



Stage 7. Gaining approval to build

The building approval system operates under the provisions of State Acts of Parliament, which are framed to ensure that community standards of health, safety and amenity are maintained. An architect understands both building regulations and application procedures and can usually expedite this stage. Approval responsibilities vary from state to state and the time taken to process the application varies depending upon the complexity of the project.

Work affecting the structure of a building, will require building approval. If in doubt, consult your architect, local Council or the authority responsible for building in your state. It is important to note that any work undertaken without building approval, where it is required, is illegal and that substantial penalties can be applied, including monetary fines and/or a direction to pull down or remove the illegal work.

Before issuing building approval, the responsible authority will need a series of architectural and possibly structural drawings and specifications to check against regulations. Additional information required might include the following:

- energy rating certificate

- land survey
- permit fees
- proof of ownership
- planning approval
- evidence of builder's registration
- evidence of appropriate insurances eg Home Owners Warranty

In several states, a system of registration has been introduced to ensure that building practitioners fulfil their regulatory obligations in the performance of their work. It is also likely that evidence of necessary insurances will be required prior to the issuing of building approval. An unregistered 'builder' may not have the necessary insurances to protect you as a client against the cost of rectifying unsatisfactory or incomplete work. It will also be more difficult to seek a solution through legal channels.

You can elect to carry out the works as an owner-builder, sub-contracting and coordinating all tradesmen and building supplies. Understanding the legal and statutory implications of this role is critical as you will still need to take responsibility for insurance, occupational health and safety and other compliance matters just like a registered builder and all the statutory building approval requirements still apply.