1. BUILDING REGULATIONS
The Building Act 1993 and The Building Regulations 2006 control all building matters in Victoria. Building Permits are generally required for most building work, including:

- Construction of new buildings
- Construction of pools deeper than 300mm and required safety barriers
- Alterations, additions or renovations to buildings
- Repairs to buildings
- Relocation or Demolition of buildings
- Erection of Signs, Masts, Poles and the like
- Construction of Retaining Walls or Site Cuts
- Alterations to Essential Services Equipment in buildings, etc

The Act and the Regulations also control the maintenance and safety of buildings and building work. Buildings are required by the Act and the Regulations to be maintained to ensure the safety of the public and the occupants of buildings.

Buildings are classified by the Building Code of Australia according to the use of the building. There are ten classes of buildings:

- Dwellings (Houses) Class 1a
- Rooming Houses Class 1b
- Flats Class 2
- Boarding Houses and Hostels Class 3
- Caretakers residences Class 4
- Offices Class 5
- Shops and the like Class 6
- Warehouses Class 7
- Factories Class 8
- Schools, hospitals, public and assembly buildings Class 9
- Garages, Carports, Sheds, Pools/Spas and Safety Barriers, fences, masts (Outbuildings etc) Class 10
2. TECHNICAL ADVICE AVAILABLE
Technical staff are available to assist with your building enquiries during business hours.

3. BUSINESS HOURS
Building Control Services are located at the Hume City Council Administration Centre 1079 Pascoe Vale Road Broadmeadows. Our business hours are:

8.30am – 5.00pm Monday to Friday (except public or gazetted holidays)

Building Control applications may be lodged at Council’s Customer Service counters at the Craigieburn and Sunbury Municipal Administration Centres during business hours.

4. PROPERTY INFORMATION
Applications for Property Information, Stormwater Discharge Permits, Construct over easement applications, Copies of plans and documents, Solicitors inquiries etc should be forwarded together with payment to:

Building Control Services
Hume City Council
P O Box 119
Dallas 3047
Telephone 9205 2325

5. BUILDING PERMITS
Building Permit applications can be made to Council’s Municipal Building Surveyor, or to a Private Building Surveyor appointed under Part 6 of the Building Act 1993. For further information go to the Building Commission website www.buildingcommission.com.au

Applications for Building Permit must be accompanied by all of the requisite documents prescribed in Part 3 – Division 1 of the Building Regulations 2006. If an application is not accompanied by the prescribed documents, a Building Permit cannot be considered for issue.

It is the responsibility of the person making the Application for Building Permit to ensure that all of the prescribed documents are lodged with the application at the time that the application is made. Application documents include, but are not limited to, the following information;

- Building Permit Application Form (Form 1) is required to be fully completed and signed by the applicant.
- Copy of Title showing current ownership and including Plan of Subdivision.
- Certificate for domestic contracts insurance, or an Owner Builder Consent certificate from the Building Practitioners Board, for any domestic building work where the cost of the proposed works will exceed $12,000. For further information regarding insurance please phone the Consumer Affairs Victoria on 1300 558 181.
- 3 copies of a Soil Investigation Report are required for all buildings including dwellings and dwelling additions but not including sheds, carports, steel garages or other light structured buildings.
- 3 copies of design drawings which shall include;
  - Site plan drawn to scale of not less than 1:500 showing siting of a proposed building on the allotment and location in relation to other buildings on the same and/or adjoining allotments, and building perimeter, floor and related site levels.
  - The location and depth of any excavation and/or filling and the means of retention must be accurately shown.
• Proposed downpipes and stormwater drainage system layout — The discharge connection point must be shown.

• The position of the allotment in relation to the nearest intersecting street, street names and north point.

• Floor Plans showing — overall and internal dimensions, thickness and composition of walls, use of rooms and fittings, sizes and type of windows and doors.

