

ORDERS/NOTICES WHAT IS MEANT BY 'CERTIFICATION'

Thank you for contacting our office. First, an explanatory note about the Reg 126 or 1507/Certification in Council's demand.

Showing cause does NOT mean giving an explanation why the work was done without a Building Permit but giving formally documented technical evidence that the structure complies with the Building Act 1993 and the Building Regulations 2018.

For domestic buildings, this evidence has to cover compliance with siting (Part 4 of the Regulations), property title restrictions (encumbrances, caveats, agreements, easements, etc.), fire safety, smoke detectors, structural adequacy, construction in special areas and any other elements found to be relevant at the time of an assessment.

There are subtle differences in the following Council terms which appear the same but are very different (and attract vastly different professional time and fees).

- (a) Approve to Building Surveyor satisfaction
- (b) Certify
- (c) Certify design
- (d) Certify construction
- (e) Certify inspection
- (f) Certify design and construction
- (g) Reg 1507 compliance/Reg 126 compliance/Building Act Section 238(1)(b)

The process is quite complex and time consuming and comprises, at minimum, the following steps.

1. Architectural drawings are required (cost possibly at \$2,500).
2. An engineering report and certification of the design and the building work (possibly \$2,000).
3. Following the deposit (pre) payment of our own additional professional fees (\$3,000-\$4,000 plus).

Demolition pursuant to Council's demand may be preferable.

A. ARCHITECTURAL DRAWINGS

Allotment or site plans at 1:500 (minimum) to show north point and:

- Boundaries and dimensions of site
- Any easements on the site and any adjacent properties (windows, private open space, footings and angles of repose)

- Position of the proposed building and its relationship to the site boundaries and any other buildings on site. Also, the near side front setback of adjoining properties
- Wind terrain category estimate 28/33/41 m/s or N1 N2 N3 N4
- Spacing under bearer
- Damp proof course, waterproofing of wet areas
- Insulation, noting current energy efficiency requirements are 7 star
- BAL bushfire rating

Specification of all materials, sizes, grades, etc.

Use these plans to request Council written advice whether Town Planning Permit is required.

B. SITE INSPECTION AND APPROVAL BASIC CHECKLIST

TO BE INSPECTED AND MEASURED	REFERENCE	SIGN OFF WHEN APPROVED
Concrete Slab Depth		
Foundation		
Waterproofing (Polythene Vapour Barrier)		
Wall Frame Timber, Brick, Metal		
Stumps - Type of Footing Size: Braced:		
Flooring – Material (below) Size: Waterproofing:		
Truss Roof Span: Type:		
Roof Frame – Common Roof/Truss Roof/ Cathedral Roof/Flat?		
Bearer		

Joist – Single Storey SS		
Joist – First Floor		
Joist – BS or First Floor		
Bottom Plate SS		
Top Plate SS		
Bottom Plate TS		
Top Plate TS		
Studs SS		
Studs TS		
Wall Braces		
Window and Load Studs SS		
Window and Load Studs BS		
Bressemer SS		
Bressemer BS		
Ceiling Joist		
Hanging Beams		
Rafters Common		
Rafters Cathedral		
Hips and Valleys		
Ridges		

Collar Ties		
Purlins		
Props		
Roof Battens and Roof Braces		
Connections		
Tie Downs		
Downpipes		
Connections to Stormwater		
Grading Away from Building		
Suitable for Occupation Class 1 2 3 4 5 6 7 8 9 10 (circle) 1. Cooking 2. Bathing 3. WC 4. Laundry 5. Smoke Detectors 6. Unprotected Stairs or Decks?		
Town Planning		

C. FOR INFORMATION – ADDITIONAL DISBURSEMENTS MAY INCLUDE:

Professional time/expertise: \$400 + GST per hour

Regardless of any Certification, our experience and expertise, we can offer no guarantee as after considering the submission Council's determination may be any of the following:

(a) The work does not comply, and it has to be demolished; or

- (b) The work complies and it may be permitted to remain under conditions; or
- (c) The work, in its current form, does not fully comply and the owner is given the options to either alter part of the work to reach compliance under a Building Permit or demolish that part. I may require engineering consultants.
- (d) If Council is not satisfied it will elevate the matter to the next level of conformity, a Building Order, (and penalties and Magistrate's Court).
- (e) Magistrates Court penalties have risen sharply from previously averaged \$16,000, but some Councils are now seeking the full government \$96,155 penalty. Some offences are Indictable (Criminal Offence and jail); \$480,775 (2,500 penalty units) for companies or Body Corporates.

We look forward to helping you with the initial preliminary site meeting Form B upon payment of the deposit into our bank.

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