council (easements, planning matters)

Other documentation that may be required to show that the building work will comply with the Act and the Regulations.

For a performance-based Alternative Solution:

- A copy of the fire engineering brief (FEB)
- A copy of the fire engineering report (FER)
- A copy of any Building Appeals Board's determinations made under sections 160, 160A and section 160B of the Act.

Refer to Practice Note 2014-63- Alternative Solutions - Procedures and Documentation.

In relation to FEBs and FERs, further guidance can be obtained by making reference to the International Fire Engineering Guidelines (2005 edition), as published by the Australian Building Codes Board.

Where exemptions or exercise of discretion are being sought under regulations 502, 503, 608, 609, and / or 1011, written submissions must set out:

1. The specific exemption or discretion being sought. This should include details of the part of the building that is being affected and what is the extent of the exemption discretion being sought
2. The background to the proposal (i.e. proposed building work including use of the building, height of the building, rise in storeys and class of building)
3. The provisions being provided for the amenity, safety and health of the occupants
4. The structural adequacy of the building (where applicable)
5. The provisions to be put in place to avoid the spread of fire to or from any adjoining building (where applicable).

Regulation 302 (2)

Sub-regulations (a) to (h) are self-explanatory. However, it is important that the designer, architect or draftsman must ensure that all

the relevant information required by these sub-regulations is provided on the drawings unless the RBS has provided a written exemption from the requirements of this regulation in respect to a stage of building work under regulation 306.

- a) Boundaries and allotment dimensions can easily be obtained from the title, plan of subdivision or by engaging a land surveyor to prepare a survey plan.
- b) Distance to nearest street corner is necessary, particularly where the allotment is in a new subdivision or on large rural properties to clearly identify the site.
- c) Details and setbacks of any existing building or structure on the allotment or an adjoining allotment will determine if the proposed building work may affect that existing building or structure due to such factors as fire separation, reduced boundary clearances, excavation and protection work, and compliance with the provisions of Part 4 of the Regulations.
- d) Site plans must include:
 - site levels and contour lines of the allotment, and
 - finished floor levels of the proposed building.

This information is essential when considering the need for protection work and siting issues.

(e) A report indicating the legal point of discharge (LPD) including its depth must be obtained from the council. The stormwater drain layout must clearly show the required fall, cover to pipe work, downpipe locations, pits, inspection openings (IO), agricultural drains, the connection to the LPD, and any other details necessary for compliance.

Regulation 302(2) (f),(g) and (h) are covered in Practice Note 2014-47- Part 4 of the Building Regulations 2006, however they should be clearly depicted on the site plan with supporting calculations or analysis demonstrating compliance.

Regulation 302 (3)

An application for a building permit to construct a building must also be accompanied by any additional copies of the documents set out in sub regulation (1) that the building surveyor reasonably requires.

There may be circumstances where the RBS may require additional copies of the documentation. (e.g. for referrals to a reporting authority and lodgement of building permit documents with the council).

Regulation 303

The purpose of this regulation is to ensure that drawings and allotment plans must clearly highlight and differentiate the new proposed building work from the existing building(s). This can be indicated in a variety of ways, including:

- using colours for the new work
- shading or cross hatching
- providing clouds or other drafting methods for high lighting new work.

Whichever method is used, there must be a clear differentiation between the new building work and the existing part of the building(s). It should be noted that alterations and additions often involve partial dismantling and demolition of existing building elements. This building work must also be documented and described in the application documents.

Regulation 304

It must be made clear in the building permit documentation which building or part of the building is to be demolished or removed. In addition to the above, the regulation requires specific additional information in relation to allotment plans, and other matters including:

- A written description of the demolition or removal procedure. These must include the methods to be used, the stages of the operation, time work is to be undertaken, method of dust suppression, etc; and

- Evidence that the demolisher has the relevant knowledge, experience, resources and storage facilities to undertake the operations for the particular type of demolition or removal.

The RBS must satisfy themselves of the demolishers experience and credentials including the correct category / class of demolisher for the work to be undertaken prior to the issue of the permit.

