

Letter of Appointment of Building Surveyor



To: Mr Frank D'Aquila (Relevant Building Surveyor)

FROM: Note a builder engaged in carrying out domestic building work **cannot** complete this form on behalf of an owner. Only the owner or owner's agent (other than the builder) can complete this form.

Owner/Owner's agent:

Postal address:

Contact person:

Telephone:

Email address:

The Owner/Owners Agent nominated above request to formally appoint **Mr Frank D'Aquila** to act as the Relevant Building Surveyor in respect of the following proposed building works;

DESCRIPTION OF PROJECT AND USE:

.....
.....
.....

LOCATED AT:

.....

By signing this document the owner and/or owner's agent confirms and certifies that they:

- Are not a builder engaged in carrying out building works for the project listed above; and
- Are aware of their obligations under the Building Act 1993 – Part 3 – Division 2 – Section 17 and Building Regulations 2018; and
- Have read all Simple Permits Building Consultants Pty Ltd terms and conditions and acknowledge that they are fully aware and informed of the role of the Relevant Building Surveyor and hereby agree to all Simple Permits Building Consultants Pty Ltd fees & charges and terms and conditions of appointment; and
- Have not appointed any another private building surveyor or a municipal building surveyor to complete any functions set out in section 76 of the Building Act 1993 in respect of a building or proposed building work mentioned above.

Signature: Date:

RELEVANT BUILDING SURVEYOURS RESPONSE:

I hereby respond to the above request served on me by the owner or owner's agent and—

- I have determined that to the best of my knowledge this letter has been submitted to me in good faith by the owner and/or owner's agent and I agree to the above request.
- Disagree with the above request for the following reasons;
- The application is incomplete or has misleading or contradictory information; and/or
 - The applicant is affiliated and/or has a conflict of interest with RBS; and/or
 - I have determined that the request does not permit me to act under Section 79; and/or
 - I have determined that the above request does not warrant my services.

RBS Signature Date:

APPLICATION FOR A BUILDING PERMIT

Form 1 - Building Act 1993, BUILDING REGULATIONS 2018 - Regulation 24



❖ Please ensure that all relevant sections on this form are full completed. Failure to complete all applicable sections will delay your application.

To Building Surveyor at Simple Permits Building Consultants Pty Ltd

From Owner or Agent of Owner – Refer to Additional Notes 'Authority of Agents' on next page for Agent responsibilities

*Applicant/*Company Name: *ACN/*ARBN:

Postal address of applicant: Postcode:

Contact Person: Telephone/Mobile:

Email Address:

Address for serving or giving of documents (Only required if different to the above):

Indicate if the applicant is a lessee or licensee of Crown land to which this application applies

Lessee responsible for building work

Indicate if a lessee of the building, of which parts are leased by different persons, is responsible for the alterations to a part of the building leased by that lessee

*Ownership Details (if applicant is agent is agent of owner)

Name of Owner(s) [insert full name(s)]:

*ACN/*ARBN: Telephone/Mobile:

Postal Address: Postcode:

Email Address:

Property Details

Number: Street /Road: Suburb: Postcode:

Lot/s: LP/PS: Volume: Folio:

Crown Allotment: Section: Parish: County:

Municipal District: Allotment Area (for new dwellings only): m²

Land owned by the Crown or a public authority

Owner-Builder

I intend to carry out the work as an Owner-Builder? Yes No

Owner builder certificate of consent no. (if applicable) Please contact the VBA on 1300 815 127 for more information.

Builder

Name: *ACN/*ARBN:

Postal Address: Postcode:

*Building practitioner registration no: Telephone/Mobile:

Email Address:

*Natural person for service of directions, notices and orders (if builder is a body corporate)

Name: Telephone/Mobile:

Postal Address: Postcode:

Building practitioner or architect engaged to prepare documents for this permit

[List any building practitioner or architect engaged to prepare documents forming part of the application for this permit.]

Name: Category/Class: Registration No:

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Nature of Building Work

Construction of a new building Floor Area m² Alterations to an existing building Floor Area m²

Demolition of a building Removal of a building

Extension to an existing building Floor Area m² Change of use of an existing building Floor Area m²

Re-erection of a building Floor Area m²

Construction of swimming pool or spar

Construction of swimming pool or spa barrier

Other [give description]

Proposed Use of Building

Cost of Building Work:

Is there a contract for the building work?

[†] **Yes** - If yes, state the contract price \$

[†] **No** - If no, state the estimated total cost of the building work. \$
(include the cost of all labour and materials) and attach details of the method of estimation. Refer to 'Total Cost of Building Works' notes below and to the VBA web site for estimating requirements - <http://www.vba.vic.gov.au/practitioners/building-permit-levy/cost-of-building-works>

Stage of Building Work:

If application is to permit a stage of the work

Extent of the stage
(E.g. Bulk excavations only, Civil works only, Retaining Walls only, Slab only, Frame only or all works excluding Fire Services, etc...)

