Authorised Version No. 032

Building Regulations 2018

S.R. No. 38/2018

Authorised Version incorporating amendments as at
27 October 2026

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Part 1—Preliminary

Division 1—Introduction

1 Objectives

The objectives of these Regulations are—

(a) to remake with amendments the regulations which control the design, construction and use of buildings and places of public entertainment; and

(b) to prescribe standards for the construction and demolition of buildings; and

(c) to prescribe standards of safety for places of public entertainment; and

(d) to regulate matters relating to the use and maintenance of buildings and places of public entertainment; and

(e) to prescribe requirements for the design, siting and access requirements for single dwellings and associated buildings and for small second dwellings; and

Reg. 1(e) substituted by S.R. No. 132/2023 reg. 4.

(f) to prescribe standards and matters relating to the maintenance of fire safety and safety measures; and

(g) to prescribe requirements for swimming pools and spas including—

Reg. 1(g) substituted by S.R. No. 116/2019 reg. 5.

(i) swimming pool and spa safety; and

(ii) registration of swimming pools and spas; and

(iii) inspection of swimming pools and spas; and

(iv) prescribing maximum fees relating to the registration of, lodgement of documents and information searches relating to, swimming pools and spas; and

(h) to provide for matters relating to the accreditation of building products, construction methods, designs, components and systems connected with building work; and

(i) to prescribe qualifications and provide for other matters relating to registration of building practitioners; and

(j) to prescribe fees in relation to matters before the Building Appeals Board, the Authority and the Building Regulations Advisory Committee; and

(k) to provide for other matters for the purposes of the **Building Act 1993**.

2 Authorising provisions

These Regulations are made under sections 7, 9, 15A, 261 and 262 of, and Schedule 1 to, the **Building Act 1993**.

3 Commencement

These Regulations come into operation on 2 June 2018.

4 Revocations

The Regulations listed in Schedule 1 are **revoked**.

Division 2—Definitions and interpretation

5 Definitions

(1) In these Regulations—

Administrative Office Head has the same meaning as in section 4(1) of the **Public Administration Act 2004**;

Reg. 5(1) def. of *Administrative Office Head* inserted by S.R. No. 21/2020 reg. 4.

allotment means land that can be disposed of separately under section 8A of the **Sale of Land Act 1962** without being subdivided;

applicable barrier standard, in relation to a swimming pool or spa barrier, means—

Reg. 5(1) def. of *applicable barrier standard* inserted by S.R. No. 116/2019 reg. 6.

(a) the requirements of the Act and these Regulations with which the barrier must comply (the ***barrier requirements***) in force at the date of construction of the swimming pool or spa; or

(b) if after the date of construction of the swimming pool or spa, building work is carried out on the whole or part of the barrier resulting in the whole or part of the barrier having to comply with any subsequent barrier requirements—

(i) the subsequent barrier requirements in force at the date of the issue of any building permit for the building work; or

(ii) the subsequent barrier requirements in force at the date of the commencement of the building work if no building

permit was issued for the building work;

approved means approved by the relevant building surveyor;

approved building envelope means documented design parameters that deal with a siting matter regulated under Part 5 that—

(a) are specified in a planning permit for the subdivision of land granted under the **Planning and Environment Act 1987** on or after 1 July 1994; and

(b) are—

(i) specified in an agreement made under section 173 of the **Planning and Environment Act 1987** that is recorded on the Register under the **Transfer of Land Act 1958** in relation to the relevant allotment; or

(ii) shown as restrictions on the plan of subdivision of land certified under the **Subdivision Act 1988** that is recorded on the Register under the **Transfer of Land Act 1958** in relation to the relevant allotment;

architectural feature means eaves, brackets, cornices, light fixtures, coping, fascia, windowsills and similar parts of a building that are for decorative purposes and which can be removed from a building or structure without adversely affecting that building's structural integrity;

AS 1851—2012 means AS 1851—2012 Routine service of fire protection systems and equipment published on 3 December 2012, as in force or as issued from time to time;

AS 3959 means AS 3959:2018 Construction of buildings in bushfire-prone areas published on 14 November 2018, as incorporated for the time being by the BCA;

Reg. 5(1) def. of *AS 3959* substituted by S.R. No. 40/2019 reg. 5(a).

BCA means the Building Code of Australia;

BCA Volume One means Volume One of the National Construction Code Series including any variations or additions in the Victoria Appendix set out in Schedule 1 to that Volume;

Reg. 5(1) def. of *BCA Volume One* amended by S.R. No. 40/2019 reg. 5(b).

BCA Volume Two means Volume Two of the National Construction Code Series including any variations or additions in the Victoria Appendix set out in Schedule 1 to that Volume;

Reg. 5(1) def. of *BCA Volume Two* amended by S.R. No. 40/2019 reg. 5(c).

bushfire attack level has the same meaning as in AS 3959;

* * * * *

Reg. 5(1) def. of *Bushfire Recovery Victoria* inserted by S.R. No. 21/2020 reg. 4, revoked by S.R. No. 80/2023 reg. 4.

certificate of final inspection means a certificate issued under section 38 of the Act;

Reg. 5(1) def. of *civil engineer* inserted by S.R. No. 73/2021 reg. 5(1).

civil engineer means an endorsed building engineer registered in the area of civil engineering;

clear to the sky in relation to an area means an unroofed area or an area roofed with a material that transmits at least 90% of light;

combined allotment means two or more adjoining allotments or an allotment and adjoining land;

commencement date in relation to building work has the same meaning as in regulation 55(1);

completion date in relation to building work has the same meaning as in regulation 55(2);

Reg. 5(1) def. of *date of construction* inserted by S.R. No. 116/2019 reg. 6.

date of construction of a swimming pool or spa means the date the swimming pool or spa was constructed as determined by the relevant council under regulation 147T or 147U (as the case requires);

declared road means a freeway or an arterial road, both within the meaning of the **Road Management Act 2004**;

designated land means any land declared to be designated land under Part 10 of the **Water Act 1989**;

Reg. 5(1) def. of *designated special area* amended by S.R. No. 173/2026 reg. 4(2).

designated special area means—

(a) a designated flood-prone area; or

(b) an area designated under regulation 150 as an area in which buildings are likely to be subject to attack by termites; or

(c) an area designated under regulation 152 as likely to be subject to significant snowfalls; or

(d) designated land; or

(e) designated works;

designated works means any works declared to be designated works under Part 10 of the **Water Act 1989**;

Director of Housing has the same meaning as it has in the **Housing Act 1983**;

Reg. 5(1) def. of *Director of Housing* inserted by S.R. No. 101/2020 reg. 5.

domestic solar energy system means an electricity generating system or facility that—

(a) is on an allotment on which there is a Class 1 building; and

(b) uses solar panels to generate electricity; and

(c) supplies electricity to a building on the allotment;

Reg. 5(1) def. of *domestic solar energy system* inserted by S.R. No. 173/2026 reg. 4(1).

drainage authority in relation to a district means the Authority to which Division 3 of Part 10 of the **Water Act 1989** applies in relation to that district;

electrical engineer means an endorsed building engineer registered in the area of electrical engineering;

Reg. 5(1) def. of *electrical engineer* inserted by S.R. No. 73/2021 reg. 5(1).

electricity supply authority has the same meaning as ***electricity corporation*** has in section 85 of the **Electricity Industry Act 2000**;

Reg. 5(1) def. of *emergency accommodation building* inserted by S.R. No. 83/2020 reg. 4.

emergency accommodation building has the same meaning as in regulation 166B;

essential safety measure has the same meaning as it has in regulation 214;

farm land has the same meaning as it has in section 2(1) of the **Valuation of Land Act 1960**;

fence includes—

(a) a screen; or

(b) a structure similar to a fence;

Reg. 5(1) def. of *fire performance requirement* substituted by S.R. No. 102/2023 reg. 3.

fire performance requirement means—

(a) performance requirement B1P1, D1P2, D1P3, D1P4 or D1P6 of the BCA Volume One (to the extent that it relates to fire safety); or

(b) performance requirement C1P1, C1P2, C1P3, C1P4, C1P5, C1P6, C1P7, C1P8, C1P9, D1P5, E1P1, E1P2, E1P3, E1P4, E1P5, E1P6, E2P1 or E2P2 of the BCA Volume One; or

(c) performance requirement H1P1, H3P1 or H3P2 of the BCA Volume Two (to the extent that it relates to fire safety for a Class 1b building or a Class 10 building not associated with a Class 1a building);

fire safety engineer means an endorsed building engineer registered in the area of fire safety engineering;

Reg. 5(1) def. of *fire safety engineer* substituted by S.R. No. 73/2021 reg. 5(2).

floodplain management authority in relation to a district means an Authority or Minister to which Division 4 of Part 10 of the **Water Act 1989** applies in relation to that district;

Form means a form in Schedule 4;

gas supply authority means—

(a) in relation to an area served by a reticulated gas supply, a gas company within the meaning of the **Gas Safety Act 1997**; and

(b) in relation to pipelines to which the **Pipelines Act 2005** applies, the Minister responsible for the administration of that Act;

habitable room window means a window fixed into the wall of a habitable room;

Reg. 5(1) def. of *habitable room window* inserted by S.R. No. 173/2026 reg. 4(1).

height in relation to—

(a) a building (other than a wall or fence) at any point, means the vertical distance between natural ground level and the top of the roof covering; and

(b) a wall at any point, means the vertical distance between the natural ground level at the base of the wall and the point at which the outer wall intersects

the plane of the top of the roof covering or the top of the parapet, whichever is higher; and

(c) a fence at any point, means the vertical distance between the natural ground level at the base of the fence and the top of the fence;

Keeper of Public Records means the Keeper of Public Records within the meaning of the **Public Records Act 1973**;

maintenance determination has the same meaning as it has in regulation 214;

maintenance schedule has the same meaning as it has in regulation 214;

Reg. 5(1) def. of *management condition* inserted by S.R. No. 73/2021 reg. 5(1).

management condition means a condition imposed by the Authority, under section 171H of the Act, on the registration of a building practitioner in the category of builder, class of domestic builder (unlimited) that limits the practitioner's authorised scope of work to managing and arranging the carrying out of domestic building work;

Reg. 5(1) def. of *mechanical engineer* inserted by S.R. No. 73/2021 reg. 5(1).

mechanical engineer means an endorsed building engineer registered in the area of mechanical engineering;

medium street means a street that is more than 6 m in width but not exceeding 10 m in width;

narrow street means a street that is 6 m or less in width;

north-facing habitable room window means a window of a habitable room that has an axis perpendicular to its surface oriented true north 20° west to true north 30° east;

participating registered agency has the same meaning as it has in the **Housing Act 1983**;

Reg. 5(1) def. of *participating registered agency* inserted by S.R. No. 101/2020 reg. 5.

pergola means an open structure that is unroofed but may have a covering of open weave permeable material;

planning permit means a planning permit granted under the **Planning and Environment Act 1987**;

planning scheme means a planning scheme approved under the **Planning and Environment Act 1987** as in force from time to time;

private open space means—

(a) an unroofed area of land; or

(b) a deck, terrace, patio, balcony, pergola, verandah, gazebo, swimming pool or spa;

recreational private open space means any part of a private open space on an allotment—

(a) which is—

(i) at the side or rear of an existing dwelling including a small second dwelling on the allotment; or

(ii) within the front setback of an existing dwelling including a small second dwelling on the

Reg. 5(1) def. of *recreational private open space* amended by S.R. No. 132/2023 reg. 5(2).

allotment and which is screened for at least 90% of its perimeter by a wall, fence or other barrier that is at least 1·5 m high and that has no more than 25% of its area open; and

(b) which is primarily intended for outdoor recreation activities;

Reg. 5(1) def. of *register* inserted by S.R. No. 116/2019 reg. 6.

register, in relation to a swimming pool or spa, means the swimming pool and spa register of a council;

Reg. 5(1) def. of *registered spa* inserted by S.R. No. 116/2019 reg. 6.

registered spa means a spa that is registered under Division 4 of Part 9A on a swimming pool and spa register;

Reg. 5(1) def. of *registered swimming pool* inserted by S.R. No. 116/2019 reg. 6.

registered swimming pool means a swimming pool that is registered under Division 4 of Part 9A on a swimming pool and spa register;

Reg. 5(1) def. of *relevant building permit* inserted by S.R. No. 73/2021 reg. 5(1).

relevant building permit means a building permit that is referred to in regulation 269A(1);

relevant building practitioner means a building practitioner registered under Part 11 of the Act in the category of builder, in the class of—

(a) domestic builder (manager); or

(b) domestic builder (unlimited) subject to a management condition;

Reg. 5(1) def. of *relevant building practitioner* inserted by S.R. No. 73/2021 reg. 5(1).

relocatable spa means a spa that is capable of being relocated;

Reg. 5(1) def. of *relocatable spa* inserted by S.R. No. 116/2019 reg. 6.

relocatable swimming pool means a swimming pool that is capable of being relocated;

Reg. 5(1) def. of *relocatable swimming pool* inserted by S.R. No. 116/2019 reg. 6.

septic tank system has the same meaning as it has in section 53J(1) of the **Environment Protection Act 1970**;

service authority means any of the following—

(a) a council;

(b) a drainage authority;

(c) an electricity supply authority;

(d) a gas supply authority;

(e) a sewerage authority;

(f) a water supply authority;

setback, from a boundary or building, means a horizontal distance from that boundary or building;

sewerage authority in relation to a sewerage district under the **Water Act 1989** means the Authority for that sewerage district under that Act;

site coverage in relation to an allotment means that part of the allotment, which is covered by buildings, expressed as a percentage of the area of the allotment;

Reg. 5(1) def. of *small second dwelling* inserted by S.R. No. 132/2023 reg. 5(1), substituted by S.R. No. 174/2026 reg. 4(1).

small second dwelling has the meaning given by subregulation (4);

Reg. 5(1) def. of *social housing* inserted by S.R. No. 101/2020 reg. 5.

social housing has the same meaning as it has in the **Housing Act 1983**;

Reg. 5(1) def. of *spa* inserted by S.R. No. 116/2019 reg. 6.

spa unless otherwise stated includes a relocatable spa;

street includes road, highway, carriageway, lane, footway, square, court, alley and right of way;

street alignment means the line between a street and an allotment;

structural engineer means an endorsed building engineer registered in the area of structural engineering;

Reg. 5(1) def. of *structural engineer* inserted by S.R. No. 38/2026 reg. 4.

swimming pool unless otherwise stated includes a relocatable swimming pool;

Reg. 5(1) def. of *swimming pool* inserted by S.R. No. 116/2019 reg. 6.

the Act means the **Building Act 1993**;

Victoria Planning Provisions has the same meaning as in section 3(1) of the **Planning and Environment Act 1987**;

Reg. 5(1) def. of *Victoria Planning Provisions* inserted by S.R. No. 173/2026 reg. 4(1).

water supply authority in relation to a water district under the **Water Act 1989** means the Authority for that water district under that Act;

wide street is a street that is more than 10 m in width.

* * * * *

Reg. 5(2) revoked by S.R. No. 173/2026 reg. 4(3).

(3) For the purposes of subregulation (1), the ***width*** of a street must take into account the accumulative width of all parts of a street including, for example, footways and roads.

Reg. 5(4) inserted by S.R. No. 174/2026 reg. 4(2).

(4) For the purposes of subregulation (1), a ***small second dwelling*** means—

(a) a building that—

(i) is a Class 1a building; and

(ii) is constructed on an allotment that has exactly one Class 1 building; and

(iii) has a gross floor area that is equal to or less than 80 m^2, not including the area of any deck, terrace, patio, balcony, pergola, verandah, gazebo or other roofed or unroofed structure that is attached to or abutting the building; and

(b) any deck, terrace, patio, balcony, pergola, verandah, gazebo or other roofed or unroofed structure that is attached to or abutting the building.

Reg. 5(5) inserted by S.R. No. 174/2026 reg. 4(2).

(5) For the purposes of subregulation (4)(a)(iii), the gross floor area of a building is calculated by measuring the building from—

(a) the outside surface of the external walls of the building; or

(b) if the building shares a wall with another building, the centre of the party wall between the 2 buildings.

6 Interpretation

If a provision of any document applied, adopted or incorporated by, or referred to in, these Regulations is inconsistent with any provision in these Regulations, the provision in these Regulations prevails.

7 Numerical values

The numerical values prescribed in these Regulations must be applied subject to tolerances according to any appropriate code, standard, rule,

specification or provision adopted by reference in these Regulations, or normal trade practice, or good practice, as the case requires.

8 Use of buildings

In these Regulations any reference to the purpose for which a building is used includes the purpose for which it is proposed to be used.

9 Approved forms

(1) The Authority may from time to time approve forms for the purposes of these Regulations.

(2) The Authority must publish any approved form in the Government Gazette.

Part 2—Building Code of Australia

10 Building Code of Australia

The BCA is adopted by and forms part of these Regulations as modified by these Regulations.

Reg. 10A inserted by S.R. No. 102/2023 reg. 4, amended by S.R. No. 122/2023 reg. 4, revoked by S.R. No. 38/2018 reg. 10A(3).

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11 Use of BCA terms

Subject to the Act and to regulations 5 and 6, words and expressions used in these Regulations have the same meanings as they have in the BCA.

12 Classification of buildings

For the purposes of these Regulations, buildings must be classified as set out in the BCA.

13 Relevant building surveyor must determine the classification of a building

(1) The relevant building surveyor must determine the classification of a building when performing a function under the Act or these Regulations.

(2) If there is any doubt as to the classification of a building under the BCA, the relevant building surveyor must classify the building as belonging to the class it most closely resembles.

Part 3—Owner-builders

Division 1—Applications for certificates of consent for owner-builders

14 Applications for certificates of consent

(1) An application for a certificate of consent to carry out domestic building work on land must be in the form approved by the Authority and contain the information set out in subregulation (2).

(2) For the purposes of section 25C(2)(a) of the Act, the following information is the prescribed information to be contained in the application—

(a) the address of the land on which the domestic building work is to be carried out;

(b) the name, address, telephone number and ABN, ACN or ARBN (if applicable) of each owner of the land;

(c) if the applicant is not an owner of the land, the name, address, telephone number and ABN, ACN or ARBN (if applicable) of the applicant;

(d) a description of the proposed domestic building work;

(e) details of the cost of the proposed domestic building work;

(f) whether or not a building permit referred to in section 25E(1)(e), (f) or (g) of the Act has been issued in the previous 5 years;

(g) the type of work in which the applicant is engaged or intends to engage, and whether it is for profit or gain;

(h) if the applicant intends to seek an exemption under section 25E(4) of the Act, details of the grounds on which the exemption is sought.

15 Information to accompany application for certificate of consent

For the purposes of section 25C(2)(c)(i) of the Act, an application for a certificate of consent must be accompanied by the following information—

(a) any evidence or proof of identity of the applicant that is required by the Authority;

(b) if the land is under the operation of the **Transfer of Land Act 1958**, a copy of the certificate of title for the land dated within 7 days before the date of the application;

(c) if the land is not under the operation of the **Transfer of Land Act 1958**, any evidence of ownership of the land required by the Authority;

(d) if the applicant co-owns the land, a written statement from each other owner, stating that the owner authorises the making of the application dated within 28 days before the date of the application.

16 Additional information to accompany application for certificate of consent if land is owned by body corporate

For the purposes of section 25C(2)(c)(i) of the Act, an application for a certificate of consent must be accompanied by the following information in addition to the information required under regulation 15, if the land to which the application relates is owned by a body corporate—

(a) if the owner is a company incorporated under the Corporations Act, a copy of a record of a current company extract dated within 7 days before the date of the application, from the records maintained by the Australian Securities and Investments Commission continued under the ASIC Act that shows the company name, ABN, ACN, the names of the directors and the address of the company's registered office;

(b) if the body corporate is not a company incorporated under the Corporations Act, any evidence of incorporation required by the Authority;

(c) a written authorisation of the body corporate to the making of the application and the carrying out of the domestic building work on the land by the applicant dated within 28 days before the date of the application;

(d) a description of the nature of the business of the body corporate.

17 Additional information to accompany application for certificate of consent if land is subject to trust

For the purposes of section 25C(2)(c)(i) of the Act, an application for a certificate of consent must be accompanied by the following information, in addition to the information required under regulation 15, if the land to which the application relates is the subject of a trust—

(a) a certified copy of the trust deed, together with any subsequent amendments, showing the name of the trust, the name of each trustee and the name of each beneficiary and which is certified within 28 days before the date of the application;

(b) a written authorisation by each trustee of the trust to the making of the application and to the carrying out of the domestic building work by the applicant on the land dated within 28 days before the date of the application;

(c) a description of the nature of the business of the trust (if any).

Note

It is an offence under section 246 of the Act to make false or misleading statements or provide false or misleading information.

Reg. 18 amended by S.R. No. 59/2024 reg. 5.

18 Fee for an application for certificate of consent

For the purposes of section 25C(2)(c)(ii) of the Act, the fee for an application for the issue of a certificate of consent is 14·42 fee units.

19 Required knowledge for owner-builders

For the purposes of section 25E(1)(ab) of the Act, the knowledge of the duties and responsibilities of an owner-builder set out in Schedule 2 is prescribed.

Reg. 19A inserted by S.R. No. 132/2023 reg. 6.

19A Exemption relating to small second dwellings

Section 25E(1)(d), (e), (f) and (g) of the Act does not apply in respect of the decision of the Authority to issue a certificate of consent under section 25C of the Act if the application for a building permit to carry out domestic building work is in relation to the construction of a small second dwelling.

Division 2—Certificates of consent

20 Information in certificate of consent

For the purposes of section 25G(1)(a) of the Act, a certificate of consent must contain the following information—

(a) the date of issue of the certificate;

(b) a description of the proposed domestic building work to which the certificate relates;

(c) the address of the land on which the domestic building work to which the certificate relates is to be carried out;

(d) details of the cost of the proposed domestic building work;

(e) an identification number of the certificate;

(f) the name, address, telephone number and ABN, ACN or ARBN (if applicable) of each owner of the land;

(g) if the applicant is not an owner of the land, the name, address, telephone number and ABN, ACN or ARBN (if applicable) of the applicant;

(h) if an owner of the land is a body corporate, the names of all the directors of the body corporate;

(i) if the land is subject to a trust, the name of that trust and the names of all the trustees of that trust.

21 Register of certificates of consent

For the purposes of section 25H(2) of the Act, the register of certificates of consent kept by the Registrar of the Authority must contain the following information in relation to each certificate of consent issued—

(a) the date of issue of the certificate;

(b) the identification number of the certificate;

(c) the address of the land to which the certificate relates;

(d) the name, address, telephone number and ABN, ACN or ARBN (if applicable) of each owner of the land;

(e) the description of the proposed domestic building work to be carried out on the land;

(f) if the applicant for the certificate is not an owner of the land, the name, address, telephone number and ABN, ACN or ARBN (if applicable) of the applicant;

(g) if an owner of the land is a body corporate, the names of all the directors of the body corporate;

(h) if the land is subject to a trust, the name of the trust and the names of all the trustees of the trust.

22 Publication of information kept on the register of certificates of consent

(1) For the purposes of section 25H(3) of the Act, the Authority may publish on the Authority's website the following information that is kept on the register of certificates of consent in relation to each certificate of consent issued—

(a) the date of issue of the certificate;

(b) the identification number of the certificate;

(c) a description of the proposed domestic building work to which the certificate relates;

(d) the address of the land on which the domestic building work to which the certificate relates is to be carried out.

(2) The Authority may publish the information under subregulation (1) relating to a certificate of consent issued in the previous 10 years.

Part 4—Building permits

Division 1—Exemptions

23 Exemptions from building permits

A building permit is not required under the Act for the buildings and building work specified in column 2 of the Table in Schedule 3.

Division 2—Applications for building permits

24 Applications for building permits

(1) An application for a building permit must be in the form of Form 1.

(2) For the purposes of clause 1(a) of Schedule 2 to the Act, the prescribed information to be contained in the application is the information set out in Form 1.

(3) For the purposes of clause 1(b) of Schedule 2 to the Act, the documents to accompany the application are—

(a) the documents set out in Form 1 to accompany the application; and

(b) subject to regulation 27, the documents required under regulations 25, 26 and 28.

(4) An application for a building permit must contain sufficient information to show that the proposed building work will comply with the Act and these Regulations.

25 Application for permit to construct or alter building

(1) An application for a building permit to construct or alter a building must be accompanied by the following—

(a) a copy of any planning permit relating to the proposed building work to which the permit application applies;

(b) drawings showing the plan at each floor level, elevations, sections, dimensions and the sizes and locations of structural members to a scale of not less than 1:100, together with any details that are necessary to show compliance to a scale of not less than 1:20, or to other approved scales;

(c) specifications describing materials and methods to be used in the construction or alteration;

(d) allotment plans to a scale of not less than 1:500 or other approved scales, showing the matters set out in subregulation (2);

(e) a statement of the use or proposed use of all buildings shown on allotment plans;

(f) a copy of any computations or reports necessary to demonstrate that the building and building work will, if constructed in accordance with the computations and reports, comply with the Act and these Regulations;

(g) if the application is for a building permit to alter an existing building, copies of drawings and allotment plans that clearly differentiate between the existing building and the proposed building work for which the permit is sought.

(2) The following matters are to be shown on an allotment plan—

(a) the boundaries and dimensions of the allotment and any easements that are relevant to the proposed building work;

(b) the distance to the nearest intersecting street;

(c) the position and dimensions of the proposed building and its relationship to—

(i) the boundaries of the allotment; and

(ii) any existing building on the allotment; and

(iii) any part of a building or land on an adjoining allotment if necessary to show compliance with the Act and these Regulations;

(d) the levels of the allotment, floors of the building, street drainage channel and stormwater drain;

(e) the layout of drains to the point of discharge on the allotment together with details necessary to show compliance with the Act and these Regulations;

(f) the location, dimensions and area of impermeable surfaces covering the allotment if necessary for the purposes of regulation 77;

(g) the location and dimensions of car parking spaces for the purposes of regulation 78;

(h) the location, dimensions and area of private open space for the purposes of regulation 86 or regulation 86A.

Reg. 25(2)(h) amended by S.R. No. 132/2023 reg. 7.

(3) An application for a building permit to construct or alter a building must also be accompanied by any additional copies of the documents set out in subregulation (1) that the relevant building surveyor reasonably requires.

26 Application for permit to demolish or remove building

(1) An application for a building permit to demolish or remove a building must be accompanied by the following—

(a) a copy of any planning permit relating to the proposed building work to which the permit application applies;

(b) an outline and a description of the building or part of the building to be demolished or removed;

(c) an allotment plan showing the location of—

(i) the building in relation to the boundaries of the allotment and adjoining buildings; and

(ii) other buildings on the allotment; and

(iii) streets, footpaths or crossings adjoining the allotment;

(d) if only a part of the building is to be demolished or removed, computations or other information to show that the remainder of the building will comply with the Act and these Regulations either as it remains after the proposed demolition or removal takes place or after other works are undertaken;

(e) information showing the position and description of hoardings, allotment boundaries, barricades, temporary crossings, protective awnings and outriggers;

(f) a written description of the demolition or removal procedure;

(g) evidence that the demolisher has the necessary knowledge, experience, equipment and storage facilities to properly conduct the demolition operations.

(2) An application for a building permit to demolish or remove a building must also be accompanied by any additional copies of the documents set out in subregulation (1) that the relevant building surveyor reasonably requires.

27 Exemption from application requirements for certain building work

The relevant building surveyor may exempt an application for a building permit in respect of building work from any requirement under regulation 25 or 26 which the relevant building surveyor considers is not required to demonstrate that the building work will comply with the Act and these Regulations.

28 Application for permit where swimming pool or spa proposed

An application for a building permit to construct a swimming pool or spa and any associated safety barrier must include, in addition to other information required under this Part, detailed drawings and specifications of the proposed barrier that—

(a) clearly show the location of the swimming pool or spa and the barrier on the allotment; and

(b) demonstrate the barrier's compliance with these Regulations.

29 Additional information to accompany application for permit

The relevant building surveyor may require all or any of the following information to be submitted in relation to an application for a building permit and the allotment to which it relates—

(a) details of measures for the protection of the public under regulation 116;

Reg. 29(b) substituted by S.R. No. 40/2019 reg. 6(1), amended by S.R. No. 102/2023 reg. 5.

(b) documentary evidence to support the use of a material, product, form of construction or design in a form referred to in Part A5 of the BCA Volume One or Part A5 of the BCA Volume Two;

(c) a survey plan of existing site conditions prepared by a licensed surveyor within the meaning of the **Surveying Act 2004**;

(d) if the allotment is under the operation of the **Transfer of Land Act 1958**, a copy of the certificate of title to the allotment;

(e) evidence of ownership of the allotment or evidence that a contract has been entered into pursuant to section 9AA of the **Sale of Land Act 1962** in relation to the allotment;

Reg. 29(f) substituted by S.R. No. 75/2018 reg. 5(1).

(f) evidence that the building work is to be carried out under the permit by a builder who is specified under section 24B of the Act for that work;

Reg. 29(fa) inserted by S.R. No. 75/2018 reg. 5(1).

(fa) an extract of the major domestic building contract (if applicable) showing the names of the parties to the contract under which the proposed building work under the permit is to be carried out;

(fb) a copy of the certificate of insurance (if applicable) from an insurer providing the required insurance in relation to the proposed building work to be carried out under the permit;

Reg. 29(fb) inserted by S.R. No. 75/2018 reg. 5(1).

(g) details as to whether the allotment is—

(i) in a designated flood-prone area; or

Reg. 29(g)(i) substituted by S.R. No. 173/2026 reg. 5.

(ii) in an area that is designated under regulation 150 as an area in which buildings are likely to be subject to attack by termites; or

(iii) in an area designated under regulation 152 as likely to be subject to significant snowfalls; or

(iv) in an area that is a designated bushfire prone area as determined under section 192A of the Act; or

Reg. 29(g)(iv) amended by S.R. No. 75/2018 reg. 5(2).

(v) designated land;

(h) details as to whether an approved building envelope applies to the allotment or to an adjoining allotment;

(i) a list of any essential safety measures to be provided for the building or place of public entertainment to which the building permit relates.

Reg. 29(i) amended by S.R. No. 40/2019 reg. 6(2).

Division 3—Report or consent of reporting authorities

30 Prescribed reporting authorities

For the purposes of clause 7(2) of Schedule 2 to the Act, the following are prescribed reporting authorities—

(a) the chief officer;

(b) a relevant council;

(c) a relevant service authority;

(d) a relevant electricity supply authority.

31 Prescribed matters

For the purposes of clause 7(2) of Schedule 2 to the Act—

(a) a matter set out in column 2 of the Table in Part 1 of Schedule 5 is a prescribed matter in relation to the chief officer; and

(b) a matter set out in column 2 of the Table in Part 2 of Schedule 5 is a prescribed matter in relation to the relevant council; and

(c) a matter set out in column 2 of the Table in Part 3 of Schedule 5 is a prescribed matter in relation to the relevant service authority; and

(d) a matter set out in column 2 of the Table in Part 4 of Schedule 5 is a prescribed matter in relation to the relevant electricity supply authority.

32 Time limits for application to be given to reporting authority

For the purposes of clause 4(2) of Schedule 2 to the Act, the prescribed time within which the relevant building surveyor must give a copy of an application for a building permit to each reporting

authority required to report on or consent to the application is—

(a) in the case of an application relating to a Class 1 or 10 building, 3 business days after the relevant building surveyor receives the application; or

(b) in any other case, 5 business days after the relevant building surveyor receives the application.

33 Further time for an applicant to supply a report or consent

For the purposes of clause 5(4) of Schedule 2 to the Act, the further time prescribed for an applicant to supply a report or consent to the relevant building surveyor is—

(a) in the case of an application relating to a Class 1 or 10 building, 3 months; or

(b) in any other case, 6 months.

34 Time limits relating to the report or consent of reporting authorities

(1) For the purposes of clause 6(1), (2) and (3) of Schedule 2 to the Act, the prescribed time is—

(a) in the case of an application relating to a Class 1 or 10 building—

(i) for a matter under Division 2 of Part 5 or regulation 89, within 15 business days after a reporting authority is given an application for a building permit by the relevant building surveyor; and

(ii) in all other cases, within 10 business days after a reporting authority is given an application for a building permit by the relevant building surveyor; or

(b) in the case of an application relating to any other class of building—

(i) for a matter referred to the chief officer, within 15 business days after the chief officer is given an application for a building permit by the relevant building surveyor; and

(ii) in all other cases, within 10 business days after a reporting authority is given an application for a building permit by the relevant building surveyor.

(2) For the purposes of clause 6A(2), (3) and (4) of Schedule 2 to the Act, the prescribed time is 15 business days after the reporting authority receives a copy of the application for the building permit.

35 Time within which relevant building surveyor must decide application for building permit

(1) For the purposes of section 19 of the Act, the relevant building surveyor must decide an application for a building permit—

(a) in the case of a Class 1 or 10 building, within 10 business days after the relevant day; or

(b) in any other case, within 15 business days after the relevant day.

(2) In this regulation the ***relevant day*** means the earlier of—

(a) the day on which all reports and consents required to be supplied by reporting authorities in relation to the application are received by the relevant building surveyor; or

(b) the day by which the reports and consents referred to in paragraph (a) must be supplied to the relevant building surveyor.

36 Maximum fees for report and consent

(1) The maximum fee payable for the consideration by a responsible authority under the **Planning and Environment Act 1987** as a reporting authority of an application for a building permit for demolition of a building referred to the reporting authority under section 29A of the Act for report and consent is 5·75 fee units.

(2) The maximum fee payable for the consideration by the relevant council of an application for a building permit referred to it under regulation 132(1) or 134(2) or Part 6 or 10 is 19·61 fee units.

Reg. 36(2) substituted by S.R. No. 59/2024 reg. 6(1).

(2A) The maximum fee payable for the consideration by the relevant council of an application for a building permit referred to it under Part 5 is 27·45 fee units.

Reg. 36(2A) inserted by S.R. No. 59/2024 reg. 6(1).

(3) The maximum fee payable for the consideration by the relevant council of an application for a building permit referred to it under regulation 116(4) for report and consent is 19·9 fee units.

(4) The maximum fee payable for the consideration by the relevant council of an application for a building permit referred to it under regulation 133(2) for report and consent is 14·17 fee units.

Reg. 36(4) amended by S.R. No. 59/2024 reg. 6(2).

Division 4—Building permits

36A Manner in which relevant building surveyor may be satisfied of builder's insurance details

Reg. 36A inserted by S.R. No. 75/2018 reg. 6.

For the purposes of section 24A(2) of the Act, the relevant building surveyor may be satisfied of the matters in section 24A(1)(c)(i) of the Act by examining—

(a) an extract of the major domestic building contract showing the names of the parties to the contract in relation to the proposed building work; and

(b) a copy of the certificate of insurance from an insurer providing the required insurance in relation to the proposed building work.

Reg. 36B inserted by S.R. No. 75/2018 reg. 6.

36B Specification of builders in relation to specific building work

For the purposes of paragraph (a) of the definition of ***prescribed amount*** in subsection 24B(8) of the Act, the amount is $10 000.

37 Issue of building permit

(1) A building permit must be in the form of Form 2.

(2) A building permit must be signed by the relevant building surveyor.

(3) The relevant building surveyor must include on the building permit—

(a) the commencement date and completion date of the building work; and

(b) the mandatory notification stages for inspecting that building work.

38 Building surveyor to document determination of performance solution

The relevant building surveyor must record the following in writing if the relevant building surveyor determines that a performance solution meets a performance requirement of the BCA in relation to proposed building work—

(a) the performance requirement with which the performance solution complies;

(b) details of any one or more of the following that the relevant building surveyor uses or relies on in making the determination—

(i) the assessment method or methods;

(ii) the details of any expert judgement;

(iii) the details of any tests or calculations;

(iv) the details of any standards or other information.

39 Building surveyor to provide copy of permit

(1) The relevant building surveyor must within 7 days after issuing a building permit give to the applicant for the building permit—

(a) a copy of the permit; and

(b) 2 copies of the plans, specifications and other documents (except for computations or reports) lodged with the application (whether or not with amendments) with evidence of approval stamped and endorsed on them.

(2) The relevant building surveyor must give a copy of a building permit within 7 days after the issue of the permit to—

(a) the builder named in the permit; and

(b) the owner of the allotment to which the permit relates if the owner did not apply for the permit.

40 Applicant to make documents, permit available

An applicant for a building permit must provide a copy of the permit and one copy of any documents given to the applicant under regulation 39(1)(b) to the builder named in the building permit.

41 Provision and display of permit information

(1) The builder named in the building permit must ensure that a copy of the building permit and one copy of each document given to the builder under regulation 40 are available for inspection at the allotment while the building work to which the building permit applies is being carried out on that allotment.

Penalty: 10 penalty units.

(2) The builder named in the building permit must ensure that—

(a) the following information is displayed on the allotment to which the permit relates in a conspicuous position accessible to the public before the commencement of the building work to which the permit applies (including demolition or removal of a building on the allotment)—

(i) the registration numbers and contact details of the builder and the relevant building surveyor;

(ii) the building permit number and the date of issue of the permit; and

(b) the information referred to in paragraph (a) continues to be displayed and remains visible and legible for the duration of the building work.

Penalty: 10 penalty units.

Reg. 42 substituted by S.R. No. 75/2018 reg. 7.

42 Owner to notify of change of details or owner

An owner of a building or land to which a building permit relates must notify the relevant building surveyor within 14 days after—

(a) any change—

(i) in the name of the owner; or

(ii) in the postal address of the owner; or

(iii) in the address for serving or giving documents to the owner; or

(b) the owner has transferred the ownership in the building or land.

Penalty: 10 penalty units.

43 Builder to notify change of name or address

A building practitioner registered under Part 11 of the Act who is, or is to be, specified as the builder in a building permit must notify the owner of a building or land to which the building permit relates and the relevant building surveyor within 14 days after any change in the name or address of the building practitioner specified in the permit.

Penalty: 10 penalty units.

Division 5—Duties of building surveyor

43A Building surveyor's information statement

Reg. 43A inserted by S.R. No. 115/2026 reg. 5.

(1) For the purposes of section 17A(1) of the Act, the prescribed class of building is—

(a) a Class 1a building; or

(b) a Class 10 building that is appurtenant to a Class 1a building.

(2) For the purposes of section 17A(2)(a) of the Act, the prescribed form is Form 26.

(3) For the purposes of section 17A(2)(b) of the Act, the prescribed manner is—

(a) if the owner has provided an email address for the purposes of receiving correspondence from the relevant building surveyor—by email to that email address; or

(b) if the owner has provided another kind of electronic address for the purposes of receiving correspondence from the relevant building surveyor—by electronic communication to that electronic address; or

Examples

An electronic address may be supported by any information system through which the owner may receive electronic communication, including a messaging platform (including a mobile application) or a case management system.

(c) by post addressed to the owner at the owner's usual or last known place of residence or business; or

(d) by delivering the document to the owner.

(4) For the purposes of section 17A(2)(c) of the Act, the prescribed information is the information set out in Form 26.

44 Documents to be given to council

(1) The following documents are prescribed for the purposes of section 30(1A) of the Act—

Reg. 44(1)(aa) inserted by S.R. No. 40/2019 reg. 7.

(aa) a notice given to the relevant building surveyor under section 25AA(1) of the Act;

Reg. 44(1)(a) amended by S.R. No. 75/2018 reg. 8(1).

(a) a notice given to the relevant building surveyor under section 25A(2) of the Act;

Reg. 44(1)(b) amended by S.R. No. 75/2018 reg. 8(2).

(b) a notice given to the relevant building surveyor under section 25AB(2) of the Act;

Reg. 44(1)(c) revoked by S.R. No. 75/2018 reg. 8(3).

* * * * *

(d) a determination made by the relevant building surveyor under regulation 111(2);

(e) a notice served on the relevant building surveyor under section 84(1) of the Act;

(f) a notice given to the relevant building surveyor under section 85(1)(b) of the Act;

(g) a determination of the relevant building surveyor under section 87(1) of the Act;

(h) any determination of the Building Appeals Board;

(i) a report and consent of a reporting authority prescribed under regulation 30;

(j) a record under regulation 38 of a determination of the relevant building surveyor that a performance solution meets a performance requirement of the BCA;

(k) a determination of the municipal building surveyor or a private building surveyor exercising the functions of a municipal building surveyor under regulation 64(1);

(l) a document setting out any requirement of the relevant building surveyor under regulation 116 to take precautions to protect the safety of the public;

(m) any certificate issued under section 238 of the Act on which the relevant building surveyor has relied together with any record of a building practitioner made under regulation 124(1) that relates to the certificate;

(n) any exemption from, or consent to partial compliance with, certain requirements of these Regulations relating to a building or building work that has been given by the municipal building surveyor or a private

building surveyor exercising the functions of a municipal building surveyor under regulation 229(2) or 231(2) or by the relevant building surveyor under regulation 233(3) or 234(2);

(o) any document required by the relevant building surveyor under clause 2 of Schedule 2 to the Act;

(p) a copy of any permit required for the construction, installation or alteration of a septic tank system issued under section 53M(5) of the **Environment Protection Act 1970** if the building work to which the permit applies involves such construction, installation or alteration.

Reg. 44(2) amended by S.R. No. 75/2018 reg. 8(4).

(2) The prescribed time for the purposes of section 30(1A) of the Act in relation to a document prescribed in subregulation (1) is 7 days after the issue of the building permit.

Reg. 44(3) inserted by S.R. No. 75/2018 reg. 8(5).

(3) The following documents are prescribed for the purposes of section 30(1A) of the Act in relation to a building permit for which an occupancy permit is not required—

Reg. 44(3)(aa) inserted by S.R. No. 40/2019 reg. 7.

(aa) a notice given to the relevant building surveyor under section 25AA(1) of the Act;

(a) a notice given to the relevant building surveyor under section 25A(2) of the Act;

(b) a notice given to the relevant building surveyor under section 25AB(2) of the Act.

Reg. 44(4) inserted by S.R. No. 75/2018 reg. 8(5).

(4) The prescribed time for the purposes of section 30(1A) of the Act in relation to a document prescribed in subregulation (3) is 7 days after the relevant building surveyor issues a certificate of final inspection in relation to the building work.

45 Lodgement fees

(1) For the purposes of clause 1(d) of Schedule 2 to the Act, the prescribed lodgement fee for the lodging of documents by the relevant building surveyor under section 30 of the Act is 8·23 fee units.

(2) Despite subregulation (1), no lodgement fee is payable for lodging documents in relation to an application for a building permit that relates to a class of building referred to in regulation 281.

* * * * *

Reg. 46 revoked by S.R. No. 40/2019 reg. 8.

47 Information the relevant building surveyor must give to the Authority

(1) A relevant building surveyor must within 7 days after the end of each month give to the Authority in a form approved by the Authority—

(a) details of all permits and certificates of final inspection issued by the relevant building surveyor during that month; and

(b) the following details relating to the building work to which each building permit issued by the relevant building surveyor during that month applies, including—

(i) whether any of the building work will be carried out in a designated bushfire prone area determined under section 192A of the Act and the applicable bushfire attack level determined for the site;

Reg. 47(1)(b)(i) amended by S.R. Nos 75/2018 reg. 9(1), 180/2018 reg. 4.

(ii) whether the building work relates to a change of use of a building;

Reg. 47(1)(b)(iii) amended by S.R. No. 75/2018 reg. 9(2).

(iii) whether the building work involves the construction of a private bushfire shelter; and

Reg. 47(1)(c) inserted by S.R. No. 75/2018 reg. 9(3).

(c) details of any notice given to the relevant council under section 80A(3)(a) or (4)(a) of the Act during that month, if the relevant building surveyor is a registered body corporate.

(2) In addition to the details under subregulation (1), on and from 1 July 2019, the relevant building surveyor must within 7 days after the end of each month give to the Authority in a form approved by the Authority the following details relating to the building work to which each building permit issued by the relevant building surveyor during that month applies—

(a) whether an occupancy permit is required in relation to the building work;

(b) the mandatory notification stages for the building work set out under Part 12;

(c) whether the building work is to be carried out on land that is subject to a determination under regulation 64(1);

(d) whether any exemption from, or consent to partial compliance with, certain requirements of these Regulations relating to the building work has been given by the relevant building surveyor under regulation 229(2), 231(2), 233(3) or 234(2);

(e) whether the building work involves the construction of a swimming pool or spa or an associated safety barrier;

(f) whether the relevant building surveyor determined under regulation 111(2) that protection work is required in relation to the building work.

(3) The relevant building surveyor must, within 7 days after the end of each month, give to the Authority in a form approved by the Authority the following details in relation to any building permit issued by the relevant building surveyor—

(a) any lapse of a building permit during that month;

(b) details to the knowledge of the relevant building surveyor of any building work to which the permit applies that is commenced, completed or abandoned during that month.

(4) In addition to the details under subregulation (3), on and from 1 July 2019, the relevant building surveyor must within 7 days after the end of each month give to the Authority in a form approved by the Authority the following details relating to any building permit issued by the relevant building surveyor—

(a) any extension granted during that month by the relevant building surveyor under regulation 59 to the commencement date or completion date of the building work to which the permit applies and the new dates;

(b) any inspection of building work to which the permit applies at a mandatory notification stage under section 34 of the Act;

(c) any determination by the relevant building surveyor that protection work is required in relation to building work to which the permit applies under regulation 111(3).

Reg. 47A inserted by S.R. No. 75/2018 reg. 10.

47A Relevant building surveyor must notify Authority and relevant council of certain information

(1) For the purposes of section 25AD(1) of the Act, the following events are prescribed—

(a) the builder named in a building permit ceases to be engaged to carry out the building work to which the permit relates;

(b) the relevant building surveyor changes the builder named on a building permit.

(2) For the purposes of section 25AD(1) of the Act, the following information is prescribed—

(a) if the builder named in a building permit ceases to be engaged to carry out building work to which the permit relates—

(i) the building permit number; and

(ii) the address of the building or land to which the building permit relates; and

(iii) the builder named in the building permit; and

(iv) the day that the builder named in the building permit ceased to be engaged to carry out the building work;

(b) if the relevant building surveyor changes the builder named on a building permit—

(i) the building permit number; and

(ii) the address of the building or land to which the building permit relates; and

(iii) the name of the builder named in the building permit and the builder's registration number (if applicable); and

(iv) the day on which the relevant building surveyor changed the name of the builder named in the building permit.

48 Guarantees and bonds

(1) The prescribed circumstances for the purposes of section 22 of the Act are the demolition, removal or re-erection of a building.

(2) For the purposes of section 22(a) and (b) of the Act, the amount of the bond or the amount in respect of which an undertaking and guarantee is given (as the case requires)—

(a) in the case of the demolition or removal of a building, must not exceed the lesser of—

(i) the estimated cost of building work to which the building permit applies; or

(ii) the sum of $100 for every 1 m^2 of floor area of the building; and

(b) in the case of the re-erection of a building, must not exceed the lesser of—

(i) the estimated cost of the building work to which the building permit applies; or

(ii) $10 000.

Division 6—Duties of council

49 Period that documents must be kept

If a council is required to keep documents under the Act or these Regulations or any corresponding previous regulations in relation to building permits and applications for building permits, including documents relating to protection work, the documents must be kept in any manner specified by the Keeper of Public Records until the building is demolished or removed from the allotment.

Reg. 50 amended by S.R. No. 115/2026 reg. 6.

50 Relevant council to make documents available on request

On the request of the Authority, an owner or mortgagee of the building or land or a person authorised in writing by an owner or mortgagee of a building or land, the relevant council must provide the person making the request with a copy of any documents submitted with an application for a building permit in relation to the building or land.

51 Requests for information from relevant council

(1) Any person may request the relevant council to provide in relation to any building or land—

(a) details of any permit or certificate of final inspection issued in the preceding 10 years; and

(b) details of any current determination made under regulation 64(1) or exemption granted under regulation 231(2); and

(c) details of any current notice or order issued by the relevant building surveyor under the Act.

(2) Any person may request the relevant council to provide in relation to any building or land details as to whether the building or land is—

Reg. 51(2)(a) substituted by S.R. No. 173/2026 reg. 6.

(a) in a designated flood-prone area; or

(b) in an area that is designated under regulation 150 as an area in which buildings are likely to be subject to attack by termites; or

(c) in an area for which a bushfire attack level has been specified in a planning scheme; or

(d) in an area designated under regulation 152 as likely to be subject to significant snowfalls; or

Reg. 51(2)(d) amended by S.R. No. 40/2019 reg. 9.

(e) designated land; or

(f) designated works.

(3) An owner or mortgagee of a building or land, or a prescribed building practitioner reporting on a building under section 137B of the Act, may request the relevant council to provide the approved dates of the inspections carried out of the mandatory notification stages of building work carried out on the building or land.

52 Fees for requests for information

The fee for the provision of information under regulation 51(1), (2) or (3) is 3·19 fee units.

Division 7—Time limits for building work and permits

53 Commencement of work

If a building permit is issued, the building work must commence—

(a) in the case of the re-erection of a Class 1 or 10 building, within 6 months of the date of issue of the building permit; or

(b) in any other case, within 12 months of the date of issue of the building permit.

54 Completion of building work

(1) If a building permit is issued, the building work must be completed—

(a) in the case of a building permit to re-erect a building, within 12 months after the date of issue of the building permit; or

(b) in the case of a Class 1 or 10 building, within 24 months after the date of issue of the building permit; or

(c) in the case of a swimming pool or spa or any associated barrier or safety equipment—

(i) if the building work is being carried out on an allotment concurrently with other building work that is being carried out on the same allotment, within the period of completion for the other building work referred to in paragraph (a), (b) or (d) (as the case requires); or

(ii) in any other case, within 6 months after the building work commences; or

(d) in any other case, within 36 months of the date of issue of the building permit.

(2) If building work is to be completed in more than one stage and more than one building permit is issued in relation to that building work, a reference in subregulation (1) to the date of issue of a building permit is taken to be a reference to the date of issue of the first of those building permits.

55 Lapsing of building permit

(1) A building permit lapses if the building work to which the permit applies has not commenced by the last day of the period within which the work must commence under regulation 53 (the ***commencement date***).

(2) A building permit lapses if the building work to which the permit applies is not completed by the last day of the period within which the work must be completed under regulation 54 (the ***completion date***).

(3) A building permit that has lapsed is no longer in force for the purposes of the Act and these Regulations.

56 Notice of imminent lapse of building permit—commencement of work

If, immediately before 30 days before the commencement date of building work including any extension to that date granted under regulation 59, the relevant building surveyor has not carried out an inspection of the first mandatory notification stage of the work under section 34 of the Act, the relevant building surveyor must, without delay, give a notice in the form of Form 3 to the applicant for the building permit that applies to the building work of the date on which the building permit will lapse under regulation 55.

57 Notice of imminent lapse of building permit—completion of work

If, immediately before 30 days before the completion date of building work including any extension to that date granted under regulation 59, the relevant building surveyor has not carried out an inspection of the final mandatory notification stage of the work under section 34 of the Act, the relevant building surveyor must, without delay, give a notice in the form of Form 4 to the applicant for the building permit that applies to the building work of the date on which the building permit will lapse under regulation 55.

58 Copy of notice of imminent lapse of building permit to be provided

Within 7 days after a notice is issued under regulation 56 or 57, the relevant building surveyor must cause a copy of the notice to be given to—

(a) the owner, if the applicant for the relevant building permit is not the owner; and

(b) the builder who is specified as the builder in the building permit subject to the notice of imminent lapse.

59 Extension of building permit

(1) An application for an extension of the commencement date or the completion date of building work may be made in writing to the relevant building surveyor by the applicant for the building permit applying to the building work.

(2) An application under subregulation (1) must be made before the commencement date or the completion date (as the case requires).

(3) The relevant building surveyor may extend the commencement date or completion date of the building work prior to the lapse of a building permit if the relevant building surveyor considers that the extent of the building work warrants an extension.

(4) If any extension is granted under subregulation (3), the relevant building surveyor must notify the applicant without delay—

(a) that the extension has been granted; and

(b) the new commencement date or completion date of the building work (as the case requires).

Division 8—Combined allotments

60 Application to treat a combined allotment as one allotment

(1) An application may be made to the municipal building surveyor of the relevant council to treat a combined allotment as one allotment for the purposes of the Act and these Regulations by the

owner, or owners, of the land in the combined allotment.

(2) An application under subregulation (1) must contain the information set out in regulation 61(1) and be accompanied by the documents set out in regulation 61(2).

61 Information to be contained in or documents to accompany application

(1) An application under regulation 60(1) must contain—

(a) a description of any proposed building work on the combined allotment to which the application applies; and

(b) a description of any building on the combined allotment to which the application applies; and

(c) a description of how any proposed building work described under paragraph (a)—

(i) will impact on the structural adequacy of any building on the combined allotment to which the application applies; and

(ii) makes reasonable provision for the amenity of any building on the combined allotment to which the application applies; and

(iii) makes reasonable provision for the safety and health of people using any building on the combined allotment to which the application applies; and

(iv) makes reasonable provision for avoiding the spread of fire to or from any adjoining building on the combined allotment.

(2) An application under regulation 60(1) must be accompanied by—

(a) if any land in the combined allotment is under the operation of the **Transfer of Land Act 1958**, a copy of the certificate of title to the land; and

(b) if any land in the combined allotment is not under the operation of the **Transfer of Land Act 1958**, any evidence of ownership of the land required by the municipal building surveyor; and

(c) copies of drawings and allotment plans that clearly differentiate between any existing building on the combined allotment and any proposed building work on the combined allotment to which the application applies.

62 Building surveyor may request more information

The municipal building surveyor may require an applicant under regulation 60(1) to provide additional information or documents within a specified period if the municipal building surveyor considers it is necessary for the purposes of making a determination under regulation 64.

63 Application may be refused if information not provided

(1) If information or a document required under regulation 62 is not provided within the period specified by the municipal building surveyor, the municipal building surveyor may refuse the application.

(2) Before refusing an application under subregulation (1), the municipal building surveyor must give the applicant 30 days notice in writing of the municipal building surveyor's intention to refuse the application.

64 Determination to treat a combined allotment as one allotment

(1) On receiving an application under regulation 60(1), the municipal building surveyor may determine or refuse to determine that a combined allotment can be treated as one allotment for the purposes of the Act and these Regulations.

(2) In deciding whether to make a determination under subregulation (1), the municipal building surveyor must be satisfied—

(a) of the structural adequacy of any building on the combined allotment; and

Reg. 64(2)(a) amended by S.R. No. 180/2018 reg. 5.

(b) that reasonable provision is made for—

(i) the amenity of any building on the combined allotment; and

(ii) the safety and health of people using any building on the combined allotment; and

(iii) avoiding the spread of fire to or from any adjoining building on the combined allotment.

(3) A determination under subregulation (1) must be in the form of Form 5.

(4) The municipal building surveyor, within 7 days after making a determination under subregulation (1), must give a copy of the determination to the applicant.

(5) The municipal building surveyor, within 7 days after refusing to make a determination under subregulation (1), must notify the applicant of that decision.

65 Effect of determination

Land to which a determination under regulation 64(1) applies is taken to be one allotment for the purposes of the Act and these Regulations.

66 Revocation of determination

(1) The municipal building surveyor may revoke a determination under regulation 64(1) if there is a change of circumstances that would significantly affect any of the matters referred to in regulation 64(2).

(2) The municipal building surveyor, within 7 days after revoking a determination under subregulation (1), must give each owner of land in the combined allotment written notice of the revocation.

67 Private building surveyor may exercise functions of municipal building surveyor under this Division

A private building surveyor may exercise the functions of the municipal building surveyor in accordance with this Division in relation to building work for which the private building surveyor has been appointed under Part 6 of the Act to issue a building permit.

Part 5—Siting, design and access requirements

Pt 5 (Heading) substituted by S.R. No. 132/2023 reg. 8.

Division 1—Introduction

68 Application

(1) A regulation in this Part does not apply to the construction of a building if—

(a) a planning permit is required for the construction of that building; and

(b) the relevant planning scheme regulates the same matter as that regulation in relation to the siting or design of, or access to, that building.

Reg. 68(1)(b) amended by S.R. No. 173/2026 reg. 7.

(2) Section 188A of the Act applies to applications for building permits to which this Part applies.

Note

Section 11 of the Act addresses the circumstances of where there is an inconsistency between a planning scheme and a building regulation in relation to a siting matter.

69 What is an existing building?

Reg. 69 amended by S.R. No. 132/2023 reg. 9 (ILA s. 39B(2)).

(1) In this Part, a reference to an ***existing building*** (including an ***existing dwelling***) on an adjoining allotment is a reference to a building—

(a) that was in existence in its current completed form before 1 July 1994; or

(b) for which there is an occupancy permit, a copy of which has been given to the relevant council; or

(c) for which there is a certificate of final inspection, a copy of which has been given to the relevant council (but only if that part of the building can be occupied without the need for any further certificate of final inspection); or

(d) that has been completed (but only if the building can be occupied without the need for an occupancy permit or a certificate of final inspection).

Reg. 69(2) inserted by S.R. No. 132/2023 reg. 9.

(2) In this regulation, a reference to an ***existing dwelling*** on an adjoining allotment includes a reference to a small second dwelling on the same adjoining allotment.

70 What is a single dwelling?

For the purposes of the definition of ***single dwelling*** in section 188A(4) of the Act, the specified classes of building are—

(a) a Class 1 building; and

(b) any Class 10 building associated with a Class 1 building.

71 Approved building envelope design overrides siting requirement

(1) A design in relation to a building on an allotment that does not comply with a regulation in this Part is taken to comply with that regulation if—

(a) an approved building envelope applies to the allotment; and

(b) the approved building envelope deals with the same siting matter as the regulation; and

(c) the design of the building is consistent with the approved building envelope in relation to that siting matter.

Reg. 71(2) amended by S.R. No. 173/2026 reg. 8.

(2) If an adjoining allotment is not subject to the same agreement or is not shown on the same certified plan of subdivision, subregulation (1) does not apply to regulations 79, 79A, 80, 81, 82, 83, 84, 90, 91, 94, 95 and 96 to the extent that they relate to that adjoining allotment.

(3) In this regulation—

agreement has the same meaning as in paragraph (b)(i) of the definition of ***approved building envelope*** in regulation 5(1);

plan of subdivision has the same meaning as in paragraph (b)(ii) of the definition of ***approved building envelope*** in regulation 5(1).

Division 2—Single Class 1 buildings and associated Class 10a buildings

72 Application of this Division

Reg. 72 substituted by S.R. No. 132/2023 reg. 10.

The requirements in this Division apply to—

(a) the construction of a single Class 1 building, including a small second dwelling unless the small second dwelling is specifically excluded from any of those requirements; and

(b) any associated Class 10a buildings.

73 Maximum street setback

(1) A Class 1 building when first constructed must not be set back from the front street alignment more than one-third of the depth of the allotment unless the allotment is equal to or greater than 0·40469 ha.

(2) The report and consent of the relevant council must be obtained to an application for a building permit in relation to a design that does not comply with this regulation.

(3) For the purposes of subregulation (1), if a building is on a battleaxe allotment—

(a) a reference to the allotment is taken not to include a driveway that forms part of the battleaxe allotment; and

(b) a reference to the front street alignment is taken to be a reference to the common boundary between the battleaxe allotment and the front allotment (excluding the common boundary between any driveway that forms part of the battleaxe allotment and the front allotment).

(4) In this regulation—

battleaxe allotment means—

(a) an allotment situated behind another allotment that has a street frontage; and

(b) the allotment has access to the street through a driveway, whether or not the driveway forms part of the allotment;

driveway includes any land related and contiguous to the driveway;

front allotment means an allotment that has a street frontage and that is situated in front of a battleaxe allotment.

Reg. 73(5) inserted by S.R. No. 132/2023 reg. 11.

(5) This regulation does not apply in respect of the construction of a building that is a small second dwelling.

74 Minimum street setbacks

(1) If—

(a) an allotment is in a zone of a planning scheme specified in Schedule 6; and

(b) a schedule to that zone specifies a setback from a street alignment—

a building on that allotment must be set back from a street alignment not less than the relevant setback specified for the street alignment in the schedule.

Reg. 74(2) substituted by S.R. No. 173/2026 reg. 9.

(2) If subregulation (1) does not apply, a building on an allotment must be set back from a street alignment by a distance not less than the distance specified in Table A2-1 in clause 54.02-1 of the Victoria Planning Provisions for the relevant development context described in that Table.

(3) The following may encroach into the setback distance required by subregulation (1) or (2) by not more than 2·5 m—

(a) porches, verandahs and pergolas that have a maximum height of less than 3·6 m above natural ground level;

(b) eaves, fascia and gutters;

(c) sunblinds and shade sails;

(d) permanent and fixed screens referred to in regulation 84(5)(d) or 84(6);

(e) decks, steps or landings less than 800 mm in height.

(4) The report and consent of the relevant council must be obtained to an application for a building permit in relation to a design that does not comply with this regulation.

(5) In this regulation ***street*** does not include lane, footway, alley or right of way.

(6) For the purposes of this regulation, an allotment does not adjoin another allotment if its boundary only touches the boundary of the other allotment at one point (for example, at a corner).

Reg. 74A inserted by S.R. No. 132/2023 reg. 12.

74A Building setback for small second dwellings

Reg. 74A(1) amended by S.R. No. 173/2026 reg. 10(1).

(1) In addition to the setback requirements under regulation 74, a small second dwelling must be set back behind the front wall of the existing dwelling on the allotment that is facing the front street.

(2) The following must not encroach into the setback distance required by subregulation (1)—

(a) porches, verandahs and pergolas;

(b) eaves, fascia and gutters;

(c) sunblinds and shade sails;

(d) permanent and fixed screens referred to in regulation 84(5)(d) or 84(6);

(e) decks, steps or landings more than 800 mm in height.

(3) The report and consent of the relevant council must be obtained to an application for a building permit in relation to a design for a small second dwelling that does not comply with this regulation.

Reg. 74A(4) revoked by S.R. No. 173/2026 reg. 10(2).

* * * * *

75 Building height

(1) If—

(a) an allotment is in a zone of a planning scheme specified in Schedule 6; and

(b) that zone, or a schedule to that zone, specifies a maximum height for buildings—

the height of a building on that allotment must not exceed the relevant height specified in that zone or schedule (as the case may be).

(2) If subregulation (1) does not apply, the height of a building must not exceed—

(a) 10 m if the slope of the natural ground level at any cross section of the site of the building that is wider than 8 m is 2·5° or more; and

(b) 9 m in any other case.

(3) If a wall is constructed in accordance with regulation 80, and despite regulation 79, any part of a building on the allotment that is within 1 m of a side or rear boundary and that is adjacent to the wall must be constructed so as not to exceed the height formed by a line that connects—

(a) any point at the top of the wall; and

(b) any point at a height of 3·6 m at a setback of 1 m from the boundary.

(4) The report and consent of the relevant council must be obtained to an application for a building permit in relation to a design that does not comply with this regulation.

76 Site coverage

(1) If—

Reg. 76(1) amended by S.R. No. 173/2026 reg. 11(1).

(a) an allotment is in a zone of a planning scheme specified in Schedule 6; and

(b) a schedule to that zone specifies a maximum site coverage for buildings—

buildings must not occupy or cover more of the allotment than the site coverage specified in that schedule.

Reg. 76(2) substituted by S.R. No. 173/2026 reg. 11(2).

(2) If—

(a) an allotment is in any of the following zones of a planning scheme—

(i) a General Residential Zone;

(ii) a Housing Choice and Transport Zone;

(iii) a Mixed Use Zone;

(iv) a Neighbourhood Residential Zone;

(v) a Residential Growth Zone;

(vi) a Township Zone; and

(b) there is no schedule to that zone that specifies a maximum site coverage or occupation for buildings—

buildings must not occupy or cover more of the allotment than the site coverage specified in Table A2-5 in clause 54.02-5 of the Victoria Planning Provisions for an allotment in that zone.

Reg. 76(2A) inserted by S.R. No. 173/2026 reg. 11(2).

(2A) If subregulations (1) and (2) do not apply, buildings must not occupy or cover more than 60% of the allotment.

Reg. 76(3) amended by S.R. No. 173/2026 reg. 11(3).

(3) The following items may be disregarded when calculating site coverage under subregulation (1), (2) or (2A)—

(a) not more than 600 mm of the width of eaves, fascia and gutters;

(b) unroofed swimming pools or spas, unroofed terraces, unroofed patios, unroofed decks and pergolas.

(4) The report and consent of the relevant council must be obtained to an application for a building permit in relation to a design that does not comply with this regulation.

(5) This regulation applies whether or not there—

Reg. 76(5) inserted by S.R. No. 132/2023 reg. 13.

(a) is one building constructed on the allotment; or

(b) are 2 buildings constructed on the allotment, one of which is a small second dwelling.

76A Minimum garden area

Reg. 76A inserted by S.R. No. 100/2018 reg. 4.

(1) This regulation applies if—

(a) an allotment is in a zone of a planning scheme specified in Schedule 6; and

(b) the zone in the planning scheme specifies a minimum garden area requirement; and

(c) the minimum garden area requirement in the zone applies to the allotment.

Reg. 76A(1)(c) substituted by S.R. No. 180/2018 reg. 6.

(2) The allotment must have a minimum garden area of—

(a) in the case of an allotment that has an area equal to or greater than 400 m^2 and less than or equal to 500 m^2—not less than 25% of the area of the allotment; and

(b) in the case of an allotment that has an area greater than 500 m^2 and less than or equal to 650 m^2—not less than 30% of the area of the allotment; and

(c) in the case of an allotment that has an area greater than 650 m^2—not less than 35% of the area of the allotment.

(3) In this regulation—

garden area means any area on an allotment with a minimum dimension of 1 m other than an area covered by a building, a driveway or an area set aside for car parking.

(4) For the purposes of subregulation (3), an area covered by a building does not include any of the following—

(a) a Class 10a building not exceeding 10 m^2 in area;

(b) a Class 10b or Class 10c building or structure;

(c) eaves, fascia and gutters not exceeding a total width of 600 mm;

(d) a pergola;

(e) unroofed terraces, unroofed patios, unroofed ramps, unroofed decks, unroofed steps or landings less than 800 mm in height;

(f) any part of a building that does not project above ground level;

(g) a disabled access ramp;

(h) flues, pipes and rainwater heads;

(i) domestic fuel tanks and water tanks;

(j) heating and cooling equipment and other services;

(k) any other domestic appliance or apparatus that is normally associated with, and services, a Class 1 or Class 10 building.

(5) This regulation does not apply to an allotment if the allotment has less garden area than the minimum garden area required under the planning scheme applying to the allotment on 27 March 2017.

(6) This regulation applies whether or not there— Reg. 76A(6) inserted by S.R. No. 132/2023 reg. 14.