• Plans for additions and/or alterations must be coloured to clearly designate the proposed works. (Scale 1:100)

• Elevations including sectional elevations (Scale 1:100)

• Sections indicating footing type and size, structural details (minimum scale 1:100)

• 4 copies of Specifications indicating materials to be used, framing schedule, stress grading, relevant A.S. Codes, etc.

• Applications will only be processed after fees have been paid and a receipt issued.

If you do not lodge the correct information — it will delay the issue of your permit.

6. PLANS & DRAWINGS
Plans, design drawings, calculations, reports and specifications must be of good standard and to scale. Details should be used to clarify construction connections, intersections, materials and methodology. Colour or other accepted drafting treatments should be used to differentiate between existing and proposed new parts of buildings. Engineering computations and reports necessary to verify building design performance should also accompany applications.


Building Design is a complex professional discipline involving many years of training and experience, formal qualifications and practitioner registration. If you do not have the requisite building design skills you are advised to engage a professional building design consultant, such as an Architect or registered Draftsperson. Building Permits cannot be issued if application documents are not of the requisite standard.

7. GARAGES, CARPORTS & SHEDS
Garages, Carports, Sheds and similar outbuildings are classified as Class 10a in the Building Regulations. The regulations exempt a Class 10a building from having a Building Permit if they are not constructed of masonry, have a floor area not more than 10 square metres and a height not more than 3 metres, or 2.4 metres if located within 1.0 metre of a side or rear boundary (provided it is not constructed over and easement).

If your building is exempt from the requirement to have a Building Permit you must ensure that your building is sited legally, is structurally compliant and has a compliant storm water drainage system. You are encouraged to seek advice from Building Control Services before commencing any work.

8. PERGOLAS
Pergolas are small open roofed structures which may be exempt from the requirement to have a Building Permit. A Pergola is exempt from the requirement for a Building Permit provided that it does not have a roof (but it may covered with open weave permeable material), is not more than 20M² in area, is not more than 3.6 metres high and is not located forward of the front wall of the house (or other building to which it is appurtenant). Verandahs, Carports and other like roofed structures are not classified as Pergolas and consequently do require Building Permits.
9. **SOLID FUEL HEATERS**
Installation of Solid Fuel Heaters may require a Building Permit before installation, however any structural alterations to a building associated with the installation of a Solid Fuel Heater will require a Building Permit. You are advised to make enquires with Building Control Services about your proposal.

10. **RETAINING WALLS**
Retaining Walls generally require a Building Permit before construction. You are advised to contact Building Control Services before you make any arrangements to build a Retaining wall.

11. **SIGNS**
The construction or erection of a sign may require a Building Permit. Any sign that exceeds 1 metre high when within 3 metres of a street alignment will require a Building Permit.

Any sign more than 3 metres from a street alignment will require a Building Permit if it is more than 8 metres high or has a display area more than $6m^2$.

Construction on signs on a road reserve (nature strip, roundabout etc) will require Council permission and a Building Permit.

You are advised to contact Building Control Services to discuss your proposal with our technical staff before commencing any work.

12. **BRICK FENCES & RETAINING WALLS**
Brick and masonry walls and fences and Retaining Walls usually require a Building Permit. You are advised to contact Building Control Services for advice before you make arrangements to construct a brick or masonry fence.

13. **DESIGNS COMPUTATIONS**
Where an Engineer’s Design is required to be included as part of your application documentation the following applies;
- 3 copies of each set of plans/computations/designs,
- Designs should be accompanied by a “Certificate of Compliance-Design” prepared by a registered Engineer.

14. **EXEMPTIONS**
Some buildings and building work of a minor nature are exempt from the requirement for a Building Permit. Building Permit exemptions are listed in Schedule 8 of the Building Regulations 2006.

There are **no exemptions** for building work having a cost of less than $5000. Swimming Pools, Spas (greater than 300mm deep) and the required Safety Barriers do require a Building Permit.

