

## Have you received a Building Notice or Building Order?

Don't panic.

A Building Notice or Building Order from your local council can be confronting and the process confusing, but we can help you through it.

Notices and Orders are typically about building work (old or new) that did not get council permission to be built. You may have unknowingly inherited the illegal work (e.g. your deck that was built years ago by someone else), or built it without realising that council approval was needed. This kind of building work is considered "unapproved" or "illegal" and may need retrospective approval.

Council approval comes in the form of Planning, Building or Plumbing Permits and sometimes all three are needed for something to be approved and built.

A Building Notice is council's way of notifying you they are aware there might be some illegal building work on your property. It is a "please explain" to the owner, and in most cases all that's needed is to confirm whether the work in question is actually unapproved. When this happens, the council will issue a Building Order to have the problem rectified: by either demolishing it or getting retrospective approval.

At this point, you need a building surveyor to issue a Certificate of Substantial Compliance for the illegal building work, to support your application for retrospective building permission.



Check with your council to see if a permit for planning or plumbing is also required.



Submit a Form 8 Application for Certificate of Substantial Compliance and get us to conduct a site inspection. We will identify what work is unapproved, what work may be required to meet compliance and safety, and where efficiencies might be made.



Get a licensed designer to draw up plans of the unapproved work.



Submit the design documentation to us for assessment.

Step 5

We issue a Certificate of Substantial Compliance package and will submit it to your local council with a Form 9 Application for Permit of Substantial Compliance on your behalf.

Step 6

Pay any applicable council and building fees.

When the Permit of Substantial Compliance is issued by the council, the process changes depending on whether further work is needed.

Step 7a

If further work is needed, we will issue a Start Work Authorisation and works can commence as for a normal project, i.e. with site inspection(s), an Occupancy Permit and a Certificate of Final Inspection when required.

Step 7b

If all work is completed, then we conduct a final inspection and issue a Certificate of Final Inspection.

Step 8

We forward the final documents to your council, and they will lift the Building Order and issue a Certificate of Completion. Your problem has gone away.

Occasionally, a Building Notice or Order may be issued by a building surveyor. This happens when building work has veered off course from the approved plans. This can be fixed by the builder either rectifying the building work so it reflects the approved plans, or providing as-constructed design documentation for assessment and certification.

This information is provided as general guidance only, but if you need something more concrete for your particular circumstances give us a call on 6295 5563.