(a) is one building constructed on the allotment; or

(b) are 2 buildings constructed on the allotment, one of which is a small second dwelling.

77 Permeability

* * * * * Reg. 77(1) revoked by S.R. No. 173/2026 reg. 12(1).

(2) Subject to subregulations (3) and (4), if a building is to be constructed on an allotment, the area of the allotment that must have a permeable surface must not be less than the minimum area of permeability specified in Standard A5-1 in clause 54.05-1 of the Victoria Planning Provisions. Reg. 77(2) substituted by S.R. No. 173/2026 reg. 12(2).

(3) The report and consent of the relevant council must be obtained to an application for a building permit in relation to a design that does not comply with this regulation.

(4) This regulation applies whether or not there— Reg. 77(4) inserted by S.R. No. 132/2023 reg. 15.

(a) is one building constructed on the allotment; or

(b) are 2 buildings constructed on the allotment, one of which is a small second dwelling.

78 Car parking

(1) If a new Class 1 building is to be constructed on an allotment, provision must be made for 2 car parking spaces on the allotment that are accessible from the street.

(2) Of the 2 required car parking spaces—

(a) the first space must be at least 6 m long and 3·5 m wide; and

(b) the second space must be at least 4·9 m long and 2·6 m wide.

(3) A building may project into a car parking space if it is at least 2·1 m above that space.

(4) Despite subregulation (2), if the 2 required car parking spaces adjoin each other in a garage or carport or in a space constrained by walls, the total space may be 5·5 m in width.

(5) An alteration to a building on an allotment must not reduce the number of car parking spaces on the allotment unless there are more than 2 car parking spaces on the allotment, in which case the number of car parking spaces may be reduced to 2.

(6) The report and consent of the relevant council must be obtained to an application for a building permit in relation to a design that does not comply with this regulation.

Reg. 78(7) inserted by S.R. No. 132/2023 reg. 16.

(7) This regulation does not apply in respect of the construction of a building that is a small second dwelling.

79 Side and rear setbacks

Reg. 79(1) revoked by S.R. No. 173/2026 reg. 13(1).

* * * * *

Reg. 79(2) substituted by S.R. No. 173/2026 reg. 13(2).

(2) A building on an allotment must be set back from a side or rear boundary by a distance not less than the distance specified by Standard A2-3 in

clause 54.02-3 of the Victoria Planning Provisions.

(3) The following may encroach into the setback distance required by subregulation (2)— **Reg. 79(3) amended by S.R. No. 173/2026 reg. 13(3).**

(a) landings with an area of not more than 2 m^2 and less than 1 m in height;

(b) unroofed stairways and ramps;

(c) pergolas;

(d) shade sails;

(e) eaves, fascia and gutters, if the encroachment is not more than 600 mm;

(f) carports that comply with regulation 80.

(4) The following may encroach into the setback distance required by subregulation (2) by not more than 500 mm— **Reg. 79(4) amended by S.R. No. 173/2026 reg. 13(3).**

(a) porches and verandas;

(b) masonry chimneys;

(c) sunblinds;

(d) permanent and fixed screens referred to in regulation 84(5)(d) or (6);

(e) flues, pipes and rainwater heads;

(f) domestic fuel tanks and water tanks;

(g) heating and cooling equipment and other services.

(5) This regulation does not apply to a wall that complies with regulation 80.

(6) The report and consent of the relevant council must be obtained to an application for a building permit in relation to a design that does not comply with this regulation.

Reg. 79A inserted by S.R. No. 173/2026 reg. 14.

79A Solar access to existing domestic solar energy system on rooftop of adjoining allotment

(1) This regulation applies if—

(a) a building is proposed to be constructed on an allotment; and

(b) the adjoining allotment is in a General Residential Zone, a Neighbourhood Residential Zone or a Township Zone of a planning scheme; and

(c) there is a domestic solar energy system fixed to the rooftop of a building on the adjoining allotment.

(2) Any part of the proposed building on an allotment that will reduce the sunlight at any time between 9 a.m. and 4 p.m. on 22 September to a solar panel of the domestic solar energy system on the rooftop of a building on the adjoining allotment must be set back from the boundary to the adjoining allotment by a distance that is equal to or greater than the distance specified by Standard A5-2 in clause 54.05-2 of the Victoria Planning Provisions.

(3) The report and consent of the relevant council must be obtained to an application for a building permit in relation to a design that does not comply with this regulation.

80 Walls and carports on boundaries

(1) This regulation applies to the construction of—

(a) a wall of a building constructed on or within 200 mm of a side or rear boundary of an allotment; or

(b) a carport constructed on or within 1 m of a side or rear boundary of an allotment and which is open on the side facing the boundary or boundaries.

* * * * *

Reg. 80(2) revoked by S.R. No. 173/2026 reg. 15(1).

Reg. 80(3) amended by S.R. No. 173/2026 reg. 15(2).

(3) The length of the wall, or of the carport, or of the wall and carport, or any of those lengths combined with the length of any existing wall or carport, must not exceed the greater of the following—

(a) the length of any existing wall or carport constructed on an adjoining allotment, which is within 200 mm of the boundary of that allotment, if the proposed construction abuts the existing wall or carport;

(b) 10 m plus 25% of the remaining length of the boundary of the adjoining allotment, in any other case.

(4) The wall or carport must not exceed—

(a) an average height of 3·2 m where the average is calculated after excluding any length that is less than 2 m in height; and

(b) a maximum height of 3·6 m.

(5) Despite subregulation (4), if the wall or carport abuts an existing wall or carport it may be constructed to the same height as that wall or carport.

(6) The report and consent of the relevant council must be obtained to an application for a building permit in relation to a design that does not comply with this regulation.

81 Daylight to existing habitable room windows

(1) A building must be set back from a habitable room window in an existing dwelling on an adjoining allotment to provide for a light court to the window that has a minimum area of 3 m^2 and a minimum dimension of 1 m clear to the sky.

(2) The area of the light court required under subregulation (1) may include land on the adjoining allotment.

(3) A wall or carport with an average height of more than 3 m opposite a habitable room window in an existing dwelling on an adjoining allotment must be set back from that window at least half the height of the wall or carport if the wall or carport is within a 55° angle in the horizontal plane about a vertical axis through the centre of the window.

(4) For the purposes of subregulation (3), the angle may be swung to not less than 35° from the plane of the wall containing the window.

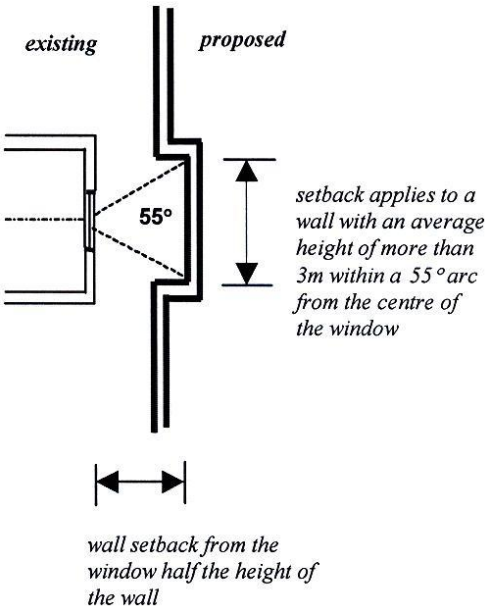
(5) If the window referred to in subregulation (3) is above ground floor level, then for the purposes of that subregulation, the wall or carport height is to be measured from the floor level of the room containing the window.

(6) The report and consent of the relevant council must be obtained to an application for a building permit in relation to a design that does not comply with this regulation.

Note

The following diagram illustrates the operation of aspects of regulation 81(3).

Regulation 81: Daylight to existing habitable room windows



82 Solar access to existing north-facing habitable room windows

(1) This regulation applies if—

(a) a building is to be constructed on an allotment; and

(b) a north-facing habitable room window or part of a window of an existing dwelling on an adjoining allotment is—

(i) within 3 m of a boundary of the allotment on which the building is to be constructed; and

(ii) oriented towards the boundary; and

(iii) will be situated below the eaves or the top of a parapet of the building being constructed.

(2) The proposed building must be set back from the boundary not less than the distance specified in Table 82 for a distance of 3 m from each side of the window or that part of the window that is within 3 m of the boundary.

Table 82—Setbacks from north-facing habitable room windows

Building height at any point	*Minimum setback from side or rear boundary at that point*
3·6 m or less	1 m
More than 3·6 m but not more than 6·9 m	1 m plus an additional distance calculated at the rate of 600 mm for every metre of height over 3·6 m
More than 6·9 m	3 m plus an additional distance calculated at the rate of 1 m for every metre of height over 6·9 m

(3) The following may encroach into the setback distance required by subregulation (2) by not more than 500 mm and to a height not exceeding 2·5 m—

(a) flues and pipes;

(b) domestic fuel tanks and water tanks;

(c) heating and cooling equipment and other services.

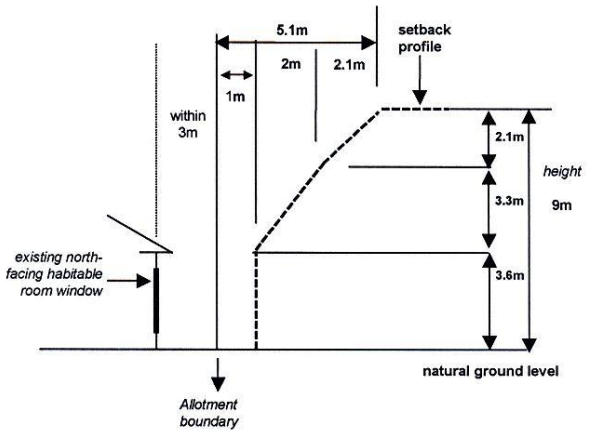
(4) A rainwater head may encroach into the setback distance required by subregulation (2) by not more than 500 mm.

(5) The report and consent of the relevant council must be obtained to an application for a building permit in relation to a design that does not comply with this regulation.

Note

The following diagram illustrates the operation of aspects of regulation 82.

Regulation 82: Solar access to existing north-facing habitable room windows



83 Overshadowing of recreational private open space

(1) A building must not reduce the sunlight to a recreational private open space of an existing dwelling on an adjoining allotment to the extent that less than the required minimum area of the recreational private open space has less than 5 hours of sunlight between 9 a.m. and 3 p.m. on 22 September.

(2) If a building is to be constructed on an allotment and the existing amount of sunlight to a recreational private open space on an adjoining allotment is less than the amount required under subregulation (1), the amount of sunlight to that area must not be further reduced by the construction of the building.

(3) The report and consent of the relevant council must be obtained to an application for a building permit in relation to a design that does not comply with this regulation.

Reg. 83(4) substituted by S.R. No. 173/2026 reg. 16.

(4) In this regulation, the ***required minimum area*** of a recreational private open space is the area of secluded private open space specified in Standard A4-3 in clause 54.04-3 of the Victoria Planning Provisions.

84 Overlooking

(1) A habitable room window or raised open space of a building on an allotment must not provide a direct line of sight into a habitable room window or on to a secluded private open space of an existing dwelling on an adjoining allotment.

(2) In the case of a direct line of sight from a habitable room window, the line of sight is any line measured from a height of 1·7 m above the floor level of the habitable room and contained within the space enclosed by—

(a) a vertical plane measured at an angle of 45° from each side of the window; and

(b) a horizontal plane 1·7 m above the floor level of the habitable room; and

(c) the ground level below; and

(d) a horizontal distance of 9 m from the window.

(3) In the case of a direct line of sight from a raised open space, the line of sight is any line measured from a height of 1·7 m above the floor level and along the perimeter of the raised open space to any point within a horizontal distance of 9 m from the raised open space and extending 45° beyond any point where the perimeter of the raised open space meets a wall of a building.

(4) In the case of a secluded private open space, the horizontal distance of 9 m referred to in subregulation (2)(d) or (3) is to be measured from the ground level.

(5) A habitable room window complies with this regulation if—

(a) in the case where a habitable room window provides a direct line of sight into a habitable room window of an existing dwelling on an adjoining allotment, it is offset a minimum of 1·5 m from the edge of one window to the edge of the other; or

(b) it has a sill height at least 1·7 m above floor level; or

(c) it has obscure glazing in any part of the window below 1·7 m above floor level; or

(d) the direct line of sight is obscured by a permanent and fixed screen that has no more than 25% of its area open; or

Reg. 84(5)(d) amended by S.R. No. 173/2026 reg. 17(1).

(e) it has fixed elements that prevent direct view.

Reg. 84(5)(e) inserted by S.R. No. 173/2026 reg. 17(2).

Examples

1 Opaque horizontal ledges.

2 Vertical fins.

(6) A raised open space complies with this regulation if the direct line of sight into the habitable room window or on to the secluded private open space on the adjoining allotment is obscured by a permanent and fixed screen which has no more than 25% of its area open.

(7) A window referred to in subregulation (5)(c) may be able to be opened provided that when open the obscure glazing does not permit a direct line of sight on to the secluded private open space or into the habitable room window referred to in subregulation (1).

(8) This regulation does not apply to a new habitable room window or raised open space that faces a property boundary if—

(a) there is a visual barrier at least 1·8 m high at the boundary; and

(b) the floor level of the room or the raised open space is less than 800 mm above the ground level at the boundary.

Reg. 84(8A) inserted by S.R. No. 173/2026 reg. 17(3).

(8A) This regulation does not apply to, or in respect of, a habitable room window fixed into the wall of a bedroom.

(9) The report and consent of the relevant council must be obtained to an application for a building permit in relation to a design that does not comply with this regulation.

(10) In this regulation—

raised open space means a landing with an area of more than 2 m^2, a balcony, a terrace, a deck or a patio;

secluded private open space means any part of private open space on an allotment—

(a) which is screened for at least 90% of its perimeter by a wall, fence or other barrier that is at least 1·5 m high and that has no more than 25% of its area open; and

(b) which is primarily intended for outdoor recreation activities.

85 Daylight to habitable room windows

Reg. 85(1) amended by S.R. No. 173/2026 reg. 18(1).

(1) A habitable room window that is situated on an external wall of a building on an allotment must face—

(a) an outdoor space or light court with a minimum area of 3 m^2 and a minimum dimension of 1 m clear to the sky, not including land on an adjoining allotment; or

(b) a verandah, porch, deck or balcony on the allotment if it is open for at least one-third of its perimeter; or

(c) a carport on the allotment if—

(i) it has 2 or more sides open; and

(ii) it is open for at least one-third of its perimeter.

(1A) A habitable room of a new building on an allotment must meet Standard A3-4 in clause 54.03-4 of the Victoria Planning Provisions.

Reg. 85(1A) inserted by S.R. No. 173/2026 reg. 18(2).

(2) For the purposes of subregulation (1), a side of a carport or verandah may be taken to be open if the roof covering of the carport or verandah adjacent to that side is not less than 500 mm from another building on the allotment or the adjoining allotment boundary.

(3) The report and consent of the relevant council must be obtained to an application for a building permit in relation to a design that does not comply with this regulation.

86 Private open space

(1) If—

(a) an allotment is in a zone of a planning scheme specified in Schedule 6; and

(b) a schedule to that zone in the planning scheme specifies a minimum area and dimension for private open space—

a Class 1 building on that allotment must have private open space of at least the area and dimension specified in that schedule.

Reg. 86(2) substituted by S.R. Nos 132/2023 reg. 17(1), 173/2026 reg. 19(1).

(2) If subregulation (1) does not apply, a Class 1 building on an allotment must have a private open space that meets Standard A3-2 in clause 54.03-2 of the Victoria Planning Provisions.

(3) The report and consent of the relevant council must be obtained to an application for a building permit in relation to a design that does not comply with this regulation.

Reg. 86(4) inserted by S.R. No. 132/2023 reg. 17(2).

(4) This regulation does not apply in respect of the construction of a building that is a small second dwelling.

Note to reg. 86(4) inserted by S.R. No. 173/2026 reg. 19(2).

Note

If a small second dwelling is constructed or is proposed to be constructed on an allotment, the requirements of this regulation continue to apply to a Class 1 building on the allotment that is not a small second dwelling.

Reg. 86A inserted by S.R. No. 132/2023 reg. 18.

86A Private open space for small second dwellings

Reg. 86A(1) substituted by S.R. No. 173/2026 reg. 20.

(1) A small second dwelling must have a private open space that meets Standard A3-2 in clause 54.03-2 of the Victoria Planning Provisions.

(2) The report and consent of the relevant council must be obtained to an application for a building permit in relation to a design for a small second

dwelling that does not comply with this regulation.

* * * * *

Reg. 86B inserted by S.R. No. 132/2023 reg. 18, revoked by S.R. No. 174/2026 reg. 5.

Division 3—Siting of Class 10a buildings

87 Siting of Class 10a buildings

(1) A Class 10a building that is appurtenant to a building of another class must be on the same allotment as the building of the other class unless the Class 10a building is approved under the **Subdivision Act 1988** or any corresponding previous enactments.

(2) The report and consent of the relevant council must be obtained to an application for a building permit for the construction of a building that does not comply with this regulation.

Division 4—Class 10b structures

88 Application of Division

This Division applies to the construction of Class 10b structures on an allotment.

89 Front fence height

(1) If—

(a) an allotment is in a zone of a planning scheme specified in Schedule 6; and

(b) a schedule to that zone specifies a maximum height for a fence, or part of a fence, that is within 3 m of the street alignment at the front of an allotment—

the height of a fence, or part of a fence, that is within 3 m of the street alignment at the front of that allotment must not exceed the relevant maximum height specified in that schedule.

(2) If subregulation (1) does not apply, the height of a fence, or part of a fence, that is within 3 m of the street alignment at the front of an allotment must not exceed the relevant maximum height specified in Table 89.

Table 89—Front fence heights

Street type	*Maximum fence height*
A declared road	2 m
Any other street	1·5 m

(3) The report and consent of the relevant council must be obtained to an application for a building permit in relation to a design that does not comply with this regulation.

90 Fence setbacks from side and rear boundaries

(1) A fence exceeding 2 m in height must be set back from a side or rear boundary of an allotment (including a boundary that is a side or rear street alignment) not less than the distance specified in respect of that boundary in Table 90.

Table 90—Side and rear setbacks

Fence height at any point	*Minimum setback from side or rear boundary at that point*
More than 2·0 m but not more than 3·6 m	1 m
More than 3·6 m but not more than 6·9 m	1 m plus an additional distance calculated at the rate of 300 mm for every metre of height over 3·6 m
More than 6·9 m	2 m plus an additional distance calculated at the rate of 1 m for every metre of height over 6·9 m

(2) The report and consent of the relevant council must be obtained to an application for a building permit in relation to a design that does not comply with this regulation.

91 Fences on or within 150 mm of side or rear boundaries

(1) Despite regulation 90, one or more fences that are more than 2 m in height may be constructed on, or within 150 mm of, a side or rear boundary of an allotment (other than a boundary that is a side or rear street alignment) if the total length of the fence or fences or that total length combined with the length of any wall, or carport, or wall and carport constructed in accordance with either regulation 80(2) or (3) (as the case requires) on or adjacent to that boundary, does not exceed the greater of the following lengths—

(a) 10 m plus 25% of the remaining length of the boundary of an adjoining allotment;

(b) the length of any wall or carport constructed on an adjoining allotment that is on or within 150 mm of the boundary of that allotment and that abuts those fences.

(2) A fence constructed on or within 150 mm of a side or rear boundary of an allotment in accordance with this regulation must not exceed—

(a) an average height of 3 m; and

(b) a maximum height of 3·6 m along the boundary.

(3) Despite subregulation (2), if a fence abuts an existing wall it may be constructed to the same height as that wall.

(4) This regulation does not apply to a fence if the fence is provided to comply with regulation 84, or with a planning scheme that regulates the same matter as regulation 84, and—

(a) the fence is not more than 2·5 m in height; and

(b) the part of the fence between 2·0 m and 2·5 m in height has between 20% and 25% of its area open.

(5) The report and consent of the relevant council must be obtained to an application for a building permit in relation to a design that does not comply with this regulation.

92 Fences on intersecting street alignments

(1) Despite regulation 90(1), a fence exceeding a height of 1 m above the footpath must be set back from the point of intersection of street alignments by at least 9 m.

(2) The report and consent of the relevant council must be obtained to an application for a building permit in relation to a design that does not comply with this regulation.

(3) In this regulation ***street*** does not include lane, footway, alley or right of way.

93 Fences must not include barbed wire

(1) A fence adjacent to a street alignment or public open space must not contain barbed wire or other sharp protrusions unless—

(a) despite regulation 90(1), the fence is set back at least 150 mm from the street alignment or boundary of the public open space; or

(b) the barbed wire or other sharp protrusion is at a height of at least 2 m above the level of the street or public open space; or

(c) the fence is on an allotment that has an area of 2000 m^2 or more and is used principally for raising livestock.

(2) In this regulation, ***public open space*** has the same meaning as in section 3(1) of the **Subdivision Act 1988**.

94 Fences and daylight to habitable room windows in existing dwelling

(1) A fence more than 2 m in height must be set back from a habitable room window in an existing dwelling on an adjoining allotment to provide for a light court to the window that has a minimum area of 3 m^2 and a minimum dimension of 1 m clear to the sky.

(2) The area of the light court required under subregulation (1) may include land on the adjoining allotment.

(3) A fence with an average height of more than 3 m opposite a habitable room window in an existing dwelling on an adjoining allotment must be set back from that window at least half the height of the fence if the fence is within a 55° angle in the horizontal plane about a vertical axis through the centre of the window.

(4) For the purposes of subregulation (3), the angle may be swung to not less than 35° from the plane of the wall containing the window.

(5) If the window referred to in subregulation (3) is above ground floor level, then for the purposes of that subregulation, the fence height is to be measured from the floor level of the room containing the window.

(6) The report and consent of the relevant council must be obtained to an application for a building permit in relation to a design that does not comply with this regulation.

95 Fences and solar access to existing north-facing habitable room windows

(1) This regulation applies if—

(a) a fence more than 2 m in height is to be constructed on an allotment; and

(b) a north-facing habitable room window or part of a window of an existing dwelling on an adjoining allotment is—

(i) within 3 m of a boundary of the allotment on which the fence is to be constructed; and

(ii) oriented towards the boundary; and

(iii) situated below the height of the fence being constructed.

(2) The proposed fence must be set back from the boundary not less than the distance specified in Table 95 for a distance of 3 m from the edge of each side of the window or that part of the window that is within 3 m of the boundary.

Table 95—Setbacks from north-facing habitable room windows

Fence height at any point	*Minimum setback from side or rear boundary at that point*
3.6 m or less	1 m
More than 3·6 m but not more than 6·9 m	1 m plus an additional distance calculated at the rate of 600 mm for every metre of height over 3·6 m
More than 6·9 m	3 m plus an additional distance calculated at the rate of 1 m for every metre of height over 6·9 m

(3) The report and consent of the relevant council must be obtained to an application for a building permit in relation to a design that does not comply with this regulation.

96 Fences and overshadowing of recreational private open space

(1) A fence more than 2 m in height must not reduce the sunlight to a recreational private open space of an existing dwelling on an adjoining allotment to the extent that less than the required minimum area of the recreational private open space has less than 5 hours of sunlight between 9 a.m. and 3 p.m. on 22 September.

(2) If a fence is to be constructed on an allotment and the existing amount of sunlight to a recreational private open space on an adjoining allotment is less than the amount required under subregulation (1), the amount of sunlight to that area must not be further reduced by the construction of the fence.

(3) The report and consent of the relevant council must be obtained to an application for a building permit in relation to a design that does not comply with this regulation.

Reg. 96(4) substituted by S.R. No. 173/2026 reg. 21.

(4) In this regulation, the ***required minimum area*** of a recreational private open space is the area of secluded private open space specified in Standard A4-3 in clause 54.04-3 of the Victoria Planning Provisions.

97 Masts, poles etc.

(1) A mast, pole, aerial, antenna, chimney, flue or service pipe—

(a) when attached to a building, must not exceed a height of 3 m above the highest point of the roof of the building; or

(b) when not attached to a building, must not exceed 8 m above the ground level.

(2) The report and consent of the relevant council must be obtained to an application for a building permit in relation to a design that does not comply with this regulation.

Part 6—Projections beyond street alignment

98 Projections beyond street alignment

Except where otherwise provided in this Part, a building must not project beyond the street alignment.

99 Architectural features—narrow street

(1) An architectural feature of a building on a narrow street must not project beyond the street alignment.

(2) Despite subregulation (1), an architectural feature may project beyond a narrow street no more than 240 mm horizontally beyond the street alignment and at a height of at least 2.7 m above the level of the street if—

(a) any footpath or kerb forming part of the street is not more than 240 mm in height above the street level; and

(b) the architectural feature is constructed from non-combustible material.

100 Architectural features—medium street

An architectural feature of a building on a medium street must not project beyond the street alignment unless the architectural feature—

(a) projects no more than 600 mm horizontally beyond the street alignment; and

(b) is at least—

(i) 5 m in height above any part of the street that may be used by a motor vehicle; or

(ii) 2.7 m in height above the level of the street in any other case; and

(c) is constructed from non-combustible material.

101 Architectural features—wide street

An architectural feature of a building on a wide street must not project beyond the street alignment unless the architectural feature—

(a) projects no more than 1.2 m horizontally beyond the street alignment; and

(b) is at least—

(i) 5 m in height above any part of the street that may be used by a motor vehicle; or

(ii) 2.7 m in height above the level of the street in any other case; and

(c) is constructed from non-combustible material.

102 Windows and balconies

(1) A window or balcony must not project beyond the street alignment—

(a) of a narrow street; or

(b) of a medium street.

(2) A window or balcony must not project beyond the street alignment of a wide street—

(a) more than 1 m horizontally; and

(b) at a height less than—

(i) 5 m above any part of the street that may be used by a motor vehicle; or

(ii) 3 m above the level of the street in any other case; and

(c) within 1·2 m of the side boundary of an adjoining allotment.

103 Verandahs

A verandah must not project beyond the street alignment unless the verandah—

(a) is set back at least 750 mm from the kerb; and

(b) is at a height of at least 3 m above the level of the street.

104 Sunblinds and awnings

A sunblind or awning must not project beyond the street alignment—

(a) more than 2·4 m horizontally; and

(b) at any height less than—

(i) 5 m above any part of the street that may be used by a motor vehicle; or

(ii) 2·4 m above the level of the street in any other case.

105 Service pipes, rainwater heads and service installations

A service pipe, rainwater head or service installation must not project beyond the street alignment—

(a) more than 200 mm horizontally in the case of a service pipe; and

(b) more than 300 mm horizontally in the case of a rainwater head or service installation; and

(c) at any height less than 2·7 m above the level of the street.

106 Window shutters

Window shutters may project horizontally not more than 50 mm beyond the street alignment when in the fully open position.

107 Signs

A sign or similar Class 10b structure must not project beyond the street alignment unless the sign or structure—

(a) is set back at least 750 mm from the kerb; and

(b) is at a height of at least 2·7 m above the level of the street.

108 Service cabinet doors

(1) A service cabinet door must not project beyond the street alignment more than 600 mm when in the fully open position.

(2) In this regulation, ***service cabinet*** means a cabinet or cupboard containing a meter, electrical equipment, water connections, fire equipment or other similar equipment.

109 Report and consent required

(1) The report and consent of the relevant council must be obtained to an application for a building permit to construct any of the following parts of a building if the part projects beyond the street alignment at a different height or distance to that specified in this Part—

(a) an architectural feature;

(b) a window;

(c) a balcony;

(d) a verandah;

(e) a sunblind;

(f) an awning;

(g) a service pipe;

(h) a rainwater head;

(i) a service installation;

(j) a window shutter;

(k) a sign or similar Class 10b structure;

(l) a service cabinet door.

(2) The report and consent of the relevant council must be obtained to an application for a building permit to construct a building if any part of the building not specified in subregulation (1) would project beyond the street alignment.

(3) The relevant council may give its consent under subregulation (1) or (2) if it considers that the projection of the part of the building beyond the street alignment will not be detrimental to the safety of the public.

(4) Despite subregulations (1) and (2), the report and consent of the relevant council under subregulation (1) or (2) need not be obtained to an application for a building permit if—

(a) a planning permit is required for the construction of the building; and

(b) the relevant planning scheme regulates the projection of part of a building beyond the street alignment of the same class of part of building referred to in subregulation (3).

110 Footings adjoining boundaries are permissible

(1) A footing may support a party wall.

(2) A footing may extend beyond the boundaries of a street alignment—

(a) to a distance of not more than 300 mm if the highest projecting part of the footing is at a depth of at least 450 mm but less than 3 m below the level of the street; or

(b) to a distance of not more than 1 m if the highest projecting part of the footing is at a depth of at least 3 m below the level of the street.

Part 7—Protection of adjoining property and the public

Division 1—Protection of adjoining property by means of protection work

111 Required protection work

(1) Protection work must be provided by the owner, in relation to an adjoining property, before and during the carrying out of any building work, if the relevant building surveyor determines that protection work is required.

(2) The relevant building surveyor must determine whether protection work is required as a result of proposed building work when deciding an application for a building permit in relation to that work.

(3) The relevant building surveyor may at any time determine that protection work is required in relation to building work.

(4) A determination under subregulation (2) or (3) must be in the form of Form 6.

(5) Within 7 days after making a determination under this regulation, the relevant building surveyor must give a copy of the determination to—

(a) the applicant for the relevant building permit; and

(b) if the owner referred to in subregulation (1) is not the applicant, the owner.

112 Matters relevant building surveyor must consider when determining if protection work required

For the purposes of making a determination under regulation 111, the relevant building surveyor must have regard to—

(a) any allotment plan provided to the relevant building surveyor under regulation 25 or regulation 26; and

(b) specifications that describe the materials and methods to be used in the proposed building work; and

(c) any demolition required as part of the proposed building work; and

(d) any excavation required as part of the proposed building work; and

(e) any proposed building work in relation to party walls and retaining walls; and

(f) the nature and likely extent of any damage or other adverse effect on the stability or otherwise of an adjoining property that may be caused by the proposed building work; and

Reg. 112(g) amended by S.R. Nos 73/2021 reg. 6(1), 38/2026 reg. 5(a).

(g) any certificate under section 238 of the Act from a civil engineer or structural engineer, who designed the building work; and

Reg. 112(h) amended by S.R. Nos 73/2021 reg. 6(2), 38/2026 reg. 5(b).

(h) any certificate under section 238 of the Act from an independent engineer who is a civil engineer or structural engineer, certifying that the structural design of the building work complies with the Act and these Regulations; and

(i) any other matter the relevant building surveyor considers relevant.

113 Protection work notice

Reg. 113(1) amended by S.R. No. 75/2018 reg. 11.

(1) The notice required to be served by the owner on the adjoining owner and the relevant building surveyor by section 84 of the Act must be in the form of Form 7 and must be accompanied by the following—

(a) any determination of the relevant building surveyor made under regulation 111;

(b) 3 copies of the notice required to be given by the adjoining owner to the owner under section 85 of the Act;

(c) a statement in a form approved by the Authority, that explains the operation of the protection work process under the Act and these Regulations and the procedure for the resolution of disputes relating to protection work;

(d) plans and specifications for any building work, building or structure that may affect the adjoining property and that contain sufficient detail to show how the proposed building work will affect the adjoining property;

(e) plans and specifications for the proposed protection work that contain sufficient detail to show how the protection work will protect the adjoining property from the effects identified in paragraph (d);

(f) one copy of an allotment plan complying with regulation 25(1)(d).

(2) For the purposes of section 84(2) of the Act—

(a) the prescribed details of the proposed building work are—

(i) the relevant details set out in Form 7; and

(ii) the details in the documents required under subregulation (1)(d); and

(b) the prescribed details of the proposed protection work are—

(i) the relevant details set out in Form 7; and

(ii) the details in the documents required under subregulation (1)(e); and

(c) the prescribed information is any information set out in Form 7 that is not a prescribed detail under paragraph (a) or (b).

Reg. 113A inserted by S.R. No. 38/2026 reg. 6.

113A Request to council for name and address of adjoining property owner—protection work notice

(1) For the purposes of section 84A(3)(a) of the Act, the prescribed information is the information set out in Form 6A.

(2) For the purposes of section 84A(3)(b)(i) of the Act, the prescribed documents are—

Reg. 113A (2)(a) amended by S.R. No. 115/2026 reg. 7.

(a) a copy of the building permit application; and

(b) Form 6.

(3) For the purposes of section 84A(3)(b)(ii) of the Act, the prescribed fee is 4 fee units.

114 Protection work response notice

(1) The notice required to be given by the adjoining owner to the owner under section 85 of the Act agreeing or disagreeing to the proposed protection work or requiring more information must be in the form of Form 8.

Reg. 114(1) amended by S.R. No. 75/2018 reg. 11.

(2) The prescribed information to be contained in a notice under section 85 of the Act is the information set out in Form 8.

115 Notice of relevant building surveyor determination

A written notice of determination by the relevant building surveyor under section 87 of the Act must—

(a) be in the form of Form 9; and

Reg. 115(a) amended by S.R. No. 75/2018 reg. 11.

(b) include a statement informing the recipient of the notice of any right of appeal to the Building Appeals Board under section 141 of the Act; and

(c) include the prescribed appeal period under regulation 271 that applies in relation to that right of appeal; and

(d) be accompanied by the owner's proposal for protection work under section 84 of the Act; and

(e) be accompanied by the adjoining owner's notice under section 85(1)(b) of the Act (if any).

Division 2—Protection of the public

116 Protection of the public

(1) Precautions must be taken before and during building work to protect the safety of the public if required by the relevant building surveyor.

(2) The precautions must be approved by the relevant building surveyor before building work is commenced.

(3) Before and during the carrying out of building work all excavations must be fenced or otherwise guarded against being a danger to life or property.

(4) The report and consent of the relevant council must be obtained to an application for a building permit relating to the erection of precautions over the street alignment unless a local law requires the taking of precautions and the precautions comply with the local law.

Division 3—Demolition

117 Demolition

(1) Precautions must be taken before and during demolition in accordance with AS 2601 The demolition of structures as in force or as issued or as published from time to time and the following—

(a) the demolition must not be commenced until the precautionary measures have been inspected and approved by the relevant building surveyor;

(b) no part of any external wall on or within 3 m of a street alignment may be pulled down except during the hours that the relevant building surveyor directs;

(c) protective outriggers must be installed where necessary to guard against danger to life or property or when required by the relevant building surveyor;

(d) the site must be cleared of all debris.

(2) The relevant building surveyor may exempt minor demolition work from the requirements of subregulation (1) if the relevant building surveyor is of the opinion that the nature of the demolition work does not warrant those measures.

Division 4—Excavations and retaining walls

118 Excavations

(1) All excavations and backfilling must be executed in a safe and workmanlike manner.

(2) Unless exempted by the relevant building surveyor, all water must be removed or diverted from excavations before the laying of footings.

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Reg. 119 revoked by S.R. No. 115/2026 reg. 8.

Part 8—Building work

Division 1—Methods of assessment of compliance

120 Testing of materials

(1) The relevant building surveyor may require that the owner or builder carrying out building work for which a building permit has been issued arrange for the testing of any material used in the building work.

(2) The relevant building surveyor may, as a result of tests carried out under subregulation (1), prohibit the use of any material that—

(a) does not meet the requirements of these Regulations; or

(b) is found to be unsuitable or unfit for the purposes for which it is intended.

(3) Tests required under subregulation (1) must be carried out by an Accredited Testing Laboratory or a Registered Testing Authority or an approved person or organisation.

121 Fire performance requirements—performance solutions

Despite anything to the contrary in the BCA, the relevant building surveyor must not determine that a performance solution complies with a fire performance requirement of the BCA unless the relevant building surveyor—

(a) holds a Graduate Certificate in Performance-Based Building & Fire Codes from Victoria University; or

(b) holds a qualification that the Victorian Building Authority considers is equivalent to that Certificate; or

(c) relies on a report of the chief officer under regulation 129, that states that the chief officer is satisfied that a satisfactory degree of fire safety is achieved by that performance solution; or

(d) relies on a certificate under section 238 of the Act by a fire safety engineer, who did not design the building work, that states that the performance solution complies with that performance requirement; or

(e) relies on a certificate under section 238 of the Act by a registered building surveyor, who did not design the building work, and who holds a qualification referred to in paragraph (a) or (b), that states that the performance solution complies with that performance requirement; or

(f) relies on a determination of the Building Appeals Board under section 160A of the Act that the performance solution complies with that performance requirement; or

(g) relies on a certificate of accreditation issued by the Building Regulations Advisory Committee that states that the performance solution complies with that performance requirement; or

(h) relies on a Certificate of Conformity issued by a person or body duly authorised by the Australian Building Codes Board, that states that the performance solution complies with that performance requirement.

122 Certificates of compliance—proposed building work

Reg. 122 amended by S.R. No. 73/2021 reg. 7(1).

The prescribed classes of proposed building work and the prescribed categories and classes of registered building practitioners or endorsed building engineers in relation to proposed building work for the purposes of section 238(1)(a) of the Act are as follows—

Reg. 122(a) amended by S.R. No. 73/2021 reg. 7(2).

(a) for a certificate relating to the design or part of the design of building work relating to a structural, sewerage, water or drainage matter—civil engineer;

Reg. 122(ab) inserted by S.R. No. 38/2026 reg. 7.

(ab) for a certificate relating to the design or part of the design of building work relating to a structural matter—structural engineer;

Reg. 122(b) amended by S.R. No. 73/2021 reg. 7(3).

(b) for a certificate relating to the design or part of the design of building work relating to a mechanical matter including hydraulic services within a building—mechanical engineer;

Reg. 122(c) amended by S.R. No. 73/2021 reg. 7(4).

(c) for a certificate relating to the design or part of the design of building work relating to an electrical matter—electrical engineer;

Reg. 122(d) amended by S.R. No. 73/2021 reg. 7(5).

(d) for a certificate relating to the design or part of the design of building work relating to a fire safety matter—fire safety engineer;

(e) for a certificate relating to the design or part of the design of any of the above classes of building work—category of building surveyor.

123 Certificates of compliance—building work

Reg. 123 amended by S.R. No. 73/2021 reg. 8(1).

The prescribed classes of building work and the prescribed categories and classes of registered building practitioners or endorsed building engineers in relation to building work for the purposes of section 238(1)(b) of the Act are as follows—

Reg. 123(a) amended by S.R. No. 73/2021 reg. 8(2).

(a) for a certificate relating to the inspection of domestic building work relating to a structural, sewerage, water or drainage matter—civil engineer;

Reg. 123(ab) inserted by S.R. No. 38/2026 reg. 8(1).

(ab) for a certificate relating to the inspection of domestic building work relating to a structural matter—structural engineer;

Reg. 123(b) amended by S.R. No. 73/2021 reg. 8(3).

(b) for a certificate relating to the inspection of domestic building work relating to a mechanical matter including hydraulic services within a building—mechanical engineer;

Reg. 123(c) amended by S.R. No. 73/2021 reg. 8(4).

(c) for a certificate relating to the inspection of domestic building work relating to an electrical matter—electrical engineer;

Reg. 123(d) amended by S.R. No. 73/2021 reg. 8(5).

(d) for a certificate relating to the inspection of domestic building work relating to a fire safety matter—fire safety engineer;

(e) for a certificate relating to the inspection of domestic building work—category of building surveyor or building inspector;

Reg. 123(f) amended by S.R. Nos 73/2021 reg. 8(6), 38/2026 reg. 8(2).

(f) for a certificate relating to the erection of a prescribed temporary structure—category of building surveyor or building inspector or civil engineer or structural engineer or category of person who erects or supervises

the erection of prescribed temporary structures.

Reg. 124 (Heading) amended by S.R. No. 73/2021 reg. 9(1).

124 Registered building practitioner or endorsed building engineer must document performance solutions in certificate of compliance

Reg. 124(1) amended by S.R. No. 73/2021 reg. 9(2).

(1) A registered building practitioner or endorsed building engineer who issues a certificate under section 238 of the Act that certifies that a performance solution complies with a performance requirement of the BCA in relation to proposed building work must record in writing the following—

(a) the performance requirement with which the performance solution complies;

Reg. 124(1)(b) amended by S.R. Nos 180/2018 reg. 7, 73/2021 reg. 9(2).

(b) details of any of the following that the registered building practitioner or endorsed building engineer uses or relies on in determining that the performance solution complies with the performance requirement—

(i) the assessment method or methods;

(ii) the details of any expert judgement;

(iii) the details of any tests or calculations;

(iv) the details of any standards or other information.

Reg. 124(2) amended by S.R. No. 73/2021 reg. 9(2).

(2) A registered building practitioner or endorsed building engineer must within 7 days after a request from the relevant building surveyor give to the relevant building surveyor a copy of the record prepared under subregulation (1).

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Reg. 125 amended by S.R. Nos 40/2019 reg. 10, 73/2021 reg. 10, 102/2023 reg. 6, revoked by S.R. No. 38/2026 reg. 9.

126 Forms of certificates of compliance

A certificate under section 238 of the Act must be in a form approved by the Authority and published from time to time in the Government Gazette.

Division 2—Special provisions

127 Record of pile-driving

Any person installing piles must—

(a) keep a record of all pile-driving operations undertaken during the construction including any determination of allowable loadings; and

(b) make the records available for inspection by the relevant building surveyor during the progress of the pile-driving operations; and

(c) within 28 days of the completion of the pile-driving operations forward the complete records of the pile-driving operations to the relevant building surveyor.

Penalty: 10 penalty units.

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Reg. 128 amended by S.R. No. 102/2023 reg. 7, revoked by S.R. No. 38/2026 reg. 10.

129 Requirements for permits involving fire safety matters

(1) The report and consent of the chief officer must be obtained to an application for a building permit which involves any of the following fire safety matters if those matters do not meet the deemed-to-satisfy provisions of the BCA—

(a) fire hydrants;

(b) fire control centres or fire control rooms;

(c) fire precautions during construction;

(d) fire mains;

(e) control valves;

(f) booster assemblies;

(g) open space and perimeter vehicular access to the extent it relates to emergency vehicles;

(h) fire indicator panels;

(i) fire services controls in passenger lift cars.

(2) In a report under subregulation (1), the chief officer may consent to a variation of the requirements of the BCA if the chief officer is satisfied that a satisfactory degree of fire safety is achieved.

(3) When a building permit is issued which involves the installation of fire sprinklers and the installation does not meet the deemed-to-satisfy provisions of the BCA, the relevant building surveyor must forward details of the installation to the chief officer.

130 Report and consent for building over easements

(1) The report and consent of the relevant service authority must be obtained to an application for a building permit to construct a building over an easement vested in that service authority.

(2) This regulation does not apply to implied easements under the **Subdivision Act 1988**.

Notes

1 Section 148 of the **Water Act 1989** prohibits a person from building a structure, or placing any filling on land without the consent of the Melbourne Water Corporation or other water supply authority—

- over which an easement exists either in favour of a water supply authority, or for water supply, sewerage or drainage purposes; or
- within 5 m laterally of any works of the Melbourne Water Corporation; or
- within 1 m laterally of any works of any other water supply authority.

2 Section 148 of the **Water Act 1989** also prohibits the removal of any soil, rock or other matter that supports, protects or covers any works of the Melbourne Water Corporation or water supply authority.

131 Report concerning need for electricity substations

(1) If an application is made for a building permit for the construction of a building, the relevant building surveyor may require a report from the relevant electricity supply authority as to whether an electricity substation is necessary on the allotment and, if so, the size and location of the substation.

(2) This regulation does not apply to the construction of a Class 1 or 10 building.

132 Report and consent for septic tank systems

(1) The report and consent of the relevant council must be obtained to an application for a building permit that requires—

(a) the installation or alteration of a septic tank system; or

(b) the construction of a building over an existing septic tank system.

(2) The report and consent of the relevant council need not be obtained to an application for a building permit referred to in subregulation (1) if a permit for the construction, installation or alteration of the septic tank system that is relevant to the application has been issued under section 53M(5) of the **Environment Protection Act 1970**.

133 Stormwater drainage

(1) The design of every stormwater drainage system to the point of discharge from an allotment must be approved by the relevant building surveyor.

(2) The report of the relevant council indicating the location of the point of discharge from an allotment either within the allotment or at the allotment boundary must be obtained in relation to an application for a building permit for the carrying out of building work that includes a stormwater drainage system.

(3) The design of every stormwater drainage system must—

(a) be approved by the relevant building surveyor; and

(b) the point of discharge must be consistent with the point of discharge identified in the report obtained under subregulation (2).

134 Buildings above or below certain public facilities

(1) This regulation does not apply to a part of a building to which Part 6 applies.

(2) The report and consent of the relevant council must be obtained to an application for a building permit for the construction of a building above or below a street, railway, bus terminal or similar public facility whether or not such a building is connected to other buildings.

Part 9—Fire safety requirements

Pt 9 (Heading) substituted by S.R. No. 116/2019 reg. 7.

Pt 9 Divs 1, 2 (Headings and regs 135–143) revoked by S.R. No. 116/2019 reg. 8.

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Pt 9 Div. 3 (Heading) revoked by S.R. No. 116/2019 reg. 9.

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Reg. 144 amended by S.R. No. 116/2019 reg. 10.

144 Definition of owner

In this Part, ***owner*** in relation to a dwelling, a sole-occupancy unit or a building means—

(a) in the case of a dwelling, sole-occupancy unit or a building being purchased under a terms contract (within the meaning of the **Sale of Land Act 1962**) under which the purchaser has become entitled to possession or to the receipt of the rents and profits, the purchaser of that dwelling, sole-occupancy unit or building; and

(b) in the case of any other dwelling, sole-occupancy unit or building, the owner of that dwelling, sole-occupancy unit or building.

145 Automatic smoke detection and alarm systems

(1) This regulation applies to a Class 1 or 3 building or a Class 4 part of a building or a sole-occupancy unit contained in a Class 2 building or a Class 9a building that is a residential care building that was constructed, or for which a building permit was granted, before 1 August 1997.

(2) A Class 1 building must have installed throughout the building—

(a) a smoke alarm system that complies with the deemed-to-satisfy provisions contained in clause H3D6 of the BCA Volume Two; or

Reg. 145(2)(a) amended by S.R. Nos 40/2019 reg. 11(1), 102/2023 reg. 8(1).

(b) an approved smoke alarm system powered from a mains electricity supply, if there is such a supply to the building.

(3) A building, other than a Class 1 building, must have installed throughout the building one of the following as required by Specification 20 of the BCA Volume One—

Reg. 145(3) amended by S.R. Nos 40/2019 reg. 11(2), 102/2023 reg. 8(2).

(a) a smoke detection system that complies with clause S20C3 of Specification 20 of the BCA Volume One;

Reg. 145(3)(a) substituted by S.R. No. 102/2023 reg. 8(3).

(b) a smoke detection system that complies with clause S20C4 of Specification 20 of the BCA Volume One;

Reg. 145(3)(b) amended by S.R. No. 40/2019 reg. 11(3), substituted by S.R. No. 102/2023 reg. 8(4).

(c) a combination of a smoke alarm system and a smoke detection system that complies with clause S20C5 of Specification 20 of the BCA Volume One.

Reg. 145(3)(c) inserted by S.R. No. 40/2019 reg. 11(4), substituted by S.R. No. 102/2023 reg. 8(5).

(4) This regulation must be complied with by—

(a) in the case of a sole-occupancy unit contained in a Class 2 building, the owner of the sole-occupancy unit; or

(b) in any other case, the owner of the building.

(5) Subregulation (3) does not apply to a building in which there is installed throughout the building an approved smoke detection and alarm system that consists of either one or both of the following—

(a) an approved smoke alarm system powered from a mains electricity supply;

(b) an approved smoke detection system.

(6) This regulation does not apply to a Class 1a or Class 4 part of a building or a sole-occupancy unit contained in a Class 2 building that complies with regulation 707 of the Building Interim Regulations 2017 as in force immediately before its revocation.

(7) This regulation does not apply to a Class 1b or 3 building or a Class 9a building that is a residential care building that complies with regulation 709 of the Building Interim Regulations 2017 as in force immediately before its revocation.

146 Residential care buildings—automatic fire suppression systems

(1) This regulation applies to a Class 9a building that is a residential care building that was constructed, or for which a building permit was granted, before 1 August 1997.

Reg. 146(2) amended by S.R. No. 102/2023 reg. 9.

(2) A fire sprinkler system in accordance with the deemed-to-satisfy provisions contained in clause E1D4 of the BCA Volume One must be installed throughout a residential care building.

(3) This regulation must be complied with by the owner of the building.

(4) This regulation does not apply to a building that has an approved automatic fire suppression system installed throughout the building.

147 Shared accommodation buildings—automatic fire suppression systems

(1) This regulation applies to a Class 3 building that is a shared accommodation building constructed, or for which a building permit was granted, before 1 July 2003.

(2) A fire sprinkler system in accordance with deemed-to-satisfy provisions contained in clause E1D4 of the BCA Volume One must be installed throughout a shared accommodation building.

Reg. 147(2) amended by S.R. No. 102/2023 reg. 10(1).

(3) This regulation must be complied with by the owner of the building.

(4) This regulation does not apply to a shared accommodation building that has a rise in storeys of not more than 2 and—

(a) the distance of travel from the entrance doorway of each sole-occupancy unit is not more than 6 m—

(i) to the nearest exit; or

(ii) to a point from which travel in different directions to at least 2 exits is available; and

(b) that has a fire hose reel system in accordance with the deemed-to-satisfy provisions contained in clause E1D3 of the BCA Volume One or, in the case of a fire compartment having a floor area not greater than 500 m^2, portable fire extinguishers to cover Class A fire risks in accordance with AS 2444—2001 Portable fire extinguishers

Reg. 147(4)(b) amended by S.R. No. 102/2023 reg. 10(2).

and fire blankets—Selection and location as in force or as issued or published from time to time; and

Reg. 147(4)(c) amended by S.R. No. 102/2023 reg. 10(3).

(c) that has emergency lighting in accordance with the deemed-to-satisfy provisions contained in clause G4D4 or clause E4D2 of the BCA Volume One (as appropriate); and

(d) that has exit signs in accordance with the deemed-to-satisfy provisions contained in Part E4 of the BCA Volume One; and

Reg. 147(4)(e) amended by S.R. No. 75/2018 reg. 12(1).

(e) that has a management plan.

(5) This regulation does not apply to a shared accommodation building that has a rise in storeys of more than 2 and—

(a) the distance of travel from the entrance doorway of each sole-occupancy unit—

(i) to the nearest exit; or

(ii) to a point from which travel in different directions to at least 2 exits is available—

is not more than 6 m; and

(b) that has building elements with a fire-resistance level of not less than 60/60/60 separating each sole-occupancy unit from—

(i) a public corridor, public lobby or the like; or

(ii) a room not within the sole-occupancy unit; or

(iii) the landing of an internal non-fire-isolated stairway; or

(iv) another sole-occupancy unit; and

(c) any doorways from each sole-occupancy unit that provide access to a public corridor, public stairway, internal non-fire-isolated stairway or the like are protected with a self-closing fire door having a fire-resistance level of not less than -/30/30; and

(d) that has a fire hose reel system in accordance with the deemed-to-satisfy provisions contained in clause E1D3 of the BCA Volume One; and

Reg. 147(5)(d) amended by S.R. No. 102/2023 reg. 10(4).

(e) that has emergency lighting in accordance with the deemed-to-satisfy provisions contained in clause G4D4 or clause E4D2 in the BCA Volume One (as appropriate); and

Reg. 147(5)(e) amended by S.R. No. 102/2023 reg. 10(5).

(f) that has exit signs in accordance with the deemed-to-satisfy provisions contained in Part E4 of the BCA Volume One; and

(g) that has a management plan.

Reg. 147(5)(g) amended by S.R. No. 75/2018 reg. 12(1).

(6) This regulation does not apply to a shared accommodation building—

(a) in which—

(i) each storey that has sleeping facilities has its own direct egress to a street or to open space; and

(ii) the distance of travel from the entrance doorway of each sole-occupancy unit to the nearest exit, or to a point from which travel in different directions to at least 2 exits is available, is not more than 6 m; or

(b) that was constructed, or for which a building permit was granted, before 1 August 1997; or

(c) that has an approved automatic fire suppression system installed throughout the building.

Reg. 147(7) inserted by S.R. No. 75/2018 reg. 12(2).

(7) In this regulation—

management plan means a plan that includes the following information—

(a) contact details for emergency services including fire, ambulance and police;

(b) 24-hour contact details of the manager of the shared accommodation building;

(c) a list of the type of fire protection equipment available for the shared accommodation building;

(d) a map showing the location of fire protection equipment available for the shared accommodation building;

(e) a warning that fire protection equipment must be kept clear of obstructions at all times;

(f) a program of annual training to ensure that any staff of the shared accommodation building know how to operate the fire protection equipment available for the shared accommodation building;

(g) an emergency plan that complies with subregulation (8);

(h) a program of evacuation drills to ensure the efficacy of the emergency plan.

(8) For the purposes of subregulation (7)(g), an ***emergency plan*** must— **Reg. 147(8) inserted by S.R. No. 75/2018 reg. 12(2).**

(a) comply with AS 3745—2010 Planning for emergencies in facilities published on 25 November 2010, as in force or as issued from time to time; or

(b) include the following information—

(i) a map of the shared accommodation building that identifies the location of all exits from the shared accommodation building;

(ii) a map that identifies the assembly point at which occupants of the shared accommodation building must meet in the event of an evacuation;

(iii) details of the actions any staff must take to notify building occupants of an evacuation, in the event of an evacuation;

(iv) details of the stages of the evacuation warning system and the actions that must be taken at each stage, if an evacuation warning system is installed in the building.

* * * * * **Reg. 147AA inserted by S.R. No. 102/2023 reg. 11. revoked by S.R. No. 38/2026 reg. 11.**

Pt 9A (Headings and regs 147A–147ZM) inserted by S.R. No. 116/2019 reg. 11.

Part 9A—Safety requirements for, registration of, and certification of barriers for, swimming pools and spas

Division 1—Application of Part

Reg. 147A inserted by S.R. No. 116/2019 reg. 11.

147A Application of this Part

This Part applies to land on which a swimming pool or spa is located if the swimming pool or spa—

(a) is appurtenant to a Class 1, 2, 3 or 10 building or a Class 4 part of a building; and

(b) is capable of containing water to a depth of greater than 300 mm.

Note

Swimming pools or spas that are not capable of containing water to a depth of greater than 300 mm are exempt from these Regulations—see item 8 of the Table in Schedule 3.

Division 2—Requirements for barriers for swimming pools and spas

Reg. 147B inserted by S.R. No. 116/2019 reg. 11.

147B Application of Division

This Division applies to a swimming pool or spa that was constructed, or for which a building permit was granted, before 8 April 1991.

Note

A building permit includes a building approval or a building permit under the **Building Control Act 1981**—see clause 8 of Schedule 4 to the Act.

Reg. 147C inserted by S.R. No. 116/2019 reg. 11.

147C Requirement for barriers

The owner of the land on which a swimming pool or spa is located must ensure that one or more of the following barriers are in place to restrict access to the part of the land on which the swimming pool or spa is located—

(a) a wall of a building, but only if—

(i) any door or gate in the wall complies with regulation 147D; and

(ii) any openable part of any window in the wall complies with regulation 147E;

(b) a fence and gate complying with AS 1926.1—1993 Swimming pool safety Part 1: Fencing for swimming pools, published 26 July 1993 as in force or as issued from time to time;

(c) a paling or imperforate fence if—

(i) it is at least 1·5 m in height measured above the ground level on the approach side; and

(ii) any door or gate in the fence complies with regulation 147D.

Penalty: 50 penalty units.

147D Requirements for doors or gates

Reg. 147D inserted by S.R. No. 116/2019 reg. 11.

For the purposes of regulation 147C(a)(i) and (c)(ii)—

(a) the door or gate must have a self-locking or self-latching device that prevents the door or gate, if the door or gate is in its closed position, from being opened by a person unable to reach the opening mechanism for the door or gate; and

(b) the opening mechanism on the door or gate must be located not less than 1·5 m above the ground level or the internal floor level (as the case requires), measured from the approach side; and

(c) the door or gate must be fitted with a device that returns the door or gate to its closed position—

(i) from any position in the range of positions from fully open to resting on the lock or latch; and

(ii) from a stationary start from any position within that range without the application of manual force.

Reg. 147E inserted by S.R. No. 116/2019 reg. 11.

147E Requirements for windows in walls used as barriers

For the purposes of regulation 147C(a)(ii), the openable part of the window in the wall—

(a) must be not less than 2·4 m above the ground or paving immediately external to the window; or

(b) must be not less than 1·5 m above the floor of the room containing the window; or

(c) must have a catch, bolt, lock or other stop located not less than 1·5 m above the floor of the room containing the window so that the openable part of the window cannot be opened more than 125 mm; or

(d) must have a securely fitted fly screen.

Division 3—Maintenance and operation of barriers for swimming pools and spas

Reg. 147F inserted by S.R. No. 116/2019 reg. 11.

147F Swimming pool and spa barrier maintenance

The owner of the land on which a swimming pool or spa is located must take all reasonable steps to ensure that a barrier restricting access to the swimming pool or spa is properly maintained.

Penalty: 50 penalty units.

147G Swimming pool and spa barrier operation

Reg. 147G inserted by S.R. No. 116/2019 reg. 11.

An occupier of the land on which a swimming pool or spa is located must take all reasonable steps to ensure that a barrier restricting access to the swimming pool or spa is operating effectively.

Penalty: 50 penalty units.

147H Swimming pool and spa barrier gate must remain closed

Reg. 147H inserted by S.R. No. 116/2019 reg. 11.

(1) An occupier of the land on which a swimming pool or spa is located must take all reasonable steps to ensure that any gate or door forming part of a barrier restricting access to the swimming pool or spa remains closed except when a person is entering or leaving the part of the land on which the swimming pool or spa is located.

Penalty: 50 penalty units.

(2) A person who opens a gate or door forming part of a barrier restricting access to the swimming pool or spa must ensure that the gate or door is closed immediately after entering or leaving the part of the land on which the swimming pool or spa is located.

Penalty: 50 penalty units.

Division 4—Registration of swimming pools and spas

147I Certain swimming pools and spas exempted from section 216D of the Act

Reg. 147I inserted by S.R. No. 116/2019 reg. 11.

Section 216D of the Act does not apply to any swimming pool or spa that is not capable of containing water to a depth of greater than 300 mm.

Reg. 147J inserted by S.R. No. 116/2019 reg. 11.

147J Prescribed information for swimming pool and spa registers

(1) For the purposes of section 216D(3)(a) of the Act, the prescribed information for a registered swimming pool or registered spa is—

(a) the address of the land on which the swimming pool or spa is located; and

(b) the name of the owner of the land; and

(c) whether the swimming pool or spa is a relocatable swimming pool or a relocatable spa; and

(d) the date of construction of the swimming pool or spa as determined by the relevant council under regulation 147T; and

(e) the applicable barrier standard for the swimming pool or spa barrier; and

(f) the following information in relation to the most recent certificate of pool and spa barrier compliance lodged with the relevant council for the swimming pool or spa barrier—

(i) the date the certificate was issued;

(ii) the registration number of the swimming pool and spa inspector who issued the certificate;

(iii) a statement by the inspector who issued the certificate as to whether the inspector carried out building work on the barrier before the issuing of the certificate; and

(g) the following information in relation to a certificate of pool and spa barrier non-compliance lodged with the relevant council for the swimming pool or spa barrier—

(i) the date the certificate was issued;

(ii) the registration number of the swimming pool and spa inspector who issued the certificate; and

(h) if the relevant council has granted an exemption under regulation 147W, the date any document was accepted by the relevant council under that regulation; and

(i) the date by which the next certificate of pool and spa barrier compliance for the swimming pool or spa is required to be lodged with the relevant council; and

(j) the dates and the permit numbers of any building permits issued after the date of construction of the swimming pool or spa for building work for the alteration, modification, replacement or renewal of the whole or part of the swimming pool or spa barrier.

(2) For the purposes of section 216D(3)(b) of the Act, the prescribed information is the address of the land on which the swimming pool or spa is located.

147K A register must be maintained in the following form and manner

Reg. 147K inserted by S.R. No. 116/2019 reg. 11.

For the purposes of section 216D(4) of the Act, a register must be maintained in electronic form or in document form.

147L Application for registration of swimming pools and spas constructed, or where construction commenced, before 1 November 2020

Reg. 147L (Heading) amended by S.R. No. 42/2020 reg. 4(1).

Reg. 147L inserted by S.R. No. 116/2019 reg. 11.

(1) This regulation applies to a swimming pool or spa (other than a relocatable swimming pool or relocatable spa)—

(a) constructed before 1 November 2020; or

Reg. 147L(1)(a) amended by S.R. No. 42/2020 reg. 4(2).

(b) in respect of which construction was commenced but not completed before 1 November 2020.

Reg. 147L(1)(b) amended by S.R. No. 42/2020 reg. 4(2).

(2) The owner of the land on which the swimming pool or spa is located must apply to the relevant council for registration of the swimming pool or spa before or on the later of—

(a) 1 November 2020; or

Reg. 147L(2)(a) amended by S.R. No. 42/2020 reg. 4(2).

(b) 30 days after the date the occupancy permit or certificate of final inspection for the swimming pool or spa is issued.

Penalty: 10 penalty units.

(3) An application for registration of a swimming pool or spa must be made under this regulation despite information relating to the swimming pool or spa having been entered on the register by the relevant council under section 216D(3)(b) of the Act.

147M Application for registration of swimming pools and spas constructed on or after 1 November 2020

Reg. 147M (Heading) amended by S.R. No. 42/2020 reg. 5(1).

Reg. 147M inserted by S.R. No. 116/2019 reg. 11.

(1) This regulation applies to a swimming pool or spa (other than a relocatable swimming pool or relocatable spa) for which a building permit for construction of the swimming pool or spa was issued—

(a) on or after 1 November 2020; or

Reg. 147M(1)(a) amended by S.R. No. 42/2020 reg. 5(2).

(b) before 1 November 2020 but construction of the swimming pool or spa did not commence until on or after that date.

Reg. 147M(1)(b) amended by S.R. No. 42/2020 reg. 5(2).

(2) The owner of the land on which the swimming pool or spa is located must—

(a) apply to the relevant council for registration of the swimming pool or spa within 30 days after the date on which the owner receives the occupancy permit or certificate of final inspection for the swimming pool or spa; and

(b) lodge the certificate of pool and spa barrier compliance issued by the relevant building surveyor under regulation 147Y with the relevant council at the time of applying for registration of the swimming pool or spa.

Penalty: 10 penalty units.

147N Application for registration of relocatable swimming pools and relocatable spas

Reg. 147N inserted by S.R. No. 116/2019 reg. 11.

(1) This regulation applies to a relocatable swimming pool or relocatable spa that has been erected for 3 or more consecutive days.

(2) The owner of the land on which the relocatable swimming pool or relocatable spa is located must apply to the relevant council for registration of the relocatable swimming pool or relocatable spa before or on—

Reg. 147N(2)(a) substituted by S.R. No. 42/2020 reg. 6.

(a) 4 November 2020, if the relocatable swimming pool or relocatable spa was erected 3 or more days before 1 November 2020 and remains erected on 1 November 2020; or

(b) the 4th day after the relocatable swimming pool or relocatable spa was erected, in any other case.

Penalty: 10 penalty units.

Reg. 147O inserted by S.R. No. 116/2019 reg. 11.

147O Relevant council may require owner to apply for registration of swimming pool or spa

(1) If a relevant council has entered information relating to a swimming pool or spa in the register under section 216D(3)(b) of the Act, but the owner has not applied for registration of the swimming pool or spa under regulation 147L, 147M or 147N, the relevant council may give a notice in writing to the owner of the land requiring the owner to apply for registration of the swimming pool or spa within a period specified in the notice of not less than 14 days after the owner receives the notice.

(2) An owner must comply with a notice given to the owner under subregulation (1).

Penalty: 10 penalty units.

Reg. 147P inserted by S.R. No. 116/2019 reg. 11.

147P Form and fee for registration application

(1) An application for registration under this Division must be made in the form of Form 22 and be accompanied by—

(a) any documents required in that Form if available; and

(b) the registration fee determined by the relevant council in accordance with the **Local Government Act 1989**; and

(c) in the case of an application for registration under regulation 147L, the information search fee determined by the relevant council in accordance with the **Local Government Act 1989**.

(2) The maximum registration fee payable to the relevant council for an application for registration under this Part is 2·15 fee units.

(3) The maximum information search fee payable to the relevant council is 3·19 fee units.

147Q Council must register swimming pool or spa on receipt of application

Reg. 147Q inserted by S.R. No. 116/2019 reg. 11.

On receiving an application that complies with regulation 147P under regulation 147L, 147M or 147N, the relevant council must enter information relating to a swimming pool or spa in the register of that council.

147R Relevant council must give a notice to the applicant of registration of swimming pool or spa and certain other matters

Reg. 147R inserted by S.R. No. 116/2019 reg. 11.

(1) After registering a swimming pool or spa on the register, the relevant council must give a notice in writing to the applicant for registration of the swimming pool or spa of the following matters—

(a) that the swimming pool or spa has been registered;

(b) the date of construction of the swimming pool or spa determined under regulation 147T;

(c) the applicable barrier standard for the swimming pool or spa barrier;

(d) that the owner of the land may appeal to the Building Appeals Board under section 144(2) of the Act against a determination by the relevant council of the date of

construction of the swimming pool or spa within 30 days after the owner receives the determination;

(e) for a swimming pool or spa registered under regulation 147L, the date by which the first certificate of pool and spa barrier compliance is required to be lodged with the relevant council;

(f) for a swimming pool or spa registered under regulation 147M, the date by which the next certificate of pool and spa barrier compliance is required to be lodged with the relevant council;

(g) for a relocatable swimming pool or relocatable spa registered under regulation 147N, the date by which the first certificate of pool and spa barrier compliance is required to be lodged with the relevant council.

(2) For the purposes of subregulation (1)(e), the date specified in the notice must be—

Reg. 147R(2)(a) amended by S.R. Nos 42/2020 reg. 7(1), 128/2021 reg. 4(1).

(a) 1 June 2022, for a swimming pool or spa with a date of construction on or before 30 June 1994; or

Reg. 147R(2)(b) amended by S.R. Nos 42/2020 reg. 7(2), 128/2021 reg. 4(2).

(b) 1 June 2023, for a swimming pool or spa with a date of construction on or after 1 July 1994 and before 1 May 2010; or

(c) 1 June 2024, for a swimming pool or spa with a date of construction on or after 1 May 2010.

Reg. 147R(2)(c) amended by S.R. Nos 42/2020 reg. 7(3), 128/2021 reg. 4(3).

(3) For the purposes of subregulation (1)(f), the date specified in the notice must be 4 years after the date that the first certificate of pool and spa barrier compliance was lodged with the relevant council.