Before proceeding with any building work, you are encouraged to seek professional advice. You should bring preliminary sketches of your proposed building to the Building Control Services department during business hours where you will be provided with professional advice.

It is important to note that buildings exempt from the requirement for a Building Permit are still required to comply with Building Regulations. The owner/builder would be required to carry out a self-assessment for building and siting compliance.
15. BUILDING WORK COST
When you fill out an Application for Building Permit you are required to make a statement about the "cost" of the building work. The cost of building work must include the true or market cost of labour and materials involved in the construction, or the relevant contract price. This estimate must take into account the cost of completing the building, including your own labour, floor slabs, drainage, electrical, plumbing, fit-out etc. Sometimes it is easier for owner builders to base cost estimates on the retail or market prices of buildings of similar size and construction.

16. PROTECTION OF COMMUNITY INFRASTRUCTURE
An Asset protection Permit is required from the Council whenever building work is being carried out. This permit is a requirement of Council’s General Local Law No. 1

There are exemptions from this requirement for some buildings such as light weight sheds, fences, and other small works. Where the building work will cost more than $20,000 or involve delivery of materials to the building site by vehicles having a gross weight exceeding two tonnes an Asset Protection Permit will be required before commencing works.

Council Permits are also required for works including:
- Digging up the road, footpath or nature-strip,
- Constructing a new vehicle crossing,
- Connecting to a Council drain,
- Altering or repairing a council drain.

Before commencing any work you should ensure that you have obtained your permit and paid any fees. Failure to obtain a permit required under Council’s Local Laws can result in penalties and fines being issued. You may also be held responsible for damage that you may not have caused.

17. FEES
Building Permit related fees include:
- **Building Permit fees** are based on the size and cost of the building work,
- **Building Permit Levy** is a state government tax on all building work with a cost of more than $10,000.
- **Lodgement Fee** is payable on any building work with a cost of $5000 or more.
- **Property Information Fees** relate to applications for building information relating to an allotment. Information provided includes hazard mapping information and details of permits, notices and orders on property. The Property Information Certificate should be obtained from this office before commencing any design. The application form can be obtained by phoning Council.
- **Asset Protection Permit fees** are payable upon application for your permit. Application forms are available from the Council’s offices.
- **Council Report and Consent** applies to a number of discretionary in the building regulations that are not “as of right” - such as siting modifications and building over easements.

You are advised to refer to Council's current fee schedule, which is available from Council on request.

Payment of fees can be made by cash, cheque EFTPOS or Credit cards at Council’s Broadmeadows, Craigieburn or Sunbury Administration Centres. Cashier hours are 8.45 am – 4.45 PM weekdays.
18. PLANNING PERMITS
In many cases, before a Building Permit can be issued, a planning permit will be required. A planning permit authorises the development or use of land and includes alterations to existing premises.

The following guidelines may be used to assist in determining whether a planning permit is required but applicants are still advised to discuss their proposal with a planning officer. Early discussion will confirm whether a permit is necessary and highlight likely requirements.

19. Detached House
This generally refers to a single dwelling on one allotment. In most cases no planning permit is required for a detached house. Most residential estates have “as of right” siting and design rules for the construction of dwellings and outbuildings.

20. Dual Occupancy and Multi Unit Developments
This refers to the construction of more than one dwelling on an allotment. All such developments will require a planning permit. Applicants are advised to discuss their particular proposal with Council’s Development Services Planning staff to ascertain the requirements.

21. Factories/Other Industrial Uses
In most cases the development of land for industrial purposes will require a permit. Any extensions, refurbishments or general alterations to any industrial premises will also require planning permission in most cases.

22. Commercial
With some proposals the views of other government agencies will be required. Also, proposals which could cause material detriment will need to be advertised.

Once any necessary advertising has been completed, and government agencies have responded, the application may be determined.

The Council will decide either to approve or refuse the proposal. In making its decision, Council must consider the relevant provisions of the planning scheme and other codes and guidelines.

