

Building Practice Note BP-05: Building permit for a stage of building work

This Practice Note outlines the requirements in respect to an application for a building permit for a stage of building work in accordance with the Building Act 1993 (the Act) and the Building Regulations 2018 (the Regulations).

The context below provides guidance on:

- Application for a building permit for a stage of building work
- Report and consent requirements
- Calculating and paying the building permit levy
- Documents lodged with the relevant council
- Carrying out of building works

Abbreviations & Definitions

The abbreviations and definitions set out below are for guidance only. They are not intended to vary those set out in the Building Act 1993 (the Act) or the Building Regulations 2018 (the Regulations).

- **Act** – The Building Act 1993
- **BAMS** – Building Activity Management System
- **Form 1** – Application for a building permit as set out in Schedule 4 of the Regulations
- **RBS** – Relevant Building Surveyor
- **Regulations** – The Building Regulations 2018

Application for a building permit for a stage of building work

A building permit issued for a stage of building work is a building permit in its own right, as referred to in section 20(b) of the Building Act 1993 (the Act).

The applicant of a building permit relating to a stage of building work, must complete a Form 1. The application must at a minimum identify:

- the nature of the proposed building work
- the extent of that stage of building work
- the total cost of the building work and the cost of building work for that stage (inclusive of cost of labor and materials), for the purpose of calculating the building permit levy; and
- the building practitioner/s involved with that stage of building work.

Under Regulation 27, the RBS is permitted to issue an exemption for an application for a building permit in respect to building work from any requirement specified within Regulation 25 or 26, or if the RBS considers it unnecessary to demonstrate the building work will comply with the Act and Regulations.

The exemption applies to the requirements to provide specific documentation and details when submitting an application for a Building Permit for constructing or altering a building (Regulation 25) or for demolition or removal of a building (Regulation 26).

Report and consent requirements

Where required under the Act or the Regulations, the report and consent from a reporting authority relevant to the stage of building work must be obtained prior to the building permit being issued for that stage of building work.

Calculating and paying the building permit levy

The RBS must estimate the cost of the whole of the building work and the cost of the stage of the building work, this includes the cost of labor and materials.

In accordance with section 205GA of the Act, the applicant for a building permit, or a person acting on behalf of the applicant, must pay to the VBA the amount of building permit levy calculated under section 205I before the building permit is issued.

For more information refer to Practice Note BP-17 – Cost of Works.

Documents lodged with the relevant council

The RBS must lodge the following documents with the relevant council within seven (7) days of issuing a building permit:

- A copy of the building permit for the relevant stage of building works
- Any plans and other documents forming part of a building permit application as prescribed by regulation 44(1) of the Regulations.
- A checklist for the lodgement of documents under section 39 of the Building Act 1993.

Any documents lodged with the relevant council under section 39 of the Act must be accompanied by the appropriate prescribed lodgement fee (if any), paid to the RBS under clause 4 of Schedule 2. The RBS is required to provide the relevant lodgement fee payable for each staged building permit.

Completion of a stage of building work

Building work must not proceed beyond what has been approved by a building permit for a stage of building work until the proposed work is approved by the RBS.

The RBS must issue a certificate of final inspection on completion of the inspection following the final mandatory notification stage of building work if:

- a) an occupancy permit is not required for the building work; and
- b) all directions given under Part of the Act in respect of the building work have been complied with.

Additional work carried out without a valid building permit is an offence under Division 1 of Part 3 of the Act and is subject to significant penalties.

Related Documentation

- Building Act 1993 (VIC)
- Building Regulations 2018 (VIC)
- Building Practice Note BP- 03: Building projects with multiple building permits
- Building Practice Note BP-11: Report and Consent
- Building Practice Note BP-14: Cost of Works

Version History

- Version 2.0, published 28 June 2021, supersedes Practice Note 36: Building permit for a stage of building work

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