(4) For the purposes of subregulation (1)(g), the relevant council must specify a date that is no later than 30 days after the date that the relocatable swimming pool or relocatable spa was registered with that council.

(5) Despite subregulation (1), if a relevant council is satisfied that a registered swimming pool or registered spa (other than a relocatable swimming pool or relocatable spa) was constructed before 1 November 2020 without a building permit in force, the relevant council may specify in the notice under subregulation (1) a date that is no earlier than 1 June 2022.

Reg. 147R(5) amended by S.R. Nos 42/2020 reg. 7(4), 128/2021 reg. 4(4).

147S Removal of swimming pool or spa from a register

Reg. 147S inserted by S.R. No. 116/2019 reg. 11.

(1) If an owner of land on which a registered swimming pool or registered spa is or was located demonstrates to the satisfaction of the relevant council that a registered swimming pool or registered spa no longer exists or is no longer capable of containing water to a depth of greater than 300 mm, the relevant council must remove from the register the information about the swimming pool or spa set out in regulation 147J as soon as practicable.

(2) After removing the information about the swimming pool or spa from the register, the relevant council must give a notice in writing to the owner stating that—

(a) the information about the swimming pool or spa has been removed from the register; and

(b) the owner is no longer required under these Regulations to lodge a further certificate of pool and spa barrier compliance with the relevant council for the swimming pool or spa.

Division 5—Inspection and certification of compliance of barriers

Subdivision 1—Date of construction of a swimming pool or spa

Reg. 147T inserted by S.R. No. 116/2019 reg. 11.

147T Determination by the relevant council of the date of construction of a swimming pool or spa

(1) On an application for registration of a swimming pool or spa (other than a relocatable swimming pool or relocatable spa) under Division 4, the relevant council must determine the date of construction of the swimming pool or spa.

(2) In determining the date of construction under subregulation (1) the relevant council may have regard to—

(a) any information regarding the period of construction or the date of any building permit issued in relation to the construction of the swimming pool or spa provided in the application; or

(b) any information contained in the records of the relevant council; or

(c) any other relevant information obtained by the relevant council.

Note

In subregulation (2)(a), a building permit includes a building approval or a building permit under the **Building Control Act 1981**—see clause 8 of Schedule 4 to the Act.

147U Determination by the relevant council of the date of construction of a relocatable swimming pool or relocatable spa

Reg. 147U inserted by S.R. No. 116/2019 reg. 11.

(1) On an application for registration of a relocatable swimming pool or relocatable spa under Division 4, the relevant council must determine the date of construction of the relocatable swimming pool or relocatable spa.

(2) For the purposes of subregulation (1), the date of construction of a relocatable swimming pool or relocatable spa is the date that the relocatable swimming pool or relocatable spa was last erected on the land specified in the application for registration as being the land on which the swimming pool or spa is located.

Subdivision 2—Certificates of pool and spa barrier compliance

147V Obligation to lodge certificate of pool and spa barrier compliance

Reg. 147V inserted by S.R. No. 116/2019 reg. 11.

(1) The owner of land on which a swimming pool or spa is located must lodge a certificate of pool and spa barrier compliance that complies with subregulation (2) with the relevant council before or on the date specified in the notice most recently given to or served on the owner (as the case requires) (the ***applicable date***) by the relevant council under—

(a) regulation 147R(1)(e); or

(b) regulation 147R(1)(f); or

(c) regulation 147R(1)(g); or

(d) subregulation (4)(b); or

(e) regulation 147W(2)(b); or

(f) regulation 147Z(3); or

(g) regulation 147ZE(b); or

(h) regulation 147ZK(1)(b); or

(i) regulation 147ZL(2)(c).

Penalty: 10 penalty units.

(2) A certificate of pool and spa barrier compliance lodged by an owner with a relevant council in accordance with subregulation (1) must be dated not more than 30 days before the date it is lodged.

(3) Subregulation (1) does not apply to an owner who has been exempted under regulation 147W(1) from lodging a certificate of pool and spa compliance in accordance with a notice under regulation 147R(1)(e).

(4) Following lodgement of a certificate of pool and spa barrier compliance with the relevant council by an owner in accordance with subregulation (1), the relevant council must give a notice in writing to the owner of—

(a) the date the certificate of pool and spa barrier compliance was lodged with the relevant council; and

(b) the date by which the next certificate of pool and spa barrier compliance is required to be lodged with the relevant council which must be 4 years after the previous certificate was lodged with the relevant council.

147W Exemption from requirement to provide first certificate of pool and spa barrier compliance for certain swimming pools and spas

Reg. 147W inserted by S.R. No. 116/2019 reg. 11.

(1) A relevant council may exempt an owner from the requirement under regulation 147V(1)(a) to lodge a certificate of pool and spa barrier compliance with the relevant council for a barrier for a swimming pool or spa required to be registered under regulation 147L if—

(a) the owner lodges an occupancy permit or certificate of final inspection with the relevant council which—

(i) relates to a building permit issued in relation to the barrier before 1 November 2020; and

Reg. 147W(1)(a)(i) amended by S.R. No. 42/2020 reg. 8.

(ii) was issued after an inspection of the barrier carried out on or after 1 November 2019; or

Reg. 147W(1)(a)(ii) amended by S.R. No. 42/2020 reg. 8.

(b) the owner lodges a document with the relevant council that—

(i) is signed by a registered building surveyor or registered building inspector who inspected the barrier on or after 1 November 2017; and

Reg. 147W(1)(b)(i) amended by S.R. No. 42/2020 reg. 8.

(ii) is dated no more than 4 years before the date of the lodgement of the document; and

(iii) states that at the time of the inspection by the registered building surveyor or registered building inspector the barrier complied with the applicable barrier standard.

(2) If an owner is exempted under subregulation (1), the relevant council must give a notice in writing to the owner stating—

(a) that the owner is exempted from the requirement to lodge the next certificate of pool and spa barrier compliance by the applicable date under regulation 147V(1)(a) for the barrier; and

(b) the date by which the next certificate of pool and spa barrier compliance is required to be lodged with the relevant council, which must be 4 years after the date of the inspection of the barrier relating to the occupancy permit, certificate of final inspection or the document.

Reg. 147X inserted by S.R. No. 116/2019 reg. 11.

147X Fees for lodging a certificate of pool and spa barrier compliance with a relevant council

(1) A fee, determined by the relevant council in accordance with the **Local Government Act 1989**, is payable to the relevant council by the owner for the lodgement of a certificate of pool and spa barrier compliance with the relevant council by the owner under regulation 147V(1).

(2) The maximum fee that a relevant council may determine under subregulation (1) is 1·38 fee units.

(3) An owner must pay the fee under subregulation (1) at the time of lodging the certificate of pool and spa barrier compliance with the relevant council.

Penalty: 10 penalty units.

147Y Issuing of certificates of pool and spa barrier compliance

Reg. 147Y inserted by S.R. No. 116/2019 reg. 11.

Reg. 147Y(1) amended by S.R. No. 42/2020 reg. 9.

(1) If, following an inspection on or after 1 November 2020 of a swimming pool or spa and related barrier under regulation 169(d), the relevant building surveyor is satisfied that the barrier complies with the applicable barrier standard, the relevant building surveyor must issue a certificate of pool and spa barrier compliance and give the certificate to the owner of the land on which the swimming pool or spa is located.

(2) A swimming pool and spa inspector engaged by the owner of land on which a swimming pool or spa is located must issue a certificate of pool and spa barrier compliance to the owner if—

(a) the inspector has inspected the barrier relating to the swimming pool or spa; and

(b) the inspector is satisfied that the barrier complies with the applicable barrier standard.

(3) The municipal building surveyor carrying out functions under Part 8 or acting as an authorised person under section 228 of the Act may issue a certificate of pool and spa barrier compliance at any time in relation to a swimming pool or spa barrier.

(4) A certificate of pool and spa barrier compliance must be in the form of Form 23.

(5) If a person issues a certificate of pool and spa barrier compliance under this regulation, the person must, as soon as practicable after issuing the certificate, give the certificate to the owner of the land on which the swimming pool or spa is located.

Reg. 147Z inserted by S.R. No. 116/2019 reg. 11.

147Z Relevant council may extend time for lodgement of a certificate of pool and spa barrier compliance

(1) The relevant council may at any time on its own motion, or at the request of the owner of land on which a swimming pool or spa is located, extend the period for lodgement of a certificate of pool and spa barrier compliance for the swimming pool or spa, if the relevant council is satisfied that—

(a) the owner has provided a reasonable excuse as to why it was not possible to lodge the certificate of pool and spa barrier compliance by the applicable date under regulation 147V(1); or

(b) arrangements have been put in place by the owner for an inspection by a swimming pool and spa inspector to inspect the barrier; or

(c) arrangements have been put in place by the owner for building work to be carried out to rectify—

(i) non-compliances of the barrier with the applicable barrier standard listed in a certificate of pool and spa barrier non-compliance; or

(ii) non-compliances of the barrier with the applicable barrier standard specified in a written notice provided by a swimming pool and spa inspector under regulation 147ZG(1); or

(d) building work being carried out on the land means an inspection of the barrier would not be appropriate; or

(e) a building notice, a building order or an emergency order under Part 8 of the Act has been issued in relation to the swimming pool or spa barrier.

(2) The relevant council may extend the period for provision of a certificate of pool and spa barrier compliance by not more than 6 months at a time.

(3) If the relevant council decides to grant an extension under subregulation (1), the relevant council must give a notice in writing to the owner of the land specifying a new due date for the lodgement of a certificate of pool and spa barrier compliance as soon as practicable after that decision is made.

Subdivision 3—Alterations to a registered swimming pool or spa or related barrier

147ZA Application of this Subdivision

Reg. 147ZA inserted by S.R. No. 116/2019 reg. 11.

This Subdivision applies to any building work that is carried out on a swimming pool barrier or spa barrier for which a building permit is required in relation to a registered swimming pool or registered spa.

147ZB Issue of certificate of pool and spa barrier compliance by relevant building surveyor following completion of work

Reg. 147ZB inserted by S.R. No. 116/2019 reg. 11.

(1) On the completion of the building work, the relevant building surveyor must—

(a) inspect the barrier; and

(b) determine if the barrier complies with the applicable barrier standard.

(2) If, following an inspection under subregulation (1), the relevant building surveyor determines that the barrier complies with the applicable barrier standard, the relevant building surveyor must issue a certificate of pool and spa barrier compliance in the form of Form 23 and give the certificate to the owner of the land on which the swimming pool or spa is located.

Reg. 147ZC inserted by S.R. No. 116/2019 reg. 11.

147ZC Owner must lodge certificate of pool and spa barrier compliance with relevant council following certain work

An owner given a certificate of pool and spa barrier compliance under regulation 147ZB(2) must lodge the certificate with the relevant council within 14 days after receiving the certificate.

Penalty: 10 penalty units.

Reg. 147ZD inserted by S.R. No. 116/2019 reg. 11.

147ZD Relevant council must update applicable barrier standard in register

If a certificate of pool and spa barrier compliance is lodged by an owner under regulation 147ZC and the relevant building surveyor has certified that the barrier complies with the applicable barrier standard in the certificate which differs from the applicable barrier standard specified in the register, the relevant council must update the applicable barrier standard on the register to include the applicable barrier standard referred to in the certificate.

Reg. 147ZE inserted by S.R. No. 116/2019 reg. 11.

147ZE Relevant council must confirm receipt of certificate of pool and spa barrier compliance

Following lodgement of a certificate of pool and spa barrier compliance under regulation 147ZC, the relevant council must give a notice in writing to the owner as soon as practicable of—

(a) the lodgement of the certificate of pool and spa barrier compliance; and

(b) the date by which the next certificate of pool and spa barrier compliance is required to be lodged with the relevant council; and

(c) if the applicable barrier standard has been updated in accordance with regulation 147ZD—

(i) that the applicable barrier standard for the pool or spa has been updated; and

(ii) details of the applicable barrier standard that now applies to the swimming pool or spa barrier.

Division 6—Issuing of certificates of pool and spa barrier non-compliance and related matters

147ZF Circumstances in which a certificate of pool and spa barrier non-compliance must be immediately issued

Reg. 147ZF inserted by S.R. No. 116/2019 reg. 11.

If following the inspection of a swimming pool or spa barrier, a swimming pool and spa inspector is of the opinion that any of the following circumstances exist, the inspector must immediately issue a certificate of pool and spa barrier non-compliance to the owner of the land on which the pool or spa is located—

(a) within 60 days of the inspection—

(i) the barrier is not capable of being made compliant with the applicable barrier standard; or

(ii) the owner is unlikely to bring the barrier into compliance with the applicable barrier standard;

(b) the non-compliance of the barrier with the applicable barrier standard poses a significant and immediate risk to life or safety;

(c) the barrier does not comply with the applicable barrier standard in any of the following ways—

(i) a door or gate forming part of the barrier, when in the closed position, is able to be opened by a person who is

unable to reach the opening mechanism for that door or gate;

(ii) a door or gate forming part of the barrier is unable to be completely closed;

(iii) any part of the barrier is less than 1 metre in height measured above ground level from the approach side.

Reg. 147ZG inserted by S.R. No. 116/2019 reg. 11.

147ZG Procedure if a barrier does not meet the applicable barrier standard

(1) If a swimming pool and spa inspector, inspects a barrier of a swimming pool or spa and determines that the barrier does not meet the applicable barrier standard, and regulation 147ZF does not apply, the inspector must give the owner of the land on which the swimming pool or spa is located a notice in writing in accordance with subregulation (3).

(2) The swimming pool and spa inspector must give the notice under subregulation (1) to the owner as soon as practicable after the inspection of the barrier.

(3) A notice under subregulation (1) must—

(a) state that the barrier must be brought into compliance with the applicable barrier standard; and

(b) specify the matters in respect of which the barrier does not comply with the applicable barrier standard; and

(c) specify the date, being not more than 60 days after the owner receives the notice, by which the matters specified in paragraph (b) must be brought into compliance with the applicable barrier standard; and

(d) specify the date and time that the swimming pool and spa inspector proposes to reinspect the barrier to check if it complies with the applicable barrier standard.

(4) Following the reinspection of the barrier—

(a) if the swimming pool and spa inspector is satisfied that the barrier complies with the applicable barrier standard, the inspector must issue a certificate of pool and spa barrier compliance and give the certificate to the owner; or

(b) if the swimming pool and spa inspector is not satisfied that the barrier complies with the applicable barrier standard, the inspector must—

(i) issue a certificate of pool and spa barrier non-compliance; or

(ii) give the owner a notice under regulation 147ZH(1).

(5) The swimming pool and spa inspector must issue a certificate of pool and spa barrier non-compliance if the inspector is prevented by the owner from undertaking a reinspection of the barrier and the date specified under subregulation (3)(c) in the notice under subregulation (1) has passed.

147ZH Further inspection of a non-compliant barrier

Reg. 147ZH inserted by S.R. No. 116/2019 reg. 11.

(1) On reinspection of a barrier under regulation 147ZG, the swimming pool and spa inspector, if satisfied that progress has been made in bringing the barrier into compliance with the applicable barrier standard, may give a notice in writing to the owner of the land on which the swimming pool or spa is located in accordance with subregulation (2).

(2) Notice under subregulation (1) must—

(a) state that the barrier must be brought into compliance with the applicable barrier standard; and

(b) specify the matters in respect of which the barrier does not comply with the applicable barrier standard; and

(c) specify the date, being not more than 7 days after the owner receives the notice, by which the matters specified in paragraph (b) must be brought into compliance with the applicable barrier standard; and

(d) specify the date and time that the swimming pool and spa inspector proposes to reinspect the barrier to check if it complies with the applicable barrier standard.

(3) The swimming pool and spa inspector must give the notice under subregulation (1) to the owner as soon as practicable after the reinspection of the barrier under regulation 147ZG.

(4) Following the further reinspection of the barrier—

(a) if the swimming pool and spa inspector is satisfied that the barrier complies with the applicable barrier standard, the inspector must issue a certificate of pool and spa barrier compliance and give the certificate to the owner; or

(b) if the swimming pool and spa inspector is not satisfied that the barrier complies with the applicable barrier standard, the inspector must issue a certificate of pool and spa barrier non-compliance.

(5) The swimming pool and spa inspector must issue a certificate of pool and spa barrier non-compliance if the inspector is prevented by the

owner from undertaking a further reinspection of the barrier and the date specified under subregulation (2)(c) in the notice under subregulation (1) has passed.

147ZI Issuing a certificate of pool and spa barrier non-compliance under this Division

Reg. 147ZI inserted by S.R. No. 116/2019 reg. 11.

(1) A certificate of pool and spa barrier non-compliance issued under this Division must be in the form of Form 24.

(2) If a swimming pool and spa inspector issues a certificate of pool and spa barrier non-compliance under this Division, the inspector—

(a) must lodge that certificate as soon as practicable with the relevant council; and

(b) must give a copy of the certificate to the owner.

147ZJ Fees for lodging a certificate of pool and spa barrier non-compliance with a relevant council

Reg. 147ZJ inserted by S.R. No. 116/2019 reg. 11.

(1) A fee, determined by the relevant council in accordance with the **Local Government Act 1989**, is payable to the relevant council by the owner of land on which a swimming pool or spa is located for the lodgement of a certificate of pool and spa barrier non-compliance, which relates to the swimming pool or spa barrier, with the relevant council under regulation 147ZI(2)(a).

(2) The maximum fee that a relevant council may determine under subregulation (1) is 26 fee units.

(3) If a certificate of pool and spa barrier non-compliance is lodged with the relevant council under regulation 147ZI(2)(a), the relevant council must give a notice in writing to the owner of the land on which the swimming pool or spa relating to the barrier is located that states—

(a) the fee determined by the relevant council under subregulation (1); and

(b) that the fee must be paid by the owner within a period of not less than 28 days after the date the notice is received by the owner.

(4) An owner must pay the fee determined under subregulation (1) within the period specified in the notice given under subregulation (3).

Penalty: 10 penalty units.

Reg. 147ZK inserted by S.R. No. 116/2019 reg. 11.

147ZK Municipal building surveyor may serve a barrier improvement notice on owner

(1) If a certificate of pool and spa barrier non-compliance for a swimming pool or spa barrier is lodged with a relevant council, the municipal building surveyor may serve a barrier improvement notice in accordance with subregulation (2) on the owner of the land on which the swimming pool or spa is located requiring the owner—

(a) to bring the non-compliant matters listed in the certificate of non-compliance into compliance with the applicable barrier standard; and

(b) to lodge with the relevant council a certificate of pool and spa barrier compliance by a date specified in the notice that is not less than 14 days after the owner receives the notice.

(2) A barrier improvement notice served on an owner under subregulation (1) must be in the form of Form 25.

(3) A municipal building surveyor must not serve a barrier improvement notice on an owner for a swimming pool or spa barrier under this regulation—

(a) if the municipal building surveyor has issued a notice or order under Part 8 of the Act in relation to the barrier; or

(b) if a person has applied for an injunction under Part 13 of the Act in relation to the barrier; or

(c) if a prosecution has commenced against a person in relation to the barrier under Part 13 of the Act.

Division 7—General

147ZL Relevant council's actions following transfer of land containing a registered swimming pool or registered spa

Reg. 147ZL inserted by S.R. No. 116/2019 reg. 11.

(1) On receipt of a notice of acquisition under the **Local Government Act 1989** that relates to land on which a registered swimming pool or registered spa is located, the relevant council must update the register with details of the name of the new owner of the land as soon as practicable.

(2) The relevant council must give a notice in writing to the new owner of the land of the following matters—

(a) confirmation that their name has been recorded on the register;

(b) the applicable barrier standard that applies to the swimming pool or spa barrier located on the land;

(c) the date by which the next certificate of pool and spa barrier compliance is required to be provided to the relevant council by the new owner.

Reg. 147ZM inserted by S.R. No. 116/2019 reg. 11.

147ZM Relevant council to provide information from register to the Authority

For the purposes of section 216D(5) of the Act, on request from the Authority a relevant council must submit the requested information to the Authority in the form approved by the Authority.

Part 10—Designation of special areas for building work

148 Mapping of designated special areas

Reg. 148 amended by S.R. No. 173/2026 reg. 22.

A council must prepare maps for all designated special areas, other than designated flood-prone areas, within its municipal district.

149 Alteration to and creation of designated special area

(1) If in a municipal district a designated special area is altered or a new designated special area is created a relevant council must, as soon as practicable—

(a) amend the map for the designated special area that has been altered; or

(b) prepare a map of the new designated special area that has been created.

(2) A council must advise the Authority within 7 days if a designated special area within its municipal district is altered or if a new designated special area is created.

(3) The relevant council must lodge with the Authority within 7 days copies of designated special area maps amended or prepared under regulation 148 or subregulation (1).

(4) A council must make an up-to-date copy of each designated special area map applicable to its municipal district that has been prepared under regulation 148 or subregulation (1) available to the public for inspection without charge at the offices of the council during normal business hours.

(5) This regulation does not apply in relation to a designated flood-prone area.

Reg. 149(5) inserted by S.R. No. 173/2026 reg. 23.

150 Termite risk areas

A council may designate areas within its municipal district in which buildings are likely to be subject to attack by termites.

Reg. 151 amended by S.R. No. 102/2023 reg. 12, substituted by S.R. No. 38/2026 reg. 12.

151 Construction in termite risk areas

Despite anything to the contrary in performance requirement B1P1 of Volume One of the National Construction Code and performance requirement H1P1 of Volume Two of the National Construction Code, a detached Class 10 building is not required to be protected against termite attack.

152 Significant snowfall areas

(1) For the purposes of the BCA, a council may designate areas in its municipal district that in its opinion are likely to be subject to significant snowfalls.

Reg. 152(2) amended by S.R. Nos 40/2019 reg. 12(1), 102/2023 reg. 13(1).

(2) The BCA Volume One applies as if in Schedule 1 to that Volume, in the definition of **Alpine area**, after the word "snowfalls" there were inserted at the end of paragraph (a) "as designated by a council under regulation 152(1) of the Building Regulations 2018".

Reg. 152(3) amended by S.R. Nos 40/2019 reg. 12(2), 102/2023 reg. 13(2).

(3) The BCA Volume Two applies as if in Schedule 1 to that Volume, in the definition of **Alpine area**, after the word "snowfalls" there were inserted at the end of paragraph (a) "as designated by a council under regulation 152(1) of the Building Regulations 2018".

Reg. 153 (Heading) amended by S.R. No. 173/2026 reg. 24(1).

153 Report and consent for building in designated flood-prone areas

(1) This regulation does not apply to—

(a) a Class 10 building; or

(b) an unenclosed floor area of a building; or

(c) an alteration to an existing building if the area of the existing building is not increased by more than 20 m^2.

Reg. 153(2) amended by S.R. No. 173/2026 reg. 24(2).

(2) The report and consent of the relevant council must be obtained to an application for a building permit if the site is on an allotment that is in a designated flood-prone area.

(3) The report and consent of the relevant council under subregulation (2) need not be obtained to an application for a building permit if—

(a) a planning permit is required for the construction of the building; and

(b) the relevant planning scheme regulates the level of the lowest floor of the building in relation to any flood level declared under the **Water Act 1989** or otherwise determined by the floodplain management authority or the relevant council.

(4) The relevant council must not give its consent under subregulation (2) if it is of the opinion that there is likely to be a danger to the life, health or safety of the occupants of the building due to flooding of the site.

(5) In its report under subregulation (2) the relevant council may specify a level for the surface of the lowest floor of a building on the site.

(6) Before specifying a floor level under subregulation (5) the relevant council must—

(a) consult with the floodplain management authority for that site; and

(b) specify a level at least 300 mm above any flood levels declared under the **Water Act 1989** or otherwise determined by the floodplain management authority, unless the

floodplain management authority consents to a lower floor level.

(7) The relevant council must without delay advise the floodplain management authority and the sewerage authority for that site of the floor level (if any) specified under subregulation (5).

154 Report and consent for construction on designated land or designated works

(1) The report and consent of the relevant council must be obtained for an application for a building permit for the construction of a building on designated land or designated works.

(2) The report and consent of the relevant council under subregulation (1) may include recommendations controlling the location and construction of retaining walls and fences in relation to designated land or designated works.

(3) Before giving its consent under subregulation (1), the relevant council must consult with the waterway management authority for the designated land or designated works.

(4) The report and consent of the council need not be obtained to an application for a building permit referred to in subregulation (1) if the consent of the relevant waterway management authority has been obtained as a requirement of a planning permit for the construction of the building.

(5) In this regulation—

waterway management authority in relation to designated land or designated works means the Authority to which Division 2 of Part 10 of the **Water Act 1989** applies that has the waterway management district (within the meaning of that Act) which contains the designated land or designated works.

Part 11—Bushfire safety

Division 1—Construction in designated bushfire prone areas

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Reg. 155 revoked by S.R. No. 75/2018 reg. 14.

156 Relevant building surveyor must accept bushfire attack level in planning scheme or site assessment for planning permit

(1) Despite anything to the contrary in the BCA, if a building is to be constructed in a designated bushfire prone area and the bushfire attack level for the site is specified in a planning scheme applying to that site, the relevant building surveyor must accept that bushfire attack level for the purpose of determining the construction requirements that are applicable to the building.

(2) Despite anything to the contrary in the BCA, if a building is to be constructed in a designated bushfire prone area and—

(a) a planning permit is required for the construction of the building; and

(b) a site assessment for the purpose of determining the bushfire attack level for the site has been considered as part of the application for the planning permit—

the relevant building surveyor must accept that site assessment for the purpose of determining the bushfire attack level of the site and the construction requirements that are applicable to the building.

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Reg. 157 revoked by S.R. No. 38/2026 reg. 13.

Reg. 158 amended by S.R. No. 40/2019 reg. 13, revoked by S.R. No. 102/2023 reg. 14.

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Division 2—Requirements for buildings replacing buildings destroyed in the 2009 bushfires

159 Application of this Division

This Division applies to a Class 1a building on an allotment if—

(a) construction of the building is proposed on the same allotment as a Class 1a building that was destroyed in bushfires between 1 January 2009 and 31 March 2009 (inclusive); and

(b) the allotment is subject to a Bushfire Management Overlay under a planning scheme specified in Schedule 7, which applies to that allotment; and

(c) a planning permit is not required for the construction of the building.

160 Static water supply for fire fighting purposes

(1) This regulation does not apply in relation to an allotment if—

(a) the bushfire attack level of the allotment is determined as LOW or 12·5 in accordance with AS 3959; and

(b) there is a fire hydrant connected to a reticulated water supply within 120 m of the rear of the building.

(2) A static water supply for fire fighting purposes (the ***static water supply***) must be provided on the allotment in accordance with this regulation.

(3) The static water supply must be—

(a) used solely for fire fighting purposes; and

(b) able to hold 10 000 litres in onsite static storage located on the allotment; and

(c) located within 60 m of the building; and

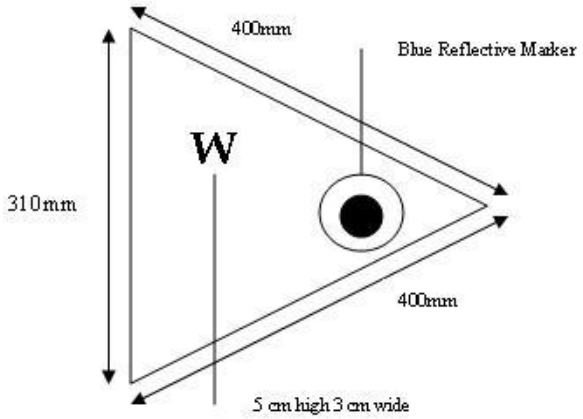
(d) situated so as to enable emergency vehicles access to within 4 m of the water supply outlet.

(4) If the static water supply is not able to be readily seen from the building or access driveway, a sign in or to the like effect of the sign illustrated in the diagram at the foot of this subregulation must be located on the allotment so that it is—

(a) easily seen by persons operating emergency vehicles; and

(b) pointing in the direction of the water supply.

Regulation 160(4): Sign indicating static water supply location



(5) All below-ground water pipelines relating to the static water supply must be installed to the depths of—

(a) 300 mm if subject to vehicle traffic; or

(b) 75 mm if under a house or concrete slab; or

(c) 225 mm in all other locations.

(6) All fixed above-ground water pipelines and fittings relating to the static water supply, including the water supply, must be constructed of non-corrosive and non-combustible materials, or be protected from the effects of radiant heat and flame.

(7) If the static water supply is above ground, the following additional requirements apply—

(a) there must be at least one pipe fitting no less than 64 mm, 3 thread/25 mm × 50 mm nominal bore British Standard Pipe (BSP) round male coupling;

(b) all pipework and valving between the water supply and the water supply outlet must be no less than 50 mm nominal bore;

(c) if the water supply is less than 20 m from the building, each outlet must face away from the building to allow access during emergencies.

161 Access for emergency vehicles

(1) The driveway to the building must be designed to allow an emergency vehicle access in accordance with this regulation.

(2) The driveway to the building must be designed so that—

(a) any curves in the driveway have a minimum inner radius of 10 m; and

(b) the average grade for the driveway is no more than 1 in 7 (14·4%) (8·1^{o}) with a maximum of no more than 1 in 5 (20%) (11·3^{o}) for no more than 50 m; and

(c) any dips in the driveway have no more than a 1 in 8 (12·5%) (7·1^{o}) entry and exit angle.

(3) If the driveway from the road to the building or static water supply, including gates, bridges and culverts, is greater than 30 m in length, the driveway must—

(a) be designed, constructed and maintained for a load limit of at least 15 tonnes and be of all-weather construction; and

(b) provide a minimum trafficable width of 3·5 m, and be clear of encroachments to a height of 4 m from the ground.

(4) If the driveway from the road to the building or static water supply is longer than 100 m, a turning area for emergency vehicles close to the building must be provided for by either—

(a) a turning circle with a minimum radius of 8 m; or

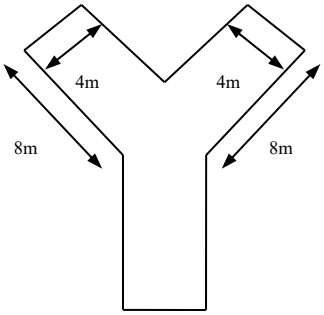
(b) the driveway encircling the building; or

(c) a T head or Y head with a minimum forced surface of each leg being 8 m in length measured from the centre point of the head and 4 m trafficable width.

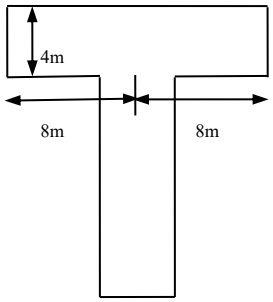
Note

The following diagrams illustrate aspects of subregulation (4)(c).

Regulation 161—Y head



Regulation 161—T head



(5) If the driveway from the road to the building or static water supply is longer than 200 m, passing bays must be provided every 200 m and must—

(a) be 20 m long; and

(b) have a trafficable width of 6 m.

(6) In this regulation ***static water supply*** has the same meaning as in regulation 160.

162 Report and consent required for non-complying static water supply and access

(1) The report and consent of the chief officer must be obtained to an application for a building permit to construct a building to which this Division applies if the requirements of regulation 160 or 161 are not proposed to be complied with.

(2) In reporting on and considering whether to consent to a variation of the requirements of regulation 160 or 161 under subregulation (1), the chief officer must take into account whether a satisfactory degree of bushfire safety will be achieved if the variation is consented to.

Division 3—Private bushfire shelters

163 Application of this Division

This Division applies to a Class 10c building associated with a Class 1 building.

Note

A Class 10c building is a **Private bushfire shelter** as defined in the BCA Volume One and the BCA Volume Two.

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Reg. 164 amended by S.R. Nos 40/2019 reg. 14, 102/2023 reg. 15, revoked by S.R. No 38/2026 reg. 14.

165 Private bushfire shelter performance requirements—performance solutions

Reg. 165 amended by S.R. Nos 40/2019 reg. 15, 102/2023 reg. 16.

Despite anything to the contrary in the BCA, a relevant building surveyor must not determine that a performance solution complies with performance requirement H7P6 of the BCA Volume Two unless the relevant building surveyor—

(a) relies on a certificate under section 238 of the Act by a fire safety engineer, who did not design the building work, that states that the performance solution complies with that performance requirement; or

(b) relies on a determination of the Building Appeals Board under section 160A of the Act that the performance solution complies with that performance requirement; or

(c) relies on a certificate of accreditation issued by the Building Regulations Advisory Committee that states that the performance solution complies with that performance requirement; or

(d) relies on a Certificate of Conformity issued by a person or body duly authorised by the Australian Building Codes Board that states that the performance solution complies with that performance requirement.

166 Private bushfire shelter maintenance and operation

(1) The occupier of an allotment containing a Class 10c building associated with a Class 1 building must ensure that the Class 10c building is maintained in a state that enables the Class 10c building to fulfil its purpose.

Penalty: 20 penalty units.

(2) The occupier of an allotment containing a Class 10c building associated with a Class 1 building must ensure that any paths of travel from the Class 1 building to the Class 10c building are maintained in an efficient condition and kept readily accessible, functional and clear of obstruction so that access to the Class 10c building is maintained.

Penalty: 20 penalty units.

Part 11A—Emergency provisions

Pt 11A (Heading) substituted by S.R. No. 128/2021 reg. 5.

Pt 11A (Heading and regs 166A–166H) inserted by S.R. No. 83/2020 reg. 5.

Division 1—Definition in this Part

Pt 11A Div. 1 (Heading and reg. 166AA) inserted by S.R. No. 128/2021 reg. 6.

166AA Definition of *emergency*

Reg. 166AA inserted by S.R. No. 128/2021 reg. 6.

In this Part—

emergency means a Class 1 emergency or a Class 2 emergency within the meaning of section 3 of the **Emergency Management Act 2013**.

Division 2—Emergency accommodation buildings

Pt 11A Div. 2 (Heading) inserted by S.R. No. 128/2021 reg. 7.

166A Definitions in this Division

Reg. 166A (Heading) amended by S.R. No. 128/2021 reg. 8(1).

Reg. 166A inserted by S.R. No. 83/2020 reg. 5, amended by S.R. No. 128/2021 reg. 8(2)(a).

In this Division—

Reg. 166A def. of *emergency* substituted by S.R. No. 128/2021 reg. 8(2)(b).

emergency means an emergency that occurred before, on or after the commencement of this Part;

Reg. 166A def. of *maximum occupation period* amended by S.R. No. 80/2023 reg. 5(a).

maximum occupation period in relation to the occupation of an emergency accommodation building that is not constructed by or on behalf of the State means the period of 3 years commencing after the notified commencement date;

Reg. 166A def. of *notified commence-ment date* amended by S.R. No. 80/2023 reg. 5(b).

notified commencement date means the date notified to the relevant council by the intended occupier of an emergency accommodation building under regulation 166C(1) or, if a later date is notified by the intended occupier under regulation 166C(2), that later date;

occupier, in relation to an emergency accommodation building, means the owner of the land on which the building is constructed or proposed to be constructed.

Reg. 166A def. of *occupier* inserted by S.R. No. 80/2023 reg. 5(d).

* * * * *

Reg. 166A def. of *owner* revoked by S.R. No. 80/2023 reg. 5(c).

166B Meaning of emergency accommodation building

Reg. 166B inserted by S.R. No. 83/2020 reg. 5.

For the purposes of this Part an ***emergency accommodation building*** means a building that—

(a) is constructed or proposed to be constructed on land on which—

(i) an existing Class 1a building has been destroyed or rendered unfit for occupation as a result of an emergency; and

(ii) at the time the Class 1a building was destroyed or rendered unfit for occupation it was the principal place of residence of the owner of the land; and

Note

The definition of ***construct*** in section 3 of the Act includes altering an existing building or placing or relocating a building on land so a building constructed elsewhere and placed or relocated on land would be constructed on the land.

(b) is intended for use as the principal place of residence of the owner of the land before or during—

(i) the repair of the existing Class 1a building; or

(ii) the construction of a new Class 1a building on the land; and

(c) has a floor area of—

(i) 60m^2 or less; or

(ii) a size greater than 60m^2, if that greater size has been approved in writing by the relevant council for the purposes of this regulation.

Reg. 166C (Heading) amended by S.R. No. 80/2023 reg. 6(a).

166C Intended occupier must notify the relevant council of intended occupation of emergency accommodation building

Reg. 166C inserted by S.R. No. 83/2020 reg. 5.

Reg. 166C(1) amended by S.R. No. 80/2023 reg. 6(b).

(1) No later than the day on which the construction of the emergency accommodation building begins or 14 days before the intended occupier of the building intends to occupy the building for residential purposes, whichever is the earlier, the intended occupier must notify the relevant council in writing of—

Reg. 166C (1)(a) amended by S.R. No. 80/2023 reg. 6(c)(d).

(a) the intended occupier's intention to commence occupying the building as their principal place of residence; and

(b) the proposed commencement date of that occupation.

Reg. 166C(2) amended by S.R. No. 80/2023 reg. 6(b)(d).

(2) If the intended occupier of an emergency accommodation building has not commenced occupying the building as their principal place of residence on the date notified under subregulation (1)(b), the intended occupier may notify the relevant council in writing of a later proposed commencement date of occupation.

166D Occupation of emergency accommodation building prohibited before notified commencement date

Reg. 166D inserted by S.R. No. 83/2020 reg. 5.

A person must not occupy an emergency accommodation building for residential purposes before the notified commencement date in relation to the building.

Penalty: 10 penalty units.

166E Municipal building surveyor may inspect emergency accommodation building

Reg. 166E inserted by S.R. No. 83/2020 reg. 5.

The municipal building surveyor may inspect an emergency accommodation building for the purposes of determining whether this Part is being complied with.

166F Requirements for emergency accommodation buildings

Reg. 166F inserted by S.R. No. 83/2020 reg. 5.

(1) Despite anything to the contrary in the BCA Volume Two or these Regulations an emergency accommodation building—

(a) is required to comply with the following requirements—

(i) performance requirements H1P1, H1P2, H2P2, H2P3, H3P1, H3P2, H4P1, H4P3 and H7P3 of the BCA Volume Two;

Reg. 166F (1)(a)(i) substituted by S.R. No. 102/2023 reg. 17.

(ii) if the emergency accommodation building forms part of, or is attached to, any other building or buildings, other than an associated Class 10 building, the emergency accommodation building must have elements which will avoid the spread of fire from another building to the emergency accommodation building;

(iii) the building must be connected to a reticulated potable water supply or to an alternative potable water supply;

(iv) the building must be connected to a reticulated electricity supply or to an alternative energy source;

(v) the building must be connected to a reticulated sewerage system or to a septic tank system approved by the relevant council under section 53MB of the **Environment Protection Act 1970**; and

Reg. 166F (1)(b) substituted by S.R. No. 80/2023 reg. 7.

(b) must be the principal place of residence of the occupier.

(2) If an emergency accommodation building is not a Class 1a building, the performance requirements set out in subsection (1)(a)(i) apply to the building as if it were a Class 1a building.

Note

Despite regulation 166G, an emergency accommodation building must still comply with any other requirements under the Act or regulations made under the Act including the plumbing laws that apply to the building.

Reg. 166G inserted by S.R. No. 83/2020 reg. 5.

166G Exemption from certain requirements for emergency accommodation buildings

Reg. 166G(1) amended by S.R. No. 80/2023 reg. 8(1)(a).

(1) The construction of an emergency accommodation building is exempt from the requirement to obtain a building permit for such construction and the building work connected with that construction and the building is exempt from all Parts of these Regulations (except this Part) if—

(a) the occupier of the building has complied with regulation 166C; and

Reg. 166G (1)(a) amended by S.R. No. 80/2023 reg. 8(1)(b).

(b) the building complies with the requirements under regulation 166F.

(1A) Despite subregulation (1), an exemption under subregulation (1) ceases to operate—

Reg. 166G(1A) inserted by S.R. No. 80/2023 reg. 8(2).

(a) in the case of an emergency accommodation building that was constructed by or on behalf of the State, in accordance with subregulation (2); and

(b) in the case of an emergency accommodation building that was not constructed by or on behalf of the State—

(i) in accordance with subregulation (2); or

(ii) if subregulation (2) does not apply, at the end of the maximum occupation period.

(2) An exemption under subregulation (1) in relation to an emergency accommodation building ceases to operate if—

Reg. 166G(2) amended by S.R. No. 80/2023 reg. 8(3)(a)–(c).

(a) the municipal building surveyor has notified the occupier of the building in accordance with subregulation (3) that the building does not comply with a requirement under regulation 166F(1)(a) and the building has not been brought into compliance with the requirement within the period of time specified in the notice or any extended period of time, in which case the exemption ceases to operate at the end of that period; or

Reg. 166G (2)(a) amended by S.R. No. 80/2023 reg. 8(3)(d).

Reg. 166G (2)(b) amended by S.R. No. 80/2023 reg. 8(3)(d)(e).

(b) the occupier no longer occupies the building as their principal place of residence, in which case the exemption ceases to operate on the day after such occupation ceases.

Reg. 166G(3) amended by S.R. No. 80/2023 reg. 8(4).

(3) If the municipal building surveyor, after inspecting an emergency accommodation building, determines that the building does not comply with a requirement under regulation 166F(1)(a), the municipal building surveyor must give the occupier of the building a written notice containing the following details—

(a) the requirement with which the building does not comply;

(b) the period of time within which the building must be brought into compliance with the requirement;

(c) that if the building is not brought into compliance with regulation 166F(1)(a) within the period of time referred to in paragraph (b) or any extended period of time granted under subregulation (5), the exemption under subregulation (1) ceases to operate in relation to the building at the end of that period.

Reg. 166G(4) amended by S.R. No. 80/2023 reg. 8(5).

(4) The occupier of an emergency accommodation building may, before the end of the period of time referred to in subregulation (3)(b) or any extended period of time granted under subregulation (5), request that the municipal building surveyor extends that period of time.

Reg. 166G(5) amended by S.R. No. 80/2023 reg. 8(6).

(5) If the municipal building surveyor agrees to grant a request under subregulation (4), the municipal building surveyor must notify the occupier in writing of the extended period of time.

166H Occupation of emergency accommodation building prohibited unless building complies with the Act and these Regulations

Reg. 166H inserted by S.R. No. 83/2020 reg. 5.

Despite regulation 233(2), a person must not occupy an emergency accommodation building for residential purposes if an exemption under regulation 166G has ceased to operate in relation to that building unless the building complies with the requirements of the Act and these Regulations that apply to that class of building.

Penalty: 10 penalty units.

Note

If the emergency accommodation building is no longer to be used for residential purposes, regulation 229 will apply. If building work is to be carried out in connection with the building a building permit may be required.

Division 3—Exemption from the building permit levy for emergency recovery

Pt 11A Div. 3 (Heading and regs 166I–166K) inserted by S.R. No. 128/2021 reg. 9.

166I Definition in this Division

Reg. 166I inserted by S.R. No. 128/2021 reg. 9.

In this Division—

emergency means an emergency that occurred on or after 1 November 2019.

166J Rebuilding of a dwelling destroyed in an emergency exempt from building permit levy

Reg. 166J inserted by S.R. No. 128/2021 reg. 9.

An applicant for a building permit is exempt from the requirement to pay the building permit levy imposed under section 205G(1) and (2) of the Act for building work under the permit if—

(a) the building work includes the reconstruction or repair of the applicant's dwelling; and

(b) the dwelling was destroyed or damaged in an emergency; and

(c) the building work is to be carried out—

(i) on the same allotment as the dwelling that was destroyed or damaged; or

(ii) on a different allotment, but within the same municipal district as the dwelling that was destroyed or damaged.

Reg. 166K inserted by S.R. No. 128/2021 reg. 9.

166K Refund of building permit levy relating to rebuilding of a dwelling destroyed in an emergency

(1) This regulation applies in respect of an application for a building permit for building work accepted by a relevant building surveyor on or after 1 November 2019 and before the commencement of this Division, if—

(a) the building work includes the reconstruction or repair of the applicant's dwelling; and

(b) the dwelling was destroyed or damaged in an emergency; and

(c) the building work is carried out—

(i) on the same allotment as the dwelling that was destroyed or damaged; or

(ii) on a different allotment, but within the same municipal district as the dwelling that was destroyed or damaged.

(2) Any amount of building permit levy imposed under section 205G(1) and (2) of the Act in relation to the building work that is paid by the applicant to the Authority on or after 1 November 2019 and before the commencement of this Division must be refunded by the Authority to the applicant on receiving an application from the applicant for the refund in a form approved by the Authority.

Part 12—Inspections, notices and orders, and register of powers of entry

Division 1—Inspections and directions

167 Prescribed mandatory notification stages for construction or alteration of building

For the purposes of the definition of ***mandatory notification stage*** in section 3(1) of the Act, in relation to the construction of a new building or alteration to an existing building, the following stages of building work are prescribed—

(a) before placing a footing;

(b) before pouring an in situ reinforced concrete member that is specified in the relevant building permit by the relevant building surveyor;

(c) the completion of framework;

(d) during the carrying out of building work specified in the relevant building permit by the relevant building surveyor for the purposes of any inspection required by regulation 172;

(e) final, on the completion of all building work.

168 Prescribed mandatory notification stages for demolition or removal of building

For the purposes of the definition of ***mandatory notification stage*** in section 3(1) of the Act, in relation to the demolition or removal of a building, the following stages of building work are prescribed—

(a) the completion of any precautions required to be taken under regulation 116 or 117;

(b) final, on the completion of all demolition or removal work.

169 Prescribed mandatory notification stages for construction of swimming pool or spa

For the purposes of the definition of ***mandatory notification stage*** in section 3(1) of the Act, in relation to the construction of a swimming pool or spa, the following stages of building work are prescribed—

(a) the completion of any excavation related to the installation of the swimming pool or spa;

(b) before pouring any footing or in situ reinforced concrete member that is specified in the relevant building permit by the relevant building surveyor;

(c) the completion of any precautions required to be taken under regulation 116;

(d) final, on the completion of the swimming pool or spa and related safety barrier.

170 Omission of irrelevant mandatory notification stage

The relevant building surveyor may omit a mandatory notification stage set out in regulation 167 for building work if that stage is not relevant to the building work.

171 Building permit must specify mandatory notification stages

The relevant building surveyor must specify the mandatory notification stages for building work determined under regulations 167, 168, 169 and 170 in the building permit issued for that building work.

172 Building surveyor must cause fire and smoke resisting building elements to be inspected

(1) The relevant building surveyor must cause to be inspected the building work relating to the following in each storey of a Class 2, 3, or 4 building—

(a) any building element that is lightweight construction and that is required to resist the spread of fire in at least one sole-occupancy unit;

(b) one of each stair shaft, lift shaft or service shaft that is lightweight construction and that is required to resist the spread of fire;

(c) the components of any building element referred to in paragraph (a) or (b);

(d) the junctions of any building element referred to in paragraph (a) or (b) with other building elements.

(2) The relevant building surveyor must cause to be inspected at least one of each type of fire protection method for each type of service penetration to any building element that is required to resist the spread of fire or smoke on each storey of a Class 2, 3, 4, 9a or 9c building.

(3) An inspection for the purposes of this regulation must be carried out when the building element is accessible and able to be clearly viewed.

(4) This regulation does not apply in relation to building work carried out under a permit issued before 2 June 2018.

(5) In this regulation ***lightweight construction*** means construction which incorporates or comprises sheet or board material, plaster, render, sprayed application, or other material similarly susceptible to damage by impact, pressure or abrasion.

173 Record of inspection of building work

For the purposes of section 35A(1) of the Act, a record of an inspection under section 34 or 35 of the Act must contain the following information—

(a) the date and time of the inspection;

(b) the purpose of the inspection;

(c) the building permit number of the permit relating to the building work;

(d) the address of the building or land on which the building work is being carried out;

(e) the name and registration number of the registered building practitioner who carried out the inspection;

(f) the stage of the building work inspected (if applicable);

(g) the outcome of the inspection.

Reg. 173A inserted by S.R. No. 115/2026 reg. 9.

173A Relevant building surveyor to give record of inspection of building work to the relevant council

A relevant building surveyor must give a copy of a record of inspection made by the relevant building surveyor under section 35A(1) of the Act to the relevant council within 7 days after the inspection is completed.

Reg. 173B inserted by S.R. No. 115/2026 reg. 9.

173B Council to give record of inspection of building work to the Authority

A relevant council must give a copy of a record of inspection provided to the council under regulation 173A to the Authority on request.

174 Prescribed persons carrying out inspections

For the purposes of section 35B(b) of the Act, the prescribed classes of inspection and the prescribed classes of person are as follows—

(a) in the case of an inspection of building work relating to a structural, sewerage, water or drainage matter—a civil engineer;

Reg. 174(a) amended by S.R. No. 73/2021 reg. 11(1).

(ab) in the case of an inspection of building work relating to a structural matter—a structural engineer;

Reg. 174(ab) inserted by S.R. No. 38/2026 reg. 15.

(b) in the case of an inspection of building work relating to a mechanical matter including hydraulic services within a building—a mechanical engineer;

Reg. 174(b) amended by S.R. No. 73/2021 reg. 11(2).

(c) in the case of an inspection of building work relating to an electrical matter—a electrical engineer;

Reg. 174(c) amended by S.R. No. 73/2021 reg. 11(3).

(d) in the case of an inspection of building work relating to a fire safety matter—a fire safety engineer.

Reg. 174(d) amended by S.R. Nos 40/2019 reg. 16(1), 73/2021 reg. 11(4).

* * * * *

Reg. 174(e)(f) revoked by S.R. No. 40/2019 reg. 16(2).

175 Relevant building surveyor to keep and make available directions to fix building work

The relevant building surveyor must—

(a) keep a copy of each written direction to fix building work that the relevant building surveyor gives under Division 2 of Part 4 of the Act until the earliest of the following—

(i) an occupancy permit or certificate of final inspection relating to the building work is issued;

(ii) the direction is revoked;

(iii) the direction is quashed or set aside by the Building Appeals Board; and

(b) make copies of directions kept under paragraph (a) available for inspection by any person during office hours.

176 Person to whom authorised person must give documents under section 37J of the Act

For the purposes of section 37J of the Act, the relevant building surveyor is a prescribed person to whom an authorised person must give the documents set out in that section.

Division 2—Notices and orders

177 Emergency orders

For the purposes of section 105(1) of the Act, an emergency order made under section 102 of the Act must include—

Reg. 177(a) amended by S.R. No. 173/2026 reg. 25(1).

(a) the location of the building, land, condition-altered land or place of public entertainment to which the order applies; and

(b) the name of the owner, occupier or builder to whom or which the order is directed; and

(c) the reason or reasons why the order was made; and

(d) the period within which the order must be complied with; and

(e) the date of any inspection of the building, land, condition-altered land or place of public entertainment carried out by the municipal building surveyor or relied on by the municipal building surveyor when deciding whether to make the order (if applicable); and

Reg. 177(e) amended by S.R. No. 173/2026 reg. 25(2).

(f) the name and qualifications of any person other than the municipal building surveyor who carries out an inspection referred to in paragraph (e); and

(g) the date of making of the order; and

(h) the name and address of the municipal building surveyor.

178 Form of emergency orders

An emergency order made under section 102 of the Act may be in the form of Form 10.

179 Building notices

For the purposes of section 108(2) of the Act, a building notice served under section 106 of the Act must include—

(a) the location of the building, land, condition-altered land or place of public entertainment to which the notice applies; and

Reg. 179(a) amended by S.R. No. 173/2026 reg. 26(1).

(b) the name and address of the owner to whom or which the notice is directed; and

(c) the reason or reasons why the notice was served; and

(d) the date of any inspection of the building, land, condition-altered land or place of public entertainment carried out or relied on by the relevant building surveyor when

Reg. 179(d) amended by S.R. No. 173/2026 reg. 26(2).

deciding whether to serve the notice (if applicable); and

(e) the name and qualifications of any person other than the relevant building surveyor who carries out an inspection referred to in paragraph (d); and

(f) the date of making of the notice; and

(g) the name and address of the relevant building surveyor.

180 Form of building notice

A building notice served under section 106 of the Act may be in the form of Form 11.

181 Building orders

For the purposes of section 114(1)(c) of the Act, a building order made under section 111, 112 or 113 of the Act must include—

Reg. 181(a) amended by S.R. No. 173/2026 reg. 27(1).

(a) the location of the building, land, condition-altered land or place of public entertainment to which the order applies; and

(b) the name and address of the person to whom the order is directed; and

(c) the reason or reasons why the order was made; and

Reg. 181(d) amended by S.R. No. 173/2026 reg. 27(2).

(d) the date of any inspection of the building, land, condition-altered land or place of public entertainment carried out or relied on by the relevant building surveyor when deciding whether to make the order (if applicable); and

(e) the name and qualifications of any person other than the relevant building surveyor who carries out an inspection referred to in paragraph (d); and

(f) the date of making of the order; and

(g) the name and address of the relevant building surveyor.

182 Form of building orders

(1) A building order made under section 111 may be in the form of Form 12.

(2) A building order made under section 112 of the Act may be in the form of Form 13.

(3) A building order made under section 113 of the Act may be in the form of Form 14.

182A Additional information in order or notice served in accordance with section 236(4A) of the Act

Reg. 182A inserted by S.R. No. 180/2018 reg. 8.

For the purposes of section 236(4B) of the Act, the additional information to be included in the order or notice is—

(a) that the order or notice has been served in accordance with section 236(4A) of the Act; and

(b) a prominent warning that it is an offence under section 236(7) of the Act for a person to remove or deface the order or notice without the prior consent of the relevant building surveyor, the relevant council or the Authority; and

(c) the penalty for committing an offence under section 236(7) of the Act.

182B Prescribed information for rectification orders

Reg. 182B inserted by S.R. No. 73/2026 reg. 5.

For the purposes of section 75H(1)(f) of the Act, a rectification order must contain any condition of a kind referred to in section 75E(2) of the Act.

Division 3—Powers of entry

183 Register of exercise of powers of entry

(1) For the purposes of section 230(1), (2) or (3) of the Act, the register of the exercise of powers of entry must include the following information in relation to each power of entry exercised under Subdivision 5 of Division 2 of Part 13 of the Act—

(a) the power of entry exercised;

(b) the date and time of the entry;

(c) the purpose of the entry;

(d) the address of the building or land entered;

(e) the names of the persons and registration numbers of any registered building practitioners involved in the exercise of the power of entry;

(f) a record of any acknowledgement of consent given under section 228G of the Act;

(g) whether consent was withdrawn by the occupier of the building or land at any time;

(h) a description of things done while in or on the building or land;

(i) whether the entry involved the use of a warrant;

(j) a record of any receipt required to be given under section 229A of the Act for a thing seized;

(k) whether a police officer provided assistance under section 229H of the Act;

(l) the time of departure.

(2) For the purposes of section 230(4) of the Act, the register of the exercise of powers of entry must include the following information—

(a) in the case of an entry made under section 228D of the Act, the following—

(i) the date and time of the entry;

(ii) the purpose of the entry;

(iii) the address of the building or land entered;

(iv) the names of the persons and registration numbers of any registered building practitioners involved in the exercise of the power of entry;

(b) in the case of an entry made under section 228J of the Act, the following—

(i) the date and time of the entry;

(ii) the purpose of the entry;

(iii) the address of the building or land entered;

(iv) the names of the persons and registration numbers of any registered building practitioners involved in the exercise of the power of entry;

(v) a description of things done while in or on the building or land;

(vi) a record of any receipt required to be given under section 229A of the Act for a thing seized;

(vii) whether a police officer provided assistance under section 229H of the Act;

(viii) the time of departure.

Part 13—Occupancy permits and certificates of final inspection

Division 1—General

184 Application of Part

Subject to these Regulations, this Part applies to all buildings and places of public entertainment.

185 Exemptions from occupancy permit

(1) For the purposes of section 21(2)(c) of the Act, an occupancy permit is not required—

(a) in respect of building work relating to—

(i) a Class 10 building; or

(ii) an alteration to a Class 1a building; or

(iii) an alteration within a sole-occupancy unit in a Class 2 or 3 building; or

(b) in respect of building work specified in column 2 of the Table in Schedule 3.

(2) A building specified in column 2 of the Table in Schedule 3 is exempted from the requirement for an occupancy permit in relation to building work carried out on that building.

Division 2—Applications for occupancy permit

186 Application for occupancy permit

(1) An application for an occupancy permit must be in the form of Form 15.

(2) For the purposes of clause 1(a) and (b) of Schedule 2 to the Act—

(a) the information to be contained in the application is the information that must be set out in Form 15; and

(b) the application must be accompanied by the following documents—

(i) any compliance certificate within the meaning of Part 12A of the Act given for plumbing work carried out in conjunction with the building work in the building to which the application applies;

(ii) any certificate of compliance within the meaning of section 3 of the **Electricity Safety Act 1998** for electrical work carried out in conjunction with the building work in the building or place of public entertainment to which the application applies.

187 Reporting authorities for occupancy permit

(1) The report and consent of the chief officer must be obtained in relation to an application for an occupancy permit—

(a) if the chief officer was a reporting authority in relation to the application for the building permit which required the issue of the occupancy permit; or

(b) relating to a building or building work involving the transmission signal of alarms required, under these Regulations or any previous corresponding regulations, to be connected to a fire station or other alarm monitoring service.

(2) Subject to subregulation (3), the report and consent of the relevant council must be obtained in relation to an application for an occupancy permit relating to—

(a) the installation or alteration of a septic tank system; or

(b) the construction of a building over an existing septic tank system.

(3) The report and consent of the relevant council need not be obtained in relation to an application for an occupancy permit referred to in subregulation (2) if a certificate approving the use of the septic tank system the subject of the application has been issued under section 53MB of the **Environment Protection Act 1970**.

188 Time limits for application to be given to reporting authority

For the purposes of clause 4(2) of Schedule 2 to the Act, the prescribed time within which the relevant building surveyor must give a copy of an application for an occupancy permit to each reporting authority required to report on or consent to the application is—

(a) in the case of an application relating to a Class 1 building, 3 business days after the relevant building surveyor receives the application; and

(b) in any other case, 5 business days after the relevant building surveyor receives the application.

189 Time limits relating to the report or consent of reporting authorities

For the purposes of clause 6(1), (2) and (3) of Schedule 2 to the Act, the prescribed time is—

(a) in the case of an application relating to a Class 1 building, within 5 business days after a reporting authority is given a copy of an application for an occupancy permit by the relevant building surveyor; and

(b) in any other case, within 10 business days after a reporting authority is given a copy of an application for an occupancy permit by the relevant building surveyor.

190 Time within which relevant building surveyor must decide application for occupancy permit

(1) For the purposes of sections 43 and 56 of the Act, the relevant building surveyor must decide an application for an occupancy permit—

(a) in the case of a Class 1 building, within 2 business days after the relevant day; and

(b) in any other case, within 5 business days after the relevant day.

(2) In this regulation the ***relevant day*** means the earlier of the following days—

(a) the day on which all reports and consents required to be supplied by reporting authorities in relation to the application are received by the relevant building surveyor;

(b) the day by which the reports and consents referred to in paragraph (a) must be supplied to the relevant building surveyor.

191 Time within which municipal building surveyor must decide application to amend occupancy permit

The municipal building surveyor must decide an application to amend an occupancy permit under section 70(1)(a) of the Act—

(a) in the case of a Class 1 building, within 7 business days after the day the application is received by the municipal building surveyor; or

(b) in any other case, within 14 business days after the day the application is received by the municipal building surveyor.

Division 3—Occupancy permits

192 Form of occupancy permit

An occupancy permit issued under Part 5 of the Act must be in the form of Form 16.

193 Relevant building surveyor to provide copy of permit

The relevant building surveyor must give a copy of an occupancy permit to the applicant for the occupancy permit within 7 days after issuing the permit.

194 Occupancy permit must specify essential safety measures and related requirements

(1) The relevant building surveyor or the Authority (as the case requires) must ensure that an occupancy permit (including that permit as amended from time to time) issued in relation to a building or place of public entertainment specifies—

Reg. 194(1)(a) amended by S.R. No. 40/2019 reg. 17.

(a) all essential safety measures required to be provided for the building or place as part of the building work carried out under the building permit requiring the occupancy permit; and

(b) the level of performance, determined by the relevant building surveyor or the Authority (as the case requires), that each essential safety measure must achieve to fulfil its purpose; and

(c) the frequency and type of inspection, testing and maintenance required for each essential safety measure determined by the relevant building surveyor or the Authority (as the case requires).

(2) In determining matters in subregulation (1)(b) and (c), the relevant building surveyor or the Authority must specify the provision of the building regulations with which the installation and operation of the essential safety measure must comply and which sets out the frequency and type of inspection, testing and maintenance required for the essential safety measure.

(3) In this regulation—

building means—

(a) a Class 1b, 2, 3, 5, 6, 7, 8 or 9 building; and

(b) a Class 4 part of a building;

provision of the building regulations has the same meaning as in section 160 of the Act.

(4) This regulation does not apply in relation to a smoke alarm installed in a sole-occupancy unit in a Class 1b or 2 building or a Class 4 part of a building.

195 Condition on occupancy permit

(1) It is a condition of an occupancy permit that each essential safety measure specified in an occupancy permit under regulation 194 must—

(a) be inspected and tested as specified in the occupancy permit; and

(b) be maintained as specified in the occupancy permit so that each essential safety measure achieves the level of performance specified in the occupancy permit.

(2) If a maintenance determination is made under regulation 215 in relation to a building or place of public entertainment and an occupancy permit applies to the building or place of public entertainment, it is a condition of the occupancy permit that each essential safety measure specified in the maintenance determination must—

(a) be inspected and tested as specified in the maintenance determination; and

(b) be maintained as specified in the maintenance determination so that the essential safety measure achieves the level of performance specified in the maintenance determination.

196 Compliance with AS 1851—2012 taken to be compliance with earlier standards

(1) This regulation applies in relation to an occupancy permit which specifies the frequency and type of inspection, testing and maintenance required for an essential safety measure in a building or place of public entertainment.

(2) Despite sections 40 and 51 of the Act, if an occupancy permit specifies that the essential safety measure must be maintained in accordance with AS 1851—2005 Maintenance of fire protection systems and equipment published on 5 September 2005, as in force and as issued from time to time, or an equivalent standard published before 5 September 2005, compliance with AS 1851—2012 is taken to be compliance with the frequency and type of inspection, testing and maintenance requirements specified in the occupancy permit (if applicable).

(3) If the owner of the building or place of public entertainment, in accordance with subregulation (2), complies with AS 1851—2012 in relation to the essential safety measure, instead of the frequency and type of inspection, testing and maintenance required for the essential safety measure specified in the occupancy permit, the owner must continue to comply with AS 1851—2012 in relation to the essential safety measure.

Division 4—Display and inspection requirements for occupancy permits

197 Display of occupancy permit at approved location

(1) This regulation applies to—

(a) Class 1b, 2, 3, 5, 6, 7 and 8 buildings constructed on or after 1 July 1994; and

(b) Class 9 buildings; and

(c) places of public entertainment.

(2) An owner of a building or place of public entertainment must ensure that a copy of any current occupancy permit in relation to that building or place is displayed and kept displayed at an approved location within the building or place.

Penalty: 10 penalty units.

198 Approved location for display of permit

(1) Subject to subregulation (3), the relevant building surveyor must ensure that a location approved within a building for the purposes of regulation 197 is in a prominent position and is accessible to the occupants of the building.

(2) The relevant building surveyor must ensure that a location approved within a place of public entertainment for the purposes of regulation 197 is in a prominent position and is accessible to the public.

(3) In a building of a class of building referred to in regulation 281, the location approved for the purposes of regulation 197 may be in an area to which access is available only with the authorisation of the owner of the building.

199 Owner to make permit available for inspection

(1) This regulation applies to—

(a) Class 1b, 2, 3, 5, 6, 7 and 8 buildings constructed on or after 1 July 1994; and

(b) Class 9 buildings; and

(c) places of public entertainment.

(2) An owner of a building or place of public entertainment must ensure that a copy of any current occupancy permit is available at that building or place for inspection by the municipal building surveyor or chief officer at any time on request.

Penalty: 10 penalty units.

Division 5—Certificates of final inspection

200 Form of certificate of final inspection

A certificate of final inspection must be in the form of Form 17.

201 Relevant building surveyor to notify chief officer of issue of certificates of final inspection

(1) If a certificate of final inspection is issued in relation to a building or building work involving the transmission signal of an alarm required, under these Regulations or any previous

corresponding regulations, to be connected to a fire station or other alarm monitoring service, the relevant building surveyor must notify the chief officer within 10 days after issuing the certificate that—

(a) the certificate has been issued; and

(b) the required connection has been made.

(2) If a certificate of final inspection is issued and the chief officer was a reporting authority in relation to the application for the relevant building permit, the relevant building surveyor must notify the chief officer of the issue of the certificate within 10 days after issuing the certificate.

Division 6—Records

202 Keeping of occupancy permit records

(1) For the purposes of section 75 of the Act, a council must keep the documents relating to occupancy permits in any manner specified by the Keeper of Public Records until—

(a) the building in relation to which the permit is given is demolished or removed from the allotment; or

(b) the occupancy permit is cancelled.

(2) For the purposes of section 75 of the Act, a council must keep documents relating to a temporary approval for 3 years after the earlier of the following—

(a) the end of the period for which the temporary approval applies;

(b) the temporary approval is cancelled.

203 Documents to be given to council

The following documents are prescribed for the purposes of section 73(1A) of the Act—

Reg. 203(a) amended by S.R. No. 75/2018 reg. 13(1).

(a) a notice given to the relevant building surveyor under section 25A(2) of the Act;

Reg. 203(b) amended by S.R. No. 75/2018 reg. 13(2).

(b) a notice given to the relevant building surveyor under section 25AB(2) of the Act;

Reg. 203(c) revoked by S.R. No. 75/2018 reg. 13(3).

* * * * *

(d) a record of inspection of building work made under section 35A(1) of the Act;

(e) a determination made by the relevant building surveyor under regulation 111(3);

(f) a notice served on the relevant building surveyor under section 84(1) of the Act;

(g) a notice given to the relevant building surveyor under section 85(1) of the Act;

(h) a determination of the relevant building surveyor under section 87(1) of the Act;

(i) a determination or order of the Building Appeals Board;

(j) a determination of the relevant building surveyor that a performance solution complies with a performance requirement of the BCA together with any computations or reports relied on by the relevant building surveyor in making the determination;

(k) a determination of the municipal building surveyor or a private building surveyor exercising the functions of a municipal building surveyor under regulation 64(1);

(l) a document setting out any requirement of the relevant building surveyor under regulation 116 to take precautions to protect the safety of the public;

(m) any test carried out in accordance with regulation 120(1);

(n) a complete record of pile-driving operations under regulation 127;

(o) a report and consent of a reporting authority referred to in regulation 187;

(p) any exemption from, or consent to partial compliance with, certain requirements of these Regulations relating to a building or building work that has been given by the municipal building surveyor or a private building surveyor exercising the functions of a municipal building surveyor under regulation 229(2) or 231(2) or by the relevant building surveyor under regulation 233(3) or 234(2);

(q) any document required by the relevant building surveyor under clause 2(1) of Schedule 2 to the Act.

