

# APPLICATION TO RETAIN WORKS CONSTRUCTED WITHOUT A BUILDING PERMIT

## Ownership Details (form to be completed by owner/ or agent)

Name							
Postal Address						Postcode	
Phone/mobile		Email					
Indicate if the applicant is a lessee or licensee of Crown land to which this application applies.						YES	NO

## Property Details (include title details as and if applicable)

Street Number		Street					
Township/Locality						Postcode	
Lot/s/CA		LP/PS/Sec		Volume		Folio	
Parish		County			Municipal District		
Allotment Area		Private, Local / State / Commonwealth Govt owned land					

## Builders Details (Owner Builder Details)

Builders Name							
Postal Address						Postcode	
Phone/Mobile		Email					

## Building Practitioners' and /or Architects

(a) who were engaged in the building work

Name		Category/Class		Registration #	
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(If a registered domestic builder has carried out domestic building work attach details of the required insurance under Home Building Contracts Act)

b) who were engaged to prepare documents forming part of the application

Name		Category/Class		Registration #	
Name		Category/Class		Registration #	

## Cost of building work

Estimated cost of the work (including labour and materials. (Labour must be a realistic value as if constructed by a building contractor/tradesman)	\$
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## Building details

Buildings to be retained		Use of building				
BCA Classification(s)		Total floor area of new building work	m <sup>2</sup>	No of storeys		
Floor Material	TIMBER / CONCRETE / OTHER		Frame Material	TIMBER / STEEL		
External wall material			Roof cladding material	TILE / METAL		
# Existing dwelling		# Dwellings demolished		# New dwellings		

Signature of owner or agent		Date	
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Please provide us with the following information so we can assess your building works:

- Copy of title
- Fully dimensioned drawings at 1:100 with details at 1:20 showing:
  - a) Floor Plan
  - b) Elevations and sections
  - c) Size and location of structural members
  - d) Site plan showing all existing buildings on the property.
  - e) Certificate of Compliance (Design) Reg 126 from a registered civil engineer, certifying the structural adequacy of the structure as built & / or detailing any amendments required to upgrade the structure.
  - f) A bushfire attack level (BAL) report and details of measures to be incorporated in the construction of the building to protect against bushfire attack (dwellings & outbuildings <6m from a dwelling).
  - g) An energy efficiency sustainability report with details of measures to be incorporated into the building to satisfy the energy efficiency measures required under the Building Code of Australia (BCA) (may apply to dwellings & commercial / industrial buildings).

**Note:** Application fee to be determined by the Council's Municipal Building Surveyor. Additional details / plans may be required on assessment of the application to determine the suitability of the building work to be allowed to remain.

**If satisfied the Municipal Building Surveyor or a private building surveyor may only issue a building permit for any building work that has not been carried out. A retrospective building permit cannot be issued for any works already completed. A separate application for building permit and additional fees will apply to any building permit in addition to this application to retain works built without a building permit.**

**Note 1** Building practitioner means:

- (a) building surveyor; or
- (b) a building inspector; or
- (c) a quantity surveyor; or
- (d) an engineer engaged in the building industry; or
- (e) a draftsman who carries on a business of preparing plans for building work or preparing documentation relating to permits and permit applications; or
- (f) a builder including a domestic builder; or
- (g) a person who erects or supervises the erection of prescribed temporary structures; or
- (h) a person responsible for a building project or any stage of a building project and who belongs to a class of people prescribed to be building practitioners.

**but does not include -**

- (i) an architect except in Part 9 and sections 24(3) and 176(6); or
- (j) a person (other than a domestic builder) who does not carry on the business of building.

**Note 2** Include building practitioners with continuing involvement in the **building** work

**Note 3** Include only building practitioners with no further involvement in the building work

**Note 4** The use of the building may also be subject to additional requirements under other legislation such as the **Liquor Control Reforms Act 1998** and the **Dangerous Goods Act 1985**

**Note 5** If an owner builder, there are restrictions on the sale of the property apply under section 137B of the Act. Section 137B also prohibits an owner builder of domestic building work from selling the building within 6½ years from the date of completion of the relevant works unless they have satisfied certain requirements including obtaining compulsory insurance. The Victorian Building Authority maintains a current list of domestic building insurance providers.

Loddon Shire Council

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## Privacy statement

Personal information collected by Council is held securely and used in accordance with the Privacy and Data Protection Act 2014. Council may disclose this information to other organisations if required or permitted by legislation. Should you wish to access or modify this information, please contact Council on (03) 5494 1200 or email [loddon@loddon.vic.gov.au](mailto:loddon@loddon.vic.gov.au)