

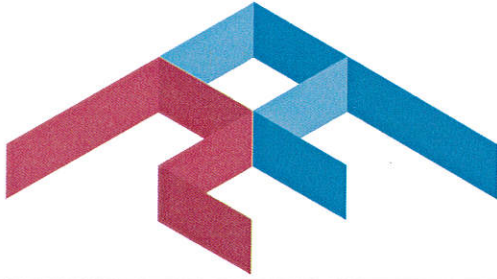


Scan here for website



Please pass around your office.

Let us know your staff members name's & we will send the next edition directly to them



PRO ACT. NEWS

April 2016

365 Mitcham Road,
Mitcham, Vic. 3132
Tel: (03) 9872 3364
E-mail:
dwadsworth@proactconsult.com.au
www.proactconsult.com.au

The headline story of Pro Act. News is the new Building Bill, now through its second reading speech heading toward becoming an Act. Some parts of the new Act will, I tip, become immediate, eg Owners to appoint their Building Surveyor. This is what I predict you should know now.

- Consumer Affairs Victoria new domestic building dispute.
- A new process for permit Building Surveyors is a Certification – of documents being lodged with Council (presumably we won't be further guided, so ProAct is developing this Certificate now).
- All building practitioner registrations – Draftsperson, Builder, Engineer, Building Surveyor/Inspector, Architect will now submit their continuing professional development studies for professional registration. Registration will sunset at 5 years, unless renewed.
- Owner builders discouraged – only every 5 years.
- Owner Not engage a person to build UNLESS there is a Building Permit. (Maddock's Bronwyn Weir quotes Minister Wynne "Every building practitioner in the chain must ensure that the building work is compliant Every building practitioner should be held accountable".

Where a permit Building Surveyor issues a direction to fix, and the builder does not, he/she immediately refers that builder to the VBA. (So finally – a RBS is being given replacement to "baby teeth" which we have has for 24 years).

- Codes of conduct for building practitioners – so those Building Surveyors who lower our good name by under-charging cannot take short cuts.

Readers, be ready for intensive updating!! WE WILL KEEP YOU INFORMED

APPOINTING THE BUILDING SURVEYOR WHO PROTECTS YOU

Owners - Congratulations on proposing building works. An independent building permit service considers plans and if acceptable, issues your building permit. It also conducts progress inspections, considers tests deemed necessary, builder's certificates and issues the Final Certificate/Occupancy Permit upon completion.

The Building Surveyor as a matter of law has a paramount duty to the Building Regulations which protect you the owner and users, now and in the future.

In addition to the work of assessing building permits and conducting statutory inspections, on occasion we may have to issue Notices if work needs to be corrected by the builder, (or you, if you are an owner builder).

Remember you have extra responsibility if you are owner/building.

E.g Fees for additional administration and/or inspections, enforcement and appeals processes in the event such is required.

NEWSLETTER FEEDBACK (Only the good bits)

Hi Drew

From Ron Zack, "Canada appreciate the opportunity to read ProAct News – its world class".

"G'day Drew, great to hear of the recognition of Ray Hamill. Must read Ray's report", Ross Thompson.

Hi Drew,

I wanted to especially thank you for your inclusion on the Posthumous Recognition of our very dear friend Ray Hamill it is so pleasing that his Bushfire report was made public and that he was honoured by the BBKA. I know how passionate and driven he was by this subject, and he fought tirelessly, sending this report and many letters to the State Government of the day. There was much fist banging on the AIBS Executive table by Ray during Executive meetings about this subject, the water glasses would jump up and down regularly, such was his dogged determination for innovation and change. He is truly missed, but certainly not forgotten.....

Kathy Iona - (Past AIBS Executive Officer, Vic)

WELCOME REBIRTH

Conceived 9 months ago, but now out of "training wheels" stage, the new VBA ProActive Building Site Inspection program is sweeping through Victoria, including regional and rural areas. This time, it is not just talk!



Very successful Worksafe Model for VBA Proactive Building site

Out – is old style pedantic prosecution of building practitioners maybe a year or 5 years too late.

In – comes flying squads in distinctive marked cars, actually pulling up at a site, and dealing with what they discretely call "issues" and immediate solutions.

The flying squads comprise a choice of practising building surveyors, inspectors, plumbing inspectors.

In the 9 months since inception, builders have welcomed the VBA Building Surveyors and inspectors on site (Reference Prue Digby, VBA Email 17/3/16).