204 Prescribed time to give council other documents

For the purposes of section 73(1A) of the Act, the prescribed time is 7 days after the issue or amendment of the occupancy permit or temporary approval (as the case requires).

205 Information to be supplied to council

In addition to the requirements of section 73 of the Act, the relevant building surveyor must within 7 days—

(a) after issuing a certificate of final inspection, give to the relevant council a copy of the certificate; and

(b) after issuing an occupancy permit or a certificate of final inspection, give to the relevant council the approved dates of the inspections carried out of the mandatory notification stages of building work carried out on the building or land.

Penalty: 10 penalty units.

Part 14—Places of public entertainment

206 Prescribed classes of buildings or places

(1) For the purposes of the definition of ***place of public entertainment*** in section 3(1) of the Act—

(a) the following are prescribed classes of buildings—

(i) Class 9b buildings with an area greater than 500 m^2;

(ii) prescribed temporary structures; and

(b) places with an area greater than 500 m^2 are a prescribed class of places unless—

(i) the place is used for the purposes of conducting an event or activity which is organised and controlled by a community-based organisation; and

(ii) the number of persons in the place at any one time during the event or activity does not exceed 5000.

Example

A place used for a public market conducted by a Rotary club would not fall within the class of places prescribed under paragraph (b) if the number of persons in the place at any one time did not exceed 5000.

Example to reg. 206(1)(b) amended by S.R. No. 180/2018 reg. 9.

(2) For the purposes of this regulation ***community-based organisation*** means a body, whether or not it is a corporate body, that—

(a) is not established primarily for the purposes of profit or gain; and

(b) does not distribute any part of any profit or gain made in the conduct of its activities to any member of the organisation; and

(c) operates in a community wholly for—

(i) a philanthropic or benevolent purpose, including the promotion of art, culture, science, religion, education or charity; or

(ii) any sporting or recreational purpose, including the benefiting of any sporting or recreational club or association.

207 Prescribed temporary structures

For the purposes of the definition of ***prescribed temporary structure*** in section 3(1) of the Act, the following are prescribed classes of temporary structures, if those structures do not form part of a building other than a temporary structure or temporary building—

(a) tents, marquees or booths with a floor area greater than 100 m^2;

(b) seating stands for more than 20 persons;

(c) stages or platforms (including sky borders and stage wings) exceeding 150 m^2 in floor area;

(d) prefabricated buildings with an area exceeding 100 m^2 and that are not placed directly on the ground surface.

208 Exemption from permit for temporary structures

(1) For the purposes of section 16(6) of the Act, building work is exempted to the extent it relates to a temporary structure prescribed by regulation 207.

(2) A temporary structure prescribed by regulation 207 is exempt from these Regulations, other than—

Reg. 208(2) substituted by S.R. No. 38/2026 reg. 16.

(a) regulations 210 and 212; and

(b) in the case of temporary tiered seating, concourse or embankment provided at a place of public entertainment—regulation 212A; and

(c) in the case of any motor vehicle racing barrier or guard rail provided at a place of public entertainment where motor vehicle racing takes place—regulation 212B; and

(d) in the case of any sanitary or amenity facility provided at a place of public entertainment—regulation 212C.

Note

If a prescribed temporary structure is used for the purpose of providing public entertainment it must have an occupancy permit under Division 2 of Part 5 of the Act and meet the requirements of the Authority under that permit.

209 Prescribed place of public entertainment

Reg. 209 amended by S.R. No. 40/2019 reg. 18.

For the purposes of section 53(2) of the Act, the sportsgrounds and spectator stands known as Kardinia Park, Geelong, is a prescribed place of public entertainment.

210 Conditions on occupancy permits

Without limiting the conditions to which an occupancy permit may be subject, an occupancy permit for a place of public entertainment may be issued subject to conditions relating to—

(a) the engagement of safety officers to be in attendance at the place of public entertainment to provide for the safety of the public; and

(b) the safety training qualifications that must be held by any person engaged as a safety officer; and

(c) the responsibilities of a safety officer, including—

(i) the operation of fire safety elements, equipment and systems; and

(ii) the establishment and operation of evacuation procedures; and

(iii) the safety of barriers and exits; and

(iv) the control of the use of naked flame in theatrical productions; and

(d) the exclusion of the public from unsafe areas; and

(e) the keeping, testing and storage of flammable material or explosive items and equipment in a safe manner, to the extent that this is not required by any other Act or regulations; and

(f) the ignition of fireworks and the discharge of pistols or other shooting devices in a safe and responsible manner, to the extent that this is not required by any other Act or regulations; and

(g) the location and designation of passageways and exits; and

(h) the availability of public toilet facilities and the condition of those facilities.

211 Safety officer qualifications

(1) For the purposes of regulation 210(b), the Authority or the chief officer may publish a list of safety training qualifications that may be held by a person engaged as a safety officer on the website of the Authority or the chief officer.

(2) The relevant building surveyor must have regard to the qualifications published under subregulation (1) when determining the safety training qualifications that must be held by a person engaged as a safety officer for the purposes of complying with a condition imposed under regulation 210.

212 Structural design of prescribed temporary structures

Prescribed temporary structures must be designed in accordance with engineering principles to provide for their structural safety and the safety of the public and other persons using them.

212A Temporary tiered seating, concourses and embankments

Reg. 212A inserted by S.R. No. 38/2026 reg. 17.

Any temporary tiered seating, concourse or embankment provided at a place of public entertainment must comply with the Victorian variation in Part I5 of Schedule 10 to Volume One of the National Construction Code 2022.

212B Motor vehicle racing

Reg. 212B inserted by S.R. No. 38/2026 reg. 17.

Any motor vehicle racing barrier or guard rail provided at a place of public entertainment where motor vehicle racing takes place must comply with the Victorian variation in Part I5 of Schedule 10 to Volume One of the National Construction Code 2022.

212C Sanitary and amenity facilities

Reg. 212C inserted by S.R. No. 38/2026 reg. 17.

Any sanitary or amenity facility provided at a place of public entertainment must comply with the Victorian variation in Part I5 of Schedule 10 to Volume One of the National Construction Code 2022.

Part 15—Maintenance of buildings and places of public entertainment

Division 1—Maintenance of essential safety measures

Subdivision 1—General

213 Application of this Division

(1) Subject to subregulation (2), this Division applies to—

(a) a Class 1b, 2, 3, 5, 6, 7, 8 or 9 building; and

(b) a Class 4 part of a building; and

(c) a place of public entertainment.

(2) This Division does not apply to a smoke alarm installed in a sole-occupancy unit in a Class 1b or 2 building or a Class 4 part of a building.

214 Definitions in this Division

In this Division—

essential safety measure means—

(a) a safety measure specified in column 2 of the table in each Part of Schedule 8 that is required by or under the Act or these Regulations to be provided in relation to a building or place of public entertainment; or

(b) any other item that is required by or under the Act or these Regulations to be provided in relation to a building or place of public entertainment for the safety of persons in the event of fire and that is designated by the relevant

building surveyor as an essential safety measure; or

(c) any other item that is an essential safety measure within the meaning of regulation 1202 of the Building Interim Regulations 2017 as in force immediately before its revocation; or

(d) any other measure (including an item of equipment, form of construction or safety strategy) required for the safety of persons using a building or place of public entertainment required to be provided in relation to that building or place by or under the Act, or any previous corresponding Act, before 1 July 1994;

maintenance determination means—

(a) a determination made by a relevant building surveyor under regulation 215; or

(b) a maintenance determination within the meaning of regulation 1202 of the Building Interim Regulations 2017 as in force immediately before its revocation;

maintenance schedule means—

(a) a maintenance schedule prepared by the municipal building surveyor or a private building surveyor that complies with regulation 222; or

(b) a maintenance schedule within the meaning of regulation 1202 of the Building Interim Regulations 2017 as in force immediately before its revocation.

Subdivision 2—Maintenance determinations

215 Maintenance determinations for essential safety measures in buildings and places of public entertainment

(1) This regulation applies if an essential safety measure is required to be provided or altered in a building or place of public entertainment by—

(a) a building permit that does not require an occupancy permit; or

(b) an emergency order or a building order under Part 8 of the Act.

(2) The relevant building surveyor must determine and specify in the determination the following—

(a) the essential safety measure that is the subject of the determination;

(b) the level of performance that the essential safety measure must achieve to fulfil its purpose;

(c) the frequency and type of inspection, testing and maintenance required for the essential safety measure.

(3) A determination under subregulation (2) must—

(a) be in writing in the form approved by the Authority; and

(b) be given to the owner of the building or place of public entertainment—

(i) with the certificate of final inspection, if the essential safety measure is required under a building permit; or

(ii) without delay after it is made, if the essential safety measure is required under an emergency order or a building order under Part 8 of the Act; and

(c) be given to the relevant council with a report under section 120(2)(a) of the Act, if the essential safety measure is required under an emergency order or a building order under Part 8 of the Act.

216 Owner must comply with maintenance determination

(1) This regulation applies if a maintenance determination is issued in relation to a building or place of public entertainment to which an occupancy permit does not apply.

(2) The owner of the building or place of public entertainment must ensure that each essential safety measure that is the subject of a maintenance determination in relation to that building or place—

(a) performs at the level to fulfil its purpose specified in the maintenance determination; and

(b) is inspected, tested and maintained in accordance with the requirements specified in the maintenance determination.

Penalty: 20 penalty units.

217 Compliance with AS 1851—2012 taken to be compliance with earlier standards

(1) This regulation applies in relation to a maintenance determination that specifies the frequency and type of inspection, testing and maintenance required for an essential safety measure in a building or place of public entertainment.

(2) Despite regulation 216, if a maintenance determination specifies that the essential safety measure must be maintained in accordance with AS 1851—2005 Maintenance of fire protection

systems and equipment published on 5 September 2005, as in force and as issued from time to time, or an equivalent standard published before 5 September 2005, compliance with AS 1851—2012 is taken to be compliance with the frequency and type of inspection, testing and maintenance requirements specified in the maintenance determination (if applicable).

(3) If the owner of the building or place of public entertainment, in accordance with subregulation (2), complies with AS 1851—2012 in relation to the essential safety measure, instead of the frequency and type of inspection, testing and maintenance required for the essential safety measure specified in the maintenance determination, the owner must continue to comply with AS 1851—2012 in relation to the essential safety measure.

Subdivision 3—Maintenance schedules

218 Relevant building surveyor must prepare or update maintenance schedule for an existing building or place of public entertainment

Reg. 218(1) amended by S.R. No. 180/2018 reg. 10(1).

(1) This regulation applies if an essential safety measure is specified in relation to a building or place of public entertainment in—

Reg. 218(1)(a) substituted by S.R. No. 180/2018 reg. 10(2).

(a) an occupancy permit under regulation 194; or

(b) a maintenance determination under regulation 215.

(2) The relevant building surveyor must prepare or update a maintenance schedule so that it complies with regulation 222 in relation to the building or place of public entertainment.

(3) The owner of a building or place of public entertainment must provide to the relevant building surveyor who must prepare or update a maintenance schedule under subregulation (2) relating to that building or place all the documents referred to in regulation 225 that relate to essential safety measures in the building or place within 7 days after a request of the relevant building surveyor to provide those documents.

Penalty: 10 penalty units.

219 Owner of building or place of public entertainment may apply for maintenance schedule

(1) The owner of a building or place of public entertainment may apply to the municipal building surveyor or a private building surveyor to request the municipal building surveyor or private building surveyor to prepare a maintenance schedule that complies with regulation 222 in relation to the building or place.

(2) If the municipal building surveyor or a private building surveyor agrees to prepare a maintenance schedule that complies with regulation 222 in relation to a building or place of public entertainment, the owner of the building or place must provide to the municipal building surveyor or private building surveyor all documents referred to in regulation 225 relating to essential safety measures for the building or place.

Reg. 219(2) amended by S.R. No. 40/2019 reg. 19.

220 Building surveyor may prepare maintenance schedule

The municipal building surveyor or a private building surveyor may prepare a maintenance schedule in relation to a building or place of public entertainment that complies with regulation 222 if the owner of the building or place has applied in accordance with

regulation 219 to the municipal building surveyor or private building surveyor for such a maintenance schedule to be prepared.

221 Building surveyor must give owner copy of maintenance schedule

The municipal building surveyor or private building surveyor who prepares or updates a maintenance schedule in relation to a building or place of public entertainment under regulation 218 or 220 must give a copy of the maintenance schedule to the owner of the building or place without delay.

222 Maintenance schedules

Reg. 222(1) substituted by S.R. No. 180/2018 reg. 11.

(1) For the purposes of regulation 218, a maintenance schedule must list all essential safety measures specified in an occupancy permit or a maintenance determination relating to a building or a place of public entertainment and the maintenance requirements for those essential safety measures.

Reg. 222(2) substituted by S.R. No. 40/2019 reg. 20.

(2) For the purposes of regulation 220, a maintenance schedule must list—

(a) all essential safety measures required to be provided for a building or place of public entertainment constructed before 1 July 1994 by or under the Act or these Regulations or any previous corresponding Act or regulations; and

(b) all essential safety measures specified in an occupancy permit or maintenance determination that relates to a building or place of public entertainment and the maintenance requirements specified in the occupancy permit or maintenance determination.

(3) The essential safety measures and related maintenance requirements must be listed in chronological order according to the date on which each essential safety measure was required to be provided by or under the Act or these Regulations or any previous corresponding Act or regulations.

(4) A maintenance schedule under this regulation must be prepared in a form approved by the Authority.

(5) In this regulation ***maintenance requirements*** in relation to an essential safety measure consist of—

(a) the level of performance that the essential safety measure must achieve to fulfil its purpose; and

(b) the frequency and type of inspection, testing and maintenance required for the essential safety measure.

Subdivision 4—Reporting and records

223 Owner must prepare annual essential safety measures report

(1) The owner of a building or place of public entertainment in respect of which an essential safety measure is required to be provided for the building or place by an occupancy permit or a maintenance determination must ensure that an annual essential safety measures report is prepared in accordance with regulation 224 within 28 days before each anniversary of the relevant anniversary date.

Reg. 223(1) amended by S.R. No. 40/2019 reg. 21(1).

Penalty: 20 penalty units.

(2) The owner of a building or place of public entertainment that was constructed before 1 July 1994, in respect of which an essential safety

Reg. 223(2) amended by S.R. No. 40/2019 reg. 21(1).

measure was required to be provided for the building or place by the Act or these Regulations or any previous corresponding Act or regulations, must ensure that an annual essential safety measures report is prepared in accordance with regulation 224 within 28 days before 13 June 2018 and each anniversary of that date.

Penalty: 20 penalty units.

(3) Subregulation (2) does not apply in relation to any essential safety measure in respect of which an annual report is required to be prepared under subregulation (1).

(4) In this regulation—

Reg. 223(4) def. of *anniversary date* amended by S.R. No. 40/2019 reg. 21(2).

anniversary date means the earlier of the following dates—

(a) the date of issue of the first occupancy permit or amendment to an occupancy permit that required that an essential safety measure be provided for the building or place of public entertainment;

(b) the date of making of the first maintenance determination which required that an essential safety measure be provided for the building or place of public entertainment.

224 Contents and form of annual essential safety measures report

For the purposes of regulation 223, the annual essential safety measures report for a building or place of public entertainment must—

(a) be in a form approved by the Authority; and

(b) be signed by the owner of the building or place; and

(c) state the address of the building or place; and

(d) include the details of any inspection report made under section 227E of the Act in relation to an essential safety measure for the building or place; and

Reg. 224(d) amended by S.R. No. 40/2019 reg. 22(1).

(e) if applicable, state that the owner of the building or place, in accordance with regulation 196 or 217, is complying with AS 1851—2012 in relation to an essential safety measure required to be provided for the building or place, instead of the frequency and type of inspection, testing and maintenance required for the essential safety measure specified in the relevant occupancy permit or the maintenance determination (as the case requires); and

Reg. 224(e) amended by S.R. No. 40/2019 reg. 22(2).

(f) state that the owner has taken all reasonable steps to ensure that each essential safety measure for the building or place—

Reg. 224(f) amended by S.R. No. 40/2019 reg. 22(1).

(i) is operating and has been maintained in a state that enables the essential safety measure to fulfil its purpose; and

(ii) has been inspected, tested and maintained in accordance with the Act and these Regulations.

225 Records relating to essential safety measures must be made available

An owner of a building or place of public entertainment must ensure that the following documents relating to the building or place are available for inspection at that building or place within 24 hours after a request by the municipal building surveyor or chief officer to inspect the documents—

(a) all annual essential safety measures reports prepared under these Regulations, or any previous corresponding regulations, within 10 years before the request; and

Reg. 225(b) amended by S.R. No. 40/2019 reg. 23.

(b) all maintenance schedules in relation to the essential safety measures for the building or place; and

Reg. 225(c) amended by S.R. No. 40/2019 reg. 23.

(c) all maintenance determinations requiring an essential safety measure to be provided for the building or place; and

Reg. 225(d) amended by S.R. No. 40/2019 reg. 23.

(d) the records of all inspections, testing and maintenance (including repairs) of any essential safety measure for the building or place.

Penalty: 20 penalty units.

226 Maintenance responsibility of owner of building or place of public entertainment

(1) The owner of a building or place of public entertainment must ensure that any essential safety measure required to be provided in relation to the building or place by or under the Act or any previous corresponding Act is maintained in a state which enables the essential safety measure to fulfil its purpose.

Penalty: 20 penalty units.

(2) An owner of a building or place of public entertainment does not commit an offence under subregulation (1) if—

(a) the essential safety measure is subject to a maintenance determination; or

(b) the building or place is subject to an occupancy permit which imposes a condition on the occupier to maintain the essential

safety measure and the owner occupies the building or place.

227 Essential safety measures not to be removed from approved locations

The owner of a building or place of public entertainment must ensure that any essential safety measure required to be provided in relation to the building or place by or under this Act or any previous corresponding Act is not removed from its approved location except for the purpose of inspection or testing of, or the carrying out of maintenance on, that essential safety measure.

Penalty: 20 penalty units.

Division 2—Maintenance of exits and paths of travel relating to buildings or places of public entertainment

228 Maintenance of exits and paths of travel by occupiers of buildings or places of public entertainment

The occupier of a Class 1b, 2, 3, 5, 6, 7, 8 or 9 building or place of public entertainment must ensure that—

(a) all exits in the building or place; and

(b) any paths of travel to exits in the building or place; and

(c) any paths of travel on the allotment from exits in the building or place to a road—

required to be provided in relation to that building or place are kept readily accessible, functional and clear of obstructions so that egress from the building or place is maintained.

Penalty: 20 penalty units.

Part 16—Existing buildings

Division 1—Change of use of existing buildings

229 Change of use

(1) A person must not change the use of a building or place of public entertainment unless the building or place of public entertainment complies with the requirements of these Regulations applicable to the new use.

Penalty: 20 penalty units.

(2) Despite subregulation (1), the municipal building surveyor may exempt a building or place of public entertainment from compliance with any of these Regulations applicable to the new use.

(3) In deciding whether to grant an exemption under subregulation (2) the municipal building surveyor must take into account—

(a) the structural adequacy of the building or place of public entertainment; and

(b) the requirements necessary to make reasonable provision for—

(i) the amenity of the building or place and the safety and health of people using the building or place; and

(ii) avoiding the spread of fire to or from any adjoining building.

(4) An exemption granted under subregulation (2) must be in the form of Form 18.

(5) This regulation applies in addition to any other requirements in the Act or these Regulations that apply because of the change of use of a building or place of public entertainment.

230 Private building surveyor may exercise functions of municipal building surveyor under regulation 229

A private building surveyor may exercise the functions of the municipal building surveyor under regulation 229 in the case of a building or place of public entertainment for which the private building surveyor has been appointed to issue an occupancy permit.

Division 2—Subdivision of existing buildings

231 Subdivision of existing building

(1) Subject to regulation 233, if an existing building, whenever constructed, is subdivided, each building resulting from the subdivision must be brought into conformity with these Regulations.

Penalty: 20 penalty units.

(2) Despite subregulation (1), the municipal building surveyor may exempt a building from all or any of the requirements of subregulation (1).

(3) In deciding whether to grant an exemption under subregulation (2) the municipal building surveyor must take into account—

(a) the structural adequacy of any building to which the exemption applies; and

(b) the requirements necessary to make reasonable provision for—

(i) the amenity of any building and the safety and health of people using any building to which the exemption applies; and

(ii) avoiding the spread of fire to or from any adjoining building.

(4) An exemption granted under subregulation (2) must be in the form of Form 18.

232 Private building surveyor may exercise functions of municipal building surveyor under regulation 231

A private building surveyor may exercise the functions of the municipal building surveyor under regulation 231 in the case of building work for which the private building surveyor has been appointed to issue a building permit.

Division 3—Alterations

233 Alteration to existing building

(1) Building work to alter an existing building must comply with these Regulations.

(2) Subject to regulations 234 and 236, if the proposed alterations to an existing building, together with any other alterations completed or permitted within the previous 3 years, relate to more than half the original volume of the building, the entire building must be brought into conformity with these Regulations.

(3) Despite subregulations (1) and (2) and subject to subregulation (6), the relevant building surveyor may consent to partial compliance of building work or an existing building with subregulation (1) or (2).

(4) In determining whether to consent to partial compliance with subregulation (1) or (2) in respect of any alteration to a building, the relevant building surveyor must take into account—

(a) the structural adequacy of the building; and

(b) the requirements necessary to make reasonable provision for—

(i) the amenity of the building and the safety and health of people using the building; and

(ii) avoiding the spread of fire to or from any adjoining building.

(5) Any consent to partial compliance under subregulation (3) must be in the form of Form 18.

(6) If any part of the alteration is an extension to an existing building, the relevant building surveyor may only consent to partial compliance in respect of the extension if the floor area of the extension is not greater than the lesser of—

(a) 25% of the floor area of the existing building; and

(b) 1 000 m^2.

234 Alterations affecting exits and paths to exits

(1) If a proposed alteration to an existing building other than a Class 1 or 10 building would adversely affect any exit or path of travel to an exit, the building must comply with Section D of the BCA Volume One.

(2) The relevant building surveyor may consent to partial compliance of a building with subregulation (1).

(3) In determining whether to consent to partial compliance with subregulation (1), the relevant building surveyor must take into account the requirements necessary to make reasonable provision for—

(a) the amenity of the building; and

(b) the safety and health of people using the building.

(4) Any consent to partial compliance under subregulation (2) must be in the form of Form 18.

Reg. 235 amended by S.R. No. 102/2023 reg. 18.

235 Extension of non-complying external wall

Despite anything to the contrary in these Regulations, a single storey external wall (including any openings) of a Class 1 building may be extended, once, a maximum of 6 m measured horizontally in similar construction without the extension of the wall complying with performance requirement H3P1 of the BCA Volume Two.

236 Application of requirements in the BCA Volume One relating to access to buildings for persons with disabilities

(1) Subject to subregulation (4), if an existing building is to contain a new part that must comply with an access provision, any affected part of the building must be brought into conformity with that access provision.

Note

This provision aligns the operation of these Regulations (which incorporates the BCA Volume One) with the Disability (Access to Premises — Buildings) Standards 2010 of the Commonwealth. The Disability (Access to Premises−Buildings) Standards 2010 apply the requirements of the Access Code contained in those Standards (being building requirements relating to access to buildings and associated facilities and services for persons with a disability), not only to new parts of buildings but also to the affected parts of buildings that contain new parts. Affected parts of buildings may be in buildings that pre-date the commencement on 1 May 2011 of the access provisions in the BCA Volume One or they may be in buildings constructed after 1 May 2011.

(2) An access provision that was not in force immediately before 1 May 2011 does not apply to building work carried out under a building permit in respect of which an application was made before 1 May 2011, whether the permit was issued before or after 1 May 2011.

(3) Despite anything to the contrary in the BCA Volume One, an access provision does not apply to—

(a) a new part of an existing Class 1b building if the Class 1b building—

(i) has less than 4 bedrooms that are used for rental accommodation; and

(ii) was constructed before 1 May 2011, or in respect of which an application for a building permit for construction was made before 1 May 2011; or

(b) a new part of an existing Class 2 building if the Class 2 building was constructed before 1 May 2011, or in respect of which an application for a building permit for construction was made before 1 May 2011; or

(c) the internal parts of a sole-occupancy unit in a Class 2 building; or

(d) a Class 4 building; or

(e) a Class 10 building or a new part of a Class 10 building that is associated with—

(i) a Class 1a building; or

(ii) a Class 4 part of a building.

(4) Despite anything to the contrary in the BCA Volume One and subject to regulation 234—

(a) an access provision does not apply to an affected part of an existing building if—

(i) parts of the existing building are leased to different persons; and

(ii) one of the persons is responsible for building work to be carried out in respect of the new part of the building; and

(iii) the new part of the building is leased to that person; and

Reg. 236(4)(b) amended by S.R. No. 102/2023 reg. 19(1).

(b) the deemed-to-satisfy provisions contained in clause E3D8 in the BCA Volume One requiring a passenger lift, which travels more than 12 metres, to have a lift floor dimension of not less than 1400 mm x 1600 mm does not apply if the passenger lift—

(i) is an existing passenger lift; and

(ii) is located in a new part or an affected part of an existing building; and

(iii) has a lift floor dimension of not less than 1100 mm x 1400 mm; and

Reg. 236(4)(c) amended by S.R. Nos 40/2019 reg. 24, 102/2023 reg. 19(2).

(c) the deemed-to-satisfy provisions in contained in clauses F4D5(c) and F4D5(e) in the BCA Volume One do not apply to an existing accessible sanitary compartment or an existing sanitary compartment suitable for a person with a disability to the extent that the requirements require a sanitary compartment to comply with AS 1428.1—2009 Design for access and mobility Part 1: General requirements for access—New building work published on 27 November 2009, as incorporated for the time being by the BCA Volume One, if the existing sanitary compartment—

(i) is located in a new part or an affected part of an existing building; and

(ii) complies with AS 1428.1—2001 Design for access and mobility Part 1: General requirements for access—New building work published on 5 June 2001.

(5) In this regulation—

access provision means—

Reg. 236(5) def. of *access provision* amended by S.R. No. 102/2023 reg. 19(3).

(a) a performance requirement—

(i) that is contained in Section D, Part E3 or Part F4 of the BCA Volume One; and

(ii) in respect of which there is an equivalent performance requirement contained in the Access Code within the meaning of the Disability (Access to Premises−Buildings) Standards 2010 of the Commonwealth; and

Note

The Disability (Access to Premises−Buildings) Standards 2010 of the Commonwealth is available from the Australian Government Federal Register of Legislation website at www.legislation.gov.au.

(iii) to the extent that the performance requirement relates to the provision of access to buildings, and facilities and services within buildings, for persons with disabilities; and

(b) a provision of a document applied, adopted or incorporated by reference in a performance requirement referred to in paragraph (a);

affected part in relation to an existing building that is to contain a new part means—

(a) the principal pedestrian entrance of the building; and

(b) any part of the building that is necessary to provide a continuous accessible path of travel from the principal pedestrian entrance to the proposed new part;

new part in relation to an existing building means a part of that building that is to be altered, including an extension to the building, in respect of which an application for a building permit is made on or after 1 May 2011.

Note

Under section 160B of the Act, a person may apply on the ground of unjustifiable hardship to the Building Appeals Board for a determination that an access provision does not apply, or applies with specified modifications or variations, to a building or land.

Division 4—General

237 Small live music venue classification

Reg. 237(1) amended by S.R. Nos 40/2019 reg. 25(1), 102/2023 reg. 20(1).

(1) The BCA Volume One applies as if, in Schedule 1 to that Volume, for paragraph (c)(iii) of the definition of **Assembly building**, there were substituted—

"(iii) a sports stadium, sporting or other club—

but not including a *small live music venue*; or".

Reg. 237(2) amended by S.R. Nos 40/2019 reg. 25(1), 102/2023 reg. 20(1).

(2) The BCA Volume One applies as if, in Schedule 1 to that Volume, after the definition of **Sitework**, there were inserted—

"**Small live music venue** means the whole or the only part of a Class 6 building that has a rise in storeys of no more than 2—

(a) in which live music entertainment is provided to the public; and

(b) that has a floor area not greater than 500 m^2.".

(3) The BCA Volume One applies as if, at the foot of the Explanatory information in clause A6G7, there were inserted—

"A Class 6 building or part of a Class 6 building in which people assemble for entertainment purposes remains a Class 6 building or part of a Class 6 building if it is a *small live music venue*—see the definition of **Assembly building** in the BCA Volume One."

Reg. 237(3) amended by S.R. Nos 40/2019 reg. 25(2), 102/2023 reg. 20(2).

Part 17—Building product accreditation

Division 1—Definitions

Reg. 238 substituted by S.R. No. 128/2021 reg. 10, amended by S.R. No. 61/2022 reg. 5.

238 Definitions

In this Part and in Forms 19, 19A and 19B—

building product includes a building product, construction method, design, component or system connected with building work;

Committee means the Building Regulations Advisory Committee.

Division 2—Accreditation persons and bodies

Reg. 239 substituted by S.R. No. 61/2022 reg. 6.

239 Prescribed persons and bodies to accredit building products

For the purposes of section 14(1) of the Act, the following persons and bodies are prescribed as a prescribed person or body—

(a) the Australian Building Codes Board;

(b) a person or body authorised by the Australian Building Codes Board.

240 Definition of Certificate of Accreditation in the BCA

Reg. 240(1) amended by S.R. Nos 40/2019 reg. 26(1), 102/2023 reg. 21(1).

(1) The BCA Volume One applies as if, in Schedule 1 to that Volume, in the definition of **Certificate of Accreditation**, for "a State or Territory accreditation authority" there were substituted "the Building Regulations Advisory Committee".

Reg. 240(2) amended by S.R. Nos 40/2019 reg. 26(2), 102/2023 reg. 21(2).

(2) The BCA Volume Two applies as if, in Schedule 1 to that Volume, in the definition of **Certificate of Accreditation**, for "a State or Territory accreditation authority" there were substituted "the Building Regulations Advisory Committee".

Division 3—Accreditation by Committee

241 Application of Division

Reg. 241 substituted by S.R. No. 128/2021 reg. 11.

This Division does not apply—

(a) to a building product that complies with the relevant deemed-to-satisfy provisions of the BCA; or

(b) in relation to an application for accreditation, renewal or variation made to a person or body prescribed under regulation 239.

242 Application for accreditation

* * * * *

Reg. 242(1) revoked by S.R. No. 61/2022 reg. 7(1).

(2) For the purposes of section 14(1A) of the Act, an application for accreditation of a building product must be in the form of Form 19.

Reg. 242(2) substituted by S.R. No. 61/2022 reg. 7(2).

(3) An application must be accompanied by—

(a) the fee prescribed in regulation 244(1); and

(b) if required by the Committee, any one or more of the following—

(i) an appraisal of the building product from an organisation or person that is recognised by the Committee as competent to make the appraisal, including details of the appraiser's qualifications and experience;

(ii) an appraisal of the building product from an organisation or person nominated by the Committee

addressing any matter relating to the properties and performance of a building product requested by the Committee;

(iii) a report from an Accredited Testing Laboratory or a Registered Testing Authority showing that the building product has been submitted to the tests listed in the report and setting out the results of those tests and any other relevant information that demonstrates the suitability of the building product for its proposed purpose;

(iv) any installation manual produced for the building product;

(v) any other information or document required by the Committee.

Reg. 242A inserted by S.R. No. 128/2021 reg. 12.

242A Application for renewal of accreditation

Reg. 242A(1) revoked by S.R. No. 61/2022 reg. 8(1).

* * * * *

Reg. 242A(2) substituted by S.R. No. 61/2022 reg. 8(2).

(2) For the purposes of section 14(3) of the Act, an application for renewal of the accreditation of a building product must be in the form of Form 19A.

(3) The application for renewal of the accreditation may be made 12 months before, but must be made no later than 6 months before, the expiry date of the accreditation.

(4) The application for renewal of the accreditation must be accompanied by—

(a) the fee prescribed in regulation 244(1); and

(b) if required by the Committee, any information or document referred to in regulation 242(3)(b).

242AB Application for variation of accreditation

Reg. 242AB inserted by S.R. No. 61/2022 reg. 9.

For the purposes of section 14(5) of the Act, an application for variation of an accreditation of a building product must be in the form of Form 19A and may be made in respect of one or more of the following matters—

(a) a transfer of the accreditation from the holder of the accreditation to another person;

(b) a change of the name of the holder of the accreditation;

(c) a change of the postal address, telephone number or email of the holder of the accreditation;

(d) a change of the building product name;

(e) a change of the name of one or more components that form part of the accredited building product;

(f) a change to an installation manual for the building product, or to any performance requirement or standard applying to the accredited building product;

(g) a change to the building product to reflect any amendment to a requirement in these Regulations in relation to which the building product is accredited;

(h) a change to any condition imposed by the Committee;

(i) the correction of an error in the certificate of accreditation for the building product;

(j) a change in any other matter relating to the accreditation of the building product, which the Committee considers will not result in a significant departure from the performance of the building product or the purposes for which the building product was originally accredited.

Reg. 242B (Heading) substituted by S.R. No. 61/2022 reg. 10(1).

Reg. 242B inserted by S.R. No. 128/2021 reg. 12.

242B Refusal to accredit, renew or vary an accreditation

(1) The Committee may refuse to accredit a building product or renew an accreditation if—

(a) the application fails to include any information or document referred to in regulation 242(3)(b) within 3 months of a request for that information or document by the Committee; or

(b) the building product is not suitable to be accredited by the Committee or, in the case of an application for renewal of an accreditation, the building product is no longer suitable to be accredited; or

(c) in the case of an application for renewal of an accreditation, the applicant has failed to apply for the renewal within the application period specified in regulation 242A(3); or

(d) the applicant has been convicted or found guilty without conviction of an offence against regulation 250 in the 10-year period preceding the date of the application.

Reg. 242B(1A) inserted by S.R. No. 61/2022 reg. 10(2).

(1A) The Committee may refuse to vary an accreditation of a building product if—

(a) the application is to vary the accreditation in respect of a matter that is not a matter specified in regulation 242AB; or

(b) the variation of the accreditation sought will result in a significant departure from the performance of the building product or the purposes for which the building product was originally accredited; or

(c) the application for variation is made in respect of the matter specified in regulation 242AB(a), and the person to whom the accreditation is to be transferred has been convicted or found guilty without conviction of an offence against regulation 250 within the 10-year period preceding the date of the application.

(2) If the Committee refuses to accredit a building product or renew or vary an accreditation, the Committee must give the applicant written notice of its decision.

Reg. 242B(2) amended by S.R. No. 61/2022 reg. 10(3).

243 Information in application to remain confidential

(1) A person must not disclose, except to the extent necessary to carry out functions or exercise powers under this Part, any information obtained by that person from an application for accreditation, or an application for renewal or variation of an accreditation, unless the disclosure is authorised in writing by the person who made the application.

Reg. 243(1) amended by S.R. Nos 128/2021 reg. 13, 61/2022 reg. 11.

Penalty: 10 penalty units.

(2) A person does not commit an offence under subregulation (1) by disclosing information—

(a) that is contained in the register under regulation 251 at the time of disclosure; or

(b) that has been published in the Government Gazette under regulation 245 or 248 before the disclosure.

Reg. 244 amended by S.R. Nos 128/2021 reg. 14, 61/2022 reg. 12, substituted by S.R. No. 59/2024 reg. 7.

244 Accreditation application fees

(1) The fee for an application for an accreditation of a building product under this Division is 1627·27 fee units.

(2) The fee for an application for a renewal of an accreditation of a building product under this Division is 813·64 fee units.

(3) The fee for an application to vary an accreditation of a building product under this Division is 20·75 fee units.

(4) All fees paid under this Division must be paid into the Building account of the Victorian Building Authority Fund.

Reg. 244A inserted by S.R. No. 128/2021 reg. 15.

244A Notice of accreditation, renewal of, imposition of a condition on, or variation of, an accreditation

Reg. 244A(1) amended by S.R. No. 61/2022 reg. 13(1).

(1) If the Committee decides to accredit a building product or renew an accreditation, the Committee must give the applicant and the Authority a written notice of its decision, which must comply with subregulation (3).

Reg. 244A(2) amended by S.R. No. 61/2022 reg. 13(1)(2).

(2) If the Committee decides to impose a condition on or vary an accreditation in accordance with section 14(4) or (5) of the Act, the Committee must give the applicant and the Authority a written notice of its decision, which must comply with subregulation (3).

(3) A notice given under this regulation must include the following—

(a) the name of the building product;

(b) a description of the building product;

(c) a description of the purpose and use of the building product;

(d) any condition to which the accreditation is subject;

(e) the details of any variation to the accreditation and the date it comes into effect;

(f) the date of the Committee's decision to accredit the building product or renew the accreditation;

(fa) in the case of a renewal of the accreditation, the date the renewed accreditation comes into effect;

Reg. 244A (3)(fa) inserted by S.R. No. 61/2022 reg. 13(3).

(fb) the number assigned to the certificate of accreditation to which the notice relates;

Reg. 244A (3)(fb) inserted by S.R. No. 61/2022 reg. 13(3).

(g) any other information that the Committee considers appropriate.

(4) The Authority must cause to be published in the Government Gazette a notice required to be given under this regulation as soon as practicable after the accreditation, renewal of, imposition of a condition on or variation of an accreditation (as the case requires).

245 Issue or re-issue of a certificate of accreditation

Reg. 245 amended by S.R. No. 128/2021 reg. 16, substituted by S.R. No. 61/2022 reg. 14.

(1) For the purposes of section 14(1B) of the Act, the prescribed form of a certificate of accreditation is in the form of Form 19B.

(2) The Committee must assign a unique number to a certificate of accreditation that is issued for a building product when it is first accredited.

(3) Subject to subregulation (4), the Committee must re-issue a certificate of accreditation to the holder of an accreditation if the Committee renews the accreditation under section 14(3) of the Act or imposes a condition on, or varies, an accreditation under section 14(4) or (5) of the Act.

(4) If the accreditation is varied in respect of the matter specified in regulation 242AB(a), the Committee must re-issue the certificate of accreditation to the person to whom the accreditation is transferred.

(5) A certificate of accreditation that is re-issued under subregulation (3) or (4) must have assigned to it the same unique number that was assigned to the original certificate of accreditation for the building product under subregulation (2).

(6) The Committee may publish a copy of any certificate of accreditation and any document referred to in the certificate on the Committee's website or, if the Committee does not have a website, on the Internet.

246 Revocation of accreditation

(1) The Committee may at any time revoke an accreditation under this Division if it finds that—

(a) the accreditation has been obtained by fraud, misrepresentation or concealment of facts; or

(b) the performance of the building product the subject of the accreditation—

(i) is unsatisfactory; or

(ii) differs or fails to achieve the level of performance for which the building product was accredited; or

(c) the regulation in relation to which the building product was accredited has been amended or revoked.

(2) If the Committee determines to revoke an accreditation—

Reg. 246(2) amended by S.R. No. 128/2021 reg. 17, substituted by S.R. No. 61/2022 reg. 15.

(a) the Committee must notify the Authority in writing of the decision of the Committee; and

(b) the Authority must notify the holder of the accreditation in writing of the decision of the Committee.

247 Holder may request revocation of accreditation

(1) The holder of an accreditation may, in writing, at any time request the Committee to revoke the accreditation.

Reg. 247(1) amended by S.R. No. 61/2022 reg. 16(1).

(2) The Committee must revoke an accreditation under this Division on receipt of a request made under subregulation (1) and notify the Authority in writing of the revocation.

Reg. 247(2) amended by S.R. No. 61/2022 reg. 16(2).

248 Notice of revocation of accreditation

(1) The Authority must cause to be published in the Government Gazette notice of any revocation of an accreditation under this Division as soon as practicable after that revocation.

(2) A notice that an accreditation has been revoked must include the following—

(a) the name of the building product;

(b) a description of the building product;

(c) the number of the certificate of accreditation;

(d) a statement to the effect that the accreditation of the building product has been revoked by the Committee;

(e) the date of the revocation;

(f) any other information the Committee considers appropriate.

Reg. 249 substituted by S.R. No. 61/2022 reg. 17.

249 Accreditation ceases to have effect on revocation

An accreditation ceases to have effect on its revocation under this Division.

Reg. 250 amended by S.R. No. 61/2022 reg. 18.

250 Offence to falsely claim product accredited

A person or body must not knowingly claim that a building product is accredited under the Act if the building product is not accredited in accordance with this Division.

Penalty: 20 penalty units.

Division 4—Register and records

251 Register of accredited products

Reg. 251(1) revoked by S.R. No. 128/2021 reg. 18(1).

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Reg. 251(2) substituted by S.R. No. 40/2019 reg. 27, amended by S.R. No. 128/2021 reg. 18(2).

(2) For the purposes of section 14B of the Act, the register kept by the Authority must contain the following information about accredited building products—

(a) in relation to each accredited building product—

(i) the name of the building product;

(ii) a description of the building product;

(iii) a description of the purpose and use of the building product;

(iv) any regulation in relation to which the building product is accredited;

(v) any condition to which the accreditation is subject;

(vi) the name and address of the holder of the accreditation;

(vii) the number of the certificate of accreditation;

(viii) the date of issue of the certificate of accreditation;

(ix) the date of expiry of the accreditation of the building product;

Reg. 251 (2)(a)(ix) inserted by S.R. No. 128/2021 reg. 18(3).

(x) any date on which the accreditation was renewed;

Reg. 251 (2)(a)(x) inserted by S.R. No. 128/2021 reg. 18(3).

(xi) any date on which the accreditation was varied;

Reg. 251 (2)(a)(xi) inserted by S.R. No. 128/2021 reg. 18(3).

(b) in relation to each formerly accredited building product—

(i) the name of the building product;

(ii) the number of the certificate of accreditation;

(iii) the date of issue of the certificate of accreditation;

(iv) if the accreditation is revoked, the date of revocation of the accreditation;

Reg. 251 (2)(b)(iv) substituted by S.R. No. 128/2021 reg. 18(4).

Reg. 251 (2)(b)(v) inserted by S.R. No. 128/2021 reg. 18(4).

(v) if the accreditation expires, the date of expiry of the accreditation;

(c) any other information that the Committee considers appropriate.

Reg. 251(2A) inserted by S.R. No. 40/2019 reg. 27.

(2A) The information referred to in subregulation (2)(b) is not required to be contained in the register until 1 January 2020.

(3) The Authority must update the register as soon as is practicable after the Committee revokes an accreditation under Division 3.

(4) The Authority must make the register available without charge for inspection by any person during normal office hours.

(5) The Authority may publish the information on the register on the Authority's website.

252 Records

The Authority must keep—

Reg. 252(a) substituted by S.R. No. 128/2021 reg. 19(1).

(a) all documents considered by the Committee in relation to an accreditation under Division 3, including any renewal or variation of the accreditation, until the accreditation expires or is revoked, whichever occurs earlier; and

Reg. 252(b) amended by S.R. No. 128/2021 reg. 19(2).

(b) copies of all certificates of accreditation issued by the Committee.

Division 5—Exemptions relating to accreditation of building products by prescribed persons and bodies

Pt 17 Div. 5 (Heading and regs 253–253B) inserted by S.R. No. 128/2021 reg. 20.

253 Exemption relating to register of accredited products

New reg. 253 inserted by S.R. No. 128/2021 reg. 20.

The Authority is exempt from the requirement under section 14B of the Act to keep a register of building products accredited by a person or body prescribed under regulation 239.

253A Exemption from transitional provisions for building products accredited on or after 1 January 2019

Reg. 253A inserted by S.R. No. 128/2021 reg. 20.

A person or body prescribed under regulation 239 is exempt from the requirements in clause 3 of Part 2 of Schedule 11 to the Act, which relate to the person or body.

253B Exemption from transitional provisions for building products accredited before 1 January 2019

Reg. 253B inserted by S.R. No. 128/2021 reg. 20.

A person or body prescribed under regulation 239 is exempt from the requirements in clause 4 of Part 2 of Schedule 11 to the Act, which relate to the person or body.

Part 18—Building practitioners

Division 1—Registration

* * * * *

Reg. 253 revoked by S.R. No. 75/2018 reg. 14.

Reg. 254 substituted by S.R. No. 75/2018 reg. 15.

254 Information to accompany application for registration

For the purposes of section 170A(e) of the Act, an application for registration under section 170 of the Act must be accompanied by the following information—

(a) any evidence or proof of identity of the applicant that is required by the Authority;

(b) a certified copy of each licence or registration to carry out building work outside of Victoria (if any);

(c) the usual place of business of the applicant;

(d) the business postal address of the applicant;

(e) the telephone number of the applicant;

(f) if the applicant is a natural person—

(i) any information about the applicant's work or employment history and experience in the building industry inside or outside Victoria, including any technical referee report, that is required by the Authority; and

(ii) a certified copy of any academic qualifications for the purposes of section 171(1)(a) or (aa) of the Act; and

Reg. 254(f)(ii) amended by S.R. No. 115/2026 reg. 10.

(iii) the residential address of the applicant;

(g) if the applicant is a body corporate—

(i) the ACN or ARBN of the body corporate; and

(ii) the name of each director of the body corporate; and

(iii) the registration number of each nominee director of the body corporate;

(h) if the applicant carries on business, or intends to carry on business, as a building practitioner as a member of a partnership—

(i) the name of the partnership; and

(ii) the usual place of business of the partnership; and

(iii) the name of each member of the partnership; and

(iv) the registration number of each member of the partnership (if applicable); and

(v) the address of each member of the partnership;

(i) a certified copy of any other document being relied on by the applicant in support of the application.

* * * * *

Reg. 254A inserted by S.R. No. 40/2019 reg. 28, revoked by S.R. No. 101/2020 reg. 6.

Reg. 255 substituted by S.R. No. 75/2018 reg. 15.

255 Certificate of registration

The prescribed information for the purposes of section 171G(2)(c) of the Act is—

(a) the name of the registered person; and

(b) the registration number of the registered person; and

(c) the category and class of registration; and

(d) any condition that applies to the registration; and

(e) the commencement date of the registration; and

(f) the expiry date of the registration.

Reg. 256 amended by S.R. No. 75/2018 reg. 16.

256 Condition of registration

For the purposes of section 171H(1)(a) of the Act, it is a prescribed condition of registration that a building practitioner must not allow another person to use the building practitioner's certificate issued to the building practitioner under section 171G of the Act.

Reg. 256A inserted by S.R. No. 75/2018 reg. 17.

256A Authority to be advised of nominee director changes

(1) For the purposes of section 175C(a) of the Act the prescribed information is—

(a) the name and registration number of the person who has ceased to be a nominee director; and

(b) the day on which the person ceased to be a nominee director.

(2) For the purposes of section 175C(b) of the Act the prescribed information is—

(a) the name and registration number of any new nominee director appointed and the day on which the appointment was made; and

(b) the name and registration number of any person who has ceased to be appointed as a nominee director and the day on which the appointment ceased.

Division 1A—Register of Building Practitioners

Pt 18 Div. 1A (Heading and regs 256B, 256C) inserted by S.R. No. 75/2018 reg. 18.

256B The Register of Building Practitioners

Reg. 256B inserted by S.R. No. 75/2018 reg. 18.

For the purposes of section 175(2) of the Act, the Register of Building Practitioners must include the following information relating to a person who is a registered building practitioner—

(a) the registration number of the person;

(b) any condition that applies to the registration of the person;

(c) the residential address of the person;

(d) the usual place of business of the person;

(e) the business postal address of the person;

(f) the telephone number of the person;

(g) if the person is a body corporate—

(i) the name of each nominee director of the body corporate; and

(ii) the name of each director of the body corporate;

(h) if the person carries on business as a building practitioner as a member of a partnership—

(i) the name of the partnership; and

(ii) the usual place of business of the partnership; and

(iii) the name of each member of the partnership; and

(iv) the registration number of each member of the partnership (if applicable); and

(v) the address of each member of the partnership;

(i) the commencement date of the registration;

(j) the expiry date of the registration;

(k) whether the registration is in force, suspended, surrendered or cancelled;

(l) if the registration is suspended—

(i) the date the registration was suspended; and

(ii) the reason the registration was suspended; and

(iii) the date the registration ceased to be suspended (if applicable);

(m) the date the registration was surrendered (if applicable);

(n) if the registration is cancelled—

(i) the date the registration was cancelled; and

Reg. 256B (n)(ii) amended by S.R. No. 73/2026 reg. 6(1).

(ii) the reason the registration was cancelled;

Reg. 256B(o) inserted by S.R. No. 73/2026 reg. 6(2).

(o) the details in relation to any rectification order issued to the person in the last 5 years, including the following—

(i) the date on which the order was issued;

(ii) the date by which the order must be complied with;

(iii) a summary of the incomplete, non-compliant or defective building work that is the subject of the order;

(iv) a summary of the action required to be taken under the order, including any direction that must be followed or standard that must be met in connection with that action;

(v) if the order is the subject of a review by VCAT;

(vi) if there is an appeal to a court in relation to an order by VCAT after a review of the order;

(vii) if the order is the subject of an application to a court for an injunction;

Reg. 256B(p) inserted by S.R. No. 73/2026 reg. 6(2).

(p) the number of rectification orders issued to the person in the last 5 years—

(i) that have been complied with within the period for compliance, including any extension of that period; and

(ii) that have not been complied with within the period for compliance, including any extension of that period; and

(iii) that have not been complied with but are still within the period for compliance, including any extension of that period; and

(iv) that are under review by VCAT, or the subject of an appeal to a court or subject to an application to a court for an injunction.

Reg. 256C inserted by S.R. No. 75/2018 reg. 18.

256C Publication of information on Register of Building Practitioners

(1) For the purposes of section 175D(1) of the Act, the prescribed information in relation to a person who is a registered building practitioner is—

(a) the name of the person; and

(b) the registration number of the person; and

(c) the category and class of registration of the person; and

(d) any condition on the registration of the person; and

(e) the business postal address of the person; and

(f) the telephone number of the person; and

(g) the name of each nominee director, if the person is a body corporate; and

(h) if the person carries on business as a building practitioner as a member of a partnership—

(i) the name of the partnership; and

(ii) the name of each member of the partnership; and

(iii) the registration number of each member of the partnership (if applicable); and

(iv) the usual place of business of the partnership; and

(i) the commencement date of the registration; and

(j) the expiry date of the registration; and

(k) whether the registration is in force, suspended, surrendered or cancelled; and

(l) if the registration is suspended—

(i) the date the registration was suspended; and

(ii) the reason the registration was suspended; and

(iii) the date the registration ceased to be suspended (if applicable); and

(m) the date the registration was surrendered (if applicable); and

(n) if the registration is cancelled—

(i) the date the registration was cancelled; and

(ii) the reason the registration was cancelled; and

Reg. 256C (1)(n)(ii) amended by S.R. No. 73/2026 reg. 7(1).

(o) the details of any rectification order issued to the person in the last 5 years that are set out in regulation 256B(o) if the order—

Reg. 256C (1)(o) inserted by S.R. No. 73/2026 reg. 7(2).

(i) has not been complied with; and

(ii) has not been set aside by VCAT or a court; and

(iii) is not the subject of an injunction granted by a court; and

(p) the number of rectification orders issued to the person in the last 5 years—

Reg. 256C (1)(p) inserted by S.R. No. 73/2026 reg. 7(2).

(i) that have been complied with within the period for compliance, including any extension of that period; and

(ii) that have not been complied with within the period for compliance, including any extension of that period; and

(iii) that have not been complied with but are still within the period for compliance, including any extension of that period; and

(iv) that are under review by VCAT, or the subject of an appeal to a court or subject to an application to a court for an injunction.

(2) For the purposes of section 175D(2) of the Act, the prescribed information in relation to a person who is a registered building practitioner is—

(a) details of any criminal sanction imposed on the person; and

(b) details of any disciplinary sanction imposed on the person.

Pt 18 Div. 2 (Heading) amended by S.R. No. 2/2024 reg. 4.

Division 2—Prescribed qualifications and classes of building practitioner and prescribed work

Reg. 257 amended by S.R. No. 75/2018 reg. 19(1).

257 Prescribed classes of building practitioner

For the purposes of section 171 of the Act, each class of building practitioner in respect of a category of building practitioner is the class set out in Part 2 of Schedule 9.

Reg. 257A inserted by S.R. No. 115/2026 reg. 11.

257A Prescribed competence criteria

For the purposes of section 171(1)(aa) of the Act, the prescribed competence criteria are set out in Part 2A of Schedule 9.

258 Prescribed qualifications and prescribed experience

Reg. 258 (Heading) amended by S.R. No. 115/2026 reg. 12(1).

(1) For the purposes of section 171(1)(a)(i) and (aa)(i)(A) of the Act, the prescribed qualifications for registration of a category or a class of building practitioner are any degree, diploma, certificate, accreditation, authority, training or examination set out in Part 3 of Schedule 9 for that category or class of building practitioner.

Reg. 258(1) amended by S.R. No. 75/2018 reg. 19(2), substituted by S.R. No. 115/2026 reg. 12(2).

(1A) For the purposes of section 171(1)(a)(i) and (aa)(i)(B), the prescribed experience for registration of a category or a class of building practitioner is any practical experience set out in Part 3 of Schedule 9 for that category or class of building practitioner.

Reg. 258(1A) inserted by S.R. No. 115/2026 reg. 12(2).

(2) In this regulation ***practical experience***—

(a) includes compliance with any supervision requirements during the obtaining of that experience; and

(b) must have been obtained in the 7 years before the application for registration was made.

259 Building surveyor work

Reg. 259 substituted by S.R. No. 2/2024 reg. 5, amended by S.R. No. 115/2026 reg. 13.

A person who is registered under the Act in a class of building surveyor set out in Column 2 of the Table in Schedule 10 is authorised to carry out the work set out in Column 3 of that Table corresponding to that class of building surveyor and, for the purposes of section 169D(1) of the Act, that work is of a prescribed kind.

Reg. 260 substituted by S.R. No. 2/2024 reg. 6, amended by S.R. No. 115/2026 reg. 14.

260 Building inspector work

A person who is registered under the Act in a class of building inspector set out in Column 2 of the Table in Schedule 11 is authorised to carry out the work set out in Column 3 of that Table corresponding to that class of building inspector and, for the purposes of section 169D(1) of the Act, that work is of a prescribed kind.

261 Domestic builder work

A person who is registered in a class of domestic builder set out in column 2 of the Table in Schedule 12 is authorised to carry out the domestic building work set out in column 3 of that Table corresponding to that class of domestic builder.

Pt 18 Div. 3 (Heading and regs 262, 263) substituted by S.R. No. 75/2018 reg. 20.

Division 3—Requirements for advertising and written statements

Reg. 262 substituted by S.R. No. 75/2018 reg. 20.

262 Advertisements or written statements by registered building practitioners

For the purposes of section 169H(c) of the Act, the name and registration number of the registered building practitioner must be clearly legible in the advertisement or statement.

Reg. 263 substituted by S.R. No. 75/2018 reg. 20.

263 Advertisements or written statements by partnerships

For the purposes of section 169I(c) of the Act, the name and registration number of the registered building practitioner must be clearly legible in the advertisement or statement.

Division 3A—Probity and discipline

Pt 18 Div. 3A (Heading and regs 263A–263C) inserted by S.R. No. 75/2018 reg. 20.

263A Authority must be notified of probity matters

Reg. 263A inserted by S.R. No. 75/2018 reg. 20.

(1) A relevant person must notify the Authority in writing within 14 days after any of the following occurs—

(a) the person is convicted or found guilty of an offence referred to in regulation 263B;

(b) the person is convicted or found guilty (whether in Victoria or outside Victoria) of any offence involving fraud, dishonesty, drug trafficking or violence that is punishable by imprisonment for 6 months or more;

(c) the person is convicted or found guilty of an offence under any law regulating building work or building practitioners;

(d) the person has any registration, licence, approval, certificate or other authorisation as a building practitioner suspended or cancelled for any reason other than a failure by the person to renew the registration, licence, approval, certificate or other authorisation;

(e) the person is convicted or found guilty of an offence against—

(i) section 53, 55, 55A, 56, 58 or 60 of the Trade Practices Act 1974 of the Commonwealth; or

(ii) section 29, 33, 34, 35, 36, 50, 151, 157, 158 or 168 of the Australian Consumer Law (Victoria); or

(iii) section 29, 33, 34, 35, 36, 50, 151, 157, 158 or 168 of Schedule 2 to the Competition and Consumer Act 2010 of the Commonwealth;

(f) the person becomes subject to an order of a court or VCAT under the following enactments that has not been complied with within the period required by the court or VCAT—

(i) the Act or these Regulations; or

(ii) the **Domestic Building Contracts Act 1995** or the regulations under that Act;

(g) the person is disqualified from managing corporations under Part 2D.6 of the Corporations Act;

(h) an insurer declines, cancels, or imposes special conditions in relation to, the provision of professional indemnity insurance, public liability insurance or any other indemnity insurance in relation to the person in relation to work as a building practitioner in Victoria or in an equivalent occupation in the building and construction industry in another State or Territory;

(i) the person has outstanding—

(i) any judgment debt for an amount recoverable by an insurer under a policy of insurance for domestic building work referred to in section 137A or 137B of the Act that is not

satisfied within the period required for satisfaction of that debt; or

(ii) any judgment debt for an amount owed to the Authority as a debt due under this Act that has not been satisfied within the period required for satisfaction of that debt; or

(iii) any judgment debt for an amount payable in relation to a domestic building dispute that is not satisfied within the period required for satisfaction of that debt; or

(iv) any amount payable under any dispute resolution order (within the meaning of the **Domestic Building Contracts Act 1995**) or VCAT order requiring the payment of an amount in relation to a domestic building dispute that is not paid within the period required for compliance with that order; or

(v) any unpaid adjudicated amount due to be paid under the **Building and Construction Industry Security of Payment Act 2002** if—

(A) the period for making an adjudication review application under that Act in relation to that amount has expired; and

(B) the person has not made an adjudication review application in relation to that amount within that period.

Penalty: 10 penalty units.

(2) A relevant person must notify the Authority in writing without delay after—

(a) the person becomes an insolvent under administration; or

(b) the person becomes an externally administered body corporate within the meaning of the Corporations Act; or

(c) the person is convicted or found guilty of an offence against section 32 of the **Occupational Health and Safety Act 2004**; or

(d) the person is convicted or found guilty (whether in Victoria or outside Victoria) of an indictable offence involving fraud, dishonesty, drug trafficking or violence; or

(e) the person ceases to be covered by the required insurance; or

(f) the person becomes an excluded person.

Penalty: 10 penalty units.

(3) In this regulation—

relevant person means—

(a) a registered building practitioner; or

(b) a director of a registered body corporate; or

(c) a member of a partnership, which includes a person who carries on business as a building practitioner, other than that person.

Reg. 263B inserted by S.R. No. 75/2018 reg. 20.

263B Grounds for disciplinary action

The prescribed provisions for the purposes of section 179(1)(a)(iii) of the Act are sections 21(1), 23(1), 24(1), 25(1), 25(2),

26(1), 27(1) and 28(1) of the **Occupational Health and Safety Act 2004**.

263C Grounds for immediate suspension

Reg. 263C inserted by S.R. No. 75/2018 reg. 20.

(1) The prescribed provisions for the purposes of section 180(b)(i) of the Act are sections 172(1)(a) and (b) of the Act.

(2) The prescribed provision for the purposes of section 180(b)(iii) of the Act is section 32 of the **Occupational Health and Safety Act 2004**.

Division 4—General

264 Notice of suspension or cancellation of registration

For the purposes of section 183A of the Act—

(a) a notice of suspension of registration must be in the form of Form 20; and

(b) a notice of cancellation of registration must be in the form of Form 21.

265 Professional standards

A registered building practitioner must—

(a) perform work as a building practitioner in a competent manner and to a professional standard; and

(b) immediately inform a client in writing if a conflict of interest arises or appears likely to arise between the building practitioner and that client; and

(c) receive remuneration for services as a building practitioner solely by the professional fee or other benefits specified in the contract of engagement or by the salary and other benefits payable by the building practitioner's employer.

Reg. 266 amended by S.R. No. 75/2018 reg. 21.

266 Duplicate certificate fee

For the purposes of section 171J(a)(ii) of the Act, the prescribed fee for a duplicate building practitioner's certificate is 2·75 fee units.

267 Period for which private building surveyor may not act

The prescribed period for the purposes of section 79(1)(b) of the Act is one year.

Division 5—Exemptions for certain building practitioners

Reg. 268 substituted by S.R. No. 75/2018 reg. 22.

268 Relevant building surveyor exempt from section 24A in relation to certain types of building work

When issuing a permit for building work referred to in section 24B(3) of the Act, a relevant building surveyor is not required to be satisfied that the building work is to be carried out by a builder who is a registered building practitioner as required under section 24B(3)(a) of the Act if the building work is to be carried out by a builder who is solely engaged in the business of constructing Class 10 buildings other than a Class 10b structure constructed for the purpose of displaying a sign.

Reg. 269 revoked by S.R. No. 75/2018 reg. 23, new reg. 269 inserted by S.R. No. 180/2018 reg. 12.

269 Relevant building surveyor exempt from section 24(6) and (7) of the Act in relation to certain building permit applications

A relevant building surveyor is exempt from section 24(6) and (7) of the Act in relation to an application for a building permit—

(a) to construct a Class 10 building; or

(b) to carry out building work on an allotment in a planning scheme other than a planning scheme specified in Schedule 13.

269A Relevant building surveyor exempt from certain requirements in section 24A(1) of the Act in relation to issuing certain building permits

Reg. 269A inserted by S.R. No. 73/2021 reg. 12.

(1) A relevant building surveyor is exempt from the following provisions of the Act, in relation to the issuing of a building permit by the relevant building surveyor during the transition period for the carrying out of domestic building work under a major domestic building contract, if the builder named in the building permit is a relevant building practitioner—

(a) section 24A(1)(a) of the Act in respect of the requirement in section 24B(4)(b) of the Act that a builder's registration authorises the carrying out of the work under a major domestic building contract;

(b) section 24A(1)(c)(ii) of the Act.

(2) In this regulation—

transition period means the period beginning on 1 July 2021 and ending on 31 January 2022.

269B Certain persons exempt from section 169F(1) of the Act

Reg. 269B inserted by S.R. No. 73/2021 reg. 12.

(1) An unregistered person who carries out domestic building work under and in accordance with a major domestic building contract, in partnership with a relevant building practitioner named in a relevant building permit relating to that work, is exempt from section 169F(1) of the Act with respect to the carrying out of that work.

(2) An unregistered person who is employed to carry out domestic building work under and in accordance with a major domestic building contract, by a relevant building practitioner named in a relevant building permit relating to that work, is exempt from section 169F(1) of the Act with respect to the carrying out of that work.

(3) An unregistered person who is engaged to carry out domestic building work under and in accordance with a major domestic building contract, by a relevant building practitioner named in a relevant building permit relating to that work, is exempt from section 169F(1) of the Act with respect to the carrying out of that work.

Reg. 270 revoked by S.R. No. 75/2018 reg. 23.

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Part 19—Appeals and reviews

271 Appeal periods

(1) For the purposes of section 146(1)(a) of the Act, the prescribed appeal period is—

(a) in the case of an appeal against the refusal of a permit, an amendment, an application or an approval—30 days after the day the applicant is notified of the refusal; or

(b) in the case of an appeal against the deemed refusal of a permit or an application—30 days after the day the permit or application is deemed under the Act to have been refused; or

(c) in the case of an appeal against the imposition of a condition on a permit or an approval—30 days after the day the permit is given or the approval is issued; or

(d) in the case of an appeal against the amendment of a permit or an approval—30 days after the day the owner of the building or land to which the permit relates is notified of the amendment; or

(e) in the case of an appeal against a requirement of a reporting authority or relevant building surveyor to give more information about a permit application or to amend a permit application—30 days after the day the applicant is notified of the requirement; or

(f) in the case of an appeal against a refusal by a person or body to make a determination or exercise a discretion under a condition of a permit—30 days after the day the applicant is notified of the refusal; or

(g) in the case of an appeal against a decision to issue a permit that differs from, or fails to implement, a reporting authority's recommendations in a report on the application for the permit—30 days after the day the reporting authority receives notification of the issue of the permit from the relevant building surveyor; or

(h) in the case of an appeal against a direction to fix building work under Division 2 of Part 4 of the Act—7 days after the day the person is given the written direction under section 37C(b) or 37D(2) of the Act; or

(i) in a case of an appeal against the cancellation of an approval under section 71 of the Act—30 days after the day the owner of the building or land concerned is notified of the cancellation; or

(j) in a case of an appeal against the refusal of the Authority to consent to the termination of a building surveyor's appointment under section 81(1) of the Act—30 days after the day the owner or the relevant building surveyor (as the case requires) is notified of the Authority's refusal; or

(k) in the case of an appeal against the refusal of the Authority to consent to the proposed appointment of a private building surveyor or municipal building surveyor under section 81(4) of the Act—30 days after the day the owner or the private building surveyor or municipal building surveyor (as the case requires) is notified of the Authority's refusal; or

(l) in the case of an appeal against a determination under section 87(1) of the Act as to the appropriateness of protection work—14 days after the day the owner and the adjoining owner is given notice of the determination; or

(m) in the case of an appeal against a declaration made under section 89(1) of the Act—30 days after the day the owner or the adjoining owner (as the case requires) is given notice of the declaration; or

(n) in the case of an appeal against a requirement made under section 87 of the Act to give more information—14 days after the day the owner is asked to give more information under section 87(2)(a) of the Act; or

(o) in the case of an appeal against a decision to serve a building notice on an owner—30 days after the day the building notice is served on the owner; or

(p) in the case of an appeal against the making of an emergency order or a building order—30 days after the day the order is served on the person to whom it is directed; or

(q) in the case of an appeal against the imposition of a condition on an emergency order or a building order—30 days after the day the order is served on the person to whom it is directed; or

(r) in the case of an appeal against a refusal to amend or cancel an emergency order or a building order—30 days after the day the owner is notified of the refusal or the day the relevant building surveyor is deemed to have refused to amend or cancel the order; or

(s) in the case of an appeal against a requirement that an order made under the Act be fully complied with—30 days after the day the owner is notified of the requirement; or

(t) in the case of an appeal against a decision of the Authority under section 42 or 43 of the **Building and Construction Industry Security of Payment Act 2002**—30 days after the day the Authority makes the decision; or

(u) in the case of an appeal against a failure by a person or body to make a decision, a determination, an approval, a cancellation or an amendment or to exercise a discretion within a reasonable time—60 days after the request was made to the person or body to make the decision, determination, approval, cancellation or amendment or to exercise the discretion; or

(v) in the case of an appeal against any other decision, determination, declaration or approval or exercise of discretion by a person or body—30 days after the day notification is given of the decision, determination, declaration or approval or exercise of discretion; or

(w) in any other case—30 days after the day of the event in relation to which the appeal is brought.