A permit can be issued either with or without conditions, and a proposal can only begin and continue if all conditions on the permit are met.

If you need more information on any planning matter you should contact the Development Services Planning Office on 9205 2309.

23. DOMESTIC CONTRACTS INSURANCE
The Domestic Building Contracts Act 1995 requires builders and contractors to provide insurance coverage for domestic works having a cost of $12,000 or more.

You are advised to ensure that you obtain your insurance certificate as it is your guarantee against defective building work.

For more information ring Consumer Affairs Victoria telephone 1300 558 181.

24. OWNER BUILDERS
Owners who intend to carry out building work of a domestic nature that cost more than $12000 (including the value of labour and materials) must obtain a certificate of consent from the Building Practitioners Board before a Building Permit can be issued. For information about owner building you are advised to contact the Building Practitioners Board on 9205 6400.
25. STORMWATER DISCHARGE CONNECTIONS
Applications for permission to connect to the Legal Point of Stormwater Discharge must be forwarded together with payment to Hume City Council Building Control Services Department.

26. FOOTINGS ANGLE OF REPOSE REQUIREMENTS
Service drains can have a detrimental effect upon the foundations of some buildings. Because of this, you will be required to provide an endorsed sewerage plan from the relevant water authority, as well as a Council Engineer’s Department Statement indicating the size, depth and location of any drains within the area of influence of the footings system for your proposed building. This includes drains in adjoining allotments. Where the angle of repose of a proposed footing to a service drain or the like is in question, you will be required to provide a design of the proposed structural solution to the situation.

27. SITE CUTS & EXCAVATIONS
Where an allotment slopes to the extent that a site cut is required for the construction works, this is to be shown on the plans including the depth, location, stabilisation and drainage of the excavation. Protection Work Notices must be served on adjacent property owners where excavations are close to boundaries. All site levels and floor levels are to be shown.

28. SWIMMING POOLS
Swimming Pools and Spas with a depth of more than 300mm and required Safety Barriers require a Building Permit. Such Pools and Spas must be enclosed with a Safety Barrier hat complies with the Building Code of Australia and the Australian Standard 1926.

Council considers the issue of pool safety to be of the paramount importance. You are advised to speak to one of our Building Surveyors before you proceed with any swimming pool proposal. Failure to provide appropriate pool safety barriers can result in avoidable death or injury of children, as well as prosecution and significant fines.

29. RESTUMPING OR UNDERPINNING A BUILDING
If you are intending to restump or underpin a house remember the following:

- Engage expert advice before you proceed with any restump or underpin work.
- Ensure that a building permit is obtained.
- Selecting a contractor should not be necessarily based on price alone.
- Make sure the work is registered with Domestic Contracts Insurance. This is your insurance for peace of mind.
- Ensure that the Building Permit and inspections are carried out by a registered Building Surveyor.

30. BUILDING PERMIT AMENDMENT
Where you wish to change something on your Building Permit, you will be required to apply to amend your Building Permit. To make an application to amend your permit you will need to submit a completed Application Form and four (4) copies of the new plans, specifications or documents together with payment of the application fee.

31. ENERGY EFFICIENCY
New Dwellings and Additions to Dwellings are required to comply with the Six star Energy Efficiency Provisions in the Building Code of Australia (BCA). Commercial and Industrial buildings are required to comply with the Energy Efficiency provisions of Section J of the BCA.
32. LAPSING OF BUILDING PERMITS

Building Permits lapse after twelve months if building work have not commenced — and for domestic works after twenty-four months; and for commercial Industrial after 36 months, if building work has not been completed. In the case of pools and safety barriers building work must be completed within six months of the date of commencing building work. No refunds of permit fees will be made if an application or a permit lapses. There are no provisions in the Building Act 1993 for cancellation of a Building Permit application or a Building Permit.