POST FIRE SEASON

(Post Black Saturday Royal Inquest)

1. The Age 6.2.16 "Wye Fire victims lament cost of new Building Code" Planning Minister Wynne confirmed no imminent plans to tighten building regulations further, but the government is monitoring the Wye River recovery".
2. The Age 26.2.16 " Bush fire proof houses burn down" flaws identified but not addressed. The Bushfire Building Council of Australia says the standards are flawed, eg fire wood heaps, gas heaters, building adjacent a fire trap house.
3. VBA Press Release 3.2.16. "Private Bushfire shelters must comply and must have a building permit" * Accreditation by BRAC OR * satisfy a Building Surveyor OR *Apply to the Building Appeals Board for a favourable determination.

Council News

- Based on the "verge gardens" pushed by the ABC gardening program, Councils like Maroondah now encourage nature strip landscaping.
- In this built-up suburbia, Councils, eg Yarra Ranges have literature catering for roofs and paving replacing natural vegetation. It introduces a new term "*rain garden*" and "*WSUD*" Rain gardens store and filter urban water sensitive urban design.
- A new Local Government Act is presently out for community consultation.
- Damned if you do and condemned if you don't. A not-for-profit war museum in Nar Nar Goon battled to raise money for safety upgrades, but remains unsafe. However, the museum IS a public building, and was occupied by unsuspecting members of the public. The fire safety works and essential safety maintenance was a must, Council reluctantly closed.

WILL PRIVATE CERTIFICATION SURVIVE?

CONJOINT PROFESSOR KIM LOVEGROVE FAIB ADDRESSED THE AIBS (SA) IN MARCH. NEGATIVE PERCEPTIONS HELD BY THE PUBLIC ARE NOT REALITY. MODERN OVERSEAS STATE INSPECTORATES CAN EXPERIENCE FATAL COLLAPSES. HE URGED:

- FEE REGULATION TO PREVENT FEE CANNIBALISATION
- PEER REVIEW OF ALTERNATE SOLUTIONS
- AUDITING LIKE THE LEGAL FRATERNITY
- ANNUAL REFRESHER COURSES
- PROFESSIONAL POLICY, INDEPENDENT OF THE LAW MAKERS THEMSELVES.
- IN A MOMENT OF REFLECTION; IF BUILDING CONTROL REVERTED TO NOW HUGELY UNDER RESOURCED LOCAL GOVERNMENT, RATEPAYERS WOULD BE ANTI A GENERALIZED RATE INCREASE.

HELP TO IDENTIFY YOUR CLIENTS

Australia's population hit 24 million people on 13 February 2016. The population over shot the infrastructure forecasts, and came 17 years earlier than expected. Now to house us all!

Next we learn that Toorak is again the home of Victoria's highest earners. Then Portsea has also made it into the top ten of Australian earners.

However according to Sunday Herald Sun, "Renovation City" is the leafy suburbs of Boroondara which spent \$393 million dollars on extensions and renovations. Followed by Mornington.

The tourism and accommodation world is a growing earner. With a need for buildings More than 1 million visitors from China visited Australia. Domestic tourists still dominate, but 10% of growth is Chinese.

THE JOB CAN BE VERY HARD **CHEERIO TO THOSE DOING IT** **TOUGH**

A Building Surveyor follows the rules and regulations. He/she can find it very difficult, and does not knowingly live dangerously or break rules. This newsletter sends a cheerio to those of our profession doing it hard.

We send a "shout out" to:

- The Building Surveyors implicated in the Lacoste Fire and the Mount Waverley collapse.
- (Silent thoughts for those who have taken their own life, or suffered a fatal heart attack).
- South Gippsland Shire Council staff who walked into an ambush for which a grave had been already dug by a disgruntled bush rate payer (Latrobe Valley Magistrates Court March 22). Both officers are now out of hospital.

Do you recall that

- Shepparton was the **SOLAR CITY**? Its self promotion has waned but, the city, and the rest of Victoria has been quietly capturing the sun.
- This week I heard that **1 million** Australians have now got solar collectors on their roof. Many are even selling electricity back to the grid.

TRAPS FOR BUILDING CONSULTANTS & INSPECTORS

Previously we have warned of drug labs in houses, and partitioned lounge rooms (which deny light and ventilation to the inner rooms, and also any benefit of smoke alarms and sprinklers).

The atrocity is worsening, and now sleeping spaces, (separately rented) comprise just shower curtain walls. And this subletting is being on – sold. Hope that an emergency doesn't arise.

Consultants have a duty of care to report such illegal rooming houses to the local council, in the same way that we report unsafe swimming pools and child safety barriers.