(2) If an appeal period prescribed under this regulation begins on the day on which a person is notified under the Act or these Regulations but the notice has not been so given, the prescribed appeal period for the purposes of section 146(1)(a) of the Act is—

(a) 37 days after the day of the event that required that notification to be given; or

(b) any longer period that the Building Appeals Board considers appropriate in the circumstances.

272 Appeal, referral and application fees

(1) The fees for making an appeal, a referral or an application to the Building Appeals Board in a matter relating to a Class 1 or 10 building are—

(a) for an appeal under—

(i) section 138, 138A, 140, 141 or 142 of the Act—35·46 fee units; or

Reg. 272 (1)(a)(i) amended by S.R. No. 59/2024 reg. 8(1).

(ii) section 139, 144 or 144A of the Act—28·36 fee units; or

Reg. 272 (1)(a)(ii) amended by S.R. No. 59/2024 reg. 8(2).

(b) for a referral under—

(i) section 150 of the Act—36·26 fee units; or

Reg. 272 (1)(b)(i) amended by S.R. No. 59/2024 reg. 8(3).

(ii) section 151, 152, 153, 154, 155, 156, 157 or 158 of the Act—40·30 fee units; or

Reg. 272 (1)(b)(ii) amended by S.R. No. 59/2024 reg. 8(4).

(c) for an application under—

(i) section 159 of the Act—40·28 fee units; or

Reg. 272 (1)(c)(i) amended by S.R. No. 59/2024 reg. 8(5).

(ii) section 160 of the Act—36·23 fee units; or

Reg. 272 (1)(c)(ii) amended by S.R. No. 59/2024 reg. 8(6).

(iia) section 160A of the Act—40·55 fee units; or

Reg. 272 (1)(c)(iia) inserted by S.R. No. 59/2024 reg. 8(7).

(iii) section 164 of the Act—30·20 fee units.

Reg. 272 (1)(c)(iii) amended by S.R. No. 59/2024 reg. 8(8).

(2) The fees for making an appeal, a referral or an application to the Building Appeals Board in a matter relating to a building other than a Class 1 or 10 building are—

(a) for an appeal under—

(i) section 138, 138A, 140, 141 or 142 of the Act—70·95 fee units; or

Reg. 272 (2)(a)(i) amended by S.R. No. 59/2024 reg. 8(9).

(ii) section 139, 144 or 144A of the Act—47·28 fee units; or

Reg. 272 (2)(a)(ii) amended by S.R. No. 59/2024 reg. 8(10).

(b) for a referral under—

(i) section 150 of the Act—60·45 fee units; or

Reg. 272 (2)(b)(i) amended by S.R. No. 59/2024 reg. 8(11).

(ii) section 151, 152, 153, 154, 155, 156, 157 or 158 of the Act—80·64 fee units; or

Reg. 272 (2)(b)(ii) amended by S.R. No. 59/2024 reg. 8(12).

(c) for an application under—

(i) section 159 of the Act—80·59 fee units; or

Reg. 272 (2)(c)(i) amended by S.R. No. 59/2024 reg. 8(13).

(ii) section 160 of the Act—80·55 fee units; or

Reg. 272 (2)(c)(ii) amended by S.R. No. 59/2024 reg. 8(14).

(iia) section 160A of the Act—101·37 fee units; or

Reg. 272 (2)(c)(iia) inserted by S.R. No. 59/2024 reg. 8(15).

(iii) section 164 of the Act—50·35 fee units.

Reg. 272 (2)(c)(iii) amended by S.R. No. 59/2024 reg. 8(16).

(3) The fee for making an application to the Building Appeals Board under section 160B of the Act is 55·31 fee units.

Reg. 272(3) substituted by S.R. No. 59/2024 reg. 8(17).

273 Fees for fast track appeals

Reg. 273(1) amended by S.R. No. 59/2024 reg. 9(1).

(1) The fee for making a request to the Building Appeals Board under section 147(1) of the Act is 75·68 fee units.

Reg. 273(2) amended by S.R. No. 59/2024 reg. 9(2).

(2) For the purposes of section 147(3)(b) of the Act, the additional prescribed fee is 15·13 fee units per hour or part of an hour.

274 Refund of fees by Authority

(1) The Authority may refund, from the Building account of the Victorian Building Authority Fund, in whole or in part, any fee paid to the Building Appeals Board under this Part if the appeal, request, application or referral does not proceed.

(2) The Building Appeals Board must refund from the Victorian Building Authority Fund any fee paid for a request under regulation 273(1) if the request is refused.

Reg. 274A inserted by S.R. No. 59/2024 reg. 10.

274A Exemptions to pay fees under this Part

(1) A person is exempt from having to pay the whole or part of a fee payable to the Building Appeals Board, which is prescribed under this Part, if any of the persons referred to in subregulation (2) is satisfied that payment of the whole or part of the fee will cause the person to suffer financial hardship.

(2) For the purposes of subregulation (1), any of the following persons may decide that a person will suffer financial hardship if the person is required to pay the whole or part of a fee payable to the Building Appeals Board under this Part—

(a) the chairperson of the Building Appeals Board;

(b) the deputy chairperson of the Building Appeals Board;

(c) the Registrar of the Building Appeals Board.

275 Review period

The period within which an application for review by VCAT under section 25J of the Act must be lodged is—

(a) 60 days after the day that the applicant is notified of the decision to be reviewed; or

(b) if the application is for the review of a failure to make a decision within a reasonable time—67 days after the day a request was made to the Authority to make that decision.

Part 20—Infringement notices

276 Authorised officers

The prescribed office or class of officers for the purposes of the definition of ***authorised officer*** in section 254 of the Act are—

Reg. 276(a) amended by S.R. No. 75/2018 reg. 24.

(a) the Chief Executive Officer or a VBA inspector, for offences against regulations 41(1), 41(2), 197(2), 199(2), 216(2), 218(3), 223(1), 223(2), 225, 226(1), 227 and 228; and

(b) the chief officer, for offences against regulations 199(2), 216(2), 223(1), 223(2), 225, 226(1), 227 and 228; and

Reg. 276(c) amended by S.R. Nos 75/2018 reg. 24, 116/2019 reg. 12, 83/2020 reg. 6.

(c) the municipal building surveyor, for offences against regulations 41(1), 41(2), 147C, 147L(2), 147M(2), 147N(2), 147O(2), 147V(1), 147X(3), 147ZC, 147ZJ(4), 166D, 166H, 197(2), 199(2), 216(2), 218(3), 223(1), 223(2), 225, 226(1), 227 and 228.

277 Prescribed offences

Reg. 277 amended by S.R. Nos 75/2018 reg. 24, 116/2019 reg. 13, 83/2020 reg. 7.

The prescribed offences for the purposes of the definition of ***prescribed offence*** in section 254 of the Act are offences against regulations 41(1), 41(2), 147C, 147L(2), 147M(2), 147N(2), 147O(2), 147V(1), 147X(3), 147ZC, 147ZJ(4), 166D, 166H, 197(2), 199(2), 216(2), 218(3), 223(1), 223(2), 225, 226(1), 227 and 228.

278 Prescribed penalties

The prescribed penalty for the purposes of section 255(3) of the Act is—

(a) 5 penalty units in the case of a place of public entertainment; and

(b) 2 penalty units in any other case.

Part 21—Exemptions

279 Exemptions from building regulations

A building or building work specified in column 2 of the Table in Schedule 3 is exempt from the regulations specified in column 3 of that Table corresponding to that building or building work.

280 Exemption for Class 10 buildings on farm land

(1) The relevant council may exempt a Class 10 building that is to be constructed on farm land and used for farming purposes from all or any of the requirements of these Regulations.

(2) If the relevant council grants an exemption from all of these Regulations under subregulation (1), a building permit and certificate of final inspection under the Act are not required for that building.

281 Exemptions relating to building surveyors for certain buildings

Sections 23, 30, 47 and 73 of the Act do not apply to a relevant building surveyor in relation to the following classes of buildings—

(a) premises that are used or intended to be used for the provision of residential accommodation by—

(i) a community service established under section 44 of the **Children, Youth and Families Act 2005**; or

(ii) a registered community service within the meaning of that Act that is situated on Crown land or land in relation to which the Secretary to the Department of Health and Human Services or the Director of Housing is registered as proprietor;

Reg. 281(b) amended by S.R. No. 115/2026 reg. 15(1).

(b) before 30 September 2026, premises that are used or intended to be used as—

(i) a remand centre within the meaning of the **Children, Youth and Families Act 2005**; or

(ii) a secure welfare service within the meaning of that Act; or

(iii) a youth justice centre within the meaning of that Act;

(iv) a youth residential centre within the meaning of that Act; or

Reg. 281(ba) inserted by S.R. No. 115/2026 reg. 15(2).

(ba) on and from 30 September 2026, premises that are used or intended to be used as—

(i) a secure welfare service within the meaning of the **Children, Youth and Families Act 2005**; or

(ii) a youth justice custodial centre within the meaning of the **Youth Justice Act 2024**; or

(c) premises that are used or intended to be used as—

(i) a prison established under section 10 of the **Corrections Act 1986**; or

(ii) a community corrections centre established under Part 9 of that Act;

(d) premises that are used or intended to be used as a residential institution within the meaning of the **Disability Act 2006**;

(e) premises that are used or intended to be used as a residential service within the meaning of the **Disability Act 2006**;

(f) premises that are used or intended to be used as a courthouse by a court;

(g) premises that are used or intended to be used as a police station;

(h) premises that are used or intended to be used as a designated mental health service within the meaning of the **Mental Health Act 2014**;

(i) premises that are used or intended to be used as a youth refuge or a women's refuge operated with funding provided by the Secretary to the Department of Health and Human Services for the purpose of providing a refuge.

281A Exemption from certain fees

Reg. 281A inserted by S.R. No. 101/2020 reg. 7.

(1) An applicant for registration as a building practitioner is exempt from a fee payable under section 170A of the Act if the applicant provides evidence to the satisfaction of the Authority that—

(a) the applicant's employer is entitled to a jobkeeper payment for the applicant under Division 2 of Part 2 of the Commonwealth Rules; or

(b) the applicant is entitled to a jobkeeper payment under Division 3 of Part 2 of the Commonwealth Rules; or

(c) the applicant qualifies for a jobseeker payment under, and within the meaning of, Division 1 of Part 2.12 of Chapter 2 of the Social Security Act 1991 of the Commonwealth.

(2) A registered building practitioner is exempt from a fee payable under section 172 or in relation to section 173 of the Act if the registered building practitioner provides evidence to the satisfaction of the Authority that—

(a) the registered building practitioner's employer is entitled to a jobkeeper payment for the registered building practitioner under Division 2 of Part 2 of the Commonwealth Rules; or

(b) the registered building practitioner is entitled to a jobkeeper payment under Division 3 of Part 2 of the Commonwealth Rules; or

(c) the registered building practitioner qualifies for a jobseeker payment under, and within the meaning of, Division 1 of Part 2.12 of Chapter 2 of the Social Security Act 1991 of the Commonwealth.

(3) Subregulations (1) and (2) apply to a fee that becomes payable during the period beginning on the commencement of this regulation and ending on 30 June 2021.

(4) In this regulation—

Commonwealth Rules means the Coronavirus Economic Response Package (Payments and Benefits) Rules 2020 of the Commonwealth or any subsequent corresponding rules of the Commonwealth;

jobkeeper payment has the same meaning as in section 4 of the Commonwealth Rules.

Reg. 281B inserted by S.R. No. 101/2020 reg. 8.

281B Exemption from building permit levy for building work relating to social housing

(1) An applicant for a building permit is exempt from the requirement to pay any building permit levy imposed under section 205G(2A) of the Act for building work the subject of the permit—

(a) if the building work includes the construction of social housing; and

(b) on completion of the building work, the social housing will be owned, controlled or managed by the Director of Housing.

(2) An applicant for a building permit is exempt from the requirement to pay any building permit levy imposed under section 205G(2A) of the Act for building work the subject of the permit—

(a) if the building work includes the construction of social housing; and

Reg. 281B (2)(a) amended by S.R. No. 72/2026 reg. 5(1).

(b) the social housing is fully or partially funded under a program for the funding of social housing specified in a list which is established, kept and published by the Authority in accordance with subregulation (3); and

(c) on completion of the building work, the social housing will be owned, controlled or managed by a participating registered agency.

(2A) An applicant for a building permit is not required to pay the building permit levy imposed by section 205G(2E) of the Act in respect of building work for which the building permit is required, if—

Reg. 281B(2A) inserted by S.R. No. 72/2026 reg. 5(2).

(a) the building work includes the construction of social housing; and

(b) on completion of the building work, the social housing will be owned, controlled or managed by the Director of Housing.

(2B) An applicant for a building permit is not required to pay the building permit levy imposed by section 205G(2E) of the Act in respect of building

Reg. 281B(2B) inserted by S.R. No. 72/2026 reg. 5(2).

work for which the building permit is required, if—

(a) the building work includes the construction of social housing; and

(b) the social housing is fully or partially funded under a program specified in the list established, kept and published by the Authority in accordance with subregulation (3); and

(c) on completion of the building work, the social housing will be owned, controlled or managed by a participating registered agency.

Reg. 281B(3) amended by S.R. No. 72/2026 reg. 5(3)(a).

(3) For the purposes of subregulations (2)(b) and (2B)(b), the Authority must—

Reg. 281B (3)(a) amended by S.R. No. 72/2026 reg. 5(3)(b).

(a) establish, keep and publish on its website, a list that specifies any program (including the name of the program and a description of that program) for the funding of social housing (a ***program***), that is in operation at the time of establishing the list and first publishing the list; and

(b) ensure that the list is amended as soon as is practicable after a program specified on the list has ceased to operate or a new program has commenced operation; and

(c) republish the list on its website as soon as is practicable after the list has been amended.

(4) The Authority must consult with the Director of Housing before publishing a list in accordance with subregulation (3).

(5) The list published under subregulation (3) must not disclose the names of any natural person or the address of any property.

(6) An exemption under this regulation applies to—

(a) the whole of the building work if the building work includes the construction of social housing; and

(b) building work carried out under a staged permit if that staged permit, or any previous or subsequent staged permit, relates to building work that includes the construction of social housing.

281C Refund of certain building permit levy

Reg. 281C inserted by S.R. No. 101/2020 reg. 8.

(1) This regulation applies in respect of an application for a building permit accepted by a building surveyor on or after 1 January 2020 and before the commencement of this regulation where the building work the subject of the permit—

(a) includes the construction of social housing; and

(b) either of the following applies—

(i) on completion of the building work, the social housing will be owned, controlled or managed by the Director of Housing;

(ii) on completion of the building work, the social housing will be owned, controlled or managed by a participating registered agency and the social housing is fully or partially funded under a program approved by the Director of Housing.

Reg. 281C(2) amended by S.R. No. 72/2026 reg. 6(1).

(2) Any amount of building permit levy imposed under section 205G(2A) of the Act in relation to the building work that is paid by the applicant to the Authority before or after the commencement of this regulation must be refunded by the

Authority to the applicant from the Building account on receiving an application from the applicant for the refund in a form approved by the Authority.

Reg. 281C(3) substituted by S.R. No. 72/2026 reg. 6(2).

(3) In this regulation—

Building account means the Building account of the Victorian Building Authority Fund established under section 205 of the Act.

Reg. 281D inserted by S.R. No. 101/2020 reg. 8, amended by S.R. No. 72/2026 reg. 7.

281D Authority is exempted from calculation and notification requirements

The Authority is exempted from the requirements under section 205I(1)(b) and (2)(b) of the Act in relation to a building permit levy for building work that is subject to an exemption under regulation 281B.

Reg. 281E inserted by S.R. No. 59/2024 reg. 11.

281E Exemption from certain fees payable to the Authority under these Regulations

(1) A person is exempt from having to pay the whole or part of a fee payable to the Authority, which is prescribed under these Regulations, if the Authority is satisfied that payment of the whole or part of the fee will cause the person to suffer financial hardship.

(2) For the purposes of subregulation (1), the Authority may decide that a person will suffer financial hardship if the person is required to pay the whole or part of a fee payable to the Authority under these Regulations.

Reg. 282 revoked by S.R. No. 38/2018 reg. 282(2).

* * * * *

Part 22—Transitional and savings provisions

283 Registration of building practitioners not affected by revocation of Building Interim Regulations 2017

The revocation of the Building Interim Regulations 2017 does not affect the registration under Part 11 of the Act of any building practitioner who was registered or taken to be registered under that Part immediately before that revocation.

284 Domestic builder (manager)

(1) Despite the revocation of the Building Interim Regulations 2017, a person registered under Part 11 of the Act in the category of builder, class of domestic builder (manager) immediately before 1 July 2017 and to whom regulation 2046(2) of the Building Interim Regulations 2017 as in force immediately before its revocation applied, continues to be registered under Part 11 of the Act in that class of domestic builder until the latest day applicable under subregulation (1A).

Reg. 284(1) amended by S.R. No. 73/2021 reg. 13(1).

(1A) If a person to whom subregulation (1) applies is named as the builder in one or more relevant building permits or building permits issued during the period beginning on 1 July 2018 and ending on 30 June 2021, the person continues to be registered under Part 11 of the Act in the category of builder, class of domestic builder (manager) until whichever is the later of the following days—

Reg. 284(1A) inserted by S.R. No. 73/2021 reg. 13(2).

(a) 30 June 2022;

(b) the day on which an occupancy permit or certificate of final inspection is issued in relation to the last building permit;

(c) the day on which the last building permit expires.

Reg. 284(2) amended by S.R. No. 73/2021 reg. 13(3).

(2) For the purposes of subregulations (1) and (1A), the relevant qualifications set out in the table in Schedule 7 of the Building Interim Regulations 2017, as in force before being substituted by regulation 15 of the Building Amendment Regulations 2017, are taken to be the prescribed qualifications for the category of builder, class of domestic builder (manager), until the latest day applicable under subregulation (1A).

285 Appointment of private building surveyor

Section 78(1A) of the Act does not apply in relation to domestic building work—

(a) to be carried out under a major domestic building contract entered into by a builder before 1 September 2016; or

(b) in respect of which a builder acts or proposes to act as a domestic builder before 1 September 2016.

* * * * *

Pt 23 (Heading and reg. 286) amended by S.R. Nos 42/2020 reg. 10, 50/2022 reg. 5, 65/2023 reg. 5, revoked by S.R. No. 59/2024 reg. 12.

Schedule 1—Revocations

Regulation 4

Table

S.R. No.	*Title*
31/2017	Building Interim Regulations 2017
65/2017	Building Amendment Regulations 2017
81/2017	Building Further Amendment Regulations 2017
87/2017	Building Amendment (Macedon Ranges Siting Requirements and Other Matters) Regulations 2017
136/2017	Building Amendment (Powers of Entry and Other Matters) Regulations 2017
26/2018	Building Amendment (National Construction Code Amendment and Siting Requirements) Regulations 2018

Schedule 2—Duties and responsibilities of an owner-builder

Regulation 19

1	Understanding the restrictions imposed by the Act and these Regulations on the carrying out of domestic building work, including those referred to in section 16 of the Act, which include that building work must be carried out under a building permit.
2	Understanding the process of applying to the municipal building surveyor, or appointing a private building surveyor under Part 6 of the Act, to obtain a building permit and understanding the circumstances under which the relevant building surveyor must not issue a building permit.
3	Ensuring building work is inspected as required by the Act and these Regulations.
4	Understanding the requirement for, and knowing when to apply for and obtain, an occupancy permit or certificate of final inspection.
5	Understanding the requirement for entering a major domestic building contract when engaging a domestic builder to undertake certain building work.
6	Understanding the requirement to engage a building practitioner registered under Part 11 of the Act to carry out certain building work if required by the Act and these Regulations.
7	Understanding the requirement to engage licensed or registered practitioners, other than building practitioners registered under Part 11 of the Act, to undertake forms of regulated work, such as plumbing or electrical work.
8	Understanding the processes available to resolve domestic building work disputes under the **Domestic Building Contracts Act 1995**.
9	Undertaking relevant planning and preparation for carrying out building work.

10	Complying with site safety requirements, including development, communication, monitoring and maintenance of site safety plans, and any relevant requirement under the **Occupational Health and Safety Act 2004** and the regulations under that Act, for carrying out building work.
11	Supervising the carrying out of all building work and ensuring that it complies with the Act and these Regulations.
12	Ensuring building work is undertaken in accordance with the requirements of any relevant environmental laws.
13	Understanding when directions to fix building work can be made and when and how enforcement of safety and building standards can be undertaken in relation to domestic building work subject to a certificate of consent.
14	Arranging any required protection works.
15	Interpreting plans, drawings and specifications relating to the building work.
16	Setting out and preparing the building site according to plans and specifications.
17	Understanding requirements for the sale of an owner-built home under section 137B of the Act, including the requirement to obtain insurance for the building work carried out by the owner-builder.
18	Ensuring knowledge of and obtaining insurance to cover any loss, damage or injury to the owner-builder or others incurred in connection with the carrying out of the building work.
19	Ensuring knowledge of warranties implied into a contract for the sale of an owner-built home under section 137C of the Act.
20	Any other duty or responsibility of an owner-builder imposed by the Act, these Regulations, the **Domestic Building Contracts Act 1995** or the regulations made under that Act.

Schedule 3—Exemptions for building work and buildings

Sch. 3 amended by S.R. Nos 75/2018 reg. 25, 40/2019 reg. 29, 116/2019 reg. 14, 21/2020 reg. 5, 80/2023 reg. 9, 102/2023 reg. 22, 115/2026 reg. 16.

Regulations 23, 185, 279

Table

Item	*Column 2* *Description of building or building work exempted from building permit and occupancy permit*	*Column 3* *Building regulations that building or building work exempted from*
1	Construction of a freestanding Class 10a building that— (a) has a floor area not exceeding 10 m^2; and (b) is no more than 3 m in height or, if situated within 1 m of a boundary, is no more than 2·4 m in height; and (c) if appurtenant to a building of another Class on the same allotment, is located no further forward on the allotment than the front wall of the building to which it is appurtenant; and (d) if it is not appurtenant to a building of another Class on the same allotment, is the only Class 10a building on the allotment and is set back at least 9 m from the front street alignment and at least 2 m from each side street alignment; and (e) is not constructed of masonry. **Note** The consent of a service authority may be required to construct a Class 10a building 10 m^2 or less in an area over an easement vested in that authority under another Act or within 1 m laterally of any works of a water supply authority.	All Parts

Column 1 *Item*	*Column 2* *Description of building or building work exempted from building permit and occupancy permit*	*Column 3* *Building regulations that building or building work exempted from*
2	Demolition of a freestanding Class 10 building that— (a) is not constructed of masonry; and (b) does not exceed 40 m^2 in floor area; and (c) will not adversely affect the safety of the public or occupiers of the building; and (d) is not work carried out on, or in connection with, a building included on the Heritage Register within the meaning of the **Heritage Act 2017**. **Note** This building work may require approval from the Executive Director within the meaning of the **Heritage Act 2017** under that Act. Certain building work that does not require a building permit may require a planning permit under the **Planning and Environment Act 1987**.	All Parts
3	Repair, renewal or maintenance of a part of an existing building, if the building work— (a) will not adversely affect the structural soundness of the building, and does not include— (i) an increase or decrease in the floor area or height of the building; (ii) underpinning or replacement of footings; or	All Parts

Column 1	*Column 2*	*Column 3*
Item	*Description of building or building work exempted from building permit and occupancy permit*	*Building regulations that building or building work exempted from*
	(iii) the removal or alteration of any element of the building that is contributing to the support of any other element of the building; and (b) is done using materials commonly used for the same purpose as the material being replaced; and (c) will not adversely affect the safety of the public or occupiers of the building; and (d) will not adversely affect an essential safety measure relating to the building. **Note** Certain building work that does not require a building permit may require a planning permit under the **Planning and Environment Act 1987** or may be in a heritage overlay and be required to be maintained using particular materials. If the contract price for the carrying out of domestic building work is more than $5000 (or any higher amount fixed by the regulations made under the **Domestic Building Contracts Act 1995**), the builder is required to enter into a major domestic building contract with the owner under the **Domestic Building Contracts Act 1995**.	
4	Alterations to a building, if the building work— (a) will not adversely affect the structural soundness of the building, and does not include— (i) an increase or decrease in the floor area or height of the building; or	Parts 3 to 19

Column 1	*Column 2*	*Column 3*
Item	*Description of building or building work exempted from building permit and occupancy permit*	*Building regulations that building or building work exempted from*
	(ii) underpinning or replacement of footings; or (iii) the removal or alteration of any element of the building that is contributing to the support of any other element of the building; and (b) will not project beyond the street alignment; and (c) will not adversely affect the safety of the public or occupiers of the building; and (d) is not work carried out on, or in connection with, a building included on the Heritage Register within the meaning of the **Heritage Act 2017**; and (e) is not work in relation to, and will not adversely affect, an essential safety measure relating to the building. **Note** Certain building work that does not require a building permit may require a planning permit under the **Planning and Environment Act 1987** or may be in a heritage overlay and be required to be maintained using particular materials. If the contract price for the carrying out of domestic building work is more than $5000 (or any higher amount fixed by the regulations made under the **Domestic Building Contracts Act 1995**), the builder is required to enter into a major domestic building contract with the owner under the **Domestic Building Contracts Act 1995**.	

Column 1 *Item*	*Column 2* *Description of building or building work exempted from building permit and occupancy permit*	*Column 3* *Building regulations that building or building work exempted from*
5	Any building that is not of a Class listed in clauses A6G2 to A6G11 of the BCA Volume One and clauses A6G2 to A6G11 of the BCA Volume Two.	All Parts
6	A building used only temporarily for the duration of building work for— (a) construction purposes; or (b) display purposes.	All Parts
7	Temporary structures other than those to which regulation 207, item 20 or item 21 applies.	All Parts
8	A swimming pool or spa that is not capable of containing water to a depth of greater than 300 mm.	All Parts
	* * * * *	
10	A fence (other than a fence forming part of a safety barrier for a swimming pool or spa or a fence forming part of an outdoor play space associated with a children's service)— (a) not exceeding 2 m in height; and (b) not exceeding 1·5 m in height when within 3 m of a street (which is not a lane, footway, alley or right of way) alignment and which is not constructed of masonry, concrete or similar material; and	All Parts except reg. 89(1) and Schedule 6

Column 1 *Item*	*Column 2* *Description of building or building work exempted from building permit and occupancy permit*	*Column 3* *Building regulations that building or building work exempted from*
	(c) not exceeding 1·2 m in height when within 3 m of a street (which is not a lane, footway, alley or right of way) alignment and which is constructed of masonry, concrete or similar material; and (d) not exceeding 1 m in height above the footpath when within 9 m of a point of intersection of street alignments.	
11	A chain wire fence surrounding a tennis court.	All Parts
12	A Class 10b structure constructed for the purpose of displaying a sign if that structure is— (a) less than 3 m from a street alignment and does not exceed 1 m in height above ground level; or (b) not less than 3 m from a street alignment and does not exceed— (i) a height of 8 m above ground level; and (ii) 6 m^2 in display area.	All Parts
13	Any mast, pole, antenna, aerial or similar Class 10b structure— (a) attached to a building and which does not exceed a height of 3 m above the highest point of the attachment to the building; or (b) not attached to a building and which does not exceed a height of 8 m above ground level.	All Parts

Column 1 *Item*	*Column 2* *Description of building or building work exempted from building permit and occupancy permit*	*Column 3* *Building regulations that building or building work exempted from*
14	Any facility (within the meaning of paragraph (b) of the definition of ***facility*** in section 7 of the Telecommunications Act 1997 of the Commonwealth) and construction or demolition of such a facility by a carrier (within the meaning of that section).	Parts 3 to 19 except Part 5
15	Any retaining wall less than 1 m in height that is not associated with other building work or with protection of adjoining property.	Parts 3 to 19
16	A pergola that— (a) is not more than 3·6 m in height; and (b) in the case of a pergola that is appurtenant to a Class 1 building, is located no further forward on the allotment than 2·5 m forward of the front wall of that building; and (c) in any other case, is located no further forward on the allotment than the front wall of that building to which it is appurtenant; and (d) has a floor area not exceeding 20 m^2.	Parts 3 to 19
17	Installation of a wood or solid fuel household heating appliance. **Note** Installation of a wood or solid fuel burning heater is plumbing work and must be carried out by a licensed plumber.	Parts 3 to 19

Column 1 *Item*	*Column 2* *Description of building or building work exempted from building permit and occupancy permit*	*Column 3* *Building regulations that building or building work exempted from*
18	A relocatable building that is a movable unit within the meaning of the **Housing Act 1983** that is constructed for a community service and is to be used or intended to be used to provide temporary accommodation on a non-profit basis if— (a) the building has a floor area not exceeding 30 m^2; and (b) the building is located no further forward on the allotment than the front wall of the building to which it is appurtenant; and (c) the building or building work will not adversely affect the structural soundness of that, or any other building; and (d) the building or building work will not adversely affect the safety of the public or the occupiers of the building; and (e) the building is set back from an allotment boundary not less than 1 m; and (f) the building does not exceed a height of 3·6 m; and (g) the building work will not involve construction over an easement vested in a service authority from whom a report and consent is required under regulation 130.	Parts 3 to 19

Column 1 *Item*	*Column 2* *Description of building or building work exempted from building permit and occupancy permit*	*Column 3* *Building regulations that building or building work exempted from*
19	A relocatable building used as a school or TAFE institute within the meaning of the **Education and Training Reform Act 2006** if— (a) the building has a floor area not exceeding 300 m^2; and (b) the building or building work will not adversely affect the structural soundness of that, or any other building; and (c) the building or building work will not adversely affect the safety of the public or the occupiers of the building.	Parts 3 to 19
20	Assembling, erecting or installing a relocatable swimming pool or a relocatable spa.	Parts 3 to 9, 10 to 19
21	Assembling, erecting or installing a swimming pool or spa barrier that is relocatable around a relocatable swimming pool or relocatable spa.	Parts 3 to 9, 10 to 19
22	Replacement or alteration of any part of a barrier for a swimming pool or spa if the building work is being carried out to rectify the non-compliance of the barrier with the applicable barrier standard identified in an inspection carried out by a swimming pool and spa inspector unless the building work involves— (a) replacement or alteration of sections, parts or components of the barrier that when combined, comprise more than 50% of the existing length of the barrier; or (b) replacement or alteration of posts or footings of the barrier; or	Parts 3 to 9, 10 to 19

Column 1 *Item*	*Column 2* *Description of building or building work exempted from building permit and occupancy permit*	*Column 3* *Building regulations that building or building work exempted from*
	(c) the use of materials in the barrier that are not commonly used for the same purpose as the material being replaced in the barrier; or (d) an increase or decrease in the length of the barrier, or the size of the area enclosed by the barrier; or (e) replacement or alteration of any part of a retaining wall that forms part of the barrier.	
23	Building work for or in connection with the demolition or removal of a building if— (a) the building was substantially damaged or destroyed by an emergency (within the meaning of Part 11A); and (b) the building work is carried out by or on behalf of the State; and (c) the work is not carried out on, or in connection with, a place included on the Heritage Register within the meaning of the **Heritage Act 2017**. **Notes** 1 This building work may require approval from the Executive Director within the meaning of the **Heritage Act 2017** under that Act. 2 A planning permit may also be required for this building work—see the **Planning and Environment Act 1987**.	All Parts

Schedule 4—Forms

FORM 1

Sch. 4 Form 1 substituted by S.R. Nos 75/2018 reg. 26, 101/2020 reg. 9, 128/2021 reg. 21, amended by S.R. Nos 132/2023 reg. 19, 125/2025 reg. 4, 72/2026 reg. 8.

Regulation 24

Building Act 1993

Building Regulations 2018

APPLICATION FOR A BUILDING PERMIT

To (Building surveyor)

From

*Owner/*Agent of owner

*ACN/*ARBN

Postal address of applicant

Postcode

Email

Address for serving or giving of documents

Postcode

Indicate if the applicant is a lessee or licensee of Crown land to which this application applies ☐†

Contact person Telephone

Lessee responsible for building work

Indicate if a lessee of the building, of which parts are leased by different persons, is responsible for the alterations to a part of the building leased by that lessee ☐†

***Ownership details** (if applicant is agent of owner)

Name of owner(s) [*insert full name(s)*]

*ACN/*ARBN

Postal address

Postcode

Contact person Telephone

Email

Property details

Number	Street/road	City/suburb/town	Postcode
Lot/s	LP/PS	Volume	Folio
Crown allotment	Section	Parish	County
Municipal district		Allotment area (for new dwellings only) m^2	
Land owned by the Crown or a public authority		☐†	

Builder

Name Telephone

*ACN/*ARBN

*Building practitioner registration no.

Postal address Postcode

[*If the builder is carrying out domestic building work under a major domestic building contract, attach an extract of the major domestic building contract showing the names of the parties to the contract in relation to the proposed building work and a copy of the certificate of insurance (if applicable).*]

***Natural person for service of directions, notices and orders** (if builder is a body corporate)

Name Telephone

Postal address Postcode

Building practitioner or architect engaged to prepare documents for this permit

[*List any building practitioner or architect engaged to prepare documents forming part of the application for this permit.*]

Name	Category/class	Registration no.
Name	Category/class	Registration no.

Nature of building work

Construction of a new building	☐†	Alterations to an existing building	☐†
Demolition of a building	☐†	Removal of a building	☐†
Extension to an existing building	☐†	Change of use of an existing building	☐†
Re-erection of a building	☐†	Construction of swimming pool barrier	☐†
Construction of swimming pool	☐†	Construction of a small second dwelling	☐†
Other [*give description*]	☐†		

Proposed use of building

Note
Under the **Building Act 1993** ***swimming pool*** is defined to include a spa.

Social housing

Does any of the building work include the construction of social housing as referred to in regulation 281B of the Building Regulations 2018? [*Yes/No*]

[*Indicate Yes if the building work, which is the subject of this application, includes the construction of social housing or if other building work, which is the subject of a related staged building permit, includes the construction of social housing.*]

Emergency recovery

Does any of the building work include the construction of a dwelling that was destroyed or damaged in an emergency referred to in regulation 166J(b) of the Building Regulations 2018?

[*Yes/No*]

[*Indicate Yes if the building work, which is the subject of this application, includes the construction or repair of a dwelling within the same municipal district as the destroyed or damaged residential dwelling.*]

Cost of the building work

Note

All costs specified in an application are to be inclusive of GST.

***If application for a building permit is made by a person other than an owner-builder**

Part A

Is there a contract or agreement (other than a cost-plus contract or agreement) with a builder or contractor for carrying out the building work? [*Yes/No*]

If yes, specify the contract price or agreed amount to be paid to the builder or contractor (including for the cost of labour and materials) under the contract or agreement $

If no, is there a cost-plus contract or agreement with a builder or contractor for carrying out the building work? [*Yes/No*]

If yes, specify the builder's or contractor's estimate of the total amount that the builder or contractor will receive or is likely to receive (including for the cost of labour and materials) under the contract or agreement $

Specify the cost of any chattel under the contract or agreement $

Specify the cost of any prescribed excluded item under the contract or agreement $

Part B

Specify the class or classes of building to which the building work relates:

Does the building work relate to both—

(i) one or more buildings in a class 2, 3, 4, 5, 6, 7 or 8 building; and

(ii) one or more buildings in a class 1, 9 or 10 building? [*Yes/No*]

If yes, specify the information required under Part A and under Part C (if applicable) according to whether the building work relates to—

(i) buildings in a class 2, 3, 4, 5, 6, 7 or 8 building; and

(ii) buildings in a class 1, 9 or 10 building.

Part C

All stages of staged building work

Does the application relate to a stage of the whole of the building work? [*Yes/No*]

If yes, specify the extent of the stage:

Is there one or more contracts or agreements (other than a cost-plus contract or agreement) for carrying out the whole of the building work for all of the stages? [*Yes/No*]

If yes, specify the contract price or agreed amount to be paid (including for the cost of labour and materials) under all the contracts or agreements $

If no, is there one or more cost-plus contracts or agreements for carrying out the whole of the building work for all of the stages? [*Yes/No*]

If yes, specify the estimate of the total amount that the builders or contractors will receive or are likely to receive (including for the cost of labour and materials) under all the contracts or agreements $

Specify the cost of any chattel under the contract or agreement $

Specify the cost of any prescribed excluded item under the contract or agreement $

***If application for a building permit is made by an owner-builder**

Part A

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

Specify the owner-builder certificate of consent number (if applicable):

Specify the owner-builder's estimated cost (including for labour and materials) of the owner-builder carrying out the building work $

Part B

Will the owner-builder be engaging one or more contractors to carry out part of the building work? [*Yes/No*]

If yes, specify the information in relation to whichever of the following applies—

(i) if the engagement is under a contract or agreement that is not a cost-plus contract or agreement, specify the contract price or agreed amount to be paid to each contractor (including for the cost of labour and materials) $

(ii) if the engagement is under a cost-plus contract or agreement, specify the contractor's estimated amount that each contractor will receive or is likely to receive (including for the cost of labour and materials) $

Part C

Specify the cost of any chattel relating to Part A and/or Part B $

Specify the cost of any prescribed excluded item relating to Part A and/or Part B $

Part D

All stages of staged building work by an owner-builder

Does the application relate to a stage of the whole of the building work? [*Yes/No*]

If yes, specify the extent of the stage:

Specify the owner-builder's estimated cost (including for labour and materials) of the owner-builder carrying out the whole of the building work for all stages $

Specify the cost of any chattel in relation to building work carried out by the owner-builder $

Specify the cost of any prescribed excluded item in relation to building work carried out by the owner-builder $

Is there a contract or agreement (other than a cost-plus contract or agreement) with a contractor to carry out part of the whole of the building work for all stages? [*Yes/No*]

If yes, specify the contract price or agreed amount to be paid to the contractor (including for the cost of labour and materials) under the contract or agreement $

If no, is there a cost-plus contract or agreement with a contractor to carry out part of the whole of the building work for all stages? [*Yes/No*]

If yes, specify the contractor's estimate of the total amount that the contractor will receive or is likely to receive (including for the cost of labour and materials) under the contract or agreement $

Specify the cost of any chattel under the contract or agreement $

Specify the cost of any prescribed excluded item under the contract or agreement $

Part E

Specify the class or classes of building to which the building work relates:

Does the building work relate to both—

(i) one or more buildings in a class 2, 3, 4, 5, 6, 7 or 8 building; and

(ii) one or more buildings in a class 1, 9 or 10 building? [*Yes/No*]

If yes, specify the information required under Part A and/or Part B (if applicable) and under Part C and Part D (if applicable) according to whether the building work relates to—

(i) buildings in a class 2, 3, 4, 5, 6, 7 or 8 building; and

(ii) buildings in a class 1, 9 or 10 building.

Signature

Signature of applicant

Date

* Delete if inapplicable

† Tick if applicable

Sch. 4 Form 2 substituted by S.R. No. 75/2018 reg. 26, amended by S.R. Nos 102/2023 reg. 23, 122/2023 reg. 5, 132/2023 reg. 20.

FORM 2

Regulation 37(1)

Building Act 1993

Building Regulations 2018

BUILDING PERMIT

Issued to

*Owner/*Agent of owner

*ACN/*ARBN

Postal address

Postcode

Email

Address for serving or giving of documents

Postcode

Contact person Telephone

***Ownership details** (if person issued with permit is not the owner)

Owner

*ACN/*ARBN

Postal address

Postcode

Email

Contact person Telephone

Property details [*include title details as and if applicable*]

Number	Street/road	City/suburb/town	Postcode
Lot/s	LP/PS	Volume	Folio
Crown allotment	Section	Parish	County
Municipal district			

Builder

Name Telephone

*ACN/*ARBN

*Building practitioner registration no.

Postal address Postcode

*This builder is specified under section 24B[*state precise subsection*] of the **Building Act 1993** for the building work to be carried out under this permit.

***Natural person for service of directions, notices and orders** (if builder is a body corporate)

Name Telephone

Postal address Postcode

Building practitioner or architect engaged to prepare documents for this permit

[*List any building practitioner or architect engaged to prepare documents forming part of the application for this permit.*]

Name Category/class Registration no.

Name Category/class Registration no.

***Details of domestic building work insurance**

Name of builder Name of issuer or provider

Policy number Policy cover $

***Details of relevant planning permit**

Planning permit no. Date of grant of planning permit

Nature of building work

Construction of a *new building/*extension/*alteration/*change of use/*demolition/*removal/*re-erection of a building

Does the building work relate to a small second dwelling? [**Yes/*No*]

*Storeys contained

*Rise in storeys (for Class 2-9 building only)

*Effective height

*Type of construction

Version of BCA applicable to permit

Stage of building work permitted Cost of building work $

Total floor area of new building work in m^2

Building classification

Part of building BCA Classification

Part of building BCA Classification

***Performance solution**

A performance solution was used to determine compliance with the following performance requirements of the BCA that relate to the building to which this permit applies:

Relevant performance requirement	**Details of performance solution**
	[*Insert details of performance solution(s) including applicable materials, systems, methods of building, procedures, specifications and other relevant requirements*]

***Building Appeals Board determinations and orders**

The following determinations and orders of the Building Appeals Board (the ***BAB***) relate to the building work to which this permit applies:

Date of determination or order	**Determination or order**	**Section of the Building Act 1993 under which application to BAB made**
	[*Insert details of determination or order including applicable materials, systems, methods of building, procedures, specifications and other relevant requirements*]	

***Prescribed reporting authorities**

The following bodies are prescribed reporting authorities for the purposes of the application for this permit in relation to the matters set out below:

Reporting authority	Matter reported on or consented to	Regulation no.

***Combined allotment determination**

A determination has been made under regulation 64(1) in relation to the building work that is the subject of this permit.

***Subdivision of existing building**

This building permit authorises building work that involves the subdivision of an existing building.

An exemption has been issued under regulation 231 in relation to the building work that is the subject of this permit.

***Exemption from, or consent to partial compliance with, certain requirements of the Building Regulations 2018**

The following exemption from, or a consent to partial compliance with, certain requirements of the Building Regulations 2018—

(a) *was granted or given under regulation 229(2), 231(2), 233(3) or 234(2) of the Building Regulations 2018; or

(b) *applies in clauses H8P1(a) and H8D2(2) of the BCA Volume Two in relation to Liveable housing design:

Part or whole of building or place of public entertainment or building work exempt from, or given consent to partial compliance with, requirements of the Building Regulations 2018	Nature and scope of exemption
*[*Specify the part or whole of the building that is exempt from, or given consent to partial compliance with, the requirements of the Building Regulations 2018.*]	[*Specify the relevant regulation or performance requirement in the BCA Volume One or BCA Volume Two which the building, place of public entertainment or building work is exempt from or may partially comply with.*]

*[*Specify the part or whole of the class 1 building that is exempt from, or given consent for partial compliance with, clauses H8P1(a) and H8D2(2) of the BCA Volume Two Liveable housing design.*]	[*Specify the reason and/or the circumstance for the exemption or consent being granted.*] **Example** *Clauses H8P1(a) and H8D2(2) of the BCA Volume Two* It is not practicable to provide a step-free access path via an appurtenant garage, carport or parking space in accordance with this performance requirement because there is insufficient space available on the site on which to construct a step-free access path that would comply with this performance requirement.

Protection work

Protection work *is/*is not required in relation to the building work proposed in this permit.

Inspection requirements

The mandatory notification stages are

[*insert mandatory stages*].

Occupation or use of building

An *occupancy permit/*certificate of final inspection is required prior to the occupation or use of this building.

If an occupancy permit is required, the permit is required for the *whole/*part of the building in relation to which the building work is carried out.

Commencement and completion

This building work must commence by [*insert commencement date*].

If the building work to which this building permit applies is not commenced by this date, this building permit will lapse unless an extension is applied for and granted by the relevant building surveyor before this date under regulation 59 of the Building Regulations 2018.

This building work must be completed by [*insert completion date*].

If the building work to which this building permit applies is not completed by this date this building permit will lapse, unless an extension is applied for and granted by the relevant building surveyor before this date under regulation 59 of the Building Regulations 2018.

***Conditions**

This permit is subject to the following conditions

[*insert conditions*].

Relevant building surveyor

Name: [*insert full name*]

*ACN/*ARBN

Address:

Email:

Building practitioner registration no.:

*Municipal district/*council name:

*Designated building surveyor:

*Name: [*insert full name*]	Building practitioner registration number:
Permit no.:	Date of issue of permit:

Signature:

* *Delete if inapplicable*

FORM 3

Regulation 56

Building Act 1993

Building Regulations 2018

NOTICE OF IMMINENT LAPSE OF BUILDING PERMIT—COMMENCEMENT OF WORK

TO:

Applicant for building permit [*insert full name*]

of [*insert address of service of the applicant*]

Building permit details

Building permit number:

Commencement date of building work:

Date issued:

A copy of the relevant building permit is **attached** to this notice.

Property to which building permit relates

Property details [*include title details as and if applicable*]

Registered proprietor

Number	Street/road	City/suburb/town	Postcode
Lot/s	LP/PS	Volume	Folio
Crown allotment	Section	Parish	County
Municipal district			

FROM:

I am the relevant building surveyor appointed in relation to the issue of the building permit.

In accordance with regulation 56 of the Building Regulations 2018, I am required to give the applicant for the building permit described above notice of the imminent lapse of the building permit because it is 30 days before the commencement date of the building work and an inspection of the first mandatory notification stage of the work has not been carried out.

The building work to which the building permit described above applies must commence by [*insert commencement date specified in building permit*] or any extension granted to this date by the relevant building surveyor under regulation 59 of the Building Regulations 2018.

If the building work to which the building permit described above applies is not commenced by the commencement date, including any extension to that date, the building permit described above will lapse.

A building permit that has lapsed is no longer in force for the purposes of the **Building Act 1993** and the Building Regulations 2018.

Relevant building surveyor

Name: [*insert full name*]

Address:

Email:

Building practitioner registration no.:

*Municipal district/*council name:

Signature:

Date:

** Delete whichever is inapplicable*

FORM 4

Regulation 57

Building Act 1993

Building Regulations 2018

NOTICE OF IMMINENT LAPSE OF BUILDING PERMIT—COMPLETION OF WORK

TO:

Applicant for building permit [*insert full name*]

of [*insert address of service of the applicant*]

Building permit details

Building permit number:

Completion date of building work:

Date issued:

A copy of the relevant building permit is **attached** to this notice.

Property to which building permit relates

Property details [*include title details as and if applicable*]

Registered proprietor

Number	Street/road	City/suburb/town	Postcode
Lot/s	LP/PS	Volume	Folio
Crown allotment	Section	Parish	County
Municipal district			

FROM:

I am the relevant building surveyor appointed in relation to the issue of the building permit.

In accordance with regulation 57 of the Building Regulations 2018, I am required to give the applicant for the building permit described above notice of the imminent lapse of the building permit because it is 30 days before the completion date of the building work and an inspection of the final mandatory notification stage of the work has not been carried out.

The building work to which the building permit described above applies must be completed by [*insert completion date specified in building permit*] or any extension granted to this date by the relevant building surveyor under regulation 59 of the Building Regulations 2018.

If the building work to which the building permit described above applies is not completed by the completion date including any extension to that date, the building permit described above will lapse.

A building permit that has lapsed is no longer in force for the purposes of the **Building Act 1993** and the Building Regulations 2018.

Relevant building surveyor

Name: [*insert full name*]

Address:

Email:

Building practitioner registration no.:

*Municipal district/*council name:

Signature:

Date:

** Delete whichever is inapplicable*

Sch. 4 Form 5 amended by S.R. No. 75/2018 reg. 27(1).

FORM 5

Regulation 64(3)

Building Act 1993

Building Regulations 2018

DETERMINATION THAT COMBINED ALLOTMENT IS ONE ALLOTMENT

Given to

Owner of allotment 1 in combined allotment:

Telephone:

Email:

Postal address:

Postcode:

Owner of *allotment 2/*adjoining land in combined allotment:

Telephone:

Email:

Postal address:

Postcode:

[*insert details of any other owners if more than 2 pieces of land in combined allotment*]

Details of land in combined allotment to which this determination applies

Allotment 1, property details [*include title details as and if applicable*]

Owner

Number	Street/road	City/suburb/town	Postcode
Lot/s	LP/PS	Volume	Folio
Crown allotment	Section	Parish	County
Municipal district			

***Allotment 2/*adjoining land property details** [*include title details as and if applicable*]

Owner

Number	Street/road	City/suburb/town	Postcode
Lot/s	LP/PS	Volume	Folio
Crown allotment	Section	Parish	County

Municipal district

[*insert details of any additional allotments or land to which the application applies*]

DETERMINATION

I am the *municipal building surveyor/*private building surveyor and I have determined that the combined allotment to which this determination applies can be treated as one allotment for the purposes of the **Building Act 1993** and the Building Regulations 2018.

In making this determination I have considered the matters set out in regulation 64(2) of the Building Regulations 2018 and make the following statements:

(1) The proposed building work to be carried out on the combined allotment is [*insert description of proposed building work*].

(2) I am satisfied that the proposed building work will not adversely impact on the structural adequacy of any existing building on the combined allotment for the following reason(s) [*insert reasons*].

(3) I am satisfied that reasonable provision will be made for the amenity of any building on the combined allotment for the following reason(s) [*insert reasons*].

(4) I am satisfied that reasonable provision will be made for the safety and health of people using any building on the combined allotment for the following reason(s) [*insert reasons*].

(5) I am satisfied that reasonable provision will be made for avoiding the spread of fire to or from any adjoining building on the combined allotment for the following reason(s) [*insert reasons*].

Made by *municipal building surveyor/*private building surveyor

Name: [*insert full name*]

Address:

Email:

Building practitioner registration no.:

*Municipal district/*council name:

Related building permit no. (if issued before determination made):

Signature:

Date:

** Delete if inapplicable*

FORM 6

Sch. 4 Form 6 amended by S.R. No. 73/2021 reg. 14.

Regulation 111(4)

Building Act 1993

Building Regulations 2018

DETERMINATION THAT PROTECTION WORK IS REQUIRED

Issued to

Owner (referred to throughout this determination as the ***Owner***)

Telephone

Email

Postal address

Postcode

*Agent of owner

Telephone

Email

Postal address

Postcode

Property subject to building permit application (referred to throughout this determination as the ***Owner's property***)

Property details [*include title details as and if applicable*]

Registered proprietor

Number	Street/road	City/suburb/town	Postcode
Lot/s	LP/PS	Volume	Folio
Crown allotment	Section	Parish	County

Municipal district

Building permit application details (referred to throughout this determination as the ***Owner's building permit application***)

Applicant

Date of application

Nature of building work

Construction of a new building	☐†	Alterations to an existing building	☐†
Demolition of a building	☐†	Removal of a building	☐†
Extension to an existing building	☐†	Change of use of an existing building	☐†
Re-erection of a building	☐†	Construction of swimming pool or spa barrier	☐†
Construction of swimming pool or spa	☐†		
Other	☐†		

Details of each adjoining property (referred to throughout this determination as an ***adjoining property***)

[*list each adjoining property, include title details as and if applicable*]

Number	Street/road	City/suburb/town	Postcode
Lot/s	LP/PS	Volume	Folio
Crown allotment	Section	Parish	County
Municipal district			

MATTERS CONSIDERED IN MAKING THIS DETERMINATION

In making this determination I have considered the following matters set out in regulation 112 of the Building Regulations 2018:

Allotment plan provided to me under regulation 25 ☐†	Demolition required as part of the proposed building work ☐†
Allotment plan provided to me under regulation 26 ☐†	Excavation required as part of the proposed building work ☐†
Specifications describing materials and methods to be used in the proposed building work ☐†	Any proposed building work in relation to party walls and retaining walls ☐†
Any certificate under section 238 of the **Building Act 1993** from the engineer who designed the building work who is a civil engineer	Any certificate under section 238 of the **Building Act 1993** from an independent engineer who is a civil engineer, certifying that the

†		☐	structural design of the building work complies with that Act and the Building Regulations 2018
The nature and likely extent of any damage or other adverse effect on the stability or otherwise of an adjoining property that may be caused by the proposed building work			
†		☐	Other matters that I consider appropriate to determine the need for protection work
			†

DETERMINATION

1. I am the relevant building surveyor appointed on [*insert date*] under Part 6 of the **Building Act 1993** by or on behalf of the Owner in relation to the Owner's building permit application.

2. I am required by the Building Regulations 2018 to determine if protection work is required for any adjoining property as a result of building work proposed in the Owner's building permit application.

3. I have determined that the Owner must carry out protection work in respect of each adjoining property identified in this determination in accordance with Part 7 of the **Building Act 1993** and Part 7 of the Building Regulations 2018.

4. The proposed building work that gives rise to the need for protection work is [*insert description of all building work proposed in the Owner's building permit application which poses a risk of significant damage to an adjoining property identified above*].

5. This determination triggers the protection work process set out in Part 7 of the **Building Act 1993**, which is supported by Part 7 of the Building Regulations 2018.

Made by relevant building surveyor

Name: [*insert full name*]

Address:

Email:

Building practitioner registration no.:

*Municipal district/*council name:

Related building permit no. (if known):

Date of issue of determination:

Signature:

* *Delete if inapplicable*
† *Tick if applicable*

FORM 6A

Sch. 4 Form 6A inserted by S.R. No. 38/2026 reg. 18(1).

Regulation 113A(1)

Building Act 1993

Building Regulations 2018

REQUEST TO COUNCIL FOR ADJOINING PROPERTY OWNER CONTACT DETAILS TO SERVE PROTECTION WORK NOTICE

Owner name: [*insert full name of owner making request*]

Telephone number:

Email address:

Postal address:

Postcode:

Address of the adjoining property for which contact details of that property's owner are being sought:

Description of the attempts made to locate the name and address of the owner of the adjoining property for the purpose of serving a protection work notice:

[*insert description of attempts made to locate the name and address of the owner of the adjoining property*]

Note

It is an offence under section 246 of the **Building Act 1993** for a person to knowingly make any false or misleading statement or provide any false or misleading information to a person or body carrying out any function under the **Building Act 1993** or the regulations.

Signature

Signature of *owner/*owner's agent:

Date:

**Delete if inapplicable*

Sch. 4 Form 7 amended by S.R. No. 40/2019 reg. 30(1).

FORM 7

Regulation 113

Building Act 1993

Building Regulations 2018

PROTECTION WORK NOTICE

To

Adjoining owner

Postal address

Postcode

Relevant building surveyor

Postal address

Postcode

Contact person Telephone

Adjoining owner's property details (the *adjoining property*)

Number	Street/road	City/suburb/town	
Lot/s	LP/PS	Volume	Folio
Crown allotment	Section	Parish	County

Municipal district

From

*Owner/*agent

Name of owner [*insert full name*]

*ACN/*ARBN

Postal address

Postcode

Contact person Telephone

Owner's property details

Number	Street/road	City/suburb/town	
Lot/s	LP/PS	Volume	Folio
Crown allotment	Section	Parish	County
Municipal district			
*Name of agent			
*ACN/*ARBN			
Postal address			
			Postcode
Contact person			Telephone

NOTICE

In accordance with section 84 of the **Building Act 1993**, I give notice of my intention to carry out the following building work on my property and request your agreement to the proposed protection work which affects your adjoining property.

In accordance with section 85 of the **Building Act 1993**, and subject to sections 90 and 91 of that Act, you will be taken to have agreed to the protection works proposed in this notice if you do not respond within 14 days after this notice is served on you.

A response to this notice must be in the form of Form 8 of the Building Regulations 2018, include the information in that form, and be given to the owner and the relevant building surveyor whose details are set out in this notice.

Details of proposed building work

[*insert details including details about damage etc. that may be caused to adjoining property*]

Details of proposed protection work

[*insert the nature, location, time and duration of the proposed protection work, including the extent to which access to the adjoining property will be required for the purpose of undertaking the proposed protection work*]

Information about protection of an adjoining owner under the Building Act 1993 in relation to proposed protection work

In accordance with section 92 of the **Building Act 1993**, at any time after this notice is given to the adjoining owner, the relevant building surveyor must make available to the adjoining owner, on request, for inspection, without charge, any plans, drawings and specifications of the proposed building work in the possession or control of the relevant building surveyor. The relevant building surveyor's name and contact details are on page 1 of this notice.

If the proposed protection work is agreed to by the adjoining owner or determined as being appropriate by the relevant building surveyor under section 87(1) of the **Building Act 1993** or by the Building Appeals Board under section 141 of the **Building Act 1993** (as the case requires), the owner must—

(a) before the commencement of any protection work—

(i) ensure that a contract of insurance is in force in accordance with section 93 of the **Building Act 1993** against damage by the protection work to the adjoining property and other liabilities described in that section; and

(ii) make a full and adequate survey of the adjoining property in accordance with section 94 of the **Building Act 1993**; and

(b) pay to an adjoining owner all costs and expenses necessarily incurred by the adjoining owner in assessing proposed protection work and in supervising the carrying out of protection work in relation to an adjoining property in accordance with section 97 of the **Building Act 1993**; and

(c) compensate an adjoining owner or an adjoining occupier for inconvenience, loss or damage suffered by the adjoining owner or adjoining occupier in connection with the carrying out of protection work in accordance with section 98 of the **Building Act 1993** or an order of the Building Appeals Board under section 159 of that Act.

Signature

Signature of *owner/*owner's agent

Date

** Delete if inapplicable*

FORM 8

Regulation 114

Building Act 1993

Building Regulations 2018

PROTECTION WORK RESPONSE NOTICE

To

*Owner/*owner's agent

Postal address

Postcode

Address of owner's property on which building work is to be carried out

Number Street/road City/suburb/town

Relevant building surveyor

Postal address

Postcode

From

*Adjoining owner/*adjoining owner's agent

Postal address

Postcode

Contact person Telephone

Address of my adjoining property

Number Street/road City/suburb/town

Response from adjoining owner

In accordance with section 85 of the **Building Act 1993**, I am responding to the notice served on me by the owner under section 84 of that Act and—

(a) agree to the proposed protection work ☐†

(b) disagree with the proposed protection work ☐†

(c) request the following further information ☐†

Signature

Signature of *adjoining owner/*adjoining owner's agent

Date

** Delete if inapplicable*
† Tick if applicable

FORM 9

Regulation 115(a)

Building Act 1993

Building Regulations 2018

NOTICE OF DETERMINATION UNDER SECTION 87 OF THE ACT

To

*Owner/*owner's agent

Postal address

Postcode

Address of owner's property on which building work is to be carried out

Number Street/road

City/suburb/town

Relevant building surveyor

Postal address

Postcode

And to

*Adjoining owner/*adjoining owner's agent

Postal address

Postcode

Contact person Telephone

Address of adjoining property

Number Street/road City/suburb/town

DETERMINATION

1. I am the relevant building surveyor appointed on [*insert date*] under Part 6 of the **Building Act 1993** by or on behalf of the owner, [*insert full name of owner of the property on which building work is being carried out*].

2. On [*insert date*] I received from the adjoining owner a notice under section 85(1)(b) of the **Building Act 1993** (the ***adjoining owner's notice***).

3. In the adjoining owner's notice, the adjoining owner *disagreed with the proposed protection work/*required more information to be given to enable the proposal for protection work to be considered by me. I **attach** a copy of the adjoining owner's notice to this determination.

4. As a result of the adjoining owner's notice, I am required by the **Building Act 1993** to examine the owner's proposal for protection work.

5. I received the owner's proposal for protection work under section 84 of the **Building Act 1993** on [*insert date*] (the ***owner's proposal for protection work***). I **attach** the owner's proposal for protection work to this determination.

6. In making this determination, I have examined the owner's proposal for protection work.

*7. Before making this determination, I requested the following additional information from the owner under section 87(2)(a) of the **Building Act 1993** [*specify relevant information*]. I received this information on [*insert date*].

*8. On [*insert date*], I made a copy of the additional information (referred to in paragraph 7 above) available to the adjoining owner.

*9. In determining the appropriateness or otherwise of the owner's proposal for protection work, I made the following inquiries under section 87(3) of the **Building Act 1993** [*specify any relevant inquiry made*].

10. After considering all matters required of me under the **Building Act 1993** and the Building Regulations 2018, I determine the owner's proposal for protection work is *appropriate/*not appropriate.

Made by relevant building surveyor

Name: [*insert full name*]

Address:

Email:

Building practitioner registration no.:

*Municipal district/*council name:

Related building permit no. (if known):

Date determination made:

Signature:

Rights of appeal under section 141 of the Building Act 1993

An owner required to carry out protection work or an adjoining owner may appeal to the Building Appeals Board against—

(a) a determination under section 87 of the **Building Act 1993** as to the appropriateness of the work; or

(b) a declaration under section 89 of the **Building Act 1993**; or

(c) a failure, within a reasonable time, or refusal to make that determination or declaration; or

(d) a request under section 87 of the **Building Act 1993** to give more information.

Appeal period

For the purposes of section 146 of the **Building Act 1993**, the prescribed appeal period for an appeal against a determination by the relevant building surveyor under section 87(1) of the **Building Act 1993** is 14 days from the day the owner and the adjoining owner are given notice of the determination.

A determination by the relevant building surveyor under section 87(1) of the **Building Act 1993**, does not take effect until—

(a) the end of the prescribed appeal period of 14 days, if there is no appeal; or

(b) the decision is affirmed on appeal.

* *Delete if inapplicable*

Sch. 4 Form 10 amended by S.R. Nos 180/2018 reg. 13(1), 40/2019 reg. 30(2), 173/2026 reg. 28(1).

FORM 10

Regulation 178

Building Act 1993

Building Regulations 2018

EMERGENCY ORDER

This emergency order is made under section 102 of the **Building Act 1993**.

*WARNING: THIS ORDER HAS BEEN SERVED IN ACCORDANCE WITH SECTION 236(4A) OF THE **BUILDING ACT 1993**. UNDER SECTION 236(7) OF THAT ACT, IT IS AN OFFENCE FOR A PERSON TO REMOVE OR DEFACE THIS ORDER WITHOUT THE PRIOR CONSENT OF THE RELEVANT BUILDING SURVEYOR, THE RELEVANT COUNCIL OR THE VICTORIAN BUILDING AUTHORITY. THE MAXIMUM PENALTY FOR THIS OFFENCE IS 500 PENALTY UNITS FOR A NATURAL PERSON AND 2500 PENALTY UNITS FOR A BODY CORPORATE.

TO:

The *owner/*occupier/*builder/*person or class of person [*insert full name or describe class of person*]

Of [*insert address for service on the owner, occupier, builder or person or class of person*]

***AND TO:**

Any other person or class of person [*insert full name or describe class of person*]

Of [*insert address for service on person or class of person*]

FROM:

I am the municipal building surveyor of [*insert name of municipal district*].

The municipal building surveyor is authorised to cause an emergency order to be served on the *owner/*occupier/*builder of the *building/*land/ *condition-altered land/*place of public entertainment to which this order applies under Division 1 of Part 8 of the **Building Act 1993**.

LOCATION OF THE *BUILDING/*LAND/ *CONDITION-ALTERED LAND/*PLACE OF PUBLIC ENTERTAINMENT TO WHICH THIS ORDER APPLIES:

Number	Street/road	City/suburb/town	Postcode
Lot/s	LP/PS	Volume	Folio
Crown allotment	Section	Parish	County
Municipal district			

ORDER:

I, being the municipal building surveyor, order that:

*1. By [*insert time*] on [*insert date*], the *owner/*occupier of [*insert description and address of building, land, condition-altered land or place of public entertainment*] must evacuate the *building/*land/*condition-altered land/*place of public entertainment.

*2. By [*insert time*] on [*insert date*], [*specify the person or class of person served with this order*] must vacate the *building/*land/*condition-altered land/*place of public entertainment [*insert description and address of building, land, condition-altered land or place of public entertainment*].

Note: This order may only be made if order 1 is made.

*3. At [*insert time*] on [*insert date*], entry into the *building/*land/*condition-altered land/*place of public entertainment [*insert description and address of building, land, condition-altered land or place of public entertainment*] by [*specify person or class of person served with this order*] is prohibited for a period of [*insert period of time of prohibition*].

*4. At [*insert time*] on [*insert date*], use of the *building/*land/*condition-altered land/*place of public entertainment [*insert description and address of building, land, condition-altered land or place of public entertainment*] by [*specify person or class of person served with this order*] is prohibited for a period of [*insert period of time of prohibition*] for [*specified prohibited use*].

*5. At [*insert time*] on [*insert date*], occupation of the *building/*land/*condition-altered land/*place of public entertainment [*insert description and address of relevant building, land, condition-altered land or place of public entertainment*] by [*specify person or class of person served with this order*] is prohibited for a period of [*insert period of time of prohibition*].

*6. The *owner/*occupier of the place of public entertainment [*insert description and address of place of public entertainment*] must not conduct nor allow the conduct of a public entertainment at this place of public entertainment.

*7. The *owner/*occupier of the place of public entertainment [*insert description and address of place of public entertainment*] must immediately cease to conduct *all/*specified public entertainment [*specify public entertainment to be ceased if applicable*] at this place of public entertainment.

*8. By [*insert time*] on [*insert date*], the *owner/*occupier must stop building work on the *building/*land/*condition-altered land/*place of public entertainment [*insert description and address of building, land, condition-altered land or place of public entertainment*] that is [*insert description of building work that must stop*].

*9. By [*insert time*] on [*insert date*], the *owner/*occupier of [*insert description and address of building, land, condition-altered land or place of public entertainment*] must carry out the following building work or other work [*insert detailed description of building work or other work required to be carried out by this order*] to make the *building/*land/*condition-altered land/*place of public entertainment safe.

*10. By [*insert time*] on [*insert date*], the *owner/*occupier of [*insert description and address of building, land, condition-altered land or place of public entertainment*] must carry out the following building work or other work [*insert detailed description of building work or other work required to be carried out by this order*] to secure the *building/*land/*condition-altered land/*place of public entertainment from access.

*11. By [*insert time*] on [*insert date*], the owner must cause the *building/*land/*condition-altered land/*place of public entertainment [*insert description and address of relevant building, land, condition-altered land or place of public entertainment*] to be inspected by [*name of specified person*].

*12. By [*insert time*] on [*insert date*], the *owner/*builder must cause [*specified material*] used in the *building/*land/*condition-altered land/*place of public entertainment [*insert description and address of building, land, condition-altered land or place of public entertainment*] to be tested by [*name of specified person*].

