

## ORDERS / NOTICES

Thank you for calling our office today. As discussed, we can assist you in relation to your Order or Notice from Council.

First, an explanatory note about the Reg 128 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 on 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 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. 128 compliance.

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

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

**Demolition pursuant to Council's demand may be preferable!!**

### **A. ARCHITECTURAL DRAWINGS (4 sets)**

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

- boundaries and dimensions of the site
- any easements on 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 position of adjoining properties
- Wind Terrain Category estimate 28/33/41 m/s or N1 N2 N3 N4?
- Spacing under bearer?
- Damp proof course?
- Insulation?

Specification of all materials, sizes, grades etc.

**B. SITE INSPECTION AND APPROVAL (basic checklist)**

<b>TO BE INSPECTED AND MEASURED</b>	<b>REFERENCE</b>	<b>SIGN OFF WHEN APPROVED</b>
Concrete slab depth		
Foundation		
Waterproofing (polythene vapour barrier)		
Floor frame – timber		
Wall frame – timber/brick/metal		
Stumps – Type of footing: Size: Braced:		
Flooring – Material: Size: Waterproofing:		
Truss roof – Span: Type:		
Roof frame – common Roof/truss roof / Cathedral Roof/flat?		
Bearer		
Joist – single storey SS		
Joist 1 <sup>st</sup> floor		
Joist BS or 1 <sup>st</sup> floor		
Bot. Plate SS		
Top Plate SS		

Bot. Plate TS		
Top Plate TS		
Studs SS		
Studs TS		
Wall Braces		
Window & Load Studs SS		
Window & Load Studs BS		
Bressemer SS		
Bressemer BS		
Ceiling Joist		
Hanging Beams		
Beams		
Rafters Common		
Rafters Cathedral		
Hips & Valleys		
Ridges		
Collar Ties		
Purlins		
Props		
Roof Battens & 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:	\$440.00 PH & GST
File archive fee (file kept 10 years)	\$210.00 + GST
Administration fee	\$260.00 + GST
Geographical & photographic research	\$ 95.00 + GST
Title search & property reports	\$105.00 + GST
State Government Levy 0.128% based on cost of work	TBA
Council Request for Information	\$51.20, + \$220.
Council Lodgement fee	\$121.90
PI Insurance levy	\$600.00

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. It may require engineering consultants.
- (d) If Council is not satisfied it will elevate the matter to the next level of conformity (and penalties).
- (e) Magistrates Court penalties previously averaged \$16,000, but some Councils are now seeking \$80,000 penalty. Some offences are Indictable (Criminal Offence), one penalty unit is \$165.22 (natural person); \$483,000 (Body Corporate).

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

Name: Pro Act  
Bank: Commonwealth  
BSB: 063-888  
Account No. 1013-3992

**ProAct Building Consultants**