The Building Industry needs Staffing

Engineering

Engineering is the branch of science and technology concerned with the design, building, and use of engines, software, machines, and structures.

Civil Engineering, which deals with building and testing infrastructure has the largest workforce of all the engineering types with 45,000 people forecast to be working in Australia by 2020. Other major types of engineers include mechanical, electrical, electronic, software and environmental.

Getting started -

Some short courses are designed for university graduates with a background in Engineering. A Bachelor of Engineering generally requires four years of full-time study with the first year quite general. From second year onward, students choose their specialisation, for example mechanical engineering.

A diploma costs about \$13,000 total, a bachelor costs about \$9,000 a year and short courses range from free to more than \$2,000.

Gender

Pay summary \$K Source: PayScale

Female 14% Male 86%

55	85	146
Low	Median	High

Herald-Sun 19.3.16

For Wangaratta, Corowa, Echuca and Mildura and Portland, Victoria is the first state to introduce cross-border qualification.

Owners - don't underpay your Architect/Draftspeople

The VBA is reminding that documents used for building permit applications must meet a certain standard.

Documents need to provide sufficient detail to demonstrate that the proposed building work will comply with the Building Act 1993 and Building Regulations 2006. Building surveyors cannot accept inadequate drawings or documents. The building permit cannot be issued until the proposed building work will comply.

Image Is Everything!

Our bosses, the newly created Department of Environment, Land, Water and Planning required new stationary, vehicle sign writing. The works had to rebadge - \$1.22 million!!!!!!!!!!



Our new staff member already learning to send emails



We have Frogs a client has Bund Bear, the Builder

HEDRA

Housing Engineering Sign and Research Association is having its next fact finding seminar at the Mercure Hotel Geelong on 20 May 2016. Peter Yttrup is the key note speaker.

Asbestos Agency

The Victorian Asbestos Eradication Agency has been tasked with identifying asbestos in all Victorian Government buildings including schools and hospitals. Eradication follows. The Andrews government has pledged to remove asbestos from all schools by 2020 and has so far cleared high-risk materials from 445 state schools.

Herald-Sun 21.3.16

Mail Delivers Chaos

Bills arriving after the due date and businesses unwittingly breaking the law, this is the reality of life under Australia Post's new two speed mail service.

The law actually states the day notice is the date "it would have been delivered in the ordinary course of post", members cannot rely on "ordinary" post speeds any more.

When need to send post to be received within 14 days, now it is the case of having to send them a minimum of 21 days.



The Australian Institute of Building Consultants are actively training their successors. L-R David Wilson, Robert Thompson, Mark de Clifford.



To build may have to be the slow and laborious task of years.

To destroy can be the thoughtless act of a single day.

- Winston Churchill

Do readers know what I mean by "McMansions"?

Or "Shateaux" coined by journalist Susie O'Brien ... I refer to what the daily paper readers comments call "Monolithic monsters marring Melbourne".

Styled as French provincial or Mock Georgian, they follow the modern pattern of boundary to boundary, with 3 living areas, two dining areas, teen retreats, parents retreats and multiple alfresco's.

In response, City of Boroondara has been swamped with complaints. It and other Councils have introduced stringent planning schemes for example, Whitehorse came in before Christmas, and is now hitting plans prepared only 4 months ago. Beware if you are planning a lodgement, for Building Permit.

BUILDERS + DRAFTSPEOPLE, ARCHITECTS

Protect yourselves!

Be prepared for the adoption of legislation forbidding a builder appointing a building surveyor.

Builders give your clients professional information to guide them toward your preference of Building Surveyor.

Draftspeople, to be safe yourselves, adopt a 3 step protocol which will protect you in my opinion, as owners still say “who is this Building Surveyor and why do I have to pay” (We had this exact case with a medico this week).

Step 1

Fully explain who building surveyors are; what we do; and how we are charged with protecting the owner. Our fees cover integrity, professionalism and Federal, State and Local government fees.

Step 2

Invite the owner to research our website www.proactconsult.com.au and that of our competitors. Also inform them of the website <http://www.vba.vic.gov.au/disputes-and-resolutions/practitioner-disciplinary-register>, noting that we have not appeared in our 24 years existence. Invite the owner to examine our Facebook site “proact building surveyors” to see the more personable side of our profile. Invite the owner to chat with us.

Step 3

Include the attached Owner Fact Sheet and owners Letter of Appointment.

(Readers have our permission to print off as many sets as they wish. Subject to change when the actual Regulation is known).