*13. By [*insert time*] on [*insert date*], the *owner/*builder must cause [*insert the building product or material*] used in the building [*insert description and address of building*] to be destructively tested by a prescribed testing authority.

14. The *owner/*builder must provide the results of the destructive testing to *the municipal building surveyor/*[*name and address of other person authorised by the municipal building surveyor to receive the results*] within [*specified time*] after the prescribed testing authority completes the destructive testing.

***INSPECTION DETAILS:**

*The date and time of any inspection of the *building/*land/ *condition-altered land/*place of public entertainment carried out by me, as the municipal building surveyor, are:

Time of inspection:

Date of inspection:

[*list any inspections carried out by municipal building surveyor*]

*The date and time of any inspection of the *building/*land/ *condition-altered land/*place of public entertainment relied on by me as the municipal building surveyor for the purpose of making this order, and the name and qualifications of the person or persons who conducted the inspection, are:

Time of inspection:

Date of inspection:

Name of person/persons:

Qualification(s) of person/persons:

*Building practitioner registration no. of person/persons:

[*List details of any inspections relied on by the municipal building surveyor*]

REASON(S) WHY THIS EMERGENCY ORDER WAS MADE:

In accordance with section 102 of the **Building Act 1993**, I am of the opinion that this order is necessary because of a—

***Danger to life arising out of the condition of the *building/*land/ *condition-altered land/*place of public entertainment**

[*state reason(s) why the condition of the building, land, condition-altered land or place of public entertainment causes a danger to life*]

***Danger to life arising out of the use of the *building/*land/ *condition-altered land/*place of public entertainment**

[*state reason(s) why the use of the building, land, condition-altered land or place of public entertainment causes a danger to life*]

***Danger to life arising out of a proposed use of the *building/*land/ *condition-altered land/*place of public entertainment**

[*state reason(s) why a proposed use of the building, land, condition-altered land or place of public entertainment may cause a danger to life*]

***Danger to property arising out of the condition of the *building/*land/ *condition-altered land/*place of public entertainment**

[*state reason(s) why the condition of the building, land, condition-altered land or place of public entertainment causes a danger to property*]

***Danger to property arising out of the use of the *building/*land/ *condition-altered land/*place of public entertainment**

[*state reason(s) why the use of the building, land, condition-altered land or place of public entertainment causes a danger to property*]

***Danger to property arising out of a proposed use of the *building/*land/*condition-altered land/*place of public entertainment**

[*state reason(s) why a proposed use of the building, land, condition-altered land or place of public entertainment causes a danger to property*]

EMERGENCY ORDER MADE AND SERVED BY:

The municipal building surveyor

Name: [*insert full name*]

Address:

Email:

Building practitioner registration no.:

Municipal district:

Signature:

Emergency order no.:

Date of making:

** Delete if inapplicable*

Sch. 4 Form 11 amended by S.R. Nos 180/2018 reg. 13(2), 40/2019 reg. 30(3), 38/2026 reg. 18(2), 173/2026 reg. 28(2).

FORM 11

Regulation 180

Building Act 1993

Building Regulations 2018

BUILDING NOTICE

This building notice is served under section 106 of the **Building Act 1993**.

*WARNING: THIS NOTICE HAS BEEN SERVED IN ACCORDANCE WITH SECTION 236(4A) OF THE **BUILDING ACT 1993**. UNDER SECTION 236(7) OF THAT ACT, IT IS AN OFFENCE FOR A PERSON TO REMOVE OR DEFACE THIS NOTICE WITHOUT THE PRIOR CONSENT OF THE RELEVANT BUILDING SURVEYOR, THE RELEVANT COUNCIL OR THE VICTORIAN BUILDING AUTHORITY. THE MAXIMUM PENALTY FOR THIS OFFENCE IS 500 PENALTY UNITS FOR A NATURAL PERSON AND 2500 PENALTY UNITS FOR A BODY CORPORATE.

TO:

The owner [*insert full name*]

Of [*insert address for service on the owner*]

FROM:

*I am the private building surveyor appointed to carry out functions under the **Building Act 1993** in relation to the *building/*land/ *condition-altered land/*place of public entertainment which is the subject of this notice.

*I am the municipal building surveyor of [*insert name of municipal district*].

I am authorised to cause a building notice to be served on you, as owner of the *building/*land/*condition-altered land/*place of public entertainment to which this notice applies, under Division 2 of Part 8 of the **Building Act 1993**.

LOCATION OF THE *BUILDING/*LAND/ *CONDITION-ALTERED LAND/*PLACE OF PUBLIC ENTERTAINMENT TO WHICH THIS NOTICE APPLIES:

Number	Street/road	City/suburb/town	Postcode
Lot/s	LP/PS	Volume	Folio
Crown allotment	Section	Parish	County
Municipal district			

***INSPECTION DETAILS:**

*The date and time of an inspection of the *building/*land/ *condition-altered land/*place of public entertainment carried out by myself as the relevant building surveyor was:

Time of inspection:

Date of inspection:

[*list any inspections carried out by the relevant building surveyor*]

*The date and time of an inspection relied on by myself as the relevant building surveyor for the purpose of serving this notice, and the name and qualifications of the person or persons who conducted the inspection, are:

Time of inspection:

Date of inspection:

Name of person/persons:

Qualification(s) of person/persons:

*Building practitioner registration no. of person/persons:

[*list details of any inspections relied on by the relevant building surveyor*]

REASON(S) WHY THIS NOTICE WAS SERVED:

In accordance with section 106 of the **Building Act 1993**, I am of the opinion that the following *circumstance/*circumstances exist(s):

***Building work carried out without a building permit being issued and in force under the Building Act 1993**

The following building work has been carried out on the *building/*land/ *condition-altered land/*place of public entertainment without a building permit as required by the **Building Act 1993**

[*insert description here of building work carried out on the relevant building, land, condition-altered land or place of public entertainment without a building permit, including details of when this building work was carried out*]

***Building work carried out in contravention of a building permit**

Building work has been carried out on the *building/*land/ *condition-altered land/*place of public entertainment in contravention of a building permit.

The particulars of the relevant building permit are:

Building permit no.:

Date of issue of building permit:

The building work that contravenes the building permit is: [*insert description of relevant building work and state reason(s) why the building work does not comply with the building permit identified above*]

A copy of the relevant building permit is **attached** to this order.

***Building work has been carried out in contravention of the Building Act 1993**

The following building work has been carried out on the *building/*land/ *condition-altered land/*place of public entertainment in contravention of the **Building Act 1993**:

[*insert description of relevant building work and state reason(s) why this building work does not comply with the **Building Act 1993**, using specific references to the section(s) of that Act that have been breached by the building work*]

***Building work carried out in contravention of the Building Regulations 2018 (this includes building work carried out in contravention of the Building Code of Australia)**

Building work has been carried out on the *building/*land/ *condition-altered land/*place of public entertainment in contravention of the Building Regulations 2018.

[*insert description of relevant building work and state reason(s) why building work does not comply with the Building Regulations 2018, using specific references to the regulation(s) that have been breached by the building work, including clauses of the BCA if applicable*]

***Use of building or place of public entertainment in contravention of the Building Act 1993**

The use of the *building/*place of public entertainment contravenes the **Building Act 1993**.

[*state reason(s) why use or uses of the building or place of public entertainment do not comply with the* ***Building Act 1993****, using specific references to the section(s) of that Act that have been breached by the use or uses*]

***Use of *building/*place of public entertainment in contravention of the Building Regulations 2018**

The use of the *building/*place of public entertainment contravenes the Building Regulations 2018.

[*state reason(s) why the use or uses of the building or place of public entertainment do not comply with the Building Regulations 2018, using specific references to the regulation(s) that have been breached by the use or uses*]

***Safety or emergency services, installations or equipment have not been maintained in accordance with the occupancy permit and the Building Regulations 2018**

The following safety or emergency service(s), installation(s) or equipment have not been maintained in accordance with the occupancy permit and the Building Regulations 2018.

[*insert description of each safety or emergency service, installation or equipment that has not been maintained, using specific references to the regulation(s) or the requirement(s) in the occupancy permit that the emergency service, installation or equipment has not been maintained in accordance with*].

***Building/*place of public entertainment unfit for occupation or use as a place of public entertainment**

*The building is unfit for occupation.

*The place of public entertainment is unfit for occupation or for use as a place of public entertainment.

[*state reason(s) why the building or place of public entertainment is unfit for occupation or for use as a place of public entertainment*]

***Danger to life, safety or health from *building/*land/*condition-altered land/*place of public entertainment**

The *building/*land/*condition-altered land/*place of public entertainment is a danger to the life, safety or health of any member of the public or of any person using the *building/*land/*condition-altered land/*place of public entertainment or to any property.

[*state reason(s) why the building, land, condition-altered land or place of public entertainment or building work on the building, land, condition-altered land or place of public entertainment is a danger to the life, safety or health of any member of the public or of any person using the building, land, condition-altered land or place of public entertainment or to any property*]

***Danger to life, safety or health from building work**

Building work on the *building/*land/*condition-altered land/*place of public entertainment is a danger to the life, safety or health of any member of the public or of any person using the *building/*land/*condition-altered land/*place of public entertainment or to any property.

[*state reason(s) why building work on the building, land, condition-altered land or place of public entertainment is a danger to the life, safety or health of any member of the public or of any person using the building, land, condition-altered land or place of public entertainment or to any property*]

***Failure to comply with a direction to fix building work under Division 2 of Part 4 of the Building Act 1993**

There has been a failure to comply with a direction to fix building work under Division 2 of Part 4 of the **Building Act 1993**.

[*state reason(s) why the building surveyor issuing this notice believes the direction has not been complied with*]

A copy of the relevant direction is **attached** to this notice.

SHOW CAUSE PROCESS:

Under section 108 of the **Building Act 1993**, you are required to show cause within 30 days of the date of service of this notice—

*why entry, use, or occupation of the *building/*land/*condition-altered land/*place of public entertainment should not be prohibited.

*why you should not be required to evacuate the *building/*land/*condition-altered land/*place of public entertainment.

*why you should not be required to carry out the building work, protection work or work required by the Building Regulations 2018 identified in this notice in relation to the *building/*land/*condition-altered land/*place of public entertainment.

[*insert description of building work, protection work or other work that may be required by a building order to remedy the circumstances identified in this notice*]

*why you should not be required to take certain action necessary to remove or to wholly or partially reduce, or to contribute to removing or to wholly or partially reducing, the circumstance.

[*insert description of the action necessary that may be required by a building notice to remedy the circumstances identified in this notice*]

Specified period for making representations:

[*insert specified period for making representations*]

Specified manner for making representations:

The manner for making representations in response to the matters contained in this notice is [*insert specifics of the relevant building surveyor's preferred manner for receiving representations in response to this notice*].

BUILDING NOTICE SERVED BY:

Relevant building surveyor

Name: [*insert full name*]

Address:

Email:

Building practitioner registration no.:

*Municipal district/*council name:

Building notice no.:

Date of making:

Signature:

** Delete if inapplicable*

Sch. 4 Form 12 amended by S.R. Nos 180/2018 reg. 13(3), 40/2019 reg. 30(4), 38/2026 reg. 18(3), 173/2026 reg. 28(3).

FORM 12

Regulation 182(1)

Building Act 1993

Building Regulations 2018

BUILDING ORDER (GENERAL)

This building order is made under section 111 of the **Building Act 1993**.

*WARNING: THIS ORDER HAS BEEN SERVED IN ACCORDANCE WITH SECTION 236(4A) OF THE **BUILDING ACT 1993**. UNDER SECTION 236(7) OF THAT ACT, IT IS AN OFFENCE FOR A PERSON TO REMOVE OR DEFACE THIS ORDER WITHOUT THE PRIOR CONSENT OF THE RELEVANT BUILDING SURVEYOR, THE RELEVANT COUNCIL OR THE VICTORIAN BUILDING AUTHORITY. THE MAXIMUM PENALTY FOR THIS OFFENCE IS 500 PENALTY UNITS FOR A NATURAL PERSON AND 2500 PENALTY UNITS FOR A BODY CORPORATE.

TO:

The *owner/*occupier/*any person/*class of person [*insert full name or describe class of person*]

Of [*insert address for service of owner, occupier or person or class of person*]

***AND TO:**

Any other person or class of person [*insert full name or describe class of person*]

Of [*insert address for service on person or class of person*]

FROM:

*I am the private building surveyor appointed to carry out functions under the **Building Act 1993** in relation to the *building/*land/ *condition-altered land/*place of public entertainment which is the subject of this building order.

*I am the municipal building surveyor of [*insert name of municipal district*].

I am authorised to make a building order under section 111 of the **Building Act 1993**.

LOCATION OF THE *BUILDING/*LAND/ *CONDITION-ALTERED LAND/*PLACE OF PUBLIC ENTERTAINMENT TO WHICH THIS NOTICE APPLIES:

Number	Street/road	City/suburb/town	Postcode
Lot/s	LP/PS	Volume	Folio
Crown allotment	Section	Parish	County
Municipal district			

ORDER:

I, as the relevant building surveyor, order that:

*1. By [*insert time*] on [*insert date*], the *owner/*occupier of the [*insert description and address of building/land/condition-altered land/place of public entertainment*] **MUST** evacuate the *building/*land/*condition-altered land/*place of public entertainment.

*2. By [*insert time*] on [*insert date*], any person or class of person served with this order must vacate the *building/*land/ *condition-altered land/*place of public entertainment [*insert description and address of building, land, condition-altered land or place of public entertainment*].

*3. At [*insert time*] on [*insert date*], entry into the *building/*land/ *condition-altered land/*place of public entertainment [*insert description and address of building, land, condition-altered land or place of public entertainment*] by [*specify person or class of person served with this order*] is prohibited for a period of [*insert period of time of prohibition*] unless permitted by the municipal building surveyor.

*4. At [*insert time*] on [*insert date*], use of the *building/*land/ *condition-altered land/*place of public entertainment [*insert description and address of building, land, condition-altered land or place of public entertainment*] by [*specify person or class of person served with this order*] is prohibited for a period of [*insert period of time of prohibition*] for [*specified prohibited use*] unless permitted by the municipal building surveyor.

*5. At [*insert time*] on [*insert date*], occupation of the *building/*land/ *condition-altered land/*place of public entertainment [*insert description and address of relevant building, land, condition-altered land or place of public entertainment*] by [*specify person or class of person served with this order*] is prohibited for a period of [*insert*

period of time of prohibition] unless permitted by the municipal building surveyor.

*6. By [*insert time*] on [*insert date*], the owner of the *building/*land/*condition-altered land/*place of public entertainment [*insert description and address of building, land, condition-altered land or place of public entertainment*] **MUST** carry out the following building work [*insert detailed description of building work required to be carried out by this order*].

*7. By [*insert time*] on [*insert date*], the owner of the *building/*land/*condition-altered land/*place of public entertainment [*insert description and address of building, land, condition-altered land or place of public entertainment*] **MUST** carry out the following protection work [*insert detailed description of protection work required to be carried out by this order*].

*8. By [*insert time*] on [*insert date*], the owner of the *building/*land/*condition-altered land/*place of public entertainment [*insert description and address of building, land, condition-altered land or place of public entertainment*] **MUST** carry out the following other work as required by the Building Regulations 2018 in relation to the *building/*land/*condition-altered land/*place of public entertainment [*insert detailed description of other work required to be carried out by the Building Regulations 2018, including the BCA. Include references to the relevant regulation and/or clauses of the BCA*].

*8A. By [*insert time*] on [*insert date*], the owner of the *building/*land/*condition-altered land/*place of public entertainment [*insert description and address of building, land, condition-altered land or place of public entertainment*] **MUST** carry out the specified action to remove or to wholly or partially reduce, or to contribute to removing or to wholly or partially reducing, the circumstance [*insert detailed description of the specified action required to be carried out by this order*].

*9. By [*insert time*] on [*insert date*], the owner must cause the *building/*land/*condition-altered land/*place of public entertainment [*insert description and address of relevant building, land, condition-altered land or place*] to be inspected by [*name of specified person*].

*10. By [*insert time*] on [*insert date*], the *owner/*builder must cause [*describe specified material*] used in the *building/*land/*condition-altered land/*place of public entertainment [*insert description and address of building, land, condition-altered land or*

place of public entertainment] to be tested by [*name of specified person*].

*11. By [*insert time*] on [*insert date*], the *owner/*builder must arrange for [*insert the building product or material*] used in the building [*insert description and address of building*] to be destructively tested by a prescribed testing authority.

12. The *owner/*builder must provide the results of the destructive testing to *the relevant building surveyor/*[*name and address of other person authorised by the relevant building surveyor to receive the results*] within [*specified time*] after the prescribed testing authority completes the destructive testing.

REASON(S) WHY THIS ORDER WAS MADE:

In accordance with section 111 of the **Building Act 1993**, I am of the opinion that the following *circumstance/*circumstances exist(s):

***Building work was carried out without a building permit being issued and in force under the Building Act 1993**

The following building work has been carried out on the *building/*land/ *condition-altered land/*place of public entertainment without a building permit as required by the **Building Act 1993**:

[*insert description here of building work carried out on the relevant building, land, condition-altered land or place of public entertainment without a building permit*]

***Building work carried out in contravention of a building permit**

Building work has been carried out on the *building/*land/ *condition-altered land/*place of public entertainment in contravention of a building permit.

The particulars of the relevant building permit are—

Building permit no.:

Date of issue of building permit:

The building work that contravenes the permit is [*describe work*].

[*state reason(s) for why the building work does not comply with the building permit identified immediately above*]

A copy of the relevant building permit is **attached** to this order.

***Building work has been carried out in contravention of the Building Act 1993**

Building work has been carried out on the *building/*land/ *condition-altered land/*place of public entertainment in contravention of the **Building Act 1993**.

The building work that contravenes the **Building Act 1993** is [*describe work*].

[*state reason(s) why building work does not comply with the* **Building Act 1993***, using specific references to the section(s) of that Act that have been breached by the building work*]

***Building work has been carried out in contravention of the Building Regulations 2018 (this includes building work carried out in contravention of the Building Code of Australia)**

Building work has been carried out on the *building/*land/ *condition-altered land/*place of public entertainment in contravention of the Building Regulations 2018.

The building work that contravenes the Building Regulations 2018 is [*describe work*].

[*state reason(s) why building work does not comply with the Building Regulations 2018, using specific references to the regulation(s) that have been breached by the building work, including clauses of the BCA if applicable*]

***The use of the building or place of public entertainment contravenes the Building Act 1993**

The use of the *building/*place of public entertainment as a [*insert description of use*] contravenes the **Building Act 1993**.

[*state reason(s) why use or uses of the building or place of public entertainment do not comply with the* **Building Act 1993***, using specific references to the section(s) of that Act that have been breached by the use or uses*]

***The use of the building or place of public entertainment contravenes the Building Regulations 2018**

The use of the *building/*place of public entertainment as a [*insert description of use*] contravenes the Building Regulations 2018.

[*state reason(s) why the use or uses of the building or place of public entertainment do not comply with the Building Regulations 2018, using specific references to the regulation(s) that have been breached by the use or uses*]

***Safety or emergency services, installations or equipment have not been maintained in accordance with the occupancy permit and the Building Regulations 2018**

Safety or emergency services, installations or equipment in the *building/*land/*condition-altered land/*place of public entertainment have not been maintained in accordance with the occupancy permit and the Building Regulations 2018.

[*detail the safety or emergency services, installations or equipment that have not been maintained, and identify the requirement in the occupancy permit or the Building Regulations 2018 that each safety or emergency service, installation or equipment has not been maintained in accordance with*]

***Building or place of public entertainment is unfit for occupation**

*The building is unfit for occupation.

*The place of public entertainment is unfit for occupation or for use as a place of public entertainment.

[*state reason(s) why the building or place of public entertainment is unfit for occupation or for use as a place of public entertainment*]

***A building or place of public entertainment is a danger to life, safety or health**

The *building/*land/*condition-altered land/*place of public entertainment is a danger to the life, safety or health of any member of the public or of any person using the *building/*land/*condition-altered land/*place of public entertainment or to any property.

[*state reason(s) why the building, land, condition-altered land or place is a danger to the life, safety or health of any member of the public or of any person using the building, land, condition-altered land or place of public entertainment or to any property*]

***Building work is a danger to life, safety or health**

Building work on the *building/*land/*condition-altered land/*place of public entertainment is a danger to the life, safety or health of any member of the public or of any person using the *building/*land/*condition-altered land/*place of public entertainment or to any property.

[*state reason(s) why building work on the building, land, condition-altered land or place is a danger to the life, safety or health of any member of the public or of any person using the building, land, condition-altered land or place of public entertainment or to any property*]

DETAILS OF RELEVANT BUILDING NOTICE:

Date of service of building notice:

Due date for making representations as specified in the building notice:

A copy of the relevant building notice is **attached** to this building order.

At the date of making this order, the due date for the owner to make representations has now expired.

*Representations were made by the owner. After considering these representations, I am of the opinion that, for the reasons set out in this order, the making of this building order is warranted.

*Representations were not made by the owner.

***INSPECTION DETAILS:**

*The date and time of any inspection of the *building/*land/ *condition-altered land/*place of public entertainment carried out by myself as the relevant building surveyor was—

Time of inspection:

Date of inspection:

[*list any inspections carried out by the relevant building surveyor*]

*The date and time of any inspection relied on by myself as the relevant building surveyor for the purpose of making this order, and the name and qualifications of the person or persons who conducted the inspection are—

Time of inspection:

Date of inspection:

Name of person/persons:

Qualification(s) of person/persons:

*Building practitioner registration no. of person/persons:

[*list details of any inspections relied on by the relevant building surveyor*]

BUILDING ORDER MADE BY:

Relevant building surveyor

Name: [*insert full name*]

Address:

Email:

Building practitioner registration no.:

*Municipal district/*council name:

Building order no.:

Signature:

Date of making:

** Delete if inapplicable*

Sch. 4 Form 13 amended by S.R. Nos 40/2019 reg. 30(5), 173/2026 reg. 28(4).

FORM 13

Regulation 182(2)

Building Act 1993

Building Regulations 2018

BUILDING ORDER TO STOP BUILDING WORK

This building order is made under section 112 of the **Building Act 1993**.

TO:

The owner [*insert full name*]

Of [*insert address for service on the owner*]

OR

TO:

Other person [*insert name of person other than the owner required by this building order to stop building work*]

Of [*insert address for service on person named immediately above*]

FROM:

*I am the private building surveyor appointed to carry out functions under the **Building Act 1993** in relation to the *building/*land/ *condition-altered land/*place of public entertainment which is the subject of this building order.

*I am the municipal building surveyor of [*insert name of municipal district*].

I am authorised by section 112 of the **Building Act 1993** to make this building order.

LOCATION OF THE *BUILDING/*LAND/ *CONDITION-ALTERED LAND/*PLACE OF PUBLIC ENTERTAINMENT TO WHICH THIS ORDER APPLIES:

Number	Street/road	City/suburb/town	Postcode
Lot/s	LP/PS	Volume	Folio
Crown allotment	Section	Parish	County
Municipal district			

STOP WORK ORDER:

I, as the relevant building surveyor, order that:

*1. By [*insert time*] on [*insert date*], the owner must stop the following building work on the *building/*land/*condition-altered land/*place of public entertainment located at [*insert address*]: [*insert description of building work that must stop*].

*2. By [*insert time*] on [*insert date*], [*insert name of person other than owner who is subject to this stop work order*] must stop the following building work on the *building/*land/ *condition-altered land/*place of public entertainment located at [*insert address*]: [*insert description of building work that must stop*].

***EXEMPT BUILDING WORK:**

The following building work or part of the building work is exempt from this stop work order:

[*Specify building work that is exempt from the stop work order if the relevant building surveyor considers that it is necessary for the exempt work to be carried out and the reasons for the exemption *in the interests of the safety or security of the building, land, condition-altered land or place of public entertainment on which the building work is being carried out/*in the interests of the safety or health of any member of the public/*to prevent a nuisance to members of the public or occupiers of nearby properties.*]

***INSPECTION DETAILS:**

*The date and time of any inspection/s of the *building/*land/ *condition-altered land/*place of public entertainment carried out by myself as the relevant building surveyor was—

Time of inspection:

Date of inspection:

[*list any inspections carried out by the relevant building surveyor*]

*The date and time of any inspection relied on by myself as the relevant building surveyor for the purpose of making this order, and the name and qualifications of the person or persons who conducted the inspection are—

Time of inspection:

Date of inspection:

Name of person/persons:

Qualification(s) of person/persons:

*Building practitioner registration no. of person/persons:

[*list details of any inspections relied on by the relevant building surveyor*]

REASON(S) WHY THIS ORDER WAS MADE:

In accordance with section 112 of the **Building Act 1993**, I am of the opinion that—

***Building work contravenes the Building Act 1993**

Building work has been carried out on the *building/*land/*condition-altered land/*place of public entertainment in contravention of the **Building Act 1993**. The building work that contravenes the **Building Act 1993** is [*describe work*].

[*state reason(s) why the building work does not comply with the **Building Act 1993**, using specific references to the section(s) of that Act that have been breached by the building work*]

***Building work contravenes the Building Regulations 2018**

Building work has been carried out on the *building/*land/*condition-altered land/*place of public entertainment in contravention of the Building Regulations 2018.

The building work that contravenes the Building Regulations 2018 is [*describe work*].

[*state reason(s) why the building work does not comply with the Building Regulations 2018, using specific references to the regulation(s) that have been breached by the building work, including clauses of the BCA where applicable*]

***Building work is a danger to life, safety or health**

Building work is a danger to the life, safety or health of any member of the public or of any person using the *building/*land/*condition-altered land/*place of public entertainment or to any property.

The building work that is a danger to life, safety or health is [*describe work*].

[*state reason(s) why the building work is a danger to the life, safety or health of any member of the public or of any person using the building, land, condition-altered land or place of public entertainment or to any property*]

***Building work affects the support of any adjoining property**

Building work affects the support of any adjoining property.

[*state reason(s) why the building work is affecting the stability of any adjoining property, including details of the location of the adjoining property affected*]

BUILDING ORDER TO STOP BUILDING WORK MADE BY:

Relevant building surveyor

Name: [*insert full name*]

Address:

Email:

Building practitioner registration no.:

*Municipal district/*council name:

Building order to stop building work no.:

Date of making:

Signature:

** Delete if inapplicable*

Sch. 4 Form 14 amended by S.R. Nos 40/2019 reg. 30(5), 38/2026 reg. 18(4), 173/2026 reg. 28(5).

FORM 14

Regulation 182(3)

Building Act 1993

Building Regulations 2018

BUILDING ORDER—MINOR WORK

This building order is made under section 113 of the **Building Act 1993**.

TO:

The owner [*insert full name*]

Of [*insert address for service of the owner*]

FROM:

*I am the private building surveyor appointed to carry out functions under the **Building Act 1993** in relation to the *building/*land/ *condition-altered land/*place of public entertainment which is the subject of this building order.

*I am the municipal building surveyor of [*insert name of municipal district*].

I am authorised by section 113 of the **Building Act 1993** to make this building order.

LOCATION OF THE *BUILDING/*LAND/ *CONDITION-ALTERED LAND/*PLACE OF PUBLIC ENTERTAINMENT TO WHICH THIS ORDER APPLIES:

Number	Street/road	City/suburb/town	Postcode
Lot/s	LP/PS	Volume	Folio
Crown allotment	Section	Parish	County
Municipal district			

ORDER:

I, as the relevant building surveyor, order that:

*1. By [*insert time*] on [*insert date*], the owner of the *building/*land/ *condition-altered land/*place of public entertainment [*insert description and address of building, land, condition-altered land or place of public entertainment*] **MUST** carry out the following building work as required by the Building Regulations 2018 [*insert detailed description of work required to be carried out by the Regulations, including the BCA. Include references to the relevant regulation(s) and/or clauses of the BCA*].

*2. By [*insert time*] on [*insert date*], the owner of the *building/*land/ *condition-altered land/*place of public entertainment [*insert description and address of building, land, condition-altered land or place of public entertainment*] **MUST** carry out the following protection work [*insert detailed description of protection work required to be carried out by this order, including details of adjoining property that will receive the benefit of this work*].

*3. By [*insert time*] on [*insert date*], the owner of the *building/*land/ *condition-altered land/*place of public entertainment [*insert description and address of building, land, condition-altered land or place of public entertainment*] **MUST** carry out the following other work as required by the Building Regulations 2018 in relation to the *building/*land/*condition-altered land/*place of public entertainment [*insert detailed description of other work required to be carried out by the Regulations, including the BCA. Include references to the relevant regulation(s) and/or clauses of the BCA*].

*4. By [*insert time*] on [*insert date*], the owner of the *building/*land/ *condition-altered land/*place of public entertainment [*insert description and address of building, land, condition-altered land or place of public entertainment*] **MUST** carry out the specified action to remove or to wholly or partially reduce, or to contribute to removing or to wholly or partially reducing, the circumstance [*insert detailed description of the specified action required to be carried out by this order*].

INSPECTION DETAILS:

*The date and time of any inspection/s of the *building/*land/ *condition-altered land/*place of public entertainment carried out by myself as the relevant building surveyor was—

Time of inspection:

Date of inspection:

[*list any inspections carried out by the relevant building surveyor*]

*The date and time of any inspection/s relied on by myself as the relevant building surveyor for the purpose of making this order, and the name and qualifications of the person or persons who conducted the inspection are—

Time of inspection:

Date of inspection:

Name of person/persons:

Qualification(s) of person/persons:

*Building practitioner registration no. of person/persons:

[*list details of any inspections relied on by the relevant building surveyor*]

REASON(S) WHY THIS ORDER WAS MADE:

In accordance with section 113 of the **Building Act 1993**, I am of the opinion that—

***The work required by this order is of a minor nature.**

***Building work of a minor nature is required to be carried out**

The building work required by this order is [*describe work*].

[*state reason(s) why building work of a minor nature is required to be carried out*]

***Protection work of a minor nature is required to be carried out**

The protection work required by this order is [*describe work*].

[*state reason(s) why protection work of a minor nature is required to be carried out*]

***Other work of a minor nature is required to be carried out**

The other work required by this order is [*describe work*].

[*state reason(s) why the other work is required to be carried out*]

BUILDING ORDER MADE BY:

Relevant building surveyor

Name: [*insert full name*]

Address:

Email:

Building practitioner registration no.:

Signature:

Building order no.:

Date made:

** Delete if inapplicable*

FORM 15

Regulation 186(1)

Building Act 1993

Building Regulations 2018

APPLICATION FOR OCCUPANCY PERMIT

To

Relevant building surveyor

Name Class Registration no.

From

This application is made by the *owner/*agent of the owner of the property.

Name of applicant *ACN/*ARBN

Telephone

Email

Contact person (if applicant not a natural person)

In accordance with *section 42/*section 54 of the **Building Act 1993**, I apply for an occupancy permit for the *building/*place of public entertainment situated at—

Property details

Number	Street/road	City/suburb/town	
Lot/s	LP/PS	Volume	Folio
Crown allotment	Section	Parish	County
Municipal district			

Nature of Application

New building ☐†	Amendment to existing occupancy permit ☐†
Alteration to an existing building ☐†	Change of use of an existing building ☐†

Place of public entertainment ☐†

Other ☐†

***Building permit details**

Permit no.

***Building practitioners and architects who were engaged in the building work**

Name	Category/Class	Registration no.
Name	Category/Class	Registration no.

Use applied for

Part of building	Proposed use	BCA Class of building
Part of building	Proposed use	BCA Class of building

To conduct public entertainment ☐†

Certificates of compliance

Copies of compliance certificates for plumbing work and electrical work are attached in accordance with regulation 186(2)(b).

***Signature of owner**

Print name:

Date:

***Signature of agent of owner**

Print name:

Date:

** Delete if inapplicable*
† Tick if applicable

Sch. 4 Form 16 amended by S.R. No. 40/2019 reg. 30(6).

FORM 16

Regulation 192

Building Act 1993

Building Regulations 2018

OCCUPANCY PERMIT

This occupancy permit must be displayed in the following approved location:

[*insert details of location*]

Property details

Number	Street/road	City/suburb/town	Postcode
Lot/s	LP/PS	Volume	Folio
Crown allotment	Section	Parish	County
Municipal district			

Building permit details

Building permit number

Version of BCA applicable to building permit

***Building details**

[*complete this portion only if an occupancy permit is required under Division 1 of Part 5 of the* ***Building Act 1993***]

*Building to which permit applies	Permitted use	BCA Class of building
Maximum permissible floor live load	Maximum number of people to be accommodated	
Storeys contained	Rise in storeys (for Class 2-9 buildings)	
Effective height	Type of construction	

*Part of building to which permit applies	Permitted use	BCA Class of building
Maximum permissible floor live load	Maximum number of people to be accommodated	

***Places of public entertainment**

[*complete this portion only if an occupancy permit is required under Division 2 of Part 5 of the* ***Building Act 1993***]

Class 9b building having an area greater than 500 m^2	☐†	Place with an area greater than 500 m^2	☐†
Prescribed temporary structure	☐†	Kardinia Park Precinct	☐†

Public entertainment to be conducted

Period of operation of this permit

***Exemption from, or consent to partial compliance with, certain building requirements**

The following exemption from, or a consent to partial compliance with, certain requirements of the Building Regulations 2018 was granted under regulation 229(2), 231(2), 233(3) or 234(2) of the Building Regulations 2018:

Part or whole of building or place of public entertainment or building work exempt from, or given consent to partial compliance with, requirements of the Building Regulations 2018	**Nature and scope of exemption**
	[*specify the relevant regulation/BCA Performance Requirement which the building, place of public entertainment or building work is exempt from or may partially comply with*]

***Performance solution**

A performance solution was used to determine compliance with the following performance requirements of the BCA that relate to the building or place of public entertainment to which this permit applies: [*list matters not referenced on the relevant building permit*]

Relevant performance requirement	Details of performance solution
	[*insert details of performance solution including, applicable materials, systems, methods of building, procedures, specifications and other relevant requirements*]

***Building Appeals Board determinations and orders**

The following determinations and orders of the Building Appeals Board (***BAB***) relate to the *building/*place of public entertainment to which this permit applies: [*list matters not referenced on the relevant building permit*]

Date of determination or order	Determination or order	Section of Building Act 1993 under which application to BAB made
	[*insert details of determination or order including applicable materials, systems, methods of building, procedures, specifications and other relevant requirements*]	

***Reporting authorities**

The following bodies are reporting authorities for the purposes of the application for this permit in relation to the matters set out below:

Reporting authority	Matter reported on or consented to	Relevant regulation no.

***Conditions to which this permit is subject**

Occupation is subject to the following conditions—

(1) Essential safety measures

The following essential safety measures must be inspected, tested and maintained in accordance with the maintenance requirements set out in the following table—

Essential safety measures required to be provided for the building or place of public entertainment	Provision of the Building Regulations 2018 applicable to installation and operation of essential safety measure	The level of performance that each essential safety measure must achieve to fulfil its purpose	The frequency and type of maintenance required for each essential safety measure	The frequency and type of testing and inspections required for each essential safety measure

*(2) Other conditions

***Combined allotment determination**

A determination has been made under regulation 64(1) of the Building Regulations 2018 in relation to the building to which this permit applies.

***Subdivision of existing building**

The building to which this occupancy permit relates was created by the subdivision of an existing building.

An exemption granted in accordance with regulation 231 exempts the building from compliance with certain provisions of the Building Regulations 2018. This exemption was granted by *a municipal building surveyor/*the private building surveyor on [*insert date*], and a copy of this exemption is available by request from the relevant council in accordance with regulation 51.

Suitability for occupation

At the date this occupancy permit is issued, the *building/*place of public entertainment to which this permit applies is suitable for occupation.

Relevant building surveyor

Name: [*insert full name*]

Address:

Email:

Building practitioner registration no.:

*Municipal district/*council name:

Occupancy Permit no. Date of issue:

Date of final inspection:

Signature:

** Delete if inapplicable*
† Tick if applicable

FORM 17

Regulation 200

Building Act 1993

Building Regulations 2018

CERTIFICATE OF FINAL INSPECTION

Property details

Number	Street/road	City/suburb/town	Postcode
Lot/s	LP/PS	Volume	Folio
Crown allotment	Section	Parish	County
Municipal district			

Building permit details

Building permit number

Version of BCA applicable to building permit

Description of building work

Part of building	Permitted use	BCA Class of building
Part of building	Permitted use	BCA Class of building

***Exemption from, or consent to partial compliance with, certain building requirements**

The following exemption from, or a consent to partial compliance with, certain requirements of the Building Regulations 2018 was granted under regulation 229(2), 231(2), 233(3) or 234(2) of the Building Regulations 2018.

Part or whole of building or place of public entertainment or building work exempt from, or given consent to partial compliance with, requirements of the Building Regulations 2018	**Nature and scope of exemption**
	[*specify the relevant regulation/ BCA Performance Requirement which the building, place of public entertainment or building work is exempt from or may partially comply with*]

***Performance solution**

A performance solution was used to determine compliance with the following Performance Requirements of the BCA that relate to the building to which this permit applies: [*list matters not referenced on the relevant building permit*]

Relevant performance requirement	**Details of performance solution**
	[*insert details of performance solution including, applicable materials, systems, methods of building, procedures, specifications and other relevant requirements*]

***Building Appeals Board determination and orders**

The following determinations and orders of the Building Appeals Board (***BAB***) relate to the building to which this permit applies: [*list matters not referenced on the relevant building permit*]

Date of determination or order	**Determination or order**	**Section of Building Act 1993 under which application to BAB made**
	[*insert details of determination or order including, applicable materials, systems, methods of building, procedures, specifications and other relevant requirements*]	

Maintenance determination

A maintenance determination *is/*is not required to be prepared in accordance with regulation 215 of the Building Regulations 2018.

***Combined allotment determination**

A determination has been made under regulation 64(1) of the Building Regulations 2018 in relation to the building work to which this certificate applies.

***Directions to fix building work**

All directions to fix building work under Part 4 of the **Building Act 1993** have been complied with.

Relevant building surveyor

Name: [*insert full name*]

Address:

Email:

Building practitioner registration no.:

*Municipal district/*council name:

Certificate no.: Date of issue:

Signature:

** Delete if inapplicable*

FORM 18

Regulations 229(4), 231(4), 233(5), 234(4)

Building Act 1993

Building Regulations 2018

EXEMPTION FROM, OR CONSENT TO PARTIAL COMPLIANCE WITH, REQUIREMENTS IN REGULATIONS

TO:

Owner

Telephone

Email

Postal address

Postcode

*Agent of owner

Telephone

Email

Postal address

Postcode

***Details of relevant building permit**

Building permit no. Date of issue of building permit

Property details [*include title details as and if applicable*]

Number	Street/road	City/suburb/town	Postcode
Lot/s	LP/PS	Volume	Folio
Crown allotment	Section	Parish	County
Municipal district			

FROM:

1. I am the *municipal building surveyor of [*insert name of municipal district*]/*relevant building surveyor for building permit [*insert building permit number*].

2. I am authorised under regulation *229(2)/*231(2)/*233(3)/*234(2) of the Building Regulations 2018 to *exempt/*consent to partial compliance of a *building/*place of public entertainment/*certain building work from requirements in the Building Regulations 2018 and grant this *exemption/*consent accordingly.

*3. The *building/*place of public entertainment/*building work to which this *exemption/*consent applies is [*insert details of building or place of public entertainment*].

*4. The proposed building work to which this *exemption/*consent applies is [*insert description of proposed building work*] (the ***building work***).

5. The following part or whole of the *building/*place of public entertainment/*building work is *given consent to partially comply with/*exempted from compliance with the following requirements in the Building Regulations 2018—

   (a) [*insert in (a) the part or parts of the building or place of public entertainment or building work exempted from, or given consent to partial compliance with, the Building Regulations 2018*]

   (b) [*insert in (b) the nature of the scope of exemption from or consent to partial compliance with a requirement of the Building Regulations 2018 and specify the relevant regulation or BCA Performance Requirement etc.*]

*6. Description of how the structural adequacy of the *building/*place of public entertainment was taken into account when granting this *exemption/*consent [*insert description*].

7. Description of the requirements necessary to make reasonable provision for the amenity of the *building/*place of public entertainment subject to this *exemption/*consent that were taken into account [*insert description*].

8. Description of the requirements necessary to make reasonable provision for the safety and health of people using the *building/*place of public entertainment that were taken into account [*insert description*].

*9. Description of the requirements necessary to make reasonable provision for avoiding the spread of fire to or from any adjoining building that were taken into account [*insert description*].

Note

Items numbered 6 and 9 do not apply to a determination under regulation 234(2) of the Building Regulations 2018.

***Municipal building surveyor/*Relevant building surveyor**

Name: [*insert full name*]

Address:

Email:

Building practitioner registration no.:

*Municipal district/*council name:

Date of *grant of exemption/*consent to partial compliance:

Related building permit no. [*if issued before exemption granted or consent given*]

Signature:

** Delete if inapplicable*

FORM 19

Sch. 4 Form 19 amended by S.R. No. 40/2019 reg. 30(7), substituted by S.R. Nos 128/2021 reg. 22, 61/2022 reg. 19.

Regulation 242(2)

Building Act 1993

Building Regulations 2018

APPLICATION FOR ACCREDITATION OF A BUILDING PRODUCT

To

Building Regulations Advisory Committee

From

Applicant:

Name: [*insert full name*]

*ACN/*ARBN:

Postal address:

Postcode:

Contact person: Telephone:

Email:

***Proposed holder of the accreditation for the building product**
(if different from applicant)

Name: [*insert full name*]

*ACN/*ARBN:

Postal address:

Postcode:

Contact person: Telephone:

Email:

A copy of the authorisation, given to the applicant from the proposed holder of the accreditation, to make this application is attached to this form. ☐†

Type of building product (select one)

This application is for:

a building product ☐†

a construction method connected with building work ☐†

a design connected with building work	☐†
a component connected with building work	☐†
a system connected with building work	☐†

Note

Regulation 238 of the Building Regulations 2018 defines, for the purposes of Part 17 of those Regulations and this Form, ***building product*** to include a construction method, design, component or system connected with building work. However, the reference in the list above to "a building product" has its ordinary meaning, rather than the defined meaning.

Details of building product

Name of building product:

Description of building product:

Purpose and use of building product:

Method of installation or use of building product:

Interaction of building product with other components and materials in building work:

BCA performance requirements that are relevant to the building product:

[*insert performance requirements*]

Means of demonstrating compliance with BCA requirements

The building product meets the following performance requirement(s) of the BCA by the following means:

Column 1	**Column 2**
Performance requirements relevant to the building product [*insert performance requirements*]—	Evidence to demonstrate compliance of the building product with each performance requirement in column 1 [*insert specific evidence and explain how it shows compliance of the building product with the relevant performance requirement*]—

Documentation or information accompanying application

The application is accompanied by the following—

an appraisal of the building product;	☐†
the appraiser's qualifications and curriculum vitae;	☐†
test report(s) from an Accredited Testing Laboratory or a Registered Testing Authority;	☐†
a technical/installation manual for the building product;	☐†
other information or documentation required by the Committee.	☐†

Signature

I certify that the information and content contained in this application is complete and correct.

Signature of applicant:

Date:

** Delete if inapplicable*

† Tick if applicable

Sch. 4 Form 19A inserted by S.R. No. 61/2022 reg. 19.

FORM 19A

Regulations 242A(2), 242AB

Building Act 1993

Building Regulations 2018

APPLICATION FOR RENEWAL OR VARIATION OF ACCREDITATION FOR A BUILDING PRODUCT

To

Building Regulations Advisory Committee

From

Applicant:

Name: [*insert full name*]

*ACN/*ARBN:

Postal address:

Postcode:

Contact person: Telephone:

Email:

***If applicant is making the application on behalf of the holder of the accreditation for the building product**

I have been authorised by the holder of the accreditation to make this application on their behalf. ☐†

A copy of the authorisation from the holder of the accreditation to make this application is attached to this form. ☐†

***Holder of the accreditation for the building product** (if different from applicant)

Name: [*insert full name*]

*ACN/*ARBN:

Postal address:

Postcode:

Contact person: Telephone:

Email:

Type of application

Variation of existing accreditation of building product ☐†

Renewal of existing accreditation of building product ☐†

Certificate No. of existing certificate of accreditation [*insert*]

Type of building product (select one)

This application is for:

a building product	☐†
a construction method connected with building work	☐†
a design connected with building work	☐†
a component connected with building work	☐†
a system connected with building work	☐†

Note

Regulation 238 of the Building Regulations 2018 defines, for the purposes of Part 17 of those Regulations and this Form, ***building product*** to include a construction method, design, component or system connected with building work. However, the reference in the list above to "a building product" has its ordinary meaning, rather than the defined meaning.

Details of building product

Name of building product:

Description of building product:

Purpose and use of building product:

Method of installation or use of building product:

Interaction of building product with other components and materials in building work:

Details for renewal application

Describe any changes to the building product that have occurred during the previous accreditation period:

Detail any changes to requirements or standards applicable to the building product during the previous accreditation period:

Details for variation application

[*Select all applicable*]

transfer the accreditation to another person	☐†
change of name of the holder of the accreditation	☐†
change of postal address, telephone number or email of the holder of the accreditation	☐†
change of building product name	☐†
change of name of one or more components that form part of the accredited building product	☐†
changes to an installation manual for the building product, or to any performance requirement or standard applying to the building product	☐†
changes to the building product to reflect any amendment to a regulation in relation to which the building product was accredited	☐†
changes to conditions imposed on the accreditation by the Committee	☐†
correction of error in the certificate of accreditation for the building product	☐†
other	☐†

Describe in detail any variations being sought:

BCA performance requirements that are relevant to the building product:

[*insert performance requirements*]

Means of demonstrating compliance with BCA requirements

The building product meets the following performance requirement(s) of the BCA by the following means:

Column 1	**Column 2**
Performance requirements relevant to the building product [*insert performance requirements*]—	Evidence to demonstrate compliance of the building product with each performance requirement in column 1 [*insert specific evidence and explain how it shows compliance of the building product with the relevant performance requirement*]—

Documentation or information accompanying application for renewal of accreditation

The application is accompanied by the following—

an appraisal of the building product;	☐†
the appraiser's qualifications and curriculum vitae;	☐†
test report(s) from an Accredited Testing Laboratory or a Registered Testing Authority;	☐†
a technical/installation manual for the building product;	☐†
other information or documentation required by the Committee.	☐†

Signature

I certify that the information and content contained in this application is complete and correct.

Signature of applicant:

Date:

** Delete if inapplicable*

† Tick if applicable

Sch. 4 Form 19B inserted by S.R. No. 61/2022 reg. 19.

FORM 19B

Regulation 245(1)

Building Act 1993

Building Regulations 2018

CERTIFICATE OF ACCREDITATION

Name of building product: [*insert details*]

Building product description: [*insert details*]

Description of the purpose and use of the building product:
[*insert details*]

Regulation/s in relation to which the building product is accredited:
[*insert details*]

Conditions to which the accreditation is subject: [*insert details*]

The name and address of the holder of the accreditation: [*insert details*]

If the holder of the accreditation is a corporation, ACN: [*insert details*]

Trading name and ABN of the holder of the accreditation: [*insert details*]

Date building product accredited: [*insert date of accreditation*]

Certificate number: [*insert certificate number*]

Date of issue of certificate: [*insert date of issue*]

***Date building product accreditation renewed:**
[*insert date of renewal of accreditation*]

Date of expiry of accreditation: [*insert expiry date*]

***Date and details of variation of accreditation:**
[*insert date on which accreditation varied and details of variation*]

***Date of re-issue of certificate:** [*insert date of re-issue*]

Signature: [*insert signature of Chair of the Building Regulations Advisory Committee*]

**Delete if inapplicable*

FORM 20

Sch. 4 Form 20 amended by S.R. No. 75/2018 reg. 27(2).

Regulation 264(a)

Building Act 1993

Building Regulations 2018

NOTICE OF SUSPENSION OF REGISTRATION UNDER SECTION 183A

I [*insert name*] give notice that on [*insert date*] my registration as a building practitioner in the category of [*insert registration category*] class of [*insert registration class*] was suspended by the Victorian Building Authority (***VBA***) with respect to the work I am carrying out for you. My registration will be suspended from [*insert date*].

Under section 183A of the **Building Act 1993**, I am required to give you notice of the suspension of my registration.

Under section 185 of the **Building Act 1993**, I have the right to apply for an internal review of the VBA's decision to suspend my registration. In reviewing the decision, the VBA may choose to affirm, amend or substitute the decision.

Under section 186 of the **Building Act 1993**, I also have the right to apply for a review of the decision to suspend my registration directly to the Victorian Civil and Administrative Tribunal (***VCAT***). VCAT may then choose to affirm, amend or substitute the decision.

If I apply for an internal review or a review by VCAT, the suspension of my registration is stayed until a decision is made unless my registration was immediately suspended under section 180A of the Act.

Signature

Date

Sch. 4 Form 21 amended by S.R. No. 75/2018 reg. 27(2).

FORM 21

Regulation 264(b)

Building Act 1993

Building Regulations 2018

NOTICE OF CANCELLATION OF REGISTRATION UNDER SECTION 183A

I [*insert name*] give notice that on [*insert date*] my registration as a building practitioner in the category of [*insert registration category*] class of [*insert registration class*] was cancelled by the Victorian Building Authority (***VBA***). My registration will be cancelled from [*insert date*].

Under section 183A of the **Building Act 1993**, I am required to give you notice of the cancellation of my registration.

Under section 185 of the **Building Act 1993**, I have the right to apply for an internal review of the VBA's decision to cancel my registration. In reviewing the decision, the VBA may choose to affirm, amend or substitute the decision.

Under section 186 of the **Building Act 1993**, I also have the right to apply for a review of the decision to cancel my registration directly to the Victorian Civil and Administrative Tribunal (***VCAT***). VCAT may then choose to affirm, amend or substitute the decision. If I apply for a review, the cancellation of my registration is stayed until a decision is made.

If I apply for an internal review or a review by VCAT, the suspension of my registration is stayed until a decision is made unless my registration was immediately suspended under section 180A of the Act.

Signature

Date

FORM 22

Sch. 4 Form 22 inserted by S.R. No. 116/2019 reg. 15.

Regulation 147P(1)

Building Act 1993

Building Regulations 2018

APPLICATION TO REGISTER A SWIMMING POOL OR SPA

Ownership details

Name of owner of the land (the ***property***) on which the swimming pool or spa is located:

Postal address:

Telephone number:

Email address:

Property details: [*include title details as and if applicable*]

Number	Street/road	City/suburb/town	Postcode
Lot/s	LP/PS	Volume	Folio
Crown allotment	Section	Parish	County
Municipal district			

Type of swimming pool or spa: [*please tick*]:

Permanent swimming pool	☐
Permanent spa	☐
Relocatable swimming pool	☐
Relocatable spa	☐

For permanent swimming pools and permanent spas, the approximate date that the swimming pool or spa was constructed:

[*please provide copies of any relevant building permit if available and/or any other information or documentation that provides evidence of when the swimming pool or spa was constructed*]

For relocatable swimming pools and relocatable spas, the date that the relocatable swimming pool or relocatable spa was erected:

Is there any other building work that has altered or resulted in changes to the barrier since the swimming pool or spa was constructed or erected?

[*if yes, please provide details and copies of any relevant building permit or other documentation*]

Signature

Signature of applicant

Date

FORM 23

Sch. 4 Form 23 inserted by S.R. No. 116/2019 reg. 15.

Regulations 147Y(4), 147ZB(2)

Building Act 1993

Building Regulations 2018

CERTIFICATE OF POOL AND SPA BARRIER COMPLIANCE

Issued to:

1. Name of owner of the land (the ***property***) on which the swimming pool or spa is located:
2. Postal address:
3. Telephone number:
4. Email address:

Property details:

Number	Street/road	City/suburb/town	Postcode
Lot/s	LP/PS	Volume	Folio
Crown allotment	Section	Parish	County
Municipal district			

Type of swimming pool or spa: [*please tick*]

Permanent swimming pool	☐
Permanent spa	☐
Relocatable swimming pool	☐
Relocatable spa	☐

5. Date of construction of the swimming pool or spa:
6. Applicable barrier standard:
7. The applicable barrier standard applies under: [*please tick*]
   - Division 2 of Part 9A of the Building Regulations 2018 ☐
   - relevant deemed to satisfy provisions of the BCA ☐
   - a performance solution in accordance with the BCA ☐
8. Date(s) of inspection(s) of the swimming pool or spa barrier:

Certification of compliance

Following inspection of the *swimming pool barrier/*spa barrier on the date(s) referred to in item 8 of this certificate, I certify that the barrier complies with the applicable barrier standard.

Signature of *relevant building surveyor/*swimming pool and spa inspector/*municipal building surveyor:

Date:

9. I confirm that I *did/*did not carry out building work on the barrier to address identified non-compliance of the barrier prior to certifying the barrier's compliance with the applicable barrier standard.

Inspector details

10. Name of registered building practitioner:
11. *ACN/*ARBN
12. Address:
13. Email:
14. Building practitioner registration no.:
15. *Municipal district/*council name:

** Delete if inapplicable*

FORM 24

Sch. 4 Form 24 inserted by S.R. No. 116/2019 reg. 15.

Regulation 147ZI(1)

Building Act 1993

Building Regulations 2018

CERTIFICATE OF POOL AND SPA BARRIER NON-COMPLIANCE

Issued to:

1. Name of owner of the land (the ***property***) on which the swimming pool or spa is located:
2. Postal address:
3. Telephone number:
4. Email address:

Property details:

Number	Street/road	City/suburb/town	Postcode
Lot/s	LP/PS	Volume	Folio
Crown allotment	Section	Parish	County
Municipal district			

Type of swimming pool or spa: [*please tick*]

Permanent swimming pool	☐
Permanent spa	☐
Relocatable swimming pool	☐
Relocatable spa	☐

5. Date of construction of the swimming pool or spa:
6. Applicable barrier standard:
7. The applicable barrier standard applies under: [*please tick*]
   - Division 2 of Part 9A of the Building Regulations 2018 ☐
   - relevant deemed to satisfy provisions of the BCA ☐
   - a performance solution in accordance with the BCA ☐
8. Date(s) of inspection(s) of the swimming pool or spa barrier:

Certification of non-compliance

Following inspection of the *swimming pool/*spa barrier on the date(s) referred to in item 8 of this certificate, I certify that the barrier does not comply with the applicable barrier standard.

This certificate of pool and spa barrier non-compliance has been issued because:

- in my opinion the barrier cannot or will not be made compliant with the applicable barrier standard within 60 days; or ☐
- a written notice was provided to the owner in accordance with regulation 147ZG(1) or 147ZH(1) of the Building Regulations 2018 and the barrier was not made compliant within the time period specified in that notice; or ☐
- in my opinion the barrier non-compliance poses a significant and immediate risk to life or safety; or ☐
- in my opinion the barrier is non-compliant with the applicable barrier standard in one or more ways specified in regulation 147ZF(c) of the Building Regulations 2018. ☐

List of non-compliant items (required):

Column 1	*Column 2*	*Column 3*
Item number	*Items/components of swimming pool or spa barrier that are non-compliant with the applicable barrier standard* *[insert ways in which barrier is non-compliant with the applicable barrier standard]*	*Rectification work required* *[set out the building work required to make the barrier compliant with the applicable barrier standard]*
1		
2		
3		
4		
5		
6		

[*More rows may be added as required*]

Any additional comments:

Signature of swimming pool and spa inspector:

Date:

Inspector details:

9. Name of swimming pool and spa inspector:
10. *ACN/*ARBN
11. Address:
12. Email:
13. Building practitioner registration no.:
14. *Municipal district/*council name:

** Delete if inapplicable*

Sch. 4 Form 25 inserted by S.R. No. 116/2019 reg. 15.

FORM 25

Regulation 147ZK(2)

Building Act 1993

Building Regulations 2018

BARRIER IMPROVEMENT NOTICE

Served on:

Name of owner of the land on which the swimming pool or spa is located [*insert full name*]

Of [*insert address for service on the owner*]

FROM:

I am the municipal building surveyor of the municipal district of [*insert name of relevant council*].

I am authorised to cause a barrier improvement notice to be served on you, as owner of the land to which this notice applies under regulation 147ZK of the Building Regulations 2018.

LOCATION OF THE LAND TO WHICH THIS NOTICE APPLIES:

Number	Street/road	City/suburb/town	Postcode
Lot/s	LP/PS	Volume	Folio
Crown allotment	Section	Parish	County
Municipal district			

REASON WHY THIS NOTICE WAS SERVED:

A certificate of pool and spa barrier non-compliance was lodged with [*insert name of the relevant council*] on [*insert date*] in relation to a swimming pool or spa located on the land described above.

A copy of the certificate of pool and spa barrier non-compliance is attached. This certificate lists the matters identified in respect of which the barrier was determined not to comply with the applicable barrier standard.

ACTION REQUIRED:

You are required to bring the matters listed in the certificate of pool and spa barrier non-compliance into compliance with the applicable barrier standard, and to lodge a certificate of pool and spa barrier compliance with the [*insert name of relevant council*] by [*insert date*].

A failure to lodge the required certificate of pool and spa barrier compliance by [*insert date*] is an offence under regulation 147V(1) of the Building Regulations 2018. As a prescribed offence, a failure to comply with this notice may result in the issuing of a building infringement notice which carries a prescribed penalty of 2 penalty units.

Municipal building surveyor

Name: [*insert full name*]

Name of council: [*insert name of relevant council*]

Address:

Email:

Building practitioner registration no.:

Signature:

Barrier improvement notice no.:

Date made:

Sch. 4 Form 26 inserted by S.R. No. 115/2026 reg. 17.

FORM 26

Regulation 43A

Victorian Building Surveyors

Consumer Information Statement: Building Surveyor Roles and Responsibilities

This document explains the role of a Relevant Building Surveyor and the scope of their duties in your project. Your building surveyor must give you a copy of this information statement no later than 10 business days after applying for the issue of a building permit number.

What is a building surveyor?

A building surveyor is an independent professional who ensures that your building complies with legislation, regulations and the National Construction Code (***NCC***). They also intervene when building work does not comply with required building standards. These standards are set out in the building regulatory framework which includes the **Building Act 1993** (***Act***), the Building Regulations 2018 (***Regulations***) and the NCC.

Building surveyors must be registered through the Victorian Building Authority and work within their category of registration.

They can be a municipal building surveyor (appointed by the local council to provide the service to ratepayers) or private building surveyors (***PBS***—appointed by you or your agent). Once appointed to a building project, they become the Relevant Building Surveyor (***RBS***).

The Victorian Building Authority (***Authority***) is the independent statutory authority with oversight of the building industry. As part of a series of landmark reforms to the building sector, the Authority has now integrated the functions of the Victorian Managed Insurance Authority and Domestic Building Dispute Resolution Victoria. To reflect this expansion, the Authority is now trading as the Building and Plumbing Commission.

The appointed surveyor is the independent professional authorised to perform important regulatory functions for, and in relation to the steps of, a building project. They have statutory requirements to avoid conflicts of interest, and undertake the following functions to ensure the builder delivers a compliant building for owners:

- assessing and issuing building permits
- ensuring the builder has received a notice of cover for the First Resort Home Warranty Scheme
- requiring protection works where needed to safeguard neighbouring properties

- conducting building inspections or causing building inspections to be conducted at mandatory notification stages and at additional stages where appropriate
- enforcing building standards
- issuing the occupancy permit or certificate of final inspection on completion of the building work.

When carrying out these responsibilities, the RBS must apply the technical standards in the NCC which relate to:

- structure
- damp and weatherproofing
- fire safety
- health and amenity
- safe movement and access
- energy efficiency.

Building surveyors appointed as the RBS for a project are not Project Managers and must work within their legislated scope. For this reason, they cannot assist with:

- the design of building works
- site supervision and construction of building work
- enforcing contractual obligations between the owner and other building practitioners
- other legislated obligations (such as Occupational Health and Safety, planning matters, services supply, including water and electricity and environmental protection)
- workmanship concerns, unless directly related to compliance within the regulatory framework. For example, a poorly installed flashing may have an underlying non-compliance with the NCC; however, poorly executed internal paint finishes are likely to be out of scope.

Appointing, dismissing or changing building surveyors

Only you (the owner) or your authorised agent can appoint a PBS. Builders are not allowed to appoint a PBS for work under a major domestic building contract. They may suggest a pool of surveyors; however, they cannot require you to follow their suggestions.

The building surveyor must be appointed as the RBS before applying for the building permit and they will remain your RBS for the duration of the building work.

The RBS must notify the relevant local council in writing of their appointment within 7 days.

If you want to dismiss or change a PBS before the building work has commenced or is complete, you will need the Authority's consent. The Authority can only accept an application to terminate the appointment of a PBS in limited circumstances, and their decision may be appealed to the Building Appeals Board. You cannot request to terminate the appointment of a Municipal Building Surveyor (**MBS**).

A PBS can transfer their appointment to another PBS or an MBS permanently or for a fixed period on agreement of all parties. Where all parties agree, Authority consent is not required.

Professional and ethical responsibilities and obligations of a building surveyor

Building surveyors in Victoria have important professional and ethical obligations that govern their conduct and responsibilities. Key legal requirements are set out in the Act, the Regulations and the Code of Conduct for Building Surveyors (***Code***). These requirements include:

- a responsibility to act independently from all other parties (e.g. the builder or designer)
- an obligation to abide by a professional code of conduct, the Code, which requires building surveyors to:
    - act within the public interest
    - comply with the law
    - act with integrity
    - avoid conflicts of interest, including involvement in the design process with the builder
- an obligation to undertake certain activities, including the commencement of an enforcement action when building work does not comply with the Act, the Regulations or an approved building permit.

Responsibilities and obligations of other parties in relation to the building surveyor

Your builder

It is your builder's responsibility to ensure the building works are undertaken and constructed in compliance with the approved plans and specifications and the relevant building regulations.

You as the owner

You are responsible for checking the progress of your building project, talking to your builder about any issues or concerns you may have and paying your builder for completed work. You have the right to reasonable access to your building site at any time during construction to check on progress.

You need to:

- choose an RBS. You may be suggested a specific one by your builder; however, you or your authorised agent must make the final decision
- raise issues with workmanship (that are not related to compliance with legislation, regulations or the NCC) with your builder as this is not within the RBS scope. An example of this is poorly executed internal paint finishes.

Relevant building surveyors and your project

Your RBS is involved for the duration of building work and has a role in each stage of the project.

Prior to the commencement of building work, the RBS will assess the building permit application and issue a building permit confirming that they are satisfied the building work will comply with the Act, Regulations and NCC. After building work begins, the RBS's role includes inspections, enforcement and the issuing of the occupancy permit or certificate of final inspection at the completion of the work.

Inspections

There are multiple mandatory notification stages through the building work process that trigger an inspection which are specified in the building permit.

It is an offence for a builder to continue to carry out building work beyond the mandatory notification stage without notifying the RBS.

The RBS may also inspect building work at any time.

The RBS must initiate the inspection. The RBS may conduct the inspection themselves or delegate the inspection to another registered building surveyor or inspector, or a prescribed person such as an endorsed building engineer.

Enforcement

The RBS must undertake enforcement if they are satisfied the work does not comply with the Act, the Regulations, the NCC or the approved building permit and the RBS has a variety of enforcement tools available to them.

The RBS is independent in assessing compliance and can use their enforcement tools to require the builder to address non-compliant work.

The builder or owner must not carry out any proposed changes to the approved building permit without prior consultation and approval by the RBS.

The RBS can approve changes to the building permit, provided they are consistent with the Act, the Regulations and the NCC.

Occupancy permit/certificate of final inspection

A building permit will nominate whether an occupancy permit (**OP**) or certificate of final inspection (**CFI**) is required.

When a building permit specifies the need for an OP, the building must not be occupied unless it is obtained.

A building surveyor can only issue an OP if the building is suitable for occupation.

In some instances, such as extensions or alterations to an existing home, an OP is not required; however, in these instances a CFI must be issued.

There may be compliance matters that still need resolution post OP/CFI, but the RBS does not have any role in resolving these issues.

Complaints or disputes

If you have a complaint or a dispute involving your RBS:

- you should first contact your RBS. They are required to have a process for handling complaints. Your RBS should be able to inform you why they made a particular decision
- if you are unable to resolve your issue and believe your RBS has breached their statutory responsibilities, you can lodge a complaint with the Authority
- there may be complaints or disputes that are outside of the scope of a building surveyor's statutory functions under the Act. The Authority may be able to assist in mediating the dispute.

If you have a complaint or a dispute involving any registered practitioner such as your builder, you can refer it to the Authority for inquiry.

Need more information?

Find out more about building surveyors and about the Authority at **bpc.vic.gov.au**; find more general information at **dtp.vic.gov.au**.

Schedule 5—Prescribed matters reported on by prescribed reporting authorities

Sch. 5 amended by S.R. Nos 132/2023 reg. 21, 173/2026 reg. 29.

Regulation 31

Part 1—Prescribed matters reported on by chief officer

Column 1 *Item*	*Column 2* *Prescribed matters to be reported on by chief officer*	*Column 3* *Regulation reference*
	The following fire safety matters if those matters do not meet the deemed-to-satisfy provisions of the BCA—	reg. 129(1)
1	fire hydrants;	
2	fire control centres or fire control rooms;	
3	fire precautions during construction;	
4	fire mains;	
5	control valves;	
6	booster assemblies;	
7	open space and perimeter vehicular access to the extent it relates to emergency vehicles;	
8	fire indicator panels;	
9	fire services controls in passenger lift cars.	
	The following bushfire safety matters if those matters do not meet the requirements of regulation 160 or 161—	reg. 162(1)
10	static water supply for fire fighting purposes;	
11	emergency vehicle access.	

