

# Building permit for a stage of building work

## Practice Note 36

### Purpose

This practice note provides advice to building industry professionals in relation to approving an application for stage approval of building work.

### Background

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

Section 20 states that a building permit may be—

- a) a permit for the whole of the proposed building work; or
- b) a permit for a stage of the proposed building work.

### Application for a stage of building work

Applicants for a building permit relating to a stage of building work must complete *Form 1: Application for a building permit* (as set out in Schedule 4 to the *Building Regulations 2018*). The application must, amongst other things, identify:

- the nature of the proposed building work
- the extent of that stage of building work
- the total cost of the building work and, if applicable, the cost of building work for that stage (for the purpose of calculating the building permit levy); and
- the building practitioners involved with that stage of building work.

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 unnecessary to demonstrate compliance with the Act or the Regulations for that stage of building work.

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

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

### Issuing a building permit

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

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

In addition, section 38 of the Act requires the RBS to issue a certificate of final inspection at the completion of each stage of building work.

### Lodging of documents

The following documents must be lodged with the relevant council within seven days of a building permit being issued by an RBS:

- A copy of the building permit for the relevant stage of works.
- Other documents forming part of a permit application (as prescribed by regulation 44(1) of the Act).
- The checklist approved by the VBA for the purposes of section 30A of the Act.

The relevant lodgement fee is also payable.

### Paying the building permit levy

Applicants must pay the building permit levy before their RBS can issue a building permit. This is a requirement under Part 12 of the Act.

#### Want to know more?

If you have any questions about this information, please contact the VBA.

**Telephone:** 1300 815 127

**Email:** [customerservice@vba.vic.gov.au](mailto:customerservice@vba.vic.gov.au)

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