HELP LINE

We look forward to hearing from you.

Drew Ainslie, Gaye, Rory and Di

Subscribe to ProAct News or Froggy Friday dwadsworth@proactconsult.com To keep in touch with our view of the world. If you no longer wish this, please reply “unsubscribe”.



**BUILDER FACT SHEET
APPOINTING ME AS THE BUILDING
SURVEYOR**

*Building Legislative Amendment (consumer protection) Bill 2015. Amendment 38.
After Section 78 (i) of the Building Act 1993 insert (1A) A builder ... must not appoint
a private building surveyor on behalf of the owner of the land.....*

Heads up to Draftspeople and Architects. Whilst Amendment 38 does not refer to your profession, it is prudent to also follow the advice below.

Give your clients professional information to guide them toward your preference.

Here is the 3 step process which will protect you in my opinion.

Step 1

Fully explain who building surveyors are; what we do; and how we are charged with protecting the owner, and future occupiers. Also that we charge professional fees + government levies.

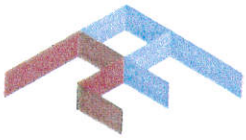
Step 2

Invite the owner to research OUR website www.proactconsult.com.au and that of our competitors. Also inform them of the website of xxxx, noting that we have not appeared in our 24 years existence. Invite the owner to examine Facebook "proact building surveyors" to see the more personable side of our profile. Invite the owner to chat with us.

Step 3

Include the attached Owner Fact Sheet and owners Letter of Appointment.

(Readers have our permission to print off as many sets as they wish. Subject to change when the actual Regulation is known).



PRO ACT.
BUILDING CONSULTANTS
ONE STOP PERMIT SHOP

365 Mitcham Road Phone: (03) 9872 3364 Website: www.proactconsult.com.au
Mitcham VIC 3132 Fax: (03) 9872 4701 Email: dwadsworth@proactconsult.com.au

OWNER FACT SHEET

APPOINTING THE BUILDING SURVEY WHO PROTECTS YOU

*****PLEASE NOTE AND FILE THIS IMPORTANT INFORMATION *****

Congratulations on proposing building works.

1. As you can see from our letterhead, we operate a One Stop Permit Shop and are government licensed and controlled. Our independent building permit service considers plans and if acceptable, issues your building permit. We also conduct progress inspections, consider tests deemed necessary, builder's certificates and issue the Final Certificate/Occupancy Permit upon completion of your project.
2. The Building Regulations recognize that it is the owner who appoints his or her building surveyor and it is our pleasure to accept your appointment.

Over 45 years as a building surveyor, and 23 years owning the One Stop Permit Shop, our work is done as independent experts. We have as a matter of law, a paramount duty to the Building Regulations which protect you the owner and users, now and in the future.

3. Our work, which follows the guidelines set by the Government, is carried out to the best of our abilities and this is the reason we still have clients from the day we opened in 1993.

In addition to our work of assessing building permits and conducting statutory inspections, on occasion we may have to issue Notices if work needs to be corrected by the builder, or you, if you are an owner builder.

4. When we issue your permit, the government requests that we point out to you:
 - Commencement and completion dates
 - Mandatory inspections and procedure to request an inspection (plus fees for additional visits).
 - Extra responsibility if you are an owner/building.
 - Fees for additional administration and/or inspections, enforcement and appeals processes in the event such is required. (Notices are \$1000 fee; Orders are \$2000 fee).



PRO ACT.
BUILDING CONSULTANTS
ONE STOP PERMIT SHOP

365 Mitcham Road Phone: (03) 9872 3364 Website: www.proactconsult.com.au
Mitcham VIC 3132 Fax: (03) 9872 4701 Email: dwadsworth@proactconsult.com.au

5. As the work unfolds, we will notify you of any other compliance matters which the owner or builder is expected to be aware of.
6. We wish you well with your project and look forward now to assisting you through the on-site phase of your program. You are welcome to query any aspect of the permit and inspection process with myself or Ainslie on 9872 3364.
7. Research our building permit service or see us at www.proactconsult.com.au and Facebook
8. Discuss your project with us then please lodge your appointment with Drew Wadsworth.
 - **Letter of Appointment (for Building Permits) or**
 - **Cost Agreement.**

Drew Wadsworth
RELEVANT BUILDING SURVEYOR

See us at www.proactconsult.com.au



Proact Building Surveyors

APPLICATION FOR A BUILDING PERMIT

SCHEDULE 2 FORM 1

Building Act 1993 Building Regulations 2006 Reg 301



PRO ACT.
BUILDING CONSULTANTS
ONE STOP PERMIT SHOP

To Drew Wadsworth Municipal Building Surveyor/Private Building Surveyor

* Whom is hereby appointed (Section 78) by the undersigned and no other Building Surveyor has already been appointed.