Part 2—Prescribed matters reported on by relevant council

Column 1 *Item*	*Column 2* *Prescribed matters to be reported on by relevant council*	*Column 3* *Regulation reference*
1	Setback from a street alignment not complying with reg. 73	reg. 73(2)
2	Setback from a street alignment not complying with reg. 74	reg. 74(4)
2A	Building setback not complying with reg. 74A(1) or (2)	reg. 74A(3)
3	Building height not complying with reg. 75	reg. 75(4)
4	Site coverage not complying with reg. 76	reg. 76(4)
5	Permeable surfaces not complying with reg. 77	reg. 77(3)
6	Car parking spaces not complying with reg. 78	reg. 78(6)
7	Side or rear boundary setbacks not complying with reg. 79	reg. 79(6)
7A	Building setbacks not complying with reg. 79A (Solar access to existing domestic solar energy system on rooftop of adjoining allotment)	reg. 79A(3)
8	Walls or carports on boundaries not complying with reg. 80	reg. 80(6)
9	Building setbacks not complying with reg. 81 (daylight to existing habitable room windows)	reg. 81(6)
10	Building setbacks not complying with reg. 82 (solar access to north-facing habitable room windows)	reg. 82(5)
11	Building design not complying with reg. 83 (overshadowing of recreational private open space)	reg. 83(3)
12	Window or raised open space not complying with reg. 84 (overlooking)	reg. 84(9)

Column 1 *Item*	*Column 2* *Prescribed matters to be reported on by relevant council*	*Column 3* *Regulation reference*
13	Building design not complying with reg. 85 (daylight to habitable room windows)	reg. 85(3)
14	Private open space for a building not complying with reg. 86	reg. 86(3)
14A	Private open space not complying with reg. 86A(1)	reg. 86A(2)
	* * * * *	
15	Siting of a Class 10a building, that is appurtenant to a building of another class, that does not comply with reg. 87	reg. 87(2)
16	Front fence height not complying with reg. 89	reg. 89(3)
17	Fence setback from side or rear boundary not complying with reg. 90	reg. 90(2)
18	Length or height of side or rear boundary fence not complying with reg. 91	reg. 91(5)
19	A fence within 9 m of an intersection of street alignments and exceeding height of 1 m above footpath	reg. 92(2)
20	Fence setback not complying with reg. 94 (daylight to existing habitable room window)	reg. 94(6)
21	Fence setback not complying with reg. 95 (solar access to north-facing habitable room windows)	reg. 95(3)
22	Fence design not complying with reg. 96 (overshadowing of recreational private open space)	reg. 96(3)
23	A mast, pole, aerial, antenna, chimney, flue or service pipe not complying with reg. 97(1)	reg. 97(2)
24	Projections beyond street alignment	reg. 109(1) and (2)
25	Precautions over a street alignment	reg. 116(4)

Column 1	*Column 2*	*Column 3*
Item	*Prescribed matters to be reported on by relevant council*	*Regulation reference*
26	Installation or alteration of a septic tank system, or construction of a building over an existing septic tank system	reg. 132(1)
27	Point of discharge of stormwater	reg. 133(2)
28	Buildings above or below certain public facilities	reg. 134(2)
29	Construction of buildings on land in a designated flood-prone area	reg. 153(2)
30	Building on designated land or designated works	reg. 154(1)

Part 3—Prescribed matter reported on by relevant service authority

Column 1	*Column 2*	*Column 3*
Item	*Prescribed matter to be reported on by relevant service authority*	*Regulation reference*
1	Construction of building over an easement vested in the service authority	reg. 130(1)

Part 4—Prescribed matter reported on by relevant electricity supply authority

Column 1	*Column 2*	*Column 3*
Item	*Prescribed matter to be reported on by relevant electricity supply authority*	*Regulation reference*
1	Provision of substations	reg. 131(1)

Schedule 6—Planning schemes

Sch. 6 amended by S.R. Nos 100/2018 reg. 5, 106/2024 reg. 4, 173/2026 reg. 30.

Regulations 74(1), 75(1), 76(1), 76A(1), 86(1), 89(1)

Table

Column 1 *Item*	*Column 2* *Name of planning scheme*	*Column 3* *Name of zone*
1	Alpine Planning Scheme	General Residential Zone (GRZ)
2	Ararat Planning Scheme	General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)
3	Ballarat Planning Scheme	Residential Growth Zone (RGZ) General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)
4	Banyule Planning Scheme	Residential Growth Zone (RGZ) General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ) Housing Choice and Transport Zone (HCTZ)
5	Bass Coast Planning Scheme	Residential Growth Zone (RGZ) General Residential Zone (GRZ)
6	Baw Baw Planning Scheme	General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)
7	Bayside Planning Scheme	Mixed Use Zone (MUZ) Residential Growth Zone (RGZ) General Residential Zone (GRZ)

Column 1 *Item*	*Column 2* *Name of planning scheme*	*Column 3* *Name of zone*
		Neighbourhood Residential Zone (NRZ)
		Housing Choice and Transport Zone (HCTZ)
8	Benalla Planning Scheme	General Residential Zone (GRZ)
9	Boroondara Planning Scheme	Residential Growth Zone (RGZ)
		General Residential Zone (GRZ)
		Neighbourhood Residential Zone (NRZ)
		Housing Choice and Transport Zone (HCTZ)
10	Brimbank Planning Scheme	Residential Growth Zone (RGZ)
		General Residential Zone (GRZ)
		Neighbourhood Residential Zone (NRZ)
11	Campaspe Planning Scheme	General Residential Zone (GRZ)
		Neighbourhood Residential Zone (NRZ)
12	Cardinia Planning Scheme	Residential Growth Zone (RGZ)
		General Residential Zone (GRZ)
		Neighbourhood Residential Zone (NRZ)
13	Casey Planning Scheme	Residential Growth Zone (RGZ)
		General Residential Zone (GRZ)
		Neighbourhood Residential Zone (NRZ)

Column 1 *Item*	*Column 2* *Name of planning scheme*	*Column 3* *Name of zone*
14	Central Goldfields Planning Scheme	General Residential Zone (GRZ)
15	Colac Otway Planning Scheme	General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)
16	Corangamite Planning Scheme	General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)
17	Darebin Planning Scheme	Residential Growth Zone (RGZ) General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ) Housing Choice and Transport Zone (HCTZ)
18	East Gippsland Planning Scheme	General Residential Zone (GRZ)
19	Frankston Planning Scheme	Residential Growth Zone (RGZ) General Residential Zone (GRZ) Housing Choice and Transport Zone (HCTZ)
20	Gannawarra Planning Scheme	General Residential Zone (GRZ)
21	Glen Eira Planning Scheme	Mixed Use Zone (MUZ) Residential Growth Zone (RGZ) General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ) Housing Choice and Transport Zone (HCTZ)

Column 1 *Item*	*Column 2* *Name of planning scheme*	*Column 3* *Name of zone*
22	Glenelg Planning Scheme	General Residential Zone (GRZ)
23	Golden Plains Planning Scheme	General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)
24	Greater Bendigo Planning Scheme	Mixed Use Zone (MUZ) Residential Growth Zone (RGZ) General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)
25	Greater Dandenong Planning Scheme	Residential Growth Zone (RGZ) General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)
26	Greater Geelong Planning Scheme	Residential Growth Zone (RGZ) General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)
27	Greater Shepparton Planning Scheme	Residential Growth Zone (RGZ) General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)
28	Hepburn Planning Scheme	General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)

Column 1 *Item*	*Column 2* *Name of planning scheme*	*Column 3* *Name of zone*
29	Hindmarsh Planning Scheme	General Residential Zone (GRZ)
30	Hobsons Bay Planning Scheme	Residential Growth Zone (RGZ) General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)
31	Horsham Planning Scheme	General Residential Zone (GRZ)
32	Hume Planning Scheme	Residential Growth Zone (RGZ) General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ) Housing Choice and Transport Zone (HCTZ)
33	Indigo Planning Scheme	General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)
34	Kingston Planning Scheme	Residential Growth Zone (RGZ) General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ) Housing Choice and Transport Zone (HCTZ)
35	Knox Planning Scheme	Residential Growth Zone (RGZ) General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)

Column 1 *Item*	*Column 2* *Name of planning scheme*	*Column 3* *Name of zone*
36	Latrobe Planning Scheme	Residential Growth Zone (RGZ) General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)
37	Macedon Ranges Planning Scheme	General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)
38	Manningham Planning Scheme	Residential Growth Zone (RGZ) General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)
39	Mansfield Planning Scheme	Mixed Use Zone (MUZ) General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)
40	Maribyrnong Planning Scheme	Residential Growth Zone (RGZ) General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ) Housing Choice and Transport Zone (HCTZ)
41	Maroondah Planning Scheme	Housing Choice and Transport Zone (HCTZ) General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)

Column 1 *Item*	*Column 2* *Name of planning scheme*	*Column 3* *Name of zone*
42	Melbourne Planning Scheme	Residential Growth Zone (RGZ) General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)
43	Melton Planning Scheme	Residential Growth Zone (RGZ) General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)
43A	Merri-bek Planning Scheme **Note** Merri-bek Planning Scheme was previously known as Moreland Planning Scheme.	Housing Choice and Transport Zone (HCTZ) Residential Growth Zone (RGZ) General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)
44	Mildura Planning Scheme	Residential Growth Zone (RGZ) General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)
45	Mitchell Planning Scheme	General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ) Residential Growth Zone (RGZ)
46	Moira Planning Scheme	General Residential Zone (GRZ)

Column 1 *Item*	*Column 2* *Name of planning scheme*	*Column 3* *Name of zone*
47	Monash Planning Scheme	Mixed Use Zone (MUZ) Residential Growth Zone (RGZ) General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ) Housing Choice and Transport Zone (HCTZ)
48	Moonee Valley Planning Scheme	Mixed Use Zone (MUZ) General Residential Zone (GRZ) Residential Growth Zone (RGZ) Housing Choice and Transport Zone (HCTZ)
49	Moorabool Planning Scheme	General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)
	* * * * *	
51	Mornington Peninsula Planning Scheme	General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)
52	Mount Alexander Planning Scheme	General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)
53	Moyne Planning Scheme	General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)
54	Murrindindi Planning Scheme	General Residential Zone (GRZ)

Column 1 *Item*	*Column 2* *Name of planning scheme*	*Column 3* *Name of zone*
55	Nillumbik Planning Scheme	General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)
56	Northern Grampians Planning Scheme	General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)
57	Port Phillip Planning Scheme	Residential Growth Zone (RGZ) General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)
58	Pyrenees Planning Scheme	General Residential Zone (GRZ)
59	Queenscliffe Planning Scheme	General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)
60	South Gippsland Planning Scheme	General Residential Zone (GRZ)
61	Southern Grampians Planning Scheme	Residential Growth Zone (RGZ) General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)
62	Stonnington Planning Scheme	Residential Growth Zone (RGZ) General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ) Housing Choice and Transport Zone (HCTZ)

Column 1 *Item*	*Column 2* *Name of planning scheme*	*Column 3* *Name of zone*
63	Strathbogie Planning Scheme	General Residential Zone (GRZ)
64	Surf Coast Planning Scheme	General Residential Zone (GRZ)
65	Swan Hill Planning Scheme	General Residential Zone (GRZ)
66	Towong Planning Scheme	General Residential Zone (GRZ)
67	Wangaratta Planning Scheme	Residential Growth Zone (RGZ) General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)
68	Warrnambool Planning Scheme	Mixed Use Zone (MUZ) General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)
69	Wellington Planning Scheme	Residential Growth Zone (RGZ) General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)
70	Whitehorse Planning Scheme	Residential Growth Zone (RGZ) General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)

Column 1 *Item*	*Column 2* *Name of planning scheme*	*Column 3* *Name of zone*
71	Whittlesea Planning Scheme	Mixed Use Zone (MUZ) Residential Growth Zone (RGZ) General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ) Housing Choice and Transport Zone (HCTZ)
72	Wodonga Planning Scheme	General Residential Zone (GRZ)
73	Wyndham Planning Scheme	Residential Growth Zone (RGZ) General Residential Zone (GRZ)
74	Yarra Planning Scheme	General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)
75	Yarra Ranges Planning Scheme	Residential Growth Zone (RGZ) General Residential Zone (GRZ) Neighbourhood Residential Zone (NRZ)
76	Yarriambiack Planning Scheme	General Residential Zone (GRZ)

Schedule 7—Planning schemes applying to allotments containing homes destroyed in the 2009 bushfires

Regulation 159(b)

1	Alpine Planning Scheme
2	Baw Baw Planning Scheme
3	Cardinia Planning Scheme
4	Casey Planning Scheme
5	Greater Bendigo Planning Scheme
6	Horsham Planning Scheme
7	Indigo Planning Scheme
8	Latrobe Planning Scheme
9	Macedon Ranges Planning Scheme
10	Mitchell Planning Scheme
11	Mount Alexander Planning Scheme
12	Murrindindi Planning Scheme
13	Nillumbik Planning Scheme
14	Wellington Planning Scheme
15	Whittlesea Planning Scheme
16	Yarra Ranges Planning Scheme

Schedule 8—Essential safety measures

Regulation 214

Part 1—Building fire integrity

Column 1 *Item*	*Column 2* *Safety measure*
1	Building elements required to satisfy prescribed fire-resistance levels
2	Materials and assemblies required to have fire hazard properties
3	Elements required to be non-combustible, provide fire protection, compartmentation or separation
4	Wall-wetting sprinklers (including doors and windows required in conjunction with wall-wetting sprinklers)
5	Fire doors (including sliding fire doors and their associated warning systems) and associated self-closing, automatic closing and latching mechanisms
6	Fire windows (including windows that are automatic or permanently fixed in the closed position)
7	Fire shutters
8	Solid core doors and associated self-closing, automatic closing and latching mechanisms
9	Fire-protection at service penetrations through elements required to be fire-resisting with respect to integrity or insulation, or to have a resistance to the incipient spread of fire
10	Fire protection associated with construction joints, spaces and the like in and between building elements required to be fire-resisting with respect to integrity and insulation
11	Smoke doors and associated self-closing, automatic closing and latching mechanisms
12	Proscenium walls (including proscenium curtains)

Part 2—Means of egress

Column 1 *Item*	*Column 2* *Safety measure*
1	Paths of travel to exits
2	Discharge from exits (including paths of travel from open spaces to the public roads to which they are connected)
3	Exits (including fire-isolated stairways and ramps, non fire-isolated stairways and ramps, stair treads, balustrades and handrails associated with exits, and fire-isolated passageways)
4	Smoke lobbies to fire-isolated exits
5	Open access ramps or balconies for fire-isolated exits
6	Doors (other than fire or smoke doors) in a required exit, forming part of a required exit or in a path of travel to a required exit, and associated self-closing, automatic closing and latching mechanisms

Part 3—Signs

Column 1 *Item*	*Column 2* *Safety measure*
1	Exit signs (including direction signs)
2	Signs warning against the use of lifts in the event of fire
3	Warning signs on sliding fire doors and doors to non-required stairways, ramps and escalators
4	Signs, intercommunication systems, or alarm systems on doors of fire-isolated exits stating that re-entry to a storey is available
5	Signs alerting persons that the operation of doors must not be impaired
6	Signs required on doors, in alpine areas, alerting people that they open inwards
7	Fire order notices required in alpine areas

Part 4—Lighting

Column 1 *Item*	*Column 2* *Safety measure*
1	Emergency Lighting

Part 5—Fire fighting services and equipment

Column 1 *Item*	*Column 2* *Safety measure*
1	Fire hydrant system (including on-site pump set and fire-service booster connection)
2	Fire hose reel system
3	Sprinkler system
4	Portable fire extinguishers
5	Fire control centres (or rooms)

Part 6—Air-handling systems

Column 1 *Item*	*Column 2* *Safety measure*
1	Smoke hazard management systems— (a) automatic air pressurisation systems for fire-isolated exits; (b) zone smoke control system; (c) automatic smoke exhaust system; (d) automatic smoke-and-heat vents (including automatic vents for atriums); (e) air-handling systems that do not form part of a smoke hazard management system and which may unduly contribute to the spread of smoke;

Column 1 *Item*	*Column 2* *Safety measure*
	(f) miscellaneous air-handling systems serving more than one fire compartment to which Sections 5 and 6 of AS/NZS 1668.1 The use of ventilation and air conditioning in buildings—Part 1: Fire and smoke control in buildings, as in force or as re-issued or as published from time to time; (g) other air-handling systems.
2	Car park mechanical ventilation system
3	Atrium smoke control system (see item 1(d) for smoke and heat vents)

Part 7—Automatic fire detection and alarm systems

Column 1 *Item*	*Column 2* *Safety measure*
1	Smoke and heat alarm system
2	Smoke and heat detection system
3	Atrium fire detection and alarm system

Part 8—Occupant warning systems

Column 1 *Item*	*Column 2* *Safety measure*
1	Sound system and intercom system for emergency purposes
2	Building occupant warning system

Part 9—Lifts

Column 1 *Item*	*Column 2* *Safety measure*
1	Stretcher facilities in lifts
2	Emergency lifts
3	Passenger lift fire service controls

Part 10—Standby power supply system

Column 1 *Item*	*Column 2* *Safety measure*
1	Standby power supply system

Part 11—Building clearance and fire appliances

Column 1 *Item*	*Column 2* *Safety measure*
1	Open space around large isolated buildings
2	Vehicular access around large isolated buildings

Part 12—Mechanical ventilation and hot, warm and cooling water systems

Column 1 *Item*	*Column 2* *Safety measure*
1	Mechanical ventilation systems incorporating cooling tower systems (other than a system serving only a single sole-occupancy unit in a Class 2 or 3 building or a Class 4 part of a building)
2	Mechanical ventilation systems incorporating hot and warm water systems (other than a system serving only a single sole-occupancy unit in a Class 2 or 3 building or a Class 4 part of a building)

Sch. 9 (Heading) amended by S.R. No. 115/2026 reg. 18(1).

Sch. 9 amended by S.R. No. 115/2026 reg. 18(2).

Schedule 9—Prescribed classes of building practitioners, prescribed competence criteria, prescribed qualifications and prescribed experience

Regulations 257, 257A and 258

Part 1—Preliminary

1 Definitions

(1) In this Schedule—

RTO means a training organisation registered under Division 4 of Part 4.3 of the **Education and Training Reform Act 2006** or a vocational education and training organisation registered under section 17 of the National Vocational Education and Training Regulator Act 2011 of the Commonwealth;

unit of competency has the same meaning as in Part 4.1 of the **Education and Training Reform Act 2006**.

(2) In this Schedule, a code or number in brackets is a reference to the code or number by which a unit of competency is known.

Part 2—Prescribed classes of registration

2 Category of building surveyor

The classes of building practitioner in respect of the category of building surveyor are the following classes—

(a) class of building surveyor (unlimited);

(b) class of building surveyor (limited).

3 Category of building inspector

The classes of building practitioner in respect of the category of building inspector are the following classes—

(a) class of building inspector (unlimited);

(b) class of building inspector (limited);

Sch. 9 cl. 3(b) amended by S.R. No. 116/2019 reg. 16(1).

(c) class of building inspector (pool safety).

Sch. 9 cl. 3(c) inserted by S.R. No. 116/2019 reg. 16(2).

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Sch. 9 cl. 4 revoked by S.R. No. 73/2021 reg. 15.

5 Category of building designer

Sch. 9 cl. 5 (Heading) amended by S.R. No. 2/2024 reg. 7(1).

The classes of building practitioner in respect of the category of building designer are the following classes—

Sch. 9 cl. 5 amended by S.R. No. 2/2024 reg. 7(2).

(a) class of building design (architectural);

(b) class of building design (interior);

(c) class of building design (services).

6 Category of builder

The classes of building practitioner in respect of the category of builder are the following classes—

(a) class of commercial builder (unlimited);

(b) class of commercial builder (limited to the construction of low rise building work);

(c) class of commercial builder (limited to the construction of medium rise building work);

(d) class of commercial builder (limited to the construction of shade structures work);

(e) class of commercial builder (limited to the erection of signs work);

(f) class of commercial builder (limited to the installation of blinds and awnings work);

(g) class of commercial builder (limited to non-structural fit-out work);

(h) class of commercial builder (limited to steel erection work);

(i) class of commercial builder (limited to structural fit-out work);

(j) class of commercial builder (limited to structural landscaping work);

(k) class of commercial builder (limited to waterproofing work);

(l) class of domestic builder (unlimited);

(m) class of domestic builder (limited to the construction of non-habitable building structures);

(n) class of domestic builder (limited to the construction of gates and fences);

(o) class of domestic builder (limited to the construction of retaining walls);

(p) class of domestic builder (limited to the construction of swimming pools and spas);

(q) class of domestic builder (limited to the construction of private bushfire shelters);

(r) class of domestic builder (limited to the construction of shade structures);

(s) class of domestic builder (limited to the construction of structural landscaping);

(t) class of domestic builder (limited to bathroom, kitchen and laundry renovation);

(u) class of domestic builder (limited to earthworks and excavation work);

(v) class of domestic builder (limited to footings and slab work);

(w) class of domestic builder (limited to framing);

(x) class of domestic builder (limited to bricklaying and blocklaying);

(y) class of domestic builder (limited to external wall cladding);

(z) class of domestic builder (limited to roof tiling);

(za) class of domestic builder (limited to waterproofing);

(zb) class of domestic builder (limited to door and window replacement and installation);

(zc) class of domestic builder (limited to site works involved in relocating a dwelling);

(zd) class of domestic builder (limited to re-stumping and re-blocking);

(ze) class of domestic builder (limited to cabinet making, joinery and stair construction);

(zf) class of domestic builder (limited to carpentry);

(zg) class of domestic builder (limited to the erection of poles, masts and antennas);

(zh) class of domestic builder (limited to sheet plastering);

(zi) class of domestic builder (limited to solid plastering and rendering);

(zj) class of domestic builder (limited to floor finishing and covering);

(zk) class of domestic builder (limited to glazing work);

(zl) class of domestic builder (limited to insulation work);

(zm) class of domestic builder (limited to painting and decorating);

(zn) class of domestic builder (limited to floor and wall tiling work);

(zo) class of domestic builder (limited to attaching external fixtures);

(zp) class of demolisher (low rise);

(zq) class of demolisher (medium rise);

(zr) class of demolisher (unlimited).

Sch. 9 cl. 7 (Heading) amended by S.R. No. 2/2024 reg. 7(3).

Sch. 9 cl. 7 amended by S.R. No. 2/2024 reg. 7(4).

7 Category of project manager

The class of building practitioner in respect of the category of project manager is the class of project manager (domestic).

8 Category of person who erects or supervises the erection of prescribed temporary structures

The classes of building practitioner in respect of the category of person who erects or supervises the erection of prescribed temporary structures are the following classes—

(a) class of temporary structures (limited to scaffolding stages and towers);

(b) class of temporary structures (limited to tents and marquees).

Part 2A—Prescribed competence criteria for a person applying for registration as a building surveyor or a building inspector

Sch. 9 Pt 2A (Heading and cls 8A–8D) inserted by S.R. No. 115/2026 reg. 19.

8A Professional conduct and ethics

Sch. 9 cl. 8A inserted by S.R. No. 115/2026 reg. 19.

A person applying for registration as a building surveyor or building inspector must be able to demonstrate the ability to comply with—

(a) the professional conduct rules and professional standards applying to registered building surveyors or registered building inspectors under the Act and these Regulations; and

(b) any applicable code of conduct approved under the Act; and

(c) requirements under the Act and these Regulations relating to honesty, independence, impartiality, acting in the public interest and avoiding conflicts of interest.

8B Knowledge of the law

Sch. 9 cl. 8B inserted by S.R. No. 115/2026 reg. 19.

A person applying for registration as a building surveyor or building inspector must be able to demonstrate that the person has a good working knowledge of the Act, these Regulations and any other laws relevant to the work authorised to be carried out by a registered building surveyor or a registered building inspector under that class or category of registration.

8C Building standards in these Regulations and the National Construction Code

Sch. 9 cl. 8C inserted by S.R. No. 115/2026 reg. 19.

A person applying for registration as a building surveyor or building inspector must be able to demonstrate that the person has a good working

knowledge of the building standards under these Regulations and the National Construction Code relating to the work authorised to be carried out by a registered building surveyor or a registered building inspector under that class or category of registration.

Sch. 9 cl. 8D inserted by S.R. No. 115/2026 reg. 19.

8D Knowledge of performance-based framework

A person applying for registration as a building surveyor or building inspector must be able to demonstrate that the person has a good working knowledge of—

(a) the concepts of a performance-based framework relating to compliance with the Act, these Regulations and the National Construction Code; and

(b) the governing requirements, including assessment methods used to determine whether a proposed performance solution complies with the Act, these Regulations and the National Construction Code; and

(c) the way in which a performance solution complies with the performance requirements relevant to the work authorised to be carried out by a registered building surveyor or a registered building inspector under that class or category of registration.

Sch. 9 Pt 3 (Heading) amended by S.R. No. 115/2026 reg. 20.

Part 3—Prescribed qualifications and prescribed experience

Sch. 9 cl. 9 amended by S.R. No. 115/2026 reg. 21.

9 Class of building surveyor (unlimited)

The prescribed qualifications and the prescribed experience for registration in the class of building surveyor (unlimited) are—

(a) the successful completion of—

(i) a Bachelor of Building Surveying from Holmesglen Institute; or

(ii) a Bachelor of Building Surveying from Victoria University; and

(b) at least 3 years of practical experience.

10 Class of building surveyor (limited)

Sch. 9 cl. 10 amended by S.R. No. 115/2026 reg. 21.

The prescribed qualifications and the prescribed experience for registration in the class of building surveyor (limited) are—

(a) the successful completion of—

(i) a Bachelor of Building Surveying from Holmesglen Institute; or

(ii) a Bachelor of Building Surveying from Victoria University; or

(iii) an advanced diploma of building surveying (CPC60115) from an RTO; and

(b) at least 2 years of practical experience.

11 Class of building inspector (unlimited)

Sch. 9 cl. 11 amended by S.R. No. 115/2026 reg. 21.

The prescribed qualifications and the prescribed experience for registration in the class of building inspector (unlimited) are—

(a) the successful completion of—

(i) a Bachelor of Building Surveying from Holmesglen Institute; or

(ii) a Bachelor of Building Surveying from Victoria University; and

(b) at least 2 years of practical experience.

Sch. 9 cl. 12 amended by S.R. No. 115/2026 reg. 21.

12 Class of building inspector (limited)

The prescribed qualifications and the prescribed experience for registration in the class of building inspector (limited) are—

(a) the successful completion of—

(i) a Bachelor of Building Surveying from Holmesglen Institute; or

(ii) a Bachelor of Building Surveying from Victoria University; or

(iii) an advanced diploma of building surveying (CPC60115) from an RTO; and

(b) at least 2 years of practical experience.

Sch. 9 cl. 12A inserted by S.R. No. 116/2019 reg. 17, amended by S.R. No. 115/2026 reg. 21.

12A Class of building inspector (pool safety)

The prescribed qualifications and the prescribed experience for registration in the class of building inspector (pool safety) are—

(a) the successful completion of a course in swimming pool and spa barrier inspection approved by the Authority from a Registered Training Organisation; and

(b) at least 6 months of practical experience.

Sch. 9 cl. 13 amended by S.R. No. 75/2018 reg. 28(1), revoked by S.R. No. 73/2021 reg. 15.

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Sch. 9 cls 14–16 revoked by S.R. No. 73/2021 reg. 15.

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17 Class of building design (architectural)

Sch. 9 cl. 17 amended by S.R. No. 115/2026 reg. 21.

The prescribed qualifications and the prescribed experience for registration in the class of building design (architectural) are—

(a) the successful completion of an advanced diploma of building design (architectural) (22268VIC) from an RTO; and

(b) at least 2 years of practical experience.

18 Class of building design (interior)

Sch. 9 cl. 18(1) amended by S.R. No. 115/2026 reg. 21.

(1) The prescribed qualifications and the prescribed experience for registration in the class of building design (interior) are—

(a) the successful completion of—

(i) an advanced diploma of interior design (MSF60113) from an RTO, including the required units of competency; or

(ii) an advanced diploma of building design (22268VIC) from an RTO; and

(b) at least 2 years of practical experience.

(2) For the purposes of this clause, the required units of competency are—

(a) select and instruct consultants and contractors (MSFID6007); and

(b) investigate legal requirements for design (MSFFDT5014); and

(c) design for large scale commercial or institutional interiors (MSFID6003); and

(d) specify structural elements, systems and services for interior spaces (MSFID5004); and

(e) use CAD applications to complete models and documentation for interior design projects (MSFID5014); and

(f) monitor and manage small business operations (BSBSMB405); and

(g) identify materials, construction techniques and methods used in building interiors (MSFID4007); and

(h) work safely (MSMWHS200).

19 Class of building design (services)

Sch. 9 cl. 19(1) amended by S.R. No. 115/2026 reg. 21.

(1) The prescribed qualifications and the prescribed experience for registration in the class of building design (services) are—

(a) the successful completion of—

(i) an advanced diploma of engineering technology (mechanical) (22228VIC) from an RTO, including the required units of competency; or

(ii) an advanced diploma of engineering technology (electrical) (UEE62111) from an RTO, including the required units of competency; or

(iii) an advanced diploma of engineering (MEM60112) from an RTO, including the required units of competency; or

(iv) a diploma of fire systems design (CPC50509) from an RTO; and

(b) at least 2 years of practical experience.

(2) For the purposes of subclause (1)(a)(i), the required units of competency are—

(a) perform mechanical engineering design drafting (MEM09157A); and

(b) perform computations (MEM12024A); and

(c) produce an engineering drainage design of pipes and culverts (VU21131); and

(d) produce an engineering design for a stormwater reticulation scheme (VU21132); and

(e) produce an engineering design for a sewerage reticulation scheme (VU21133); and

(f) produce engineering drawings for a stormwater reticulation scheme (VU21143); and

(g) generate design solutions (VU21154); and

(h) design fluid power controlled engineering systems (VU21202); and

(i) apply hydraulic principles in engineering (VU21203); and

(j) apply pneumatic principles in engineering (VU21204); and

(k) design pressure sewerage systems (VU21248); and

(l) design sewerage pumping station systems (VU21249).

(3) For the purposes of subclause (1)(a)(ii), the required units of competency are—

(a) prepare engineering drawings using manual drafting and CAD for electrotechnology/ utilities applications (UEENEEE190A); and

(b) prepare electrotechnology/utilities drawings using manual drafting and CAD equipment and software (UEENEEE191A); and

(c) provide advice on effective and energy efficient lighting products (UEENEEG181A).

(4) For the purposes of subclause (1)(a)(iii), the required units of competency are—

(a) perform mechanical engineering design drafting (MEM09157A); and

(b) produce basic engineering detail drawings (MEM09204A); and

(c) evaluate thermal loads in heating, ventilation, air-conditioning and refrigeration (MEM23129A); and

(d) contribute to the design of a commercial refrigeration system (MEM23144A); and

(e) contribute to the design of industrial refrigeration systems (MEM23146A); and

(f) contribute to the design of hydronic systems (MEM23147A); and

(g) contribute to the design of commercial and industrial exhaust systems (MEM23149A); and

(h) contribute to the design of heating systems (MEM23150A); and

(i) contribute to the design of heat exchanger systems (MEM23153A).

Sch. 9 cl. 20 amended by S.R. No. 115/2026 reg. 22.

20 Class of commercial builder (unlimited)

The prescribed qualifications and the prescribed experience for registration in the class of commercial builder (unlimited) are—

(a) the successful completion of—

(i) a Bachelor of Construction Management and Economics from Holmesglen Institute; or

(ia) a Bachelor of Construction Management (Honours) from Deakin University; or

Sch. 9 cl. 20(a)(ia) inserted by S.R. No. 75/2018 reg. 28(2).

(ii) a Bachelor of Construction Management (Honours) from Victoria University; or

(iii) a Bachelor of Applied Science (Construction Management) from RMIT University; or

(iv) an advanced diploma of building and construction (management) (CPC60212) from an RTO; and

(b) at least 3 years of practical experience.

21 Class of commercial builder (limited to the construction of low rise building work)

(1) The prescribed qualifications and the prescribed experience for registration in the class of commercial builder (limited to the construction of low rise building work) are—

Sch. 9 cl. 21(1) amended by S.R. No. 115/2026 reg. 22.

(a) the successful completion of—

(i) a Bachelor of Construction Management and Economics from Holmesglen Institute; or

(ia) a Bachelor of Construction Management (Honours) from Deakin University; or

Sch. 9 cl. 21(1)(a)(ia) inserted by S.R. No. 75/2018 reg. 28(2).

(ii) a Bachelor of Construction Management (Honours) from Victoria University; or

(iii) a Bachelor of Applied Science (Construction Management) from RMIT University; or

(iv) a diploma of building and construction (building) (CPC50210) from an RTO, including the required units of competency; and

(b) at least 3 years of practical experience.

(2) For the purposes of this clause, the required units of competency are—

(a) apply building codes and standards to the construction process for large building projects (CPCCBC6001B); and

(b) apply structural principles to the construction of large, high rise and complex buildings (CPCCBC6014A).

Sch. 9 cl. 22 amended by S.R. No. 115/2026 reg. 22.

22 Class of commercial builder (limited to the construction of medium rise building work)

The prescribed qualifications and the prescribed experience for registration in the class of commercial builder (limited to the construction of medium rise building work) are—

(a) the successful completion of—

(i) a Bachelor of Construction Management and Economics from Holmesglen Institute; or

Sch. 9 cl. 22(a)(ia) inserted by S.R. No. 75/2018 reg. 28(2).

(ia) a Bachelor of Construction Management (Honours) from Deakin University; or

(ii) a Bachelor of Construction Management (Honours) from Victoria University; or

(iii) a Bachelor of Applied Science (Construction Management) from RMIT University; or

(iv) an advanced diploma of building and construction (management) (CPC60212) from an RTO; and

(b) at least 3 years of practical experience.

23 Class of commercial builder (limited to the construction of shade structures work)

Sch. 9 cl. 23(1) amended by S.R. No. 115/2026 reg. 22.

(1) The prescribed qualifications and the prescribed experience for registration in the class of commercial builder (limited to the construction of shade structures work) are—

(a) a certificate in carpentry (CPC30211) from an RTO, including the additional units of competency; and

(b) at least 2 years of practical experience.

(2) For the purposes of this clause, the additional units of competency are—

(a) identify construction work hazards and select risk control strategies (CPCCWHS3001); and

(b) select and prepare a construction contract (CPCCBC4003A); and

(c) produce labour and material schedules for ordering (CPCCBC4005A); and

(d) arrange building applications and approvals (CPCCBC4026A).

24 Class of commercial builder (limited to the erection of signs work)

Sch. 9 cl. 24(1) amended by S.R. No. 115/2026 reg. 22.

(1) The prescribed qualifications and the prescribed experience for registration in the class of commercial builder (limited to the erection of signs work) are—

(a) the successful completion of the required units of competency; and

(b) at least 2 years of practical experience.

(2) For the purposes of this clause, the required units of competency are—

(a) select and prepare a construction contract (CPCCBC4003A); and

(b) produce labour and material schedules for ordering (CPCCBC4005A); and

(c) read and interpret plans and specifications (CPCCBC4012B); and

(d) arrange building applications and approvals (CPCCBC4026A); and

(e) erect and dismantle restricted height scaffolding (CPCCCM2008B); and

(f) work safely on scaffolding higher than 2 metres (CPCCCM2010); and

(g) operate elevated work platforms up to 11 metres (CPCCCM3001); and

(h) work safely around electrical sources, services and assets (CPCCCM3003); and

(i) carry out concreting to simple forms (CPCCCO2013A); and

(j) apply basic levelling procedures (CPCCCM2006); and

(k) identify construction work hazards and select risk control strategies (CPCCWHS3001).

25 Class of commercial builder (limited to the installation of blinds and awnings work)

Sch. 9 cl. 25(1) amended by S.R. No. 115/2026 reg. 22.

(1) The prescribed qualifications and the prescribed experience for registration in the class of commercial builder (limited to the installation of blinds and awnings work) are—

(a) the successful completion of a certificate in blinds, awnings, security screens and grilles (MSF30913) from an RTO, including the required units of competency and the additional units of competency; and

(b) at least 2 years of practical experience.

(2) For the purposes of this clause, the additional units of competency are—

(a) identify construction work hazards and select risk control strategies (CPCCWHS3001); and

(b) select and prepare a construction contract (CPCCBC4003A); and

(c) produce labour and material schedules for ordering (CPCCBC4005A); and

(d) arrange building applications and approvals (CPCCBC4026A); and

(e) read and interpret plans and specifications (CPCCBC4012B).

(3) For the purposes of this clause, the required units of competency are—

(a) install metal structures and features (AHCLSC308); and

(b) install exterior blinds and awnings (MSFBA3002); and

(c) perform minor maintenance (MSTGN2005).

26 Class of commercial builder (limited to non-structural fit-out work)

Sch. 9 cl. 26(1) amended by S.R. No. 115/2026 reg. 22.

(1) The prescribed qualifications and the prescribed experience for registration in the class of commercial builder (limited to non-structural fit-out work) are—

(a) the successful completion of—

(i) a certificate in shopfitting (CPC30116) from an RTO, including the additional units of competency; or

(ii) a certificate in carpentry (CPC30211) from an RTO, including the additional units of competency; or

(iii) a certificate in carpentry and joinery (CPC32011) from an RTO, including the additional units of competency; and

(b) at least one year of practical experience.

(2) For the purposes of this clause, the additional units of competency are—

(a) identify construction work hazards and select risk control strategies (CPCCWHS3001); and

(b) select and prepare a construction contract (CPCCBC4003A); and

(c) produce labour and material schedules for ordering (CPCCBC4005A); and

(d) arrange building applications and approvals (CPCCBC4026A).

27 Class of commercial builder (limited to steel erection work)

Sch. 9 cl. 27(1) amended by S.R. No. 115/2026 reg. 22.

(1) The prescribed qualifications and the prescribed experience for registration in the class of commercial builder (limited to steel erection work) are—

(a) the successful completion of a certificate in rigging (CPC30711) from an RTO, including the required unit of competency and the additional units of competency; and

(b) at least 2 years of practical experience.

(2) For the purposes of this clause, the additional units of competency are—

(a) identify construction work hazards and select risk control strategies (CPCCWHS3001); and

(b) select and prepare a construction contract (CPCCBC4003A); and

(c) produce labour and material schedules for ordering (CPCCBC4005A); and

(d) read and interpret plans and specifications (CPCCBC4012B); and

(e) apply structural principles to commercial low rise constructions (CPCCBC4011B); and

(f) arrange building applications and approvals (CPCCBC4026A).

(3) For the purposes of this clause, the required unit of competency is perform advanced structural steel erection (CPCCRI3014A).

28 Class of commercial builder (limited to structural fit-out work)

Sch. 9 cl. 28(1) amended by S.R. No. 115/2026 reg. 22.

(1) The prescribed qualifications and the prescribed experience for registration in the class of commercial builder (limited to structural fit-out work) are—

(a) the successful completion of—

(i) a certificate in shopfitting (CPC30116) from an RTO, including the additional units of competency; or

(ii) a certificate in carpentry (CPC30211) from an RTO, including the additional units of competency; or

(iii) a certificate in carpentry and joinery (CPC32011) from an RTO, including the additional units of competency; and

(b) at least 2 years of practical experience.

(2) For the purposes of this clause, the additional units of competency are—

(a) identify construction work hazards and select risk control strategies (CPCCWHS3001); and

(b) select and prepare a construction contract (CPCCBC4003A); and

(c) produce labour and material schedules for ordering (CPCCBC4005A); and

(d) apply building codes and standards to the construction process for medium rise building projects (CPCCBC5001B); and

(e) arrange building applications and approvals (CPCCBC4026A).

29 Class of commercial builder (limited to structural landscaping work)

(1) The prescribed qualifications and the prescribed experience for registration in the class of commercial builder (limited to structural landscaping work) are—

Sch. 9 cl. 29(1) amended by S.R. No. 115/2026 reg. 22.

(a) the successful completion of—

(i) a certificate in landscape construction (AHC30916) from an RTO, including the additional units of competency; or

(ii) a diploma of landscape design (AHC50616) from an RTO, including the additional units of competency; and

Sch. 9 cl. 29(1)(a)(ii) amended by S.R. No. 75/2018 reg. 28(3).

(b) at least 2 years of practical experience.

(2) For the purposes of this clause, the additional units of competency are—

(a) identify construction work hazards and select risk control strategies (CPCCWHS3001); and

(b) select and prepare a construction contract (CPCCBC4003A); and

(c) produce labour and material schedules for ordering (CPCCBC4005A); and

(d) read and interpret plans and specifications (CPCCBC4012B); and

(e) arrange building applications and approvals (CPCCBC4026A).

30 Class of commercial builder (limited to waterproofing work)

Sch. 9 cl. 30(1) amended by S.R. No. 115/2026 reg. 22.

(1) The prescribed qualifications and the prescribed experience for registration in the class of commercial builder (limited to waterproofing work) are—

(a) a certificate in construction waterproofing (CPC31411) from an RTO, including the additional units of competency; and

(b) at least 2 years of practical experience.

(2) For the purposes of this clause, the additional units of competency are—

(a) identify construction work hazards and select risk control strategies (CPCCWHS3001); and

(b) select and prepare a construction contract (CPCCBC4003A); and

(c) produce labour and material schedules for ordering (CPCCBC4005A); and

(d) read and interpret plans and specifications (CPCCBC4012B); and

(e) arrange building applications and approvals (CPCCBC4026A).

Sch. 9 cl. 31 amended by S.R. No. 115/2026 reg. 23(1).

31 Class of domestic builder (unlimited)

The prescribed qualifications and the prescribed experience for registration in the class of domestic builder (unlimited) are—

(a) the successful completion of—

(i) a Bachelor of Construction Management and Economics from Holmesglen Institute; or

(ii) a Bachelor of Construction Management (Honours) from Deakin University; or

(iii) a diploma of building and construction (building) (CPC50210) from an RTO; and

(b) at least 3 years of practical experience.

32 Class of domestic builder (limited to the construction of non-habitable building structures)

Sch. 9 cl. 32(1) amended by S.R. No. 115/2026 reg. 23(1).

(1) The prescribed qualifications and the prescribed experience for registration in the class of domestic builder (limited to the construction of non-habitable building structures) are—

(a) a certificate in carpentry (CPC30211) from an RTO, including the additional units of competency; and

(b) at least 2 years of practical experience.

(2) For the purposes of this clause, the additional units of competency are—

(a) arrange building applications and approvals (CPCCBC4026A); and

(b) produce labour and material schedules for ordering (CPCCBC4005A); and

(c) select and prepare a construction contract (CPCCBC4003A); and

(d) identify construction work hazards and select risk control strategies (CPCCWHS3001).

33 Class of domestic builder (limited to the construction of gates and fences)

Sch. 9 cl. 33(1) amended by S.R. No. 115/2026 reg. 23(1).

(1) The prescribed qualifications and the prescribed experience for registration in the class of domestic builder (limited to the construction of gates and fences) are—

(a) the successful completion of—

(i) a certificate in carpentry (CPC30211) from an RTO, including the additional units of competency; and

(ii) a certificate in bricklaying and blocklaying (CPC30111) from an RTO, including the required units of competency and the additional units of competency; and

(b) at least one year of practical experience.

(2) For the purposes of this clause, the additional units of competency are—

(a) arrange building applications and approvals (CPCCBC4026A); and

(b) produce labour and material schedules for ordering (CPCCBC4005A); and

(c) select and prepare a construction contract (CPCCBC4003A).

(3) For the purposes of this clause, the required units of competency are—

(a) lay masonry walls and corners (CPCCBL3005A); and

(b) lay multi-thickness walls and piers (CPCCBL3006A).

34 Class of domestic builder (limited to the construction of retaining walls)

Sch. 9 cl. 34(1) amended by S.R. No. 115/2026 reg. 23(1).

(1) The prescribed qualifications and the prescribed experience for registration in the class of domestic builder (limited to the construction of retaining walls) are—

(a) the successful completion of a certificate in landscape construction (AHC30916) from an RTO, including the required units

of competency and the additional units of competency; and

(b) at least one year of practical experience.

(2) For the purposes of this clause, the additional units of competency are—

(a) arrange building applications and approvals (CPCCBC4026A); and

(b) produce labour and material schedules for ordering (CPCCBC4005A); and

(c) select and prepare a construction contract (CPCCBC4003A).

(3) For the purposes of this clause, the required units of competency are—

(a) erect timber structures and features (AHCLSC304); and

(b) implement a retaining wall project (AHCLSC307).

35 Class of domestic builder (limited to the construction of swimming pools and spas)

(1) The prescribed qualifications and the prescribed experience for registration in the class of domestic builder (limited to the construction of swimming pools and spas) are—

Sch. 9 cl. 35(1) amended by S.R. No. 115/2026 reg. 23(1).

(a) the successful completion of a certificate in swimming pool and spa building (CPC40808) from an RTO, including the additional unit of competency; and

(b) at least 2 years of practical experience.

(2) For the purposes of this clause, the additional unit of competency is arrange building applications and approvals (CPCCBC4026A).

36 Class of domestic builder (limited to the construction of private bushfire shelters)

Sch. 9 cl. 36(1) amended by S.R. No. 115/2026 reg. 23(1).

(1) The prescribed qualifications and the prescribed experience for registration in the class of domestic builder (limited to the construction of private bushfire shelters) are—

(a) the successful completion of a certificate in carpentry (CPC30211) from an RTO, including the additional units of competency; and

(b) at least 2 years of practical experience.

(2) For the purposes of this clause, the additional units of competency are—

(a) arrange building applications and approvals (CPCCBC4026A); and

(b) produce labour and material schedules for ordering (CPCCBC4005A); and

(c) select and prepare a construction contract (CPCCBC4003A).

37 Class of domestic builder (limited to the construction of shade structures)

Sch. 9 cl. 37(1) amended by S.R. No. 115/2026 reg. 23(1).

(1) The prescribed qualifications and the prescribed experience for registration in the class of domestic builder (limited to the construction of shade structures) are—

(a) the successful completion of a certificate in carpentry (CPC30211) from an RTO, including the additional units of competency; and

(b) at least one year of practical experience.

(2) For the purposes of this clause, the additional units of competency are—

(a) arrange building applications and approvals (CPCCBC4026A); and

(b) produce labour and material schedules for ordering (CPCCBC4005A); and

(c) select and prepare a construction contract (CPCCBC4003A).

38 Class of domestic builder (limited to the construction of structural landscaping)

Sch. 9 cl. 38(1) amended by S.R. No. 115/2026 reg. 23(1).

(1) The prescribed qualifications and the prescribed experience for registration in the class of domestic builder (limited to the construction of structural landscaping) are—

(a) the successful completion of a certificate in landscape construction (AHC30916) from an RTO, including the additional units of competency; and

(b) at least one year of practical experience.

(2) For the purposes of this clause, the additional units of competency are—

(a) arrange building applications and approvals (CPCCBC4026A); and

(b) produce labour and material schedules for ordering (CPCCBC4005A); and

(c) read and interpret plans and specifications (CPCCBC4012B); and

(d) select and prepare a construction contract (CPCCBC4003A).

39 Class of domestic builder (limited to bathroom, kitchen and laundry renovation)

Sch. 9 cl. 39(1) amended by S.R. No. 115/2026 reg. 23(1).

(1) The prescribed qualifications and the prescribed experience for registration in the class of domestic builder (limited to bathroom, kitchen and laundry renovation) are—

(a) the successful completion of a certificate in cabinet making (MSF31113) from an RTO, including the additional units of competency; and

(b) at least 2 years of practical experience.

(2) For the purposes of this clause, the additional units of competency are—

(a) arrange building applications and approvals (CPCCBC4026A); and

(b) produce labour and material schedules for ordering (CPCCBC4005A); and

(c) select and prepare a construction contract (CPCCBC4003A).

40 Class of domestic builder (limited to earthworks and excavation work)

Sch. 9 cl. 40(1) amended by S.R. No. 115/2026 reg. 23(1).

(1) The prescribed qualifications and the prescribed experience for registration in the class of domestic builder (limited to earthworks and excavation work) are—

(a) the successful completion of a certificate in civil construction plant operations (RII30815) from an RTO, including the required units of competency and the additional units of competency; and

(b) at least 2 years of practical experience.

(2) For the purposes of this clause, the additional units of competency are—

(a) produce labour and material schedules for ordering (CPCCBC4005A); and

(b) read and interpret plans and specifications (CPCCBC4012B); and

(c) arrange building applications and approvals (CPCCBC4026A).

(3) For the purposes of this clause, the required units of competency are—

(a) apply the principles of earthworks construction (RIIMPO402D); and

(b) conduct earthworks (RIICRC306D); and

(c) carry out excavation (CPCCCM2002A); and

(d) install trench support (RIICCM210D).

41 Class of domestic builder (limited to footings and slab work)

(1) The prescribed qualifications and the prescribed experience for registration in the class of domestic builder (limited to footings and slab work) are—

Sch. 9 cl. 41(1) amended by S.R. No. 115/2026 reg. 23(1).

(a) the successful completion of a certificate in concreting (CPC30313) from an RTO, including the additional unit of competency; and

(b) at least 2 years of practical experience.

(2) For the purposes of this clause, the additional unit of competency is arrange building applications and approvals (CPCCBC4026A).

42 Class of domestic builder (limited to framing)

(1) The prescribed qualifications and the prescribed experience for registration in the class of domestic builder (limited to framing) are—

Sch. 9 cl. 42(1) amended by S.R. No. 115/2026 reg. 23(1).

(a) the successful completion of a certificate in carpentry (CPC30211) from an RTO, including the required units of competency and the additional units of competency; and

(b) at least 2 years of practical experience.

(2) For the purposes of this clause, the additional units of competency are—

(a) arrange building applications and approvals (CPCCBC4026A); and

(b) produce labour and material schedules for ordering (CPCCBC4005A); and

(c) select and prepare a construction contract (CPCCBC4003A).

(3) For the purposes of this clause, the required units of competency are—

(a) construct ceiling frames (CPCCCA3005B); and

(b) construct pitched roofs (CPCCCA3007C); and

(c) erect roof trusses (CPCCCA3006B).

43 Class of domestic builder (limited to bricklaying and blocklaying)

Sch. 9 cl. 43(1) amended by S.R. No. 115/2026 reg. 23(1).

(1) The prescribed qualifications and the prescribed experience for registration in the class of domestic builder (limited to bricklaying and blocklaying) are—

(a) the successful completion of a certificate in bricklaying and blocklaying (CPC30111) from an RTO, including the additional units of competency; and

(b) at least 2 years of practical experience.

(2) For the purposes of this clause, the additional units of competency are—

(a) arrange building applications and approvals (CPCCBC4026A); and

(b) produce labour and material schedules for ordering (CPCCBC4005A); and

(c) select and prepare a construction contract (CPCCBC4003A).

44 Class of domestic builder (limited to external wall cladding)

Sch. 9 cl. 44(1) amended by S.R. No. 115/2026 reg. 23(1).

(1) The prescribed qualifications and the prescribed experience for registration in the class of domestic builder (limited to external wall cladding) are—

(a) the successful completion of a certificate in carpentry (CPC30211) from an RTO, including the required unit of competency and the additional units of competency; and

(b) at least one year of practical experience.

(2) For the purposes of this clause, the additional units of competency are—

(a) arrange building applications and approvals (CPCCBC4026A); and

(b) produce labour and material schedules for ordering (CPCCBC4005A); and

(c) select and prepare a construction contract (CPCCBC4003A).

(3) For the purposes of this clause, the required unit of competency is install exterior cladding (CPCCCA3017B).

45 Class of domestic builder (limited to roof tiling)

Sch. 9 cl. 45(1) amended by S.R. No. 115/2026 reg. 23(1).

(1) The prescribed qualifications and the prescribed experience for registration in the class of domestic builder (limited to roof tiling) are the successful completion of—

(a) a certificate in roof tiling (CPC30812) from an RTO, including the additional units of competency; and

(b) at least 2 years of practical experience.

(2) For the purposes of this clause, the additional units of competency are—

(a) arrange building applications and approvals (CPCCBC4026A); and

(b) produce labour and material schedules for ordering (CPCCBC4005A); and

(c) select and prepare a construction contract (CPCCBC4003A).

46 Class of domestic builder (limited to waterproofing)

Sch. 9 cl. 46(1) amended by S.R. No. 115/2026 reg. 23(1).

(1) The prescribed qualifications and the prescribed experience for registration in the class of domestic builder (limited to waterproofing) are—

(a) the successful completion of a certificate in construction waterproofing (CPC31411) from an RTO, including the additional units of competency; and

(b) at least 2 years of practical experience.

(2) For the purposes of this clause, the additional units of competency are—

(a) arrange building applications and approvals (CPCCBC4026A); and

(b) produce labour and material schedules for ordering (CPCCBC4005A); and

(c) select and prepare a construction contract (CPCCBC4003A).

47 Class of domestic builder (limited to door and window replacement and installation)

Sch. 9 cl. 47(1) amended by S.R. No. 115/2026 reg. 23(1).

(1) The prescribed qualifications and the prescribed experience for registration in the class of domestic builder (limited to door and window replacement and installation) are—

(a) the successful completion of—

(i) a certificate in carpentry (CPC30211) from an RTO, including the additional units of competency; or

(ii) a certificate in joinery (CPC31912) from an RTO, including the additional units of competency; and

(b) at least 2 years of practical experience.

(2) For the purposes of this clause, the additional units of competency are—

(a) arrange building applications and approvals (CPCCBC4026A); and

(b) produce labour and material schedules for ordering (CPCCBC4005A); and

(c) select and prepare a construction contract (CPCCBC4003A).

48 Class of domestic builder (limited to site works involved in relocating a dwelling)

Sch. 9 cl. 48(1) amended by S.R. No. 115/2026 reg. 23(1).

(1) The prescribed qualifications and the prescribed experience for registration in the class of domestic builder (limited to site works involved in relocating a dwelling) are—

(a) the successful completion of—

(i) a certificate in carpentry (CPC30211) from an RTO, including the additional units of competency; or

(ii) a certificate in civil foundations (RII31215) from an RTO, including the required units of competency and the additional units of competency; and

(b) at least 2 years of practical experience.

(2) For the purposes of this clause, the additional units of competency are—

(a) arrange building applications and approvals (CPCCBC4026A); and

(b) produce labour and material schedules for ordering (CPCCBC4005A); and

(c) select and prepare a construction contract (CPCCBC4003A).

(3) For the purposes of this regulation, the required units of competency are—

(a) conduct earthworks (RIICRC306D); and

(b) construct underpinning (RIICFW301D).

49 Class of domestic builder (limited to re-stumping and re-blocking)

Sch. 9 cl. 49(1) amended by S.R. No. 115/2026 reg. 23(1).

(1) The prescribed qualifications and the prescribed experience for registration in the class of domestic builder (limited to re-stumping and re-blocking) are—

(a) the successful completion of a certificate in civil foundations (RII31215) from an RTO, including the additional units of competency; and

(b) at least 2 years of practical experience.

(2) For the purposes of this clause, the additional units of competency are—

(a) arrange building applications and approvals (CPCCBC4026A); and

(b) produce labour and material schedules for ordering (CPCCBC4005A); and

(c) select and prepare a construction contract (CPCCBC4003A).

50 Class of domestic builder (limited to cabinet making, joinery and stair construction)

Sch. 9 cl. 50(1) amended by S.R. No. 115/2026 reg. 23(1).

(1) The prescribed qualifications and the prescribed experience for registration in the class of domestic builder (limited to cabinet making, joinery and stair construction) are—

(a) the successful completion of—

(i) a certificate in cabinet making (MSF31113) from an RTO, including the additional units of competency and the required unit of competency; or

(ii) a certificate in joinery (CPC31912) from an RTO, including the additional units of competency; or

(iii) a certificate in carpentry (CPC30211) from an RTO, including the additional units of competency; and

(b) at least 2 years of practical experience.

(2) For the purposes of this clause, the additional units of competency are—

(a) arrange building applications and approvals (CPCCBC4026A); and

(b) produce labour and material schedules for ordering (CPCCBC4005A); and

(c) select and prepare a construction contract (CPCCBC4003A).

(3) For the purposes of this clause, the required unit of competency is install furnishing products (MSFFM3006).

51 Class of domestic builder (limited to carpentry)

Sch. 9 cl. 51(1) amended by S.R. No. 115/2026 reg. 23(1).

(1) The prescribed qualifications and the prescribed experience for registration in the class of domestic builder (limited to carpentry) are—

(a) the successful completion of a certificate in carpentry (CPC30211) from an RTO, including the additional units of competency; and

(b) at least 3 years of practical experience.

(2) For the purposes of this clause, the additional units of competency are—

(a) arrange building applications and approvals (CPCCBC4026A); and

(b) produce labour and material schedules for ordering (CPCCBC4005A); and

(c) select and prepare a construction contract (CPCCBC4003A).

52 Class of domestic builder (limited to the erection of poles, masts and antennas)

Sch. 9 cl. 52(1) amended by S.R. No. 115/2026 reg. 23(2).

(1) The prescribed qualification and the prescribed experience for registration in the class of domestic builder (limited to the erection of poles, masts and antennas) are—

(a) the successful completion of the required units of competency from an RTO; and

(b) at least 2 years of practical experience.

(2) For the purposes of this clause, the required units of competency are—

(a) produce labour and material schedules for ordering (CPCCBC4005A); and

(b) read and interpret plans and specifications (CPCCBC4012B); and

(c) install a terrestrial antenna (ICTRFN202); and

(d) install a satellite antenna (ICTRFN201); and

(e) arrange building applications and approvals (CPCCBC4026A).

Note

Under regulation 7 of the Domestic Building Contracts Regulations 2017, if this type of building work is undertaken in isolation under a contract, it is not considered domestic building work to which the **Domestic Building Contracts Act 1995** applies. However registration under Part 11 of the Act to carry out this type of building work is required if this work and another type of building work listed under regulation 7 of the Domestic Building Contracts Regulations 2017 are to be carried out under the same contract because that work is then considered to be domestic building work for the purposes of the **Domestic Building Contracts Act 1995**.

53 Class of domestic builder (limited to sheet plastering)

Sch. 9 cl. 53(1) amended by S.R. No. 115/2026 reg. 23(3).

(1) The prescribed qualifications and the prescribed experience for registration in the class of domestic builder (limited to sheet plastering) are—

(a) the successful completion of a certificate in wall and ceiling lining (CPC31211) from an RTO, including the additional units of competency; and

(b) at least one year of practical experience.

(2) For the purposes of this clause, the additional units of competency are—

(a) arrange building applications and approvals (CPCCBC4026A); and

(b) produce labour and material schedules for ordering (CPCCBC4005A); and

(c) select and prepare a construction contract (CPCCBC4003A).

Note

Under regulation 7 of the Domestic Building Contracts Regulations 2017, if this type of building work is undertaken in isolation under a contract, it is not considered domestic building work to which the **Domestic Building Contracts Act 1995** applies. However registration under Part 11 of the Act to carry out this type of building work is required if this work and another type of building work listed under regulation 7 of the Domestic Building Contracts Regulations 2017 are to be carried out under the same contract because that work is then considered to be domestic building work for the purposes of the **Domestic Building Contracts Act 1995**.

54 Class of domestic builder (limited to solid plastering and rendering)

Sch. 9 cl. 54(1) amended by S.R. No. 115/2026 reg. 23(4).

(1) The prescribed qualification and the prescribed experience for registration in the class of domestic builder (limited to solid plastering and rendering) are—

(a) the successful completion of a certificate in solid plastering (CPC31011) from an RTO, including the additional units of competency; and

(b) at least one year of practical experience.

(2) For the purposes of this clause, the additional units of competency are—

(a) arrange building applications and approvals (CPCCBC4026A); and

(b) produce labour and material schedules for ordering (CPCCBC4005A); and

(c) select and prepare a construction contract (CPCCBC4003A).

Note

Under regulation 7 of the Domestic Building Contracts Regulations 2017, if this type of building work is undertaken in isolation under a contract, it is not considered domestic building work to which the **Domestic Building Contracts Act 1995** applies. However registration under Part 11 of the Act to carry out this type of building work is required if this work and another type of building work listed under regulation 7 of the Domestic Building Contracts Regulations 2017 are to be carried out under the same contract because that work is then considered to be domestic building work for the purposes of the **Domestic Building Contracts Act 1995**.

55 Class of domestic builder (limited to floor finishing and covering)

Sch. 9 cl. 55(1) amended by S.R. No. 115/2026 reg. 23(5).

(1) The prescribed qualifications and the prescribed experience for registration in the class of domestic builder (limited to floor finishing and covering) are—

(a) the successful completion of a certificate in flooring technology (MSF30813) from an RTO, including the additional units of competency; and

(b) at least one year of practical experience.

(2) For the purposes of this clause, the additional units of competency are—

(a) arrange building applications and approvals (CPCCBC4026A); and

(b) produce labour and material schedules for ordering (CPCCBC4005A); and

(c) select and prepare a construction contract (CPCCBC4003A).

Note

Under regulation 7 of the Domestic Building Contracts Regulations 2017, if this type of building work is undertaken in isolation under a contract, it is not considered domestic building work to which the **Domestic Building Contracts Act 1995** applies. However registration under Part 11 of the Act to carry out this type of building work is required if this work and another type of building work listed under regulation 7 of the Domestic Building Contracts Regulations 2017 are to be carried out under the same contract because that work is then considered to be domestic building work for the purposes of the **Domestic Building Contracts Act 1995**.

56 Class of domestic builder (limited to glazing work)

Sch. 9 cl. 56(1) amended by S.R. No. 115/2026 reg. 23(5).

(1) The prescribed qualifications and the prescribed experience for registration in the class of domestic builder (limited to glazing work) are—

(a) the successful completion of a certificate in glass and glazing (MSF30413) from an RTO, including the additional units of competency; and

(b) at least 2 years of practical experience.

(2) For the purposes of this clause, the additional units of competency are—

(a) arrange building applications and approvals (CPCCBC4026A); and

(b) produce labour and material schedules for ordering (CPCCBC4005A); and

(c) select and prepare a construction contract (CPCCBC4003A).

Note

Under regulation 7 of the Domestic Building Contracts Regulations 2017, if this type of building work is undertaken in isolation under a contract, it is not considered domestic building work to which the **Domestic Building Contracts Act 1995** applies. However registration under Part 11 of the Act to carry out this type of building work is required if this work and another type of building work listed under regulation 7 of the Domestic Building Contracts Regulations 2017 are to be carried out under

the same contract because that work is then considered to be domestic building work for the purposes of the **Domestic Building Contracts Act 1995**.

57 Class of domestic builder (limited to insulation work)

(1) The prescribed qualifications and the prescribed experience for registration in the class of domestic builder (limited to insulation work) are—

Sch. 9 cl. 57(1) amended by S.R. No. 115/2026 reg. 23(5).

(a) the successful completion of a certificate in wall and ceiling lining (CPC31211) from an RTO, including the additional units of competency and the required units of competency; and

(b) at least one year of practical experience.

(2) For the purposes of this clause, the additional units of competency are—

(a) arrange building applications and approvals (CPCCBC4026A); and

(b) produce labour and material schedules for ordering (CPCCBC4005A); and

(c) select and prepare a construction contract (CPCCBC4003A).

(3) For the purposes of this clause, the required units of competency are—

(a) install bulk insulation and pliable membrane products (CPCCPB3014); and

Sch. 9 cl. 57(3)(a) substituted by S.R. No. 75/2018 reg. 28(4).

(b) install acoustic and thermal environmental protection systems (CPCCPB3015A); and

Sch. 9 cl. 57(3)(c) amended by S.R. No. 75/2018 reg. 28(5).

(c) install ceiling insulation products (CPCCPB3027).

Note

Under regulation 7 of the Domestic Building Contracts Regulations 2017, if this type of building work is undertaken in isolation under a contract, it is not considered domestic building work to which the **Domestic Building Contracts Act 1995** applies. However registration under Part 11 of the Act to carry out this type of building work is required if this work and another type of building work listed under regulation 7 of the Domestic Building Contracts Regulations 2017 are to be carried out under the same contract because that work is then considered to be domestic building work for the purposes of the **Domestic Building Contracts Act 1995**.

58 Class of domestic builder (limited to painting and decorating)

Sch. 9 cl. 58(1) amended by S.R. No. 115/2026 reg. 23(5).

(1) The prescribed qualifications and the prescribed experience for registration in the class of domestic builder (limited to painting and decorating) are—

(a) the successful completion of a certificate in painting and decorating (CPC30611) from an RTO, including the additional units of competency; and

(b) at least one year of practical experience.

(2) For the purposes of this clause, the additional units of competency are—

(a) arrange building applications and approvals (CPCCBC4026A); and

(b) produce labour and material schedules for ordering (CPCCBC4005A); and

(c) select and prepare a construction contract (CPCCBC4003A).

Note

Under regulation 7 of the Domestic Building Contracts Regulations 2017, if this type of building work is undertaken in isolation under a contract, it is not considered domestic building work to which the **Domestic Building Contracts Act 1995** applies. However registration under Part 11 of the Act to carry out this type of building work is required if this work and another type of building work listed under regulation 7 of the Domestic Building Contracts Regulations 2017 are to be carried out under the same contract because that work is then considered to be domestic building work for the purposes of the **Domestic Building Contracts Act 1995**.

59 Class of domestic builder (limited to floor and wall tiling work)

Sch. 9 cl. 59(1) amended by S.R. No. 115/2026 reg. 23(5).

(1) The prescribed qualifications and the prescribed experience for registration in the class of domestic builder (limited to floor and wall tiling work) are—

(a) the successful completion of a certificate in wall and floor tiling (CPC31311) from an RTO, including the additional units of competency; and

(b) at least one year of practical experience.

(2) For the purposes of this clause, the additional units of competency are—

(a) arrange building applications and approvals (CPCCBC4026A); and

(b) produce labour and material schedules for ordering (CPCCBC4005A); and

(c) select and prepare a construction contract (CPCCBC4003A).

Note

Under regulation 7 of the Domestic Building Contracts Regulations 2017, if this type of building work is undertaken in isolation under a contract, it is not considered domestic building work to which the **Domestic Building Contracts Act 1995** applies. However registration under Part 11 of the Act to carry

out this type of building work is required if this work and another type of building work listed under regulation 7 of the Domestic Building Contracts Regulations 2017 are to be carried out under the same contract because that work is then considered to be domestic building work for the purposes of the **Domestic Building Contracts Act 1995**.

60 Class of domestic builder (limited to attaching external fixtures)

Sch. 9 cl. 60(1) amended by S.R. No. 115/2026 reg. 23(5).

(1) The prescribed qualifications and the prescribed experience for registration in the class of domestic builder (limited to attaching external fixtures) are—

(a) the successful completion of—

(i) a certificate in carpentry (CPC30211) from an RTO, including the additional units of competency; or

(ii) a certificate in blinds, awnings, security screens and grilles (MSF30913) from an RTO, including the additional units of competency; and

(b) at least one year of practical experience.

(2) For the purposes of this clause, the additional units of competency are—

(a) arrange building applications and approvals (CPCCBC4026A); and

(b) produce labour and material schedules for ordering (CPCCBC4005A); and

(c) select and prepare a construction contract (CPCCBC4003A).

Note

Under regulation 7 of the Domestic Building Contracts Regulations 2017, if this type of building work is undertaken in isolation under a contract, it is not considered domestic building work to which the **Domestic Building Contracts Act 1995** applies. However registration under Part 11 of the Act to carry out this type of building work is required if this work and another

type of building work listed under regulation 7 of the Domestic Building Contracts Regulations 2017 are to be carried out under the same contract because that work is then considered to be domestic building work for the purposes of the **Domestic Building Contracts Act 1995**.

61 Class of demolisher (low rise)

Sch. 9 cl. 61 amended by S.R. No. 115/2026 reg. 24.