Cost of work for this stage \$

By signing below the applicant declares and agrees that no other private building surveyor or municipal building surveyor has been appointed to issue a building permit for the building work concerned and that they are fully aware of their obligations under Part 3 – Division 2 – Section 17 of the Building Act 1993 and Building Regulations 2018 and they have read and agree to all Simple Permits Building Consultants Pty Ltd Terms and Conditions of Engagement and to all fees and charges.

Signature of Applicant **Date**

* Delete if inapplicable

† Tick if applicable

Notes

Jurisdiction of Responsibility - Applicant Responsibilities (Owner or Agent of Owner)

The applicant (owner or agent of owner) must ensure that all information provided with and within this application is true and correct. Any false or misleading information will delay and/or invalidate the Building Permit and may result in prosecution proceedings by the relevant building authority.

Authority of Agents

Pursuant to Section 240 of the Building Act 1993 Appointment of agents - An owner of a building or land may in writing authorise another person to make any application, appeal, referral or representation under this Act on behalf of the owner. Pursuant to Section 248 of the Building Act 1993 Offence for agent to act without authority - A person must not act on behalf of an owner of a building or land for the purposes of making any application, appeal or referral under the Building Act 1993 or Building Regulations 2018 unless the person is authorised in writing by the owner to do so. Note an agent of the owner can be an individual or a company that is hired by the owner to represent their interest and responsibilities in relation to the building project from the initial beginning including applying for and obtaining the building permit, right up to the completion of the building works and attaining an Occupancy Permit or Certificate of Final Inspection. In general an agent of owner is responsible for but not limited to;

- Applying for and attaining the Building Permit on behalf of the owner,
- Obtaining, organizing and submitting all relevant plans and drawings, building reports and documents, approvals from any/all applicable authorities, obtain any/all design specifications including test reports and the like, etc. required to accompany an application for a building permit and submit these onto the building surveyor with the application, (refer to Building Permit Checklist attached),
- Following up, obtaining, organizing and submitting any/all requests for further information required by the building surveyor,
- Dealing with other parties that may be affected or have an interest in the building work. I.e. Adjoining Owners, Council, MFB or CFA, Easement Authorities and the like, etc.
- Creating, providing, serving and/or forwarding copies of all up to date or amended documents onto the building surveyor, the owner and/or onto the builder or other applicable parties,
- Booking of all inspections through the Building Surveyor and follow-up any/all not approved items directly with the building surveyor, the owner, the builder and/or other applicable parties,
- Forwarding onto and following-up any/all Verbal and/or Written Directions, Building Notices and/or Orders directly with the owner and the builder and any other applicable parties,
- Applying for and obtaining an Occupancy Permit or Certificate of Final Inspection on behalf of that owner, including attaining and submitting all required reports, statements and certificates requested by the building surveyor.

An agent of the owner should;

- know the relevant legislation and laws,
- minimise disputes with clients,
- have complaint and dispute resolution procedures and advise clients and consumers about these procedures,
- follow their client's instructions,
- act in their client's best interests, except if it would be unlawful, unreasonable, improper or against the building authorities instructions,
- disclose to their client any personal or commercial relationship they have with a Building Surveyor or Builder, if they recommend that Building Surveyor or Builder or other applicable parties,
- act fairly and honestly and to the best of their knowledge and ability,
- exercise skill, care and diligence in performing their functions

Total Cost of Building Works

It is the responsibility of the applicant for a building permit (including a person acting as agent for the owner) to provide sufficient information to establish the cost of building work. The cost of the building work is determined most commonly through the established contract price for the building work (including the cost of labour and materials). Where a contract is in place, the applicant is required to specify the contract price, including the cost of labour and materials. If a contract is not in place, the cost of the building work needs to be estimated. The applicant must provide sufficient information to enable the RBS to estimate the cost of the building work (including itemising the cost of labour and materials necessary to build in accordance with approved plans and specifications of the building permit, as well as the method of estimation used). Documentary evidence may also include (but is not limited to):

- a copy of the building contract (or a copy of a relevant extract of the building contract) identifying the cost of building work
- documentation/calculations of the cost of materials and cost of labour prepared by the applicant for a building permit (where a building contract is not in place)
- for domestic building work, a warranty insurance certificate with the building contract amount identified
- cost of building work assessment undertaken by a suitably qualified building practitioner i.e. **quantity surveyor**
- industry cost of building work guides etc.

Disclaimer

The information within this publication is intended for advisory information purposes only and is provided solely on the basis that readers will be responsible for making their own assessment of matters discussed. No person should rely on the contents without first obtaining independent expert advice. In no event shall Simple Permits Building Consultants be liable whatsoever for any direct or indirect or consequential damages or results of any actions taken on the basis of information provided nor for any error in or omission resulting from the use of information stated in this publication &/or forms attached. No other organisations or individuals are permitted to reproduce this publication without the prior written consent of the Principals of Simple Permits Building Consultants Pty Ltd.