Regulation 305

This regulation details the additional information the RBS may require to be submitted with the application for a building permit. The RBS is entitled to require any or all of the following information to be provided with an application in order to properly fulfil their duties, functions or responsibilities:

- a) Details of measures for the protection of the public required under regulation 604
- b) Documentary evidence under A2.2 of Volume One of the BCA or clause 1.2.2 of Volume Two of the BCA
- c) A survey plan of existing site conditions prepared by a licensed surveyor
- d) A copy of the certificate of title
- e) Evidence of ownership or evidence of a contract pursuant to section 9AA of the Sale of Land Act 1962
- f) Evidence that each building practitioner is registered
- g) Details as to whether the land is liable to flooding, subject to termite attack, in a designated bushfire prone area, subject to significant snowfalls, or is designated land or works; and
- h) Whether an approved building envelope applies to the allotment or adjoining allotment.

4. REPORT AND CONSENT AUTHORITIES

Section 24 states that an RBS must not issue a

building permit, unless he or she is satisfied that any consent of a reporting authority or any relevant planning permit or prescribed approval has been obtained and that the building permit will be consistent with the planning permit or other prescribed approval.

Regulations 308 and 309A

Regulations 308 to 309A prescribe the reporting authorities and the matters that they report on. These regulations specify when a report and consent of the reporting authorities is required before an application for a building permit can be approved by the RBS.

For the purpose of an application for a building permit the prescribed reporting authorities are:

- a) The chief officer (i.e. fire safety and bushfire safety matters that do not meet the D-t-S provisions of the BCA)
- b) A council (i.e. planning permits, approval for constructing over easements, matters not complying with Part 4 of the Regulations, planning permit, etc)
- c) An electricity supply authority (matters relating to substations).

Regulation 310

This regulation requires that a report and consent is required from a service authority to construct a building over an easement vested in that service authority.

A service authority for the purpose of this regulation means:

- a) A council
- b) A drainage authority
- c) The relevant electricity supply authority
- d) The relevant gas supply authority
- e) A sewerage authority
- f) A water supply authority.

Where a planning permit or report or consent is required, a copy of the permit and a copy of the report or consent, including the relevant endorsed plans and documents, must

accompany the application for building permit.

Note: Section 148 of the Water Act 1989 prohibits a person from building a structure or placing any filling within 1 metre laterally of any works of an Authority without consent of that Authority.

The endorsed plans and documents must be consistent with the plans and documents submitted with the application for building permit.

Where a report or consent has not been granted, a copy of the application to the reporting authority along with the relevant plans and documentation must be provided to the RBS as evidence that a report or consent is being sought.

5. DOCUMENT ATTRIBUTION AND AMENDMENTS

Building design documents should always have the name, business contact and practitioner registration details of the responsible building designer clearly shown on each document. They should clearly depict the date that the document was prepared as well as the document version and various amendment dates.

In cases where the designer is not required to be a RBP or architect (for example Geotechnical, Bushfire Attack level (BAL) and domestic Energy Rating reports), evidence of the experience and competency of the person who prepared the design should always be included.

Expedient amendment of documents by parties other than the designer should always be avoided; this includes the practice of handwritten changes to dimensions or design criteria without revisiting the scale of drawings, design analysis and other relevant background

design criteria. Amendment of documents should always be referred back to the various relevant practitioners for amendment and be re-endorsed by planning or reporting authorities where appropriate.

For example, an amendment to an architectural document can result in the need for consequential amendments to be made to structural, mechanical, electrical or even town planning documents.

6. CONCLUSION

Architects and building designers are responsible for preparing high quality building design documents that clearly communicate sufficient information to the RBS to enable him / her to issue a building permit in compliance with the relevant building legislation. Time may be saved initially by preparing poor quality design documents; however, it inevitably results in the RBS being unable to issue a building permit and requesting further information, which delays the issue of the building permit.

Other benefits include:

- Plans become part of the building contract.
- Good, well-detailed plans will assist in reducing building disputes during construction as the owner will have a complete understanding of what they have engaged the builder to deliver and the builder will be better placed to price the work accurately.

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

Victorian Building Authority 733 Bourke Street
Docklands VIC 3008