

Mandatory notification stages and inspections

Background

The building permit system is the fundamental control governing building work. It incorporates a mandatory notification and inspection regime which assists monitoring and ensuring compliance of building work at important phases of construction. The mandatory notification stages represent when building work must be inspected at a minimum. It provides an option for a mandatory pause in building work so that further building activity does not compromise the ability to inspect core components.

Aim

The mandatory notification regime has been strengthened in the *Building Regulations 2018* by introducing an additional notification stage during construction or alteration of a building and providing additional regulations to clarify prescribed mandatory notification stages for specified building work. These changes have been introduced to address and reduce the incidence of common building defects and improve building safety.

Additional stage for construction or alteration of building

Research and collaboration with fire authorities and peak industry stakeholders identified a high rate of defective fire-resistant construction particularly with lightweight construction and service penetrations. Consequences of this substandard construction can be catastrophic.

Subsequently, a new mandatory notification stage has been introduced to mandate inspection of lightweight fire-resistant construction in a Class 2, 3 or 4 building and of service penetrations required to resist the spread of fire or smoke in a Class 2, 3, 4, 9a or 9c building. All fire and smoke resistant construction elements that are required to be inspected under regulation 172 must be specified in the building

permit by the Relevant Building Surveyor (RBS) as a mandatory notification stage.

This mandatory notification stage occurs after completion of the framework and during the carrying out of building work. The builder must ensure that all specified construction elements required to be inspected are accessible and able to be clearly viewed to confirm compliance with the manufacturer's requirements.

Prescribed mandatory notification stages for demolition or removal of building

To ensure compliance and confirm that required safety and protection measures are in place and adequate, two mandatory notification stages are prescribed for demolition and removal of a building.

The first stage is required upon the completion of any precautions specified under regulations 116 or 117.

Regulation 116 relates to precautions required by the RBS to be implemented for protection of the public to ensure the safety of all persons that may be affected by the building work, including those that use any adjoining properties, footpaths, streets and public spaces.

Regulation 117 considers additional demolition requirements and reinforces the requirement for the RBS to inspect precautions prior to demolition commencing.

The second stage is the final, which is called for on completion of all demolition or removal work.

Prescribed mandatory notification stages for construction of swimming pool or spa

To ensure compliance and confirm that required safety and protection measures are in place and adequate, four mandatory notification stages are prescribed for construction of a swimming pool or spa.

These notification stages are:

- (a) the completion of any excavation related to the installation of the swimming pool or spa;
- (b) before pouring any footing or in situ reinforced concrete member that is specified in the relevant building permit by the relevant building surveyor;
- (c) the completion of any precautions required to be taken under regulation 116;
- (d) final, on the completion of the swimming pool or spa and related safety barrier.

The final stage emphasises that the building work for construction of a swimming pool or spa cannot be regarded as finished until both the swimming pool or spa and the related safety barrier have been completed.

Discretionary judgement for RBS

The RBS may omit a stage if that stage is not relevant to the building work. However, the RBS must record all required mandatory notification stages on the building permit.

It should also be noted that the prescribed mandatory notification stages only relate to the minimum number of inspections which must be carried out under the legislation. The RBS may cause additional inspections to be carried out during building work under section 35 of the *Building Act 1993*. Additional notification stages and associated inspections may also be required as a specific condition of the building permit.

Further information

Further information about the mandatory notification stages and relating process is provided in Practice Note 69-2018, "Mandatory notification stages and inspection of building work".

Want to know more?

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

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