TYPICAL APPLICATION CHECKLIST

- ❖ All documents must be clear, legible and be relevant to your project and all plans must correlate with each other. Any discrepancies will delay your permit.
- ❖ It is recommended that you submit all documents as a single package as this will avoid any undue delays and paying for unnecessary additional fees.
- ❖ **ELECTRONIC LODGMENTS** – All documents must be lodged electronically and must be in PDF format. This can be done via email, Compact Disk (CD) or USB stick. **IMPORTANT NOTE:** With all electronic lodgments, the applicant acknowledges and accepts that only one (1) copy of applicable building permit documents will be emailed to them and they understand that it will be their responsibility to create, provide, serve and/or forward copies of all documents onto the builder and/or other applicable parties. If the applicant is an agent of owner then the agent must forward copies of all documents onto all relevant parties, including the owner. Applicable fees and printing costs will apply if copies of the permit documents are not distributed by the applicant and/or if extra hardcopies are requested from Simple Permits. Any/all such fees and charges must be paid for by the applicant prior to the release of the hardcopy documents.

Please submit:

- A signed '**Fee Proposal**' (Quote);
- A signed '**Letter of Appointment**' required only for domestic building work, not for commercial works; and
- A fully completed and signed copy of an '**Application for a Building Permit**'. Ensure that all sections of the Application Form are fully completed. Failure to complete all sections may delay your application. Any false or misleading information will invalidate the Building Permit application.
- If you intend to carry out the building works as an Owner Builder submit;
 - A copy of an '**Owner Builders Certificate of Consent**'. Note Owner-builders must obtain an Owner Builder Certificate of Consent issued by the Victorian Building Authority (VBA), for any domestic building work valued over \$16,000. This does not apply to commercial works. Please contact the VBA on 1300 815 127 or visit their website at <http://www.vba.vic.gov.au/> for more information.; together with
 - A detailed **Cost Breakdown**. Refer to '**Total Cost of Building Works**' notes on the previous page and VBA web site for details and estimating Cost of Building Work requirements - <http://www.vba.vic.gov.au/practitioners/building-permit-levy/cost-of-building-works>
- If a Builder is to carry out the work submit;
 - A copy of a '**Building Contract**' for all projects valued over \$5000 &/or for all demolition works; together with
 - '**Builders Warranty Insurance**' for all projects &/or demolitions valued over \$16,000.
- A copy of a '**Title**' not more than 3 months old; and
- A copy of the '**Title block Plan**' and/or '**Plan of Subdivision**'. (All pages); and
- A copy of any/all '**Covenants**' and/or '**Section 173 Agreements**', if listed on the title. (All pages).
- A copy of any '**Developers Design Guidelines**' and/or '**Memorandum of Common Provisions (MCP)**', if listed on the title and/or within any Covenants and/or Section 173 Agreements. (All pages).
- A copy of any '**Developers Approval Letter**' together with a copy of '**Developers Endorsed Drawings**'. Refer to covenants or Section 173 agreements (if any) listed on your title for details. (All pages).
- A copy of any '**Council Town Planning Permits**' together with copies of the planning permit '**Endorsed drawings**'. Please contact the local Council to confirm if any Town Planning Permits are required for your project.
- A copy of any '**Build Over Easement**' consents forms with endorsed drawings from all relevant Easement Authorities. (If applicable).
- A copy of '**Property Information –Regulation 51**' report issued by the relevant Council's Building Department. Note this report is not to be confused with the Property Report obtained through the Land Channel website which is a different type of report.
- If your site is located within a designated bushfire prone area, submit copy of an appropriate '**Bushfire Assessment Report**'. You may check this with your Local Council &/or through the Land Channel Website: <http://services.land.vic.gov.au/landchannel/content/addressSearch>
- A copy of '**Stormwater Legal Point of Discharge – Regulation 133**' information (for new buildings only) issued by the relevant Councils Engineering or Building Departments.
- A copy of an '**Energy Rating Report**' together with copy of the '**Energy Endorsed Drawings**' for all domestic works. Note details of installing either a Solar Hotwater Heater or Rainwater Tank connected to all toilets will also be required on the plans for all new dwellings.
- Fully scaled '**Architectural Drawings**' together with '**Feature/Check Survey Plans**' and '**Architectural Specifications**'; and
- Stormwater** design plans with specifications showing compliance with AS/NZS 3500; and
- All manufactures '**External Wall Cladding and Fire Rated Wall/Floor**' construction details & specifications with '**Certification & Test Certificates**'.
- Engineering '**Structural Drawings**' together with '**Computations**' and '**Regulation 126 Design Certification**'
- A copy of '**Soil Report / Geotechnical Report**'.

Supplementary Documents Required for Commercial Building Works:

- Engineers Civil Drawings (Stormwater drainage), with Computations & Regulation 126 Design Certificate (if applicable).
- Any Engineers Fire Services Drawings, Computations and Regulation 126 Design Certification (if applicable)
- Any Engineers Hydraulic Services Drawings, Computations and Regulation 126 Design Certification (if applicable)
- Any Engineers Mechanical Services Drawings, Computations and Regulation 126 Design Certification (if applicable)
- Any Engineers Electrical Services Drawings, Computations and Regulation 126 Design Certification (if applicable)
- Any MFB or CFA Report & Consents together with endorsed plans Modification report/s or Appeals issued by the BAB(if applicable)
- A Part J Energy Rating Report together with copies of the energy endorsed drawings.