

general building information sheet

1. The legislation controlling building work in NSW is the ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979.

2. The EPA also introduced private certification of building work in New South Wales. Private building certifiers may work as sole operators or for a Council certification business unit. Council building surveyors (previously inspectors) and private building certifiers are registered as building certifiers with the NSW Office of Fair Trading (OFT) like builders and other trades.

3. Private building certifiers are able to approve and inspect building work across the state. When a private building certifier is engaged for a particular building project, a notice of engagement must be sent to the relevant Local Government.

When the approval is issued the certifier must forward a copy of the approval documents to the local Council. The final inspection of these works is to be inspected by the private certifier and advice of completion also forwarded to the Council. Consumers need to be aware of who is approving and inspecting their building work.

4. All applications incur a lodgement or archive fee for recording and storing approvals at the Council offices. The relevant building fees for approval and inspections are specific to each Local Authority.

5. As a customer you have the choice of making application for approval of building works to Council as traditionally has been done or to a private certifier of building works. Your choice may take into account the ease and accessibility to services, previous business contact by the designer or builder, the price or the professional and

helpful assistance given through the entire process.

6. Pre-lodgement conferences perform desirable and helpful functions in assisting the smooth passage of a properly made application.

7. It is always necessary to obtain advice in respect to the "proposed land use" under the Planning Scheme. It is wise to obtain this advice before approaching a building certifier for approval of the building work. You can discuss this with Council's Planning Officers who will provide assistance in accordance with Council's Planning Scheme and relevant legislation.

8. The Local Governments are responsible for a number of other matters including: The site relaxations under the SBR, removal of dwelling pre-inspections, existing pool inspections, planning approvals, plumbing and drainage approvals, operational works approvals for dams, accesses, road works and Environmental Relevant Activities (ERA's). Some of these are to be obtained prior to a building work approval being issued.

9. All applications including building, plumbing and drainage work are made on the applicable local council application form, obtainable from the Local government Authority (Council). The application form must be complete and signed by all owners as well as the applicant.

10. The NSW Office of Fair Trading (OFT) runs a homeowner's protection scheme on domestic construction work, including the domestic garage. Registered builders must pay insurance when the value of residential works exceeds \$3,300.00. "Evidence

of cover" by the registered contractor should either accompany the application or be forwarded from OFT direct to the certifier where applicable on residential work. The contractor is required to make arrangements direct with the OFT for the insurance coverage. OFT insurance is not payable on commercial work, swimming pools, farm sheds or work carried out by an owner builder.

A registered builder must construct farm sheds of a value greater than \$25,000.00. OFT licensed trades persons or builders should perform all building work, however owners can perform residential works to the value of \$5,000.00 without obtaining an owner builder number. To obtain an owner builder number for the works exceeding \$12,000.00, an owner builder course must be completed. Contact OFT on 3225 2800 for owner builder applications and accredited course details.

11. For works costing \$80,000.00 or more, the QLEAVE (Joint Portable Long Service Leave Levy Authority/Division of Workplace Health and Safety) Payment Form and receipt of payment must be sighted by building certifiers prior to approval. The levy form is obtained and payment made at any Post Office. NOTE – the levy is not payable by the owner builders, however the form (claiming exemption) must still be lodged with the Post Office and a copy brought to the certifier for works costing \$80,000.00 or more.

12. Building approvals generally remain current for two (2) years except for pools, demolitions and removal dwellings where the currency period is six (6) months. Extensions of time must be in writing. Reassessment and inspections performed

after this period may incur further fees.

13. Exemption from application exists for genuine farm buildings, greater than 200m from all boundaries. It is advisable to request verification in writing from the Local Authority, with the inclusion of a site plan indicating the proposed location.

14. Lawn lockers (3m x 3m) do not require applications, as do other minor structures of less than 10 sq m.

15. Building approval is required for the following: removal and replacement of structural elements of a building; re-stumping of dwellings; enclosure of previously roofed areas; open sided structure greater than 10 sq m; carports and patios to existing buildings; unroofed decks and retaining walls greater than one (1) metre above ground level; changing the use of a building and demolishing a structure.

Design

1. All building works are to comply with the Environmental Planning & Assessment Act 1979, the Building Code of Australia and all other relevant Australian Standards and manufacturers literature.

2. Siting requirements are set within the above legislation and codes. The planning scheme may also have site requirements. These require to be interpreted by the designer or building surveyor in conjunction with the land owner. Site plans should be drawn from current investigation of the site.

3. Builders can draw the plans for works they are going to construct but owners need to engage the services of a Office of

Fair Trading licensed building designer.

4. Information about the proposed site needs to be gathered. This may include a title search and copy of the registered plan from the Department of Natural Resources. This will also reveal registered easements. Soil reports and contour and feature surveys are also required.

5. Council may have information on sewers mains and house drainage, water mains, stormwater mains, flooding and bush fire prone areas. Location details of older septic installations have not been recorded. Floor heights for habitable areas are generally to be a minimum of 300mm above any previous flood level (refer relevant local authority for specific requirements). It is the owner's responsibility to provide evidence of flood heights where any doubt exists.

6. The Australian Green House Office has produced the "Your Home" – Designers Guide for Lifestyle and the Future. The energy efficient design principles espoused in this 'Sustainable Housing' document will assist the owner in the design of their own 'Smart House'.

Where To Get Help

Industry & Community:

Building Designers Association of Queensland (BDAQ)
3205 1739

Housing Industry Association (HIA)
3846 1298

Qld Master Builders Association (QMBA)
3404 6444

Royal Australian Institute of Architects
3846 4900

State Government:

NSW Office of Fair Trading
02 9895 0111

Qld Environmental Protection Agency
1300 369 388

Commonwealth Government:

Australian Greenhouse Office
1300 130 606

Disclaimer:

The information contained in this handout has been prepared with due care. This handout is offered only for the purpose of providing useful building information to assist those interested in lodging a building application. Whilst every effort has been made to ensure that this handout is in accordance with current regulations, it is not intended as an exhaustive statement of all relevant data, and no responsibility is accepted for errors in, or omissions from this handout. Persons making decisions with financial or legal implications must not rely upon this handout for the purpose of determining any particular facts or circumstances exist and Adan Creative Designs expressly disclaim responsibility for any loss or damage suffered as a result of placing reliance upon this information.