The prescribed qualifications and the prescribed experience for registration in the class of demolisher (low rise) are—

(a) the successful completion of a certificate in demolition (CPC30413) from an RTO; and

(b) at least 2 years of practical experience.

62 Class of demolisher (medium rise)

Sch. 9 cl. 62 amended by S.R. No. 115/2026 reg. 24.

The prescribed qualifications and the prescribed experience for registration in the class of demolisher (medium rise) are—

(a) the successful completion of a certificate in demolition (CPC30413) from an RTO; and

(b) at least 2 years of practical experience.

63 Class of demolisher (unlimited)

Sch. 9 cl. 63 amended by S.R. No. 115/2026 reg. 24.

The prescribed qualifications and the prescribed experience for registration in the class of demolisher (unlimited) are—

(a) the successful completion of a certificate in demolition (CPC41013) from an RTO; and

(b) at least 3 years of practical experience.

64 Class of project manager (domestic)

Sch. 9 cl. 64 amended by S.R. No. 115/2026 reg. 24.

The prescribed qualifications and the prescribed experience for registration in the class of project manager (domestic) are—

(a) the successful completion of—

(i) a Bachelor of Construction Management and Economics from Holmesglen Institute; or

(ii) a Bachelor of Construction Management (Honours) from Deakin University; or

(iii) a Graduate Diploma of Construction Management from Swinburne University of Technology; or

(iv) a diploma of building and construction (management) (CPC50308) from an RTO; and

(b) at least 2 years of practical experience.

Sch. 9 cl. 65 amended by S.R. No. 115/2026 reg. 24.

65 Category of quantity surveyor

The prescribed qualifications and the prescribed experience for registration in the category of quantity surveyor are—

(a) the successful completion of—

(i) a Bachelor of Applied Science (Construction Management) from RMIT University; or

(ii) a Bachelor of Construction Management (Honours) from Deakin University; or

(iii) a Bachelor of Construction Management and Economics from Holmesglen Institute; and

(b) at least 2 years of practical experience.

66 Class of temporary structures (limited to scaffolding stages and towers)

Sch. 9 cl. 66(1) amended by S.R. No. 115/2026 reg. 24.

(1) The prescribed qualifications and the prescribed experience for registration in the class of temporary structures (limited to scaffolding stages and towers) are at least 2 years of practical experience and—

(a) an intermediate scaffolding licence issued under the Occupational Health and Safety Regulations 2017; or

(b) the successful completion of the required unit of competency from an RTO.

(2) For the purposes of this clause, the required unit of competency from an RTO is identify construction work hazards and select risk control strategies (CPCCWHS3001).

67 Class of temporary structures (limited to tents and marquees)

Sch. 9 cl. 67(1) amended by S.R. No. 115/2026 reg. 24.

(1) The prescribed qualifications and the prescribed experience for registration in the class of temporary structures (limited to tents and marquees) are—

(a) the successful completion of the required unit of competency from an RTO; and

(b) 2 years of practical experience.

(2) For the purposes of this clause, the required unit of competency from an RTO is identify construction work hazards and select risk control strategies (CPCCWHS3001).

Sch. 10 amended by S.R. No. 2/2024 reg. 8.

Schedule 10—Work authorised to be carried out by a registered building surveyor

Regulation 259

Table

Column 1 *Item*	*Column 2* *Category/prescribed class of building practitioner*	*Column 3* *Authorised work*
1	Category of building surveyor, class of building surveyor (unlimited)	Any functions conferred on a building surveyor under the Act and these Regulations, for all classes of building of unlimited height or floor area including the following— (a) issuing building permits and temporary approvals as applicable under the Act; (b) arranging and undertaking inspections of building work to determine compliance with the Act, these Regulations and the building permit; (c) taking actions authorised under the Act and these Regulations to ensure building work complies with the Act, these Regulations and the building permit, including issuing— (i) building notices; and (ii) building orders; and (iii) directions to fix building work under section 37A of the Act; (d) approving the use and occupation of buildings in accordance with the Act and these Regulations, including issuing occupancy permits and certificates of final inspection; (e) carrying out the functions of a municipal building surveyor if the building surveyor— (i) has been appointed as a municipal building surveyor in accordance with section 213 of the Act; or

Column 1 *Item*	*Column 2* *Category/prescribed class of building practitioner*	*Column 3* *Authorised work*
		(ii) is deemed to be a municipal building surveyor under section 215 of the Act; or (iii) is acting as a delegate of a municipal building surveyor under section 216B of the Act, but only to the extent of carrying out the functions set out in the instrument of delegation; (f) issuing certificates of compliance stating that proposed building work in the nature of design work complies with the Act and these Regulations; (g) in relation to building work that has been inspected personally by that building surveyor, issuing certificates of compliance stating that the building work complies with the Act and these Regulations.
2	Category of building surveyor, class of building surveyor (limited)	Any functions conferred on a building surveyor under the Act and these Regulations, for all classes of building up to 3 storeys in height with a maximum floor area of 2000 m^2 including the following— (a) issuing building permits and temporary approvals as applicable under the Act; (b) undertaking inspections of building work to determine compliance with the Act, these Regulations and the building permit; (c) taking actions authorised under the Act and these Regulations to ensure building work complies with the Act, these Regulations and the building permit, including issuing— (i) building notices; and (ii) building orders; and (iii) directions to fix building work under section 37A of the Act;

Column 1	*Column 2*	*Column 3*
Item	*Category/prescribed class of building practitioner*	*Authorised work*
		(d) approving the use and occupation of buildings in accordance with the Act and these Regulations, including issuing occupancy permits and certificates of final inspection; (e) carrying out the functions of a municipal building surveyor if the building surveyor is acting as a delegate or a municipal building surveyor under section 216B of the Act, but only to the extent of carrying out the functions set out in the instrument of delegation; (f) issuing certificates of compliance stating that proposed building work in the nature of design work complies with the Act and these Regulations; (g) in relation to building work that has been inspected personally by that building surveyor, issuing certificates of compliance stating that the building work complies with the Act and these Regulations.

Schedule 11—Work authorised to be carried out by a registered building inspector

Sch. 11 amended by S.R. Nos 116/2019 reg. 18, 2/2024 reg. 9.

Regulation 260

Table

Column 1	*Column 2*	*Column 3*
Item	*Category/prescribed class of building practitioner*	*Authorised work*
1	Category of building inspector, class of building inspector (unlimited)	Any functions conferred on a building inspector under the Act and these Regulations, for all classes of building of unlimited height or floor area including the following— (a) undertaking inspections of building work to determine compliance with the Act, these Regulations and the building permit at the request of the relevant building surveyor; (b) issuing oral directions to fix building work under Division 2 of Part 4 of the Act if authorised by the relevant building surveyor; (c) in relation to building work that has been inspected personally by that building inspector, issuing certificates of compliance under regulation 123 stating that the building work complies with the Act and these Regulations.

Column 1 *Item*	*Column 2* *Category/prescribed class of building practitioner*	*Column 3* *Authorised work*
2	Category of building inspector, class of building inspector (limited)	Any functions conferred on a building inspector under the Act and these Regulations for all classes of buildings (excluding buildings with basements) of up to 3 storeys in height with a maximum floor area of 500 m2 or for all classes of buildings (including buildings with basements) of up to 3 storeys in height with a maximum floor area of up to 2000 m2 including the following— (a) undertaking inspections of building work to determine compliance with the Act, these Regulations and the building permit at the request of the relevant building surveyor; (b) issuing directions to fix building work under Division 2 of Part 4 of the Act where authorised by the relevant building surveyor; (c) in relation to building work that has been inspected personally by that building inspector, issuing certificates of compliance under regulation 123 stating that the building work complies with the Act and these Regulations.
3	Category of building inspector, class of building inspector (pool safety)	Any functions conferred on a swimming pool inspector under the Act and Part 9A of these Regulations including the following— (a) undertaking inspections of swimming pool and spa barriers to determine compliance with the applicable barrier standard; (b) issuing certificates of pool and spa barrier compliance; (c) issuing certificates of pool and spa barrier non-compliance; (d) lodging certificates of pool and spa barrier non-compliance with the relevant council.

Schedule 12—Domestic building work authorised to be carried out by registered domestic builders

Regulation 261

Table

Column 1 *Item*	*Column 2* *Category/prescribed class of building practitioner*	*Column 3* *Authorised domestic building work*
1	Category of builder, class of domestic builder (unlimited)	The carrying out of all components of domestic building work.
2	Category of builder, class of domestic builder (limited to the construction of non-habitable building structures)	The carrying out of domestic building work associated with the construction of the following Class 10 buildings which are above ground and free standing in structure— (a) a private garage; (b) a carport; (c) a separate single storey garage associated with another building if the garage contains no more than 3 vehicle spaces; (d) a shed; (e) a cabana; (f) a gazebo; (g) a shade structure. Work in this class does not include the following work— (a) the construction of retaining walls that are not part of the non-habitable building; (b) the construction of external bathrooms, kitchens or laundries.
3	Category of builder, class of domestic builder (limited to the construction of gates and fences)	The carrying out of domestic building work associated with the following work— (a) the construction and dismantling of all types of fencing of any type of material, including associated manual and automatic gates;

Column 1 *Item*	*Column 2* *Category/prescribed class of building practitioner*	*Column 3* *Authorised domestic building work*
		(b) the construction of safety barriers for swimming pools and spas.
4	Category of builder, class of domestic builder (limited to the construction of retaining walls)	The carrying out of domestic building work associated with the construction of retaining walls of any material that do not form part of another building.
5	Category of builder, class of domestic builder (limited to the construction of swimming pools and spas)	The carrying out of domestic building work associated with the construction of swimming pools and spas and the construction of appropriate safety barriers for those swimming pools or spas. Work in this class does not include the following work— (a) the construction of retaining walls; (b) the construction of shade structures; (c) the maintenance and general repair of swimming pools and spas; (d) water chemistry.
6	Category of builder, class of domestic builder (limited to the construction of private bushfire shelters)	The carrying out of domestic building work associated with the construction of private bushfire shelters.
7	Category of builder, class of domestic builder (limited to the construction of shade structures)	The carrying out of domestic building work associated with the construction of shade structures.
8	Category of builder, class of domestic builder (limited to the construction of structural landscaping)	The carrying out of domestic building work associated with the following work— (a) the construction of the following— (i) retaining walls of any material, that do not form part of another building; (ii) gates;

Column 1	*Column 2*	*Column 3*
Item	*Category/prescribed class of building practitioner*	*Authorised domestic building work*
		(iii) fences (excluding swimming pool and spa safety barriers); (iv) gazebos; (v) driveways; (vi) paths; (vii) external stairs and ramps; (viii) cabanas; (ix) pergolas; (x) decks; (xi) ornamental ponds, water features and other structural ornamentation; (b) drainage associated with work in paragraph (a); (c) irrigation associated with work in paragraph (a); (d) paving associated with work in paragraph (a).
9	Category of builder, class of domestic builder (limited to bathroom, kitchen and laundry renovation)	The carrying out of domestic building work associated with renovating bathrooms, kitchens and laundries that do not extend beyond the existing external walls, floor or ceiling of a home, including any site works, work requirements to gain access to the site, the removal of site impediments and the replacement of walls.
10	Category of builder, class of domestic builder (limited to earthworks and excavation work)	The carrying out of domestic building work associated with the removal of earth, soil, rock and grass roots to excavation lines and levels to form a hole or trench, including site preparation work, the consideration of soil types and classifications and site drainage requirements for— (a) structural supports; or (b) walls or floors of a building; or (c) structural landscaping work; or

Column 1 *Item*	*Column 2* *Category/prescribed class of building practitioner*	*Column 3* *Authorised domestic building work*
		(d) site preparation works including— (i) the consideration of soil types and classifications; and (ii) site drainage requirements.
11	Category of builder, class of domestic builder (limited to footings and slab work)	The carrying out of domestic building work associated with the selection and placement of footing systems for— (a) structural supports; or (b) walls or floors of a building; or (c) structural landscaping work; or (d) the construction and installation of reinforced or bulk concrete footing and structural elements for buildings; or (e) formwork; or (f) falsework; or (g) underpinning.
12	Category of builder, class of domestic builder (limited to framing)	The carrying out of domestic building work associated with the following work— (a) fabricating, erecting and bracing wall frames (load bearing and non-load bearing); (b) erection and replacement of roof trusses.
13	Category of builder, class of domestic builder (limited to bricklaying and blocklaying)	The carrying out of domestic building work associated with the following work— (a) construction of internal or external walls, isolated piers, arches, fireplaces and chimneys; (b) concrete rendering to buildings and masonry fixtures; (c) rammed earth or form cell construction; (d) mud brick footings to houses.

Column 1 *Item*	*Column 2* *Category/prescribed class of building practitioner*	*Column 3* *Authorised domestic building work*
14	Category of builder, class of domestic builder (limited to external wall cladding)	The carrying out of domestic building work associated with applying the following types of external wall cladding to homes— (a) weatherboards (timber or vinyl); (b) manufactured board or sheet panels; (c) lightweight aerated autoclaved concrete panels.
15	Category of builder, class of domestic builder (limited to roof tiling)	The carrying out of domestic building work associated with the following work— (a) initial tiling of roofs; (b) the repair and renovation of existing tiled roofs; (c) re-pointing, sarking, cutting, bedding and pointing of roof tiles.
16	Category of builder, class of domestic builder (limited to waterproofing)	The carrying out of domestic building work associated with waterproofing and the application, installation and repair of membranes or systems that may be applied to the interior, exterior, below ground and remedial areas of a home, except swimming pools and spas.
17	Category of builder, class of domestic builder (limited to door and window replacement and installation)	The carrying out of domestic building work associated with selection, setting out, installation, removal or replacement of windows and doors.
18	Category of builder, class of domestic builder (limited to site works involved in relocating a dwelling)	The carrying out of domestic building work associated with relocating a home, consisting of— (a) preparation of the new site; and (b) work associated with joining sections of the home, and (c) repairing and replacing materials as a result of the relocation of the home. Work in this class does not include transportation of a home or part of a home.

Column 1 *Item*	*Column 2* *Category/prescribed class of building practitioner*	*Column 3* *Authorised domestic building work*
19	Category of builder, class of domestic builder (limited to re-stumping and re-blocking)	The carrying out of domestic building work associated with sub-floor works and the levelling and supporting of existing structures to ensure they have solid foundations.
20	Category of builder, class of domestic builder (limited to cabinet making, joinery and stair construction)	The carrying out of domestic building work associated with the following work— (a) the manufacture, assembly and installation of joinery and joinery products, including cabinets, cupboards, shelving and fitments; (b) cabinet-making work, including constructing cabinets and components of cabinets on site and making adjustments when required; (c) constructing stairs.
21	Category of builder, class of domestic builder (limited to carpentry)	The carrying out of domestic building work involving carpentry work associated with the alteration and repair of homes, carports, garages, pergolas, decks, verandas and similar structures. Work in this class also includes the domestic building work authorised to be carried out by the following classes of domestic builder— (a) class of domestic builder (limited to the construction of non-habitable building structures); (b) class of domestic builder (limited to the construction of gates and fences); (c) class of domestic builder (limited to bathroom, kitchen and laundry renovation); (d) class of domestic builder (limited to framing); (e) class of domestic builder (limited to external wall cladding);

Column 1 *Item*	*Column 2* *Category/prescribed class of building practitioner*	*Column 3* *Authorised domestic building work*
		(f) class of domestic builder (limited to door and window replacement and installation); (g) class of domestic builder (limited to cabinet making, joinery and stair construction).
22	Category of builder, class of domestic builder (limited to the erection of poles, masts and antennas)	The carrying out of domestic building work associated with the erection of poles, masts and antennas attached to a home if the pole, mast or antenna— (a) exceeds a height of 3 m above the highest point of its attachment to the home; or (b) exceeds a height of 8 m above ground level.
23	Category of builder, class of domestic builder (limited to sheet plastering)	The carrying out of domestic building work associated with sheet plastering, including the cutting and fixing of interior wall boards.
24	Category of builder, class of domestic builder (limited to solid plastering and rendering)	The carrying out of domestic building work associated with the following solid plastering work— (a) the application of plaster or render to interior or exterior surfaces; (b) the restoration and renovation of solid plaster; (c) the installation of associated cornices and decorative moulds.
25	Category of builder, class of domestic builder (limited to floor finishing and covering)	The carrying out of domestic building work associated with— (a) the installation of non-structural flooring; and (b) floor coverings including timber, timber veneers, parquetry, cork, carpet and vinyl. Work in this class does not include fixing floor tiles.

Column 1 *Item*	*Column 2* *Category/prescribed class of building practitioner*	*Column 3* *Authorised domestic building work*
26	Category of builder, class of domestic builder (limited to glazing work)	The carrying out of domestic building work involving the installation of glass, acrylic or other like materials in prepared openings, such as windows, door panels, screens, fences, balustrades or partitions.
27	Category of builder, class of domestic builder (limited to insulation work)	The carrying out of domestic building work involving installing insulation into ceilings, external walls and floors and around pipe and duct work, including the selection of appropriate types of insulation material for such installations.
28	Category of builder, class of domestic builder (limited to painting and decorating)	The carrying out of domestic building work involving— (a) preparation of surfaces for the application of paint; and (b) the application of paint or other substances for protective, decorative or technical purposes; and (c) colour matching.
29	Category of builder, class of domestic builder (limited to floor and wall tiling work)	The carrying out of domestic building work involving affixing tiles for functional or decorative use on the internal or external surfaces of a home, including a swimming pool or spa, which includes waterproofing the tiling.
30	Category of builder, class of domestic builder (limited to attaching external fixtures)	The carrying out of domestic building work involving the installation of external fixtures such as blinds, awnings, security screens, insect screens and balustrades.

Schedule 13—Planning schemes that have an approved infrastructure contributions plan

Sch. 13 inserted by S.R. No. 180/2018 reg. 14.

Regulation 269

1 Cardinia Planning Scheme

2 Casey Planning Scheme

3 Hume Planning Scheme

4 Melton Planning Scheme

5 Mitchell Planning Scheme

6 Whittlesea Planning Scheme

7 Wyndham Planning Scheme

Endnotes

1 General information

See www.legislation.vic.gov.au for Victorian Bills, Acts and current authorised versions of legislation and up-to-date legislative information.

The Building Regulations 2018, S.R. No. 38/2018 were made on 27 March 2018 by the Governor in Council under sections 7, 9, 15A, 261 and 262 of, and Schedule 1 to, the **Building Act 1993**, No. 126/1993 and came into operation on 2 June 2018: regulation 3.

The Building Regulations 2018 will sunset 10 years after the day of making on 27 March 2028 (see section 5 of the **Subordinate Legislation Act 1994**).

INTERPRETATION OF LEGISLATION ACT 1984 (ILA)

Style changes

Section 54A of the ILA authorises the making of the style changes set out in Schedule 1 to that Act.

References to ILA s. 39B

Sidenotes which cite ILA s. 39B refer to section 39B of the ILA which provides that where an undivided regulation, rule or clause of a Schedule is amended by the insertion of one or more subregulations, subrules or subclauses the original regulation, rule or clause becomes subregulation, subrule or subclause (1) and is amended by the insertion of the expression "(1)" at the beginning of the original regulation, rule or clause.

Interpretation

As from 1 January 2001, amendments to section 36 of the ILA have the following effects:

- **Headings**

All headings included in a Statutory Rule which is made on or after 1 January 2001 form part of that Statutory Rule. Any heading inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, forms part of that Statutory Rule. This includes headings to Parts, Divisions or Subdivisions in a Schedule; Orders; Parts into which an Order is divided; clauses; regulations; rules; items; tables; columns; examples; diagrams; notes or forms.
See section 36(1A)(2A)(2B).

- **Examples, diagrams or notes**

All examples, diagrams or notes included in a Statutory Rule which is made on or after 1 January 2001 form part of that Statutory Rule. Any examples, diagrams or notes inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, form part of that Statutory Rule. See section 36(3A).

- **Punctuation**

All punctuation included in a Statutory Rule which is made on or after 1 January 2001 forms part of that Statutory Rule. Any punctuation inserted in a Statutory Rule which was made before 1 January 2001, by a Statutory Rule made on or after 1 January 2001, forms part of that Statutory Rule. See section 36(3B).

- **Provision numbers**

All provision numbers included in a Statutory Rule form part of that Statutory Rule, whether inserted in the Statutory Rule before, on or after 1 January 2001. Provision numbers include regulation numbers, rule numbers, subregulation numbers, subrule numbers, paragraphs and subparagraphs. See section 36(3C).

- **Location of "legislative items"**

A "legislative item" is a penalty, an example or a note. As from 13 October 2004, a legislative item relating to a provision of a Statutory Rule is taken to be at the foot of that provision even if it is preceded or followed by another legislative item that relates to that provision. For example, if a penalty at the foot of a provision is followed by a note, both of these legislative items will be regarded as being at the foot of that provision. See section 36B.

- **Other material**

Any explanatory memorandum, table of provisions, endnotes, index and other material printed after the Endnotes does not form part of a Statutory Rule. See section 36(3)(3D)(3E).

2 Table of Amendments

This publication incorporates amendments made to the Building Regulations 2018 by statutory rules, subordinate instruments and Acts.

Building Regulations 2018, S.R. No. 38/2018 (as amended by S.R. Nos 42/2020, 50/2022, 65/2023, 102/2023)

Date of Making:	27.3.18
Date of Commencement:	Reg. 282(2) on 2.6.18: reg. 3; reg. 10A(3) inserted on 26.9.23 by S.R. No. 102/2023 reg. 4
Note:	Reg. 282(2) revoked reg. 282 on 1.7.18; reg. 10A(3) revoked reg. 10A on 1.5.24

Building Amendment Regulations 2018, S.R. No. 75/2018

Date of Making:	13.6.18
Date of Commencement:	Regs 11, 24, 25, 27 on 13.6.18: reg. 3(1); regs 5–10, 12–23, 26, 28 on 1.7.18: reg. 3(2)

Building Amendment (Garden Area and Siting Requirements) Regulations 2018, S.R. No. 100/2018

Date of Making:	10.7.18
Date of Commencement:	10.7.18

Building Further Amendment Regulations 2018, S.R. No. 180/2018

Date of Making:	23.10.18
Date of Commencement:	23.10.18

Building Amendment Regulations 2019, S.R. No. 40/2019

Date of Making:	4.6.19
Date of Commencement:	Regs 5, 6, 9–30 on 4.6.19: reg. 3(1); regs 7, 8 on 1.7.19: reg. 3(2)

Building Amendment (Swimming Pool and Spa) Regulations 2019, S.R. No. 116/2019

Date of Making:	26.11.19
Date of Commencement:	1.12.19: reg. 3

Building Amendment (Bushfire Demolition Work) Regulations 2020, S.R. No. 21/2020

Date of Making:	31.3.20
Date of Commencement:	31.3.20

Building Amendment (Registration of Swimming Pools and Spas and Other Matters) Regulations 2020, S.R. No. 42/2020

Date of Making:	26.5.20
Date of Commencement:	26.5.20

Building Amendment (Emergency Accommodation) Regulations 2020, S.R. No. 83/2020

Date of Making:	18.8.20
Date of Commencement:	18.8.20

Building Amendment (Social Housing Building Permit Levy Exemption and Other Matters) Regulations 2020, S.R. No. 101/2020
Date of Making: 29.9.20
Date of Commencement: Regs 5, 6, 8, 9 on 29.9.20: reg. 3(1); reg. 7 on 30.9.20: reg. 3(2)

Building Amendment Regulations 2021, S.R. No. 73/2021
Date of Making: 29.6.21
Date of Commencement: 1.7.21: reg. 3

Building Amendment (Building Product Accreditation and Other Matters) Regulations 2021, S.R. No. 128/2021
Date of Making: 12.10.21
Date of Commencement: 12.10.21

Building Amendment (Fees Expiry Date) Interim Regulations 2022, S.R. No. 50/2022
Date of Making: 30.6.22
Date of Commencement: 30.6.22: reg. 3

Building Amendment (Accreditation Requirements for Building Products) Regulations 2022, S.R. No. 61/2022
Date of Making: 2.8.22
Date of Commencement: 3.8.22: reg. 3

Building Amendment (Fees Expiry Date) Interim Regulations 2023, S.R. No. 65/2023
Date of Making: 27.6.23
Date of Commencement: 29.6.23: reg. 3

Building Amendment (Emergency Recovery) Regulations 2023, S.R. No. 80/2023
Date of Making: 8.8.23
Date of Commencement: 10.8.23: reg. 3

Building and Plumbing Amendment (National Construction Code and Other Matters) Regulations 2023, S.R. No. 102/2023
Date of Making: 26.9.23
Date of Commencement: Regs 3–23 on 26.9.23

Building and Plumbing Amendment (Solar Water Heaters and Other Matters) Regulations 2023, S.R. No. 122/2023
Date of Making: 28.11.23
Date of Commencement: Regs 4, 5 on 28.11.23: reg. 3(1)

Building Amendment (Small Second Dwellings) Regulations 2023, S.R. No. 132/2023
Date of Making: 12.12.23
Date of Commencement: 14.12.23: reg. 3

Building and Plumbing Amendment Regulations 2024, S.R. No. 2/2024
Date of Making: 30.1.24
Date of Commencement: Regs 4–9 on 1.2.24: reg. 3

Building Amendment (Fees and Other Matters) Regulations 2024, S.R. No. 59/2024
Date of Making: 25.6.24
Date of Commencement: Regs 10–12 on 30.6.24: reg. 3(1); regs 5–9 on 1.10.24: reg. 3(2)

Building Amendment Regulations 2024, S.R. No. 106/2024
Date of Making: 8.10.24
Date of Commencement: 8.10.24

Building Amendment (Building Permit Application) Regulations 2025, S.R. No. 125/2025
Date of Making: 25.11.25
Date of Commencement: 26.11.25: reg. 3

Building and Plumbing Amendment Regulations 2026, S.R. No. 38/2026
Date of Making: 28.4.26
Date of Commencement: Regs 4–18 on 1.5.26: reg. 3

Building Amendment (Building Permit Levy) Regulations 2026, S.R. No. 72/2026
Date of Making: 16.6.26
Date of Commencement: 1.7.26: reg. 3

Building Amendment (Rectification Orders) Regulations 2026, S.R. No. 73/2026
Date of Making: 16.6.26
Date of Commencement: 1.7.26: reg. 3

Building Amendment (Miscellaneous) Regulations 2026, S.R. No. 115/2026
Date of Making: 25.8.26
Date of Commencement: 1.9.26: reg. 3

Building Amendment (Siting and Other Matters) Regulations 2026, S.R. No. 173/2026
Date of Making: 27.10.26
Date of Commencement: 27.10.26

Building Amendment (Small Second Dwellings) Regulations 2026, S.R. No. 174/2026
Date of Making: 27.10.26
Date of Commencement: 27.10.26

3 Explanatory details

Fee Units

These Regulations provide for fees by reference to fee units within the meaning of the **Monetary Units Act 2004**. The amount of the fee is to be calculated, in accordance with section 7 of that Act, by multiplying the number of fee units applicable by the value of a fee unit.

The value of a fee unit for the financial year commencing 1 July 2026 is $17.27. The amount of the calculated fee may be rounded to the nearest 10 cents.

The value of a fee unit for future financial years is to be fixed by the Treasurer under section 5 of the **Monetary Units Act 2004**. The value of a fee unit for a financial year must be published in the Government Gazette and a Victorian newspaper before 1 June in the preceding financial year.

Penalty Units

These Regulations provide for penalties by reference to penalty units within the meaning of section 110 of the **Sentencing Act 1991**. The amount of the penalty is to be calculated, in accordance with section 7 of the **Monetary Units Act 2004**, by multiplying the number of penalty units applicable by the value of a penalty unit.

The value of a penalty unit for the financial year commencing 1 July 2026 is $209.10. The amount of the calculated penalty may be rounded to the nearest dollar.

The value of a penalty unit for future financial years is to be fixed by the Treasurer under section 5 of the **Monetary Units Act 2004**. The value of a penalty unit for a financial year must be published in the Government Gazette and a Victorian newspaper before 1 June in the preceding financial year.

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Table of Applied, Adopted or Incorporated Matter

The following table of applied, adopted or incorporated matter was included in S.R. No. 38/2018 in accordance with the requirements of regulation 5 of the Subordinate Legislation Regulations 2014.

In this table—

AS 1851—2005 means AS 1851—2005 Maintenance of fire protection systems and equipment, published by Standards Australia on 5 September 2005, as amended on 26 July 2006 and 23 May 2008;

AS 1851—2012 means AS 1851—2012 Routine service of fire protection systems and equipment, published by Standards Australia on 3 December 2012, as amended on 16 November 2016;

AS 3959—2009 means AS 3959—2009 Construction of buildings in bushfire-prone areas, published by Standards Australia on 10 March 2009, as amended on 16 November 2009, 15 February 2011 and 11 November 2011;

BCA means the Building Code of Australia;

BCA Volume One means Volume One of the National Construction Code 2016 including any variations or additions in the Appendix Victoria set out in the Appendices to that Volume;

BCA Volume Two means Volume Two of the National Construction Code 2016 including any Victoria additions set out in Appendix A to that Volume;

Building Code of Australia means the Building Code of Australia comprising—

(a) Volume One of the National Construction Code 2016 including any variations or additions in the Appendix Victoria set out in the Appendices to that Volume; and

(b) Volume Two of the National Construction Code 2016 including any Victoria additions set out in Appendix A to that Volume;

National Construction Code 2016 means the National Construction Code 2016 published by the Australian Building Codes Board on 1 May 2016, as amended on 12 March 2018.

Statutory rule provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 5 (definition of ***AS 1851—2012***)	AS 1851—2012 Routine service of fire protection systems and equipment, published by Standards Australia on 3 December 2012, as amended on 16 November 2016	The whole
Regulation 5 (definition of ***AS 3959***)	AS 3959—2009 as incorporated for the time being by the BCA	The whole
Regulation 5 (definition of ***BCA***)	Building Code of Australia	The whole
Regulation 5 (definition of ***BCA Volume One***)	Building Code of Australia	Volume One
Regulation 5 (definition of ***BCA Volume Two***)	Building Code of Australia	Volume Two
Regulation 5 (definition of ***bushfire attack level***)	AS 3959—2009 as incorporated for the time being by the BCA	The whole
Regulation 5 (definition of ***fire performance requirement***)	BCA Volume One	Performance requirement BP1.1, DP2, DP3, DP4 or DP6 (to the extent that it relates to fire safety)

Statutory rule provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
		Performance requirement CP1, CP2, CP3, CP4, CP5, CP6, CP7, CP8, CP9, DP5, EP1.1, EP1.2, EP1.3, EP1.4, EP1.5, EP1.6, EP2.1 or EP2.2
	BCA Volume Two	Performance requirement P2.1.1, P2.3.1 or P2.3.2 (to the extent that it relates to fire safety for a Class 1b building or a Class 10 building not associated with a Class 1a building)
Regulations 10, 11, 12 and 13	BCA	The whole
Regulation 29(b)	BCA Volume One BCA Volume Two	Clause A2.2 Clause 1.2.2
Regulations 38 and 44(1)(j)	BCA	The whole

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulations 74, 75, 76, 77, 79, 80, 86, 89 and Schedule 6	Alpine Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone
	Ararat Planning Scheme made under the **Planning and Environment Act 1987**	Neighbourhood Residential Zone and the schedule to that Zone and the General Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying those Zones
	Ballarat Planning Scheme made under the **Planning and Environment Act 1987**	Neighbourhood Residential Zone and the schedule to that Zone and the Residential Growth Zone and General Residential Zone and the provisions of

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
		the Planning Scheme (including the planning scheme maps) identifying those Zones
	Banyule Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the schedules to that Zone and Residential Growth Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying those Zones
	Bass Coast Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Baw Baw Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone
	Bayside Planning Scheme made under the **Planning and Environment Act 1987**	Mixed Use Zone and General Residential Zone and Neighbourhood Residential Zone and the schedules to those Zones and Residential Growth Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying those Zones
	Benalla Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the provisions of the Planning Scheme

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
		(including the planning scheme maps) identifying that Zone
	Boroondara Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the schedules to that Zone and Residential Growth Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying those Zones
	Brimbank Planning Scheme made under the **Planning and Environment Act 1987**	Residential Growth Zone and Neighbourhood Residential Zone and the schedules to those Zones and General Residential Zone and the provisions of the Planning Scheme

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
		(including the planning scheme maps) identifying those Zones
	Campaspe Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone
	Cardinia Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone
	Casey Planning Scheme made under the **Planning and Environment Act 1987**	Residential Growth Zone and General Residential Zone and the provisions of the Planning Scheme

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
		(including the planning scheme maps) identifying those Zones
	Central Goldfields Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone
	Colac Otway Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the schedule to that Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone
	Corangamite Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the provisions of the Planning Scheme

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
		(including the planning scheme maps) identifying that Zone
	Darebin Planning Scheme made under the **Planning and Environment Act 1987**	Residential Growth Zone and the schedules to that Zone and General Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying those Zones
	East Gippsland Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone
	Frankston Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the schedules to that Zone and

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
		the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone
	Gannawarra Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone
	Glen Eira Planning Scheme made under the **Planning and Environment Act 1987**	Mixed Use Zone and Residential Growth Zone and General Residential Zone and Neighbourhood Residential Zone and the schedules to those Zones and the provisions of the Planning Scheme

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
		(including the planning scheme maps) identifying those Zones
	Glenelg Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone
	Golden Plains Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone
	Greater Bendigo Planning Scheme made under the **Planning and Environment Act 1987**	Residential Growth Zone and the General Residential Zone and the provisions of the Planning Scheme

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
		(including the planning scheme maps) identifying that Zone
	Greater Dandenong Planning Scheme made under the **Planning and Environment Act 1987**	Residential Growth Zone and General Residential Zone and Neighbourhood Residential Zone and the schedules to those Zones and the provisions of the Planning Scheme (including the planning scheme maps) identifying those Zones
	Greater Geelong Planning Scheme made under the **Planning and Environment Act 1987**	Residential Growth Zone and General Residential Zone and Neighbourhood Residential Zone and the schedules to those Zones and the provisions of the Planning Scheme

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
		(including the planning scheme maps) identifying those Zones
	Greater Shepparton Planning Scheme made under the **Planning and Environment Act 1987**	Neighbourhood Residential Zone and the schedule to that Zone and Residential Growth Zone and General Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying those Zones
	Hepburn Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Hindmarsh Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone
	Hobsons Bay Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the schedules to that Zone and Residential Growth Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying those Zones
	Horsham Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the schedules to that Zone and the provisions of the Planning Scheme

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
		(including the planning scheme maps) identifying that Zone
	Hume Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone
	Indigo Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone
	Kingston Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the schedules to that Zone and Residential Growth Zone

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
		and the provisions of the Planning Scheme (including the planning scheme maps) identifying those Zones
	Knox Planning Scheme made under the **Planning and Environment Act 1987**	Residential Growth Zone and General Residential Zone and Neighbourhood Residential Zone and the schedules to those Zones and the provisions of the Planning Scheme (including the planning scheme maps) identifying those Zones
	Latrobe Planning Scheme made under the **Planning and Environment Act 1987**	Residential Growth Zone and the schedules to that Zone and General Residential Zone and the provisions of the Planning Scheme

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
		(including the planning scheme maps) identifying those Zones
	Macedon Ranges Planning Scheme made under the **Planning and Environment Act 1987**	Neighbourhood Residential Zone and the schedules to that Zone and General Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying those Zones
	Manningham Planning Scheme made under the **Planning and Environment Act 1987**	Residential Growth Zone and General Residential Zone and the schedules to those Zones and the provisions of the Planning Scheme (including the planning scheme maps) identifying those Zones

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Mansfield Planning Scheme made under the **Planning and Environment Act 1987**	Mixed Use Zone and the schedule to that Zone and the General Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying those Zones
	Maribyrnong Planning Scheme made under the **Planning and Environment Act 1987**	Residential Growth Zone and General Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying those Zones
	Maroondah Planning Scheme made under the **Planning and Environment Act 1987**	Residential Growth Zone and General Residential Zone and Neighbourhood Residential Zone and the schedules to those Zones and

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
		the provisions of the Planning Scheme (including the planning scheme maps) identifying those Zones
	Melbourne Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and Neighbourhood Residential Zone and the schedules to those Zones and Residential Growth Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying those Zones
	Melton Planning Scheme made under the **Planning and Environment Act 1987**	Residential Growth Zone and General Residential Zone and the provisions of the Planning Scheme

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
		(including the planning scheme maps) identifying those Zones
	Mildura Planning Scheme made under the **Planning and Environment Act 1987**	Neighbourhood Residential Zone and the schedule to that Zone and the General Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying those Zones
	Mitchell Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Moira Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone
	Monash Planning Scheme made under the **Planning and Environment Act 1987**	Mixed Use Zone and Residential Growth Zone and General Residential Zone and Neighbourhood Residential Zone and the schedules to those Zones and the provisions of the Planning Scheme (including the planning scheme maps) identifying those Zones
	Moonee Valley Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the provisions of the Planning Scheme

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
		(including the planning scheme maps) identifying that Zone
	Moorabool Planning Scheme made under the **Planning and Environment Act 1987**	Neighbourhood Residential Zone and General Residential Zone and the schedules to those Zones and the provisions of the Planning Scheme (including the planning scheme maps) identifying those Zones
	Moreland Planning Scheme made under the **Planning and Environment Act 1987**	Residential Growth Zone and General Residential Zone and the schedules to those Zones and Neighbourhood Residential Zone and the provisions of the Planning Scheme

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
		(including the planning scheme maps) identifying those Zones
	Mornington Peninsula Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the schedule to that Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone
	Mount Alexander Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone
	Moyne Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the provisions of the Planning Scheme

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
		(including the planning scheme maps) identifying that Zone
	Murrindindi Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone
	Nillumbik Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone
	Northern Grampians Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the provisions of the Planning Scheme

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
		(including the planning scheme maps) identifying that Zone
	Port Phillip Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and Residential Growth Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying those Zones
	Pyrenees Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone
	Queenscliffe Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and Neighbourhood Residential Zone and the schedules to

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
		those Zones and the provisions of the Planning Scheme (including the planning scheme maps) identifying those Zones
	South Gippsland Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone
	Southern Grampians Planning Scheme made under the **Planning and Environment Act 1987**	Residential Growth Zone and General Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying those Zones

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Stonnington Planning Scheme made under the **Planning and Environment Act 1987**	Residential Growth Zone and General Residential Zone and Neighbourhood Residential Zone and the schedules to those Zones and the provisions of the Planning Scheme (including the planning scheme maps) identifying those Zones
	Strathbogie Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone
	Surf Coast Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the provisions of the Planning Scheme

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
		(including the planning scheme maps) identifying that Zone
	Swan Hill Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone
	Towong Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone
	Wangaratta Planning Scheme made under the **Planning and Environment Act 1987**	Residential Growth Zone and General Residential Zone and the provisions of the Planning Scheme

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
		(including the planning scheme maps) identifying those Zones
	Warrnambool Planning Scheme made under the **Planning and Environment Act 1987**	Mixed Use Zone and the schedules to that Zone and the General Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone
	Wellington Planning Scheme made under the **Planning and Environment Act 1987**	Residential Growth Zone and Neighbourhood Residential Zone and the schedules to those Zones and the General Residential Zone and the provisions of the Planning Scheme

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
		(including the planning scheme maps) identifying those Zones
	Whitehorse Planning Scheme made under the **Planning and Environment Act 1987**	Residential Growth Zone and General Residential Zone and Neighbourhood Residential Zone and the schedules to those Zones and the provisions of the Planning Scheme (including the planning scheme maps) identifying those Zones
	Whittlesea Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the schedules to that Zone and the Residential Growth Zone and the provisions of the Planning Scheme

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
		(including the planning scheme maps) identifying those Zones
	Wodonga Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone
	Wyndham Planning Scheme made under the **Planning and Environment Act 1987**	Residential Growth Zone and General Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying those Zones
	Yarra Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the schedules to that Zone and the provisions of the Planning Scheme

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
		(including the planning scheme maps) identifying that Zone
	Yarra Ranges Planning Scheme made under the **Planning and Environment Act 1987**	Residential Growth Zone and Neighbourhood Residential Zone and the schedules to those Zones and General Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying those Zones
	Yarriambiack Planning Scheme made under the **Planning and Environment Act 1987**	General Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulation 117(1)	AS 2601—2001 The demolition of structures, published by Standards Australia on 13 September 2001	The whole
Regulation 121	BCA Volume One	Performance requirement BP1.1, DP2, DP3, DP4 or DP6 (to the extent that it relates to fire safety) Performance requirement CP1, CP2, CP3, CP4, CP5, CP6, CP7, CP8, CP9, DP5, EP1.1, EP1.2, EP1.3, EP1.4, EP1.5, EP1.6, EP2.1 or EP2.2
	BCA Volume Two	Performance requirement P2.1.1, P2.3.1 or P2.3.2 (to the extent that it relates to fire safety for a Class 1b building or a Class 10 building not associated with a Class 1a building)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulation 124(1)	BCA	The whole
Regulation 125(1)	BCA Volume One	Clause A2.2(a)(v)
Regulation 125(2)	BCA Volume Two	Clause 1.2.2(a)(iii)
Regulation 128(1)	BCA Volume One	Performance requirement BP1.1
	BCA Volume Two	Performance requirement P2.1.1
	AS 2082—2007 Timber—Hardwood—Visually stress-graded for structural purposes, published by Standards Australia on 7 December 2007	The whole
	AS 2858—2008 Timber—Softwood—Visually stress-graded for structural purposes, published by Standards Australia on 30 June 2008	The whole
	AS/NZS 1748—2011 Timber—Solid—Stress-graded for structural purposes Part 1: General requirements, jointly published by Standards Australia and Standards New Zealand on 24 February 2011 as amended on 31 October 2012.	The whole

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	AS 1613—2005 Timber—Colours for marking F-grades, published by Standards Australia on 13 September 2005	The whole
Regulation 128(2)	AS 1720.1—2010 Timber structures—Part 1: Design methods, published by Standards Australia on 21 June 2010 as amended on 7 December 2010 and 13 August 2015.	The whole
Regulation 129	BCA	The whole
Regulation 137(b)	AS 1926.1—1993 Swimming pool safety—Part 1: Fencing for swimming pools, published by Standards Australia on 26 July 1993, as amended on 12 June 2000	The whole
Regulation 145(2)	BCA Volume Two	Part 3.7.2
Regulation 145(3)	BCA Volume One	Specification E2.2a
Regulations 146(2) and 147(2)	BCA Volume One	Clause E1.5
Regulation 147(4)	BCA Volume One AS 2444—2001 Portable fire extinguishers and fire blankets—Selection and location, published by Standards Australia on 9 November 2001	Clause E1.4 Clause G4.4 Part E4 The whole

Statutory rule provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
	Practice Note 2008-13 issued by the Building Commission in November 2008	The whole
Regulation 147(5)	BCA Volume One	Clause E1.4 Clause G4.4 Part E4
	Practice Note 2008-13 issued by the Building Commission in November 2008	The whole
Regulation 151	BCA Volume One	Performance requirement BP1.1
	BCA Volume Two	Performance requirement P2.1.1
Regulation 152(1)	BCA	The whole
Regulation 152(2)	BCA Volume One	Clause A1.1
Regulation 152(3)	BCA Volume Two	Clause 1.1.1
Regulation 158(1)	BCA Volume One	Clause A1.1
Regulation 158(2)	BCA Volume One	Part G5
Regulation 159(b) and Schedule 7, item 1	Alpine Planning Scheme made under the **Planning and Environment Act 1987**	Clause 44.06 Bushfire Management Overlay (including the planning scheme maps) identifying that overlay

Statutory rule provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 159(b) and Schedule 7, item 2	Baw Baw Planning Scheme made under the **Planning and Environment Act 1987**	Clause 44.06 Bushfire Management Overlay (including the planning scheme maps) identifying that overlay
Regulation 159(b) and Schedule 7, item 3	Cardinia Planning Scheme made under the **Planning and Environment Act 1987**	Clause 44.06 Bushfire Management Overlay (including the planning scheme maps) identifying that overlay
Regulation 159(b) and Schedule 7, item 4	Casey Planning Scheme made under the **Planning and Environment Act 1987**	Clause 44.06 Bushfire Management Overlay (including the planning scheme maps) identifying that overlay
Regulation 159(b) and Schedule 7, item 5	Greater Bendigo Planning Scheme made under the **Planning and Environment Act 1987**	Clause 44.06 Bushfire Management Overlay (including the planning scheme maps) identifying that overlay

Statutory rule provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 159(b) and Schedule 7, item 6	Horsham Planning Scheme made under the **Planning and Environment Act 1987**	Clause 44.06 Bushfire Management Overlay (including the planning scheme maps) identifying that overlay
Regulation 159(b) and Schedule 7, item 7	Indigo Planning Scheme made under the **Planning and Environment Act 1987**	Clause 44.06 Bushfire Management Overlay (including the planning scheme maps) identifying that overlay
Regulation 159(b) and Schedule 7, item 8	Latrobe Planning Scheme made under the **Planning and Environment Act 1987**	Clause 44.06 Bushfire Management Overlay (including the planning scheme maps) identifying that overlay
Regulation 159(b) and Schedule 7, item 9	Macedon Ranges Planning Scheme made under the **Planning and Environment Act 1987**	Clause 44.06 Bushfire Management Overlay (including the planning scheme maps) identifying that overlay

Statutory rule provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 159(b) and Schedule 7, item 10	Mitchell Planning Scheme made under the **Planning and Environment Act 1987**	Clause 44.06 Bushfire Management Overlay (including the planning scheme maps) identifying that overlay
Regulation 159(b) and Schedule 7, item 11	Mount Alexander Planning Scheme made under the **Planning and Environment Act 1987**	Clause 44.06 Bushfire Management Overlay (including the planning scheme maps) identifying that overlay
Regulation 159(b) and Schedule 7, item 12	Murrindindi Planning Scheme made under the **Planning and Environment Act 1987**	Clause 44.06 Bushfire Management Overlay (including the planning scheme maps) identifying that overlay
Regulation 159(b) and Schedule 7, item 13	Nillumbik Planning Scheme made under the **Planning and Environment Act 1987**	Clause 44.06 Bushfire Management Overlay (including the planning scheme maps) identifying that overlay

Statutory rule provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 159(b) and Schedule 7, item 14	Wellington Planning Scheme made under the **Planning and Environment Act 1987**	Clause 44.06 Bushfire Management Overlay (including the planning scheme maps) identifying that overlay
Regulation 159(b) and Schedule 7, item 15	Whittlesea Planning Scheme made under the **Planning and Environment Act 1987**	Clause 44.06 Bushfire Management Overlay (including the planning scheme maps) identifying that overlay
Regulation 159(b) and Schedule 7, item 16	Yarra Planning Scheme made under the **Planning and Environment Act 1987**	Clause 44.06 Bushfire Management Overlay (including the planning scheme maps) identifying that overlay
Regulation 160(1)(a)	AS 3959—2009 as incorporated for the time being by the BCA	The whole
Regulation 163 (note)	BCA Volume Two	P2.3.5
Regulation 164(1)	BCA Volume One	Clause A1.1

Statutory rule provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 164(2)	BCA Volume Two	Clause 1.1.1 and clause O2.3(d) Performance requirement P2.3.5(e) and Application at the foot of performance requirement P2.3.5
Regulation 165	BCA Volume Two	Performance requirement P2.3.5
Regulation 196(2)	AS 1851—2005 AS 1851—2012	The whole The whole
Regulation 196(3)	AS 1851—2012	The whole
Regulation 203(j)	BCA	The whole
Regulation 217(2)	AS 1851—2005 AS 1851—2012	The whole The whole
Regulation 217(3)	AS 1851—2012	The whole
Regulation 224(e)	AS 1851—2012	The whole
Regulation 234(1)	BCA Volume One	Section D
Regulation 235	BCA Volume Two	Performance requirement P2.3.1
Regulation 236(4)	BCA Volume One	Table E3.6b F2.4(c) F2.4(e)

Statutory rule provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
	AS 1428.1—2009 Design for access and mobility Part 1: General requirements for access—New building work, published by Standards Australia on 27 November 2009, as amended on 26 November 2010, as incorporated by the BCA Volume One	The whole
	AS 1428.1—2001 Design for access and mobility Part 1: General requirements for access—New building work, published by Standards Australia on 5 June 2001	The whole
Regulation 236(5) (definition of ***access provision***)	BCA Volume One	Section D Part E3 and F2
	Access Code within the meaning of the Disability (Access to Premises—Buildings) Standards 2010 of the Commonwealth	The whole
Regulation 237(1), 237(2)	BCA Volume One	Clause A1.1
Regulation 237(3)	BCA Volume One	Clause A3.2
Regulation 240(1)	BCA Volume One	Clause A1.1
Regulation 240(2)	BCA Volume Two	Clause 1.1.1
Regulation 241	BCA	The whole
Schedule 3, Item 5	BCA Volume One	Clause A3.2
	BCA Volume Two	Clause 1.3.2

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Schedule 4, Form 19	BCA Volume One	Clause A0.7
	BCA Volume Two	Clause 1.0.7
Schedule 5, Part 1	BCA	The whole
Schedule 8, Part 6, Item 1(f)	AS/NZS 1668.1—2015 The use of ventilation and air conditioning in buildings—Part 1: Fire and smoke control in buildings, jointly published by Standards Australia and Standards New Zealand on 14 December 2015	Sections 5 and 6

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Table of Applied, Adopted or Incorporated Matter

The following table of applied, adopted or incorporated matter was included in S.R. No. 75/2018 in accordance with the requirements of regulation 5 of the Subordinate Legislation Regulations 2014.

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulation 12 of the Building Amendment Regulations 2018 which amends regulation 147 of the Building Regulations 2018	AS 3745—2010 Planning for emergencies in facilities published by Standards Australia Ltd on 25 November 2010, as amended on 1 May 2014	The whole

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Table of Applied, Adopted or Incorporated Matter

The following table of applied, adopted or incorporated matter was included in S.R. No. 100/2018 in accordance with the requirements of regulation 5 of the Subordinate Legislation Regulations 2014.

Statutory rule provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 5 of the Building Amendment (Garden Area and Siting Requirements) Regulations 2018 which amends Schedule 6 to the Building Regulations 2018	Banyule Planning Scheme made under the **Planning and Environment Act 1987**	Neighbourhood Residential Zone and the provisions of the Planning Scheme (including planning scheme maps) identifying that Zone
	Boroondara Planning Scheme made under the **Planning and Environment Act 1987**	Neighbourhood Residential Zone and the provisions of the Planning Scheme (including planning scheme maps) identifying that Zone
	Cardinia Planning Scheme made under the **Planning and Environment Act 1987**	Neighbourhood Residential Zone and the provisions of the Planning Scheme (including planning scheme maps) identifying that Zone
	Colac Otway Planning Scheme made under the **Planning and Environment Act 1987**	Neighbourhood Residential Zone and the Schedule to that Zone and the provisions of the Planning Scheme (including planning scheme maps) identifying that Zone
	Darebin Planning Scheme made under the **Planning and Environment Act 1987**	Neighbourhood Residential Zone and the provisions of the Planning Scheme

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
		(including planning scheme maps) identifying that Zone
	Indigo Planning Scheme made under the **Planning and Environment Act 1987**	Neighbourhood Residential Zone and the provisions of the Planning Scheme (including planning scheme maps) identifying that Zone
	Kingston Planning Scheme made under the **Planning and Environment Act 1987**	Neighbourhood Residential Zone and the provisions of the Planning Scheme (including planning scheme maps) identifying that Zone
	Latrobe Planning Scheme made under the **Planning and Environment Act 1987**	Neighbourhood Residential Zone and the provisions of the Planning Scheme (including planning scheme maps) identifying that Zone
	Manningham Planning Scheme made under the **Planning and Environment Act 1987**	Neighbourhood Residential Zone and the Schedule to that Zone and the provisions of the Planning Scheme (including planning scheme maps) identifying that Zone
	Maribyrnong Planning Scheme made under the **Planning and Environment Act 1987**	Neighbourhood Residential Zone and the provisions of the Planning Scheme

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
		(including planning scheme maps) identifying that Zone
	Melton Planning Scheme made under the **Planning and Environment Act 1987**	Neighbourhood Residential Zone and the provisions of the Planning Scheme (including planning scheme maps) identifying that Zone
	Nillumbik Planning Scheme made under the **Planning and Environment Act 1987**	Neighbourhood Residential Zone and the provisions of the Planning Scheme (including planning scheme maps) identifying that Zone
	Port Phillip Planning Scheme made under the **Planning and Environment Act 1987**	Neighbourhood Residential Zone and the Schedules to that Zone and the provisions of the Planning Scheme (including planning scheme maps) identifying that Zone
	Southern Grampians Planning Scheme made under the **Planning and Environment Act 1987**	Neighbourhood Residential Zone and the provisions of the Planning Scheme (including planning scheme maps) identifying that Zone
	Wangaratta Planning Scheme made under the **Planning and Environment Act 1987**	Neighbourhood Residential Zone and the provisions of the Planning Scheme

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
		(including planning scheme maps) identifying that Zone
	Warrnambool Planning Scheme made under the **Planning and Environment Act 1987**	Neighbourhood Residential Zone and the provisions of the Planning Scheme (including planning scheme maps) identifying that Zone
	Whittlesea Planning Scheme made under the **Planning and Environment Act 1987**	Neighbourhood Residential Zone and the provisions of the Planning Scheme (including planning scheme maps) identifying that Zone
	Yarra Planning Scheme made under the **Planning and Environment Act 1987**	Neighbourhood Residential Zone and the provisions of the Planning Scheme (including planning scheme maps) identifying that Zone

Table of Applied, Adopted or Incorporated Matter

The following table of applied, adopted or incorporated matter was included in S.R. No. 180/2018 in accordance with the requirements of regulation 5 of the Subordinate Legislation Regulations 2014.

Statutory rule provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulations 12 and 14 of the Building Further Amendment Regulations 2018 which insert regulation 269 and Schedule 13 into the Building Regulations 2018	Cardinia Planning Scheme made under the **Planning and Environment Act 1987**	The whole
	Casey Planning Scheme made under the **Planning and Environment Act 1987**	The whole
	Hume Planning Scheme made under the **Planning and Environment Act 1987**	The whole
	Melton Planning Scheme made under the **Planning and Environment Act 1987**	The whole
	Mitchell Planning Scheme made under the **Planning and Environment Act 1987**	The whole
	Whittlesea Planning Scheme made under the **Planning and Environment Act 1987**	The whole
	Wyndham Planning Scheme made under the **Planning and Environment Act 1987**	The whole

Table of Applied, Adopted or Incorporated Matter

The following table of applied, adopted or incorporated matter was included in S.R. No. 40/2019 in accordance with the requirements of regulation 5 of the Subordinate Legislation Regulations 2014.

In this table—

AS 3959:2018 means AS 3959:2018 Construction of buildings in bushfire-prone areas, published by Standards Australia on 14 November 2018;

BCA Volume One means Volume One of the National Construction Code 2019 including any variations or additions in the Victoria Appendix set out in Schedule 1 to that Volume;

BCA Volume Two means Volume Two of the National Construction Code 2019 including any variations or additions in the Victoria Appendix set out in Schedule 1 to that Volume;

National Construction Code 2019 means the National Construction Code 2019 published by the Australian Building Codes Board on 1 May 2019.

Statutory rule provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 5(a) of the Building Amendment Regulations 2019 which amends regulation 5(1) of the Building Regulations 2018 (definition of ***AS 3959***)	AS 3959:2018 Construction of buildings in bushfire-prone areas published by Standards Australia on 14 November 2018	The whole
Regulation 5(b) and (c) of the Building Amendment Regulations 2019 which amend regulation 5(1) of the Building Regulations 2018 (definitions of ***BCA Volume One***, ***BCA Volume Two***)	BCA Volume One BCA Volume Two	Schedule 1

Statutory rule provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 6(1) of the Building Amendment Regulations 2019 which amends regulation 29(b) of the Building Regulations 2018	BCA Volume One BCA Volume Two	Clause A5.1 Clause A5.2
Regulation 10 of the Building Amendment Regulations 2019 which amends regulation 125(1) and (2) of the Building Regulations 2018	BCA Volume One BCA Volume Two	Clause A5.2(1)(e)
Regulation 11(1) of the Building Amendment Regulations 2019 which amends regulation 145(2)(a) of the Building Regulations 2018	BCA Volume Two	Part 3.7.5
Regulation 11(3) of the Building Amendment Regulations 2019 which amends regulation 145(3) of the Building Regulations 2018	BCA Volume One	Clause 5 of Specification E2.2a
Regulation 12 of the Building Amendment Regulations 2019 which amends regulation 152(2) and (3) of the Building Regulations 2018	BCA Volume One BCA Volume Two	Schedule 3

Statutory rule provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 13 of the Building Amendment Regulations 2019 which amends regulation 158(1) of the Building Regulations 2018	BCA Volume One	Schedule 3
Regulation 14(1) of the Building Amendment Regulations 2019 which amends regulation 164(1) of the Building Regulations 2018	BCA Volume One	Schedule 3
Regulation 14(2) of the Building Amendment Regulations 2019 which amends regulation 164(2)(a) of the Building Regulations 2018	BCA Volume Two	Schedule 3
Regulation 14(3) of the Building Amendment Regulations 2019 which amends regulation 164(2)(b) of the Building Regulations 2018	BCA Volume Two	Clause O2.7(f)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulation 14(4) of the Building Amendment Regulations 2019 which amends regulation 164(2)(c) of the Building Regulations 2018	BCA Volume Two	Performance requirement P2.7.6(e)
Regulation 14(5) of the Building Amendment Regulations 2019 which amends regulation 164(2)(d) of the Building Regulations 2018	BCA Volume Two	Performance requirement P2.7.6
Regulation 15 of the Building Amendment Regulations 2019 which amends regulation 165 of the Building Regulations 2018	BCA Volume Two	Performance requirement P2.7.6
Regulation 25(1) of the Building Amendment Regulations 2019 which amends regulation 237(1) and (2) of the Building Regulations 2018	BCA Volume One	Schedule 3
Regulation 25(2) of the Building Amendment Regulations 2019 which amends regulation 237(3) of	BCA Volume One	Clause A6.6

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
the Building Regulations 2018		
Regulation 26 of the Building Amendment Regulations 2019 which amends regulation 240(1) and (2) of the Building Regulations 2018	BCA Volume One BCA Volume Two	Schedule 3
Regulation 29 of the Building Amendment Regulations 2019 which amends item 5 of the Table in Schedule 3 to the Building Regulations 2018	BCA Volume One BCA Volume Two	Clauses A6.1 to A6.10
Regulation 30(7) of the Building Amendment Regulations 2019 which amends Form 19 in Schedule 4 to the Building Regulations 2018	BCA Volume One BCA Volume Two	Clauses A2.2(3) and A2.4(3)

Table of Applied, Adopted or Incorporated Matter

The following table of applied, adopted or incorporated matter was included in S.R. No. 116/2019 in accordance with the requirements of regulation 5 of the Subordinate Legislation Regulations 2014.

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulation 11 of the Building Amendment (Swimming Pool and Spa) Regulations 2019 which inserts new regulation 147C into the Building Regulations 2018	AS 1926.1-1993 Swimming Pool Safety Part 1: Fencing for swimming pools published by Standards Australia Ltd on 26 July 1993, as amended in June 2000	The whole

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Table of Applied, Adopted or Incorporated Matter

The following table of applied, adopted or incorporated matter was included in S.R. No. 128/2021 in accordance with the requirements of regulation 5 of the Subordinate Legislation Regulations 2014.

In this table—

BCA means the Building Code of Australia comprising the BCA Volume One and the BCA Volume Two;

BCA Volume One means Volume One of the National Construction Code 2019 including any variations or additions in the Victoria Appendix set out in Schedule 1 to that Volume;

BCA Volume Two means Volume Two of the National Construction Code 2019 including any variations or additions in the Victoria Appendix set out in Schedule 1 to that Volume;

National Construction Code 2019 means the National Construction Code Series published by the Australian Building Codes Board on 1 May 2019.

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulation 11 of the Building Amendment (Building Product Accreditation and Other Matters) Regulations 2021 which substitutes	BCA	The whole

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
regulation 241 of the Building Regulations 2018		
Regulation 22 of the Building Amendment (Building Product Accreditation and Other Matters) Regulations 2021 which substitutes Form 19 of Schedule 4 to the Building Regulations 2018	BCA Volume One BCA Volume Two	Clauses A2.2(3) and A2.4(3) Clauses A2.2(3) and A2.4(3)

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Table of Applied, Adopted or Incorporated Matter

The following table of applied, adopted or incorporated matter was included in S.R. No. 61/2022 in accordance with the requirements of regulation 5 of the Subordinate Legislation Regulations 2014.

In this table—

BCA means the Building Code of Australia;

Building Code of Australia means the Building Code of Australia comprising—

(a) Volume One of the National Construction Code 2019 Amendment 1 including any variations or additions in the Victoria Appendix set out in Schedule 1 to that Volume; and

(b) Volume Two of the National Construction Code 2019 Amendment 1 including any variations or additions in the Victoria Appendix set out in Schedule 1 to that Volume;

National Construction Code 2019 Amendment 1 means the National Construction Code 2019 Amendment 1 published by the Australian Building Codes Board on 1 July 2020.

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulation 19 of the Building Amendment (Accreditation Requirements for Building Products) Regulations 2022 which substitutes Form 19 and inserts Forms 19A and 19B into Schedule 4 to the Building Regulations 2018	BCA	The whole

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Table of Applied, Adopted or Incorporated Matter

The following table of applied, adopted or incorporated matter was included in S.R. No. 102/2023 in accordance with the requirements of regulation 5 of the Subordinate Legislation Regulations 2014.

In this table—

amending regulations means the Building and Plumbing Amendment (National Construction Code and Other Matters) Regulations 2023;

BCA means the Building Code of Australia;

Building Code of Australia means the Building Code of Australia comprising—

(a) Volume One of the National Construction Code 2022, including any Victorian variations or additions set out in Schedule 10 to that Volume; and

(b) Volume Two of the National Construction Code 2022, including any Victorian variations or additions set out in Schedule 10 to that Volume;

BCA Volume One means Volume One of the National Construction Code 2022 including any Victorian variations or additions set out in Schedule 10 to that Volume;

BCA Volume Two means Volume Two of the National Construction Code 2022 including any Victorian variations or additions set out in Schedule 10 to that Volume;

National Construction Code 2019 means the National Construction Code 2019 published by the Australian Building Codes Board in February 2019 and as amended on 1 July 2020;

National Construction Code 2022 means the National Construction Code 2022 published by the Australian Building Codes Board on 1 May 2022;

PCA means the Plumbing Code of Australia set out in Volume Three of the National Construction Code 2022, including any Victorian variations or additions set out in Schedule 10 to that Volume.

Statutory rule provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 3 of the amending regulations, which substitutes the definition of ***fire performance requirement*** in regulation 5(1) of the Building Regulations 2018	BCA Volume One	Clauses B1P1, D1P2, D1P3, D1P4 and D1P6 (to the extent the requirement relates to fire safety), C1P1, C1P2, C1P3, C1P4, C1P5, C1P6, C1P7, C1P8, C1P9, D1P5, E1P1, E1P2, E1P3, E1P4, E1P5, E1P6, E2P1 and E2P2
	BCA Volume Two	Clauses H1P1, H3P1 and H3P2 (to the extent the requirement relates to fire safety for a Class 1b building or a Class 10 building not associated with a Class 1a building)

Statutory rule provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 4 of the amending regulations, which inserts new regulation 10A in the Building Regulations 2018	BCA Volume One	Parts F8 and J1 as modified by regulation 10A of the Building Regulations 2018
	BCA Volume Two	Clause H4D9, Part H6, clause VIC H6V1, clause VIC H6D2 and Part H8 as modified by regulation 10A of the Building Regulations 2018
Regulation 5(a) of the amending regulations, which amends regulation 29(b) of the Building Regulations 2018	BCA Volume One	Part A5
Regulation 5(b) of the amending regulations, which amends regulation 29(b) of the Building Regulations 2018	BCA Volume Two	Part A5
Regulation 6 of the amending regulations, which amends regulation 125 of the Building Regulations 2018	BCA Volume One BCA Volume Two	Clause A5G3(1)(e)
Regulation 7(a) of the amending regulations, which amends regulation 128(1) of the Building Regulations 2018	BCA Volume One	Performance Requirement B1P1

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulation 7(b) of the amending regulations, which amends regulation 128(1) of the Building Regulations 2018	BCA Volume Two	Performance requirement H1P1
Regulation 8(1) of the amending regulations, which amends regulation 145(2)(a) of the Building Regulations 2018	BCA Volume Two	Clause H3D6
Regulation 8(2) of the amending regulations, which amends regulation 145(3) of the Building Regulations 2018	BCA Volume One	Specification 20
Regulation 8(3) of the amending regulations, which substitutes regulation 145(3)(a) of the Building Regulations 2018	BCA Volume One	Clause S20C3 of Specification 20
Regulation 8(4) of the amending regulations, which substitutes regulation 145(3)(b) of the Building Regulations 2018	BCA Volume One	Clause S20C4 of Specification 20
Regulation 8(5) of the amending regulations, which substitutes regulation 145(3)(c) of the Building Regulations 2018	BCA Volume One	Clause S20C5 of Specification 20

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulation 9 of the amending regulations, which amends regulation 146(2) of the Building Regulations 2018	BCA Volume One	Clause E1D4
Regulation 10(1) of the amending regulations, which amends regulation 147(2) of the Building Regulations 2018	BCA Volume One	Clause E1D4
Regulation 10(2) of the amending regulations, which amends regulation 147(4)(b) of the Building Regulations 2018	BCA Volume One	Clause E1D3
Regulation 10(3)(a) of the amending regulations, which amends regulation 147(4)(c) of the Building Regulations 2018	BCA Volume One	Clause G4D4
Regulation 10(3)(b) of the amending regulations, which amends regulation 147(4)(c) of the Building Regulations 2018	BCA Volume One	Clause E4D2
Regulation 10(4) of the amending regulations, which amends regulation 147(5)(d) of the Building Regulations 2018	BCA Volume One	Clause E1D3

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulation 10(5) of the amending regulations, which amends regulation 147(5)(e) of the Building Regulations 2018	BCA Volume One	Clauses G4D4 and E4D2
Regulation 11 of the amending regulations, which inserts new regulation 147AA into the Building Regulations 2018	BCA Volume One	VIC Table in Schedule 2 to Schedule 10 as modified by regulation 147AA of the Building Regulations 2018
Regulation 12(a) of the amending regulations, which amends regulation 151 of the Building Regulations 2018	BCA Volume One	Performance requirement B1P1
Regulation 12(b) of the amending regulations, which amends regulation