From Agent of Owner/ Owner*

Postal Address _____ Postcode _____

T: _____ Email: _____

Is the applicant a lessee or licensee of Crown land to which this application applies? _____

* delete as applicable. As Agent, I am authorised by the land owner to lodge this application.

Contact details for serving or giving of documents: (please circle) Agent Owner Builder Other (please give details)

Owner _____

Postal Address _____ Postcode _____

T: _____ Email: _____

Property Details

Number _____ Street/Road _____ Suburb _____ Postcode _____

Lot/s _____ LP/PS _____ Volume _____ Folio _____

Crown allotment _____ Section _____ Parish _____ County _____

Municipal district _____ Allotment area (sq m) _____

Is the land owned by the Crown or a public authority? _____

Builder (if known)

Postal Address _____ Postcode _____

T: _____ Email: _____

Building practitioners¹ and/or architect

(a) who were engaged to prepare documents submitted with this application²

Name _____ Category/class _____ Registration number _____

Name _____ Category/class _____ Registration number _____

(b) to be engaged in the building work³

Name _____ ABD/ACN _____

Company Name _____ Registration number _____

If a registered domestic builder carrying out domestic building work attach details of the required insurance

Ensure name, company, ABN/CAN are identical on this form to the H.O.W application & builder

Nature of building work *

Construction of a new building Extension to an existing building

Alterations to an existing building Change of use of an existing building

Demolition of a building Re-erection of a building

Removal of a building Other - Give Details

Proposed use of building⁴ _____

State the proposed /intended use of the building / part of the building is (Details required -e.g. dwelling, deck, side/rear fence, etc. Not just 'Dwelling')

* Tick if applicable or give other description

Owner Builder⁵ (if applicable)

I intend to carry out the work as an owner builder [Yes / No]

Value of building work⁶

Is there a contract for the building work? [Yes / No] If yes, please state the contract price \$ _____

If no, please state the estimated value of work (labour and materials) and attach details of estimation method \$ _____

If application is for a stage of building work:

Extent of stage _____ Value for this stage \$ _____

Signature of owner or agent

Date

Simply lodge this completed application form, plans, specifications and fees at:

The ONE STOP PERMIT SHOP 365 Mitcham Road, Mitcham 3132 Tel 03 9872 3364 Fax 03 9872 4701

We also provide the option of receiving your plans by email. Simply email by PDF to dwardsworth@proactconsult.com.au & ask us to print your plans for you. Please be aware there may be an additional charge for this service. Thank you



Attach application fee with lodgement & a tax invoice will be issued upon receipt

Form A1

DATE RECEIVED BY PROACT. BUILDING CONSULTANTS AND BY -

DATE.....STAFF NAME.....

LETTER OF APPOINTMENT
REQUEST FOR BUILDING PERMIT*



PRO ACT.
BUILDING CONSULTANTS
ONE STOP PERMIT SHOP

DATE: _____

To: Drew Wadsworth ~~Municipal Building Surveyor~~/Private Building Surveyor
of: 365 Mitcham Road, MITCHAM, 3132 Office hours 7am 3pm Monday to Friday)
Phone: (03) 9872 3364 Email: dwadsworth@proactconsult.com.au (24/7)

I, _____ of _____
_____, hereby appoint / request* you as Building Surveyor to issue my
Building Permit, for the following project, and I / my builder* undertake to pre-pay any fees
associated with such lodgement.

This document also confirms that to my knowledge, no other Building Surveyor has been appointed
to act with regard to this project.

Project Description _____

Job Address _____ Postcode _____

Council _____

Builder _____ Phone _____

Address _____ Postcode _____

Email _____ Mobile _____

Owner _____ Phone _____

Address _____ Postcode _____

Email _____ Mobile _____

Owner(s) signature _____ Date: _____

Print name: _____

Owner(s) signature _____ Date: _____

Print name: _____

*Hint:
The original copy of
this appointment letter
must be provided to the
Building Surveyor.*

This letter of appointment is a formal contract entered into by the owner and the
Building Surveyor, that ensures all relevant parties involved in the development
process are aware of their obligations under the Building Act 1993 – Part 3 –
Division 2 – Section 17, and Building Regulations 1994.

* Delete as applicable