33. BUILDING INSPECTIONS

Bookings should be made at least one day in advance. Please quote Building Permit Number and property address. Approved stamped plans and documents are to be provided on site on the day of inspection.

The mandatory Building Inspections include
- Concrete slab - Pre Slab, Steel reinforcing.
- Strip Footings.
- Stump Holes & Pad-holes.
- Frame - including sub-floor if applicable.
- Final - when all building work is completed you will be required to call for a final inspection.

34. OCCUPANCY PERMITS

An Occupancy Permit is required for all buildings except outbuildings, swimming pools and Dwelling additions. The Owner must obtain an Occupancy Permit after building work has been completed and before a premises is occupied. Failure to do so is a breach of the legislation and could render the Owner and/or occupier of the premises liable to heavy fines. Council will not supply a Rubbish bin or a Recycle Crate if an Occupancy Permit has not been issued.

35. CERTIFICATE OF FINAL INSPECTION

When a final inspection has been approved for buildings (other than those that require an Occupancy Permit) a Certificate of Final Inspection will be issued to the owner.

36. DEMOLITIONS

To ensure applications for Building Permits to demolish are processed with a minimum of delay the following information is required:
- A completed Building Permit Application Form,
- Completed form B in accordance with section 29A of the Building Act from Council’s Planning department,
- Site plan — 3 copies.
- Specifications for the proposed demolition procedure and any appropriate protection works — 3 copies.
- Copy of demolisher’s insurance,
- Certificate of Title, allotment plan or plan of subdivision including evidence of ownership,

37. SMOKE ALARMS

Smoke Alarms must be installed in all Dwellings in accordance with the requirements of the Building Regulations 2006. The alarms are to be installed near the bedroom areas. Smoke Alarms in new dwellings and Dwelling Additions must be hard wired to the mains electricity supply.

It is mandatory to install Smoke Alarms in all existing dwellings. Smoke Alarms in existing parts of houses that were constructed prior to 8th April 1991 may be of the battery operated variety.
38. PROTECTION WORK NOTICES
Where building work is proposed to be carried out on or close to boundaries protection Works Notices are required to be served on adjacent property owners in accordance with the Building Act 1993. Protection Works Notices should include detailed specifications of protection works proposed to protect adjoining properties from damage or detriment. Adjacent property owners must agree to the proposed works before the works commence, subject to the relevant provisions of the Building Act 1993.

39. SITING REQUIREMENTS
In the Hume City Council siting of Class 1 and 10 buildings is required to comply with part 4 of the Building Regulations 2006. Under certain conditions Council will consider an application for a modification to siting rules — Report and Consent application. Any application for Council Report and Consent to modify a siting regulation must include;

- Completed application form,
- Plans and elevations of the proposal,
- Written submission addressing the Ministers Guidelines for siting modifications,
- Copy of certificate of Title and Title allotment plan or plan of Subdivision,
- Written consent from the affected adjoining property owner/s,
- Payment of fees.

40. CORNER FENCES
Fences constructed along or near the street alignment boundaries of a corner allotment must not exceed 1000 mm in height at any place within 9000 mm of the point where the street alignment boundaries intersect unless written Council approval (Report and Consent) has been obtained. Applications for Council Report and Consent must be made using the approved Council form and be accompanied by the prescribed fee.

41. BUILDING OVER AN EASEMENT
When you wish to construct a building over an easement you will need to obtain written consent of the relevant sewerage authority and the Council. Applications for report and consent from the Council should be made prior to your Building Permit being issued and must be accompanied by:

- Completed application form,
- Plans of the proposal,
- Sewerage authority consent,
- Copy of the certificate of title and Title allotment plan,
- Payment of fees.

42. TERMITES
Hume City is designated as being an area in which buildings are likely to experience termite damage. New buildings and building work must be protected against termite attack. Termites are part of the natural environment and can occur anywhere. If left untreated termite infestations can cause considerable damage to buildings and timber products. If you suspect a termite infestation on your property it is important to engage an expert in pest control to advise you as to the appropriate solution. Look under Pest Control in the telephone book.

