



Media Release

Friday, 22 July 2022

Building company penalised for illegal demolition

A Victorian building company has been penalised \$8000 and its nominee director ordered to undergo training for conducting a partial demolition in Carlton North without a building permit.

The Victorian Building Authority (VBA) took disciplinary action against Better Building & Construction Pty Ltd (CDB-U 50939), formerly Double M Constructions Pty Ltd, for contravening the *Building Act 1993* by starting demolition at the building site prior to a permit being issued.

Neighbours in the area of the work made a complaint when they were alerted to the demolition, after they were woken by the sound of jackhammers.

The VBA's Executive Director of Regulatory Operations David Brockman said no work should be done until a building permit is issued.

"It's critical that practitioners follow the rules to maintain the integrity of the building industry in Victoria. Practitioners must follow the rules before they undertake any type of building work. Building permits for demolitions enable inspection, and correction if necessary, of the precautions and the finished work."

"When builders break these rules, they compromise people's safety and put at risk the reputation of every builder, the vast majority of who do the right thing," Mr Brockman said.

Following a complaint from neighbours, the appointed relevant building surveyor (RBS) visited the site and found that partial demolition had taken place without a permit, with the rear skillion roof and the internal structure of the existing dwelling removed. The RBS took appropriate enforcement action, stopping all work until after a building permit was issued.

In addition to the financial penalty, the company was issued a reprimand and nominee director Mark Micklethwait (DB-U 16917) was ordered to complete training in arranging building applications and approvals.

"Better Building & Construction's conduct in carrying out building work without a building permit appears to be the result of a lack of awareness of what was required," Mr Brockman said.

"While monetary penalties are an important regulatory tool, so too are directions to undergo training to ensure practitioners are aware of their responsibilities to help minimise future breaches of the rules."

By ordering the company's nominee director to undertake training, the VBA is using its full suite of regulatory tools to protect consumers and prevent repeat behaviour.

Better Building & Construction Pty Ltd had until 6 July 2022 to apply to the Victorian Civil and Administrative Tribunal (VCAT) for review of the decision.

Victorians wanting to engage a builder or plumber can visit vba.vic.gov.au/find

The VBA has an [online consumer resource portal](#) with information for anyone who is experiencing issues with builders or plumbers.

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