43. BUILDING ON UNSEWERED LAND
If you are intending to build on land that is not serviced by sewerage infrastructure you are required by the Building Regulations to apply for Council report and consent to build on unsewered land. Such applications should be made on the Council Report and Consent Application form.
44. BUILDING ON FLOOD PRONE LAND
   If the land that you intend to build on is prone to flooding or uncontrolled overland drainage
   the Building Regulations will require you to have the report and consent of the Council. Such
   applications should be made on the Council Report and Consent Application form.

45. HALF COST FENCING
   Council, as a property owner, sometimes has obligations to share the cost of boundary
   fencing with adjoining property owners. This obligation does not apply to boundaries on
   street alignments, or where subdivision planning permits provide for alternative
   arrangements. If you own a property which shares a common boundary with council land
   you should discuss your proposal with Council's Building Assets Officer, telephone 9205
   2325.

46. BOUNDARY FENCING
   Council does not administer the legislation which governs fencing of land. Fencing is
   covered by the Fences Act 1968 which is State Government legislation. Disputes about
   fencing can be referred to the Disputes Settlement Centre, telephone 9603 8370 or the
   Magistrate's Court.

47. AIR CONDITIONING AND COOLING
   For your protection, by law, people who install refrigerated air conditioning systems or
   evaporative cooling systems must be properly licensed and/or registered. They will:
   - Carry an official ID card from the Plumbing Industry Commission,
   - Provide you with a Compliance Certificate at the end of any job costing $750 or more.
   This Certificate gives you 10 year protection in the event of any problems with the work.

48. BUYING AND SELLING PROPERTY
   If you considering the purchase of a property it is prudent to make inquiries to discover
   whether there are any matters that may be of concern. Ideally the section 32 Vendors
   Statement should include a certificate issued by the Council under regulation 326 of the
   Building Regulations 2006. This certificate will disclose the details of Building Permits and
   Final Certificates issued in the preceding decade. It will also disclose whether there are any
   Building Notices or Building Orders that you should be aware of.

   It is wise to consider engaging professional Building Inspection services to prepare a
   Building Inspection Report for you. Such reports will provide advice about things such as
   illegal building work and whether the buildings have suffered termite attack. Building
   inspection service providers can be sourced by reference to the Yellow Pages.

49. PUBLICATIONS
   Useful publications that provide assistance in the design of buildings and building work:
   - Building Act 1993
   - Building Regulations 2006
   - Building Code of Australia (National Construction Code Series)
     Published by
     SAI Global
     www.saiglobal.com
50. CORRESPONDENCE
All Building Control related correspondence should be forwarded;

Municipal Building Surveyor
Building Control Services
Hume City Council
P O Box 119 Dallas 3047
Telephone 9205 2325  Fax 9309 0109
contactus@hume.vic.gov.au
www.hume.vic.gov.au

51. USEFUL CONTACTS

BUILDING COMMISSION 1300 815 127
www.buildingcommission.com.au
BUILDING PRACTITIONERS BOARD 1300 815 127
BUILDING APPEALS BOARD 1300 815 127
CONSUMER AFFAIRS VICTORIA 9627 6100 or 1800 067 320
DIAL-A-LAW LEGAL INFORMATION (03) 9602 5000
LAW INSTITUTE OF VICTORIA (03) 9607 9311
ENERGY SAFE VICTORIA (03) 9203 9700
YARRA VALLEY WATER (03) 98742122
CITY WEST WATER 131691
WESTERN WATER (03) 54219400
METROPOLITAN FIRE BRIGADE (03) 6622311
COUNTRY FIRE AUTHORITY (03) 97431666
MINISTRY OF HOUSING (03) 9616 7777
LAND VICTORIA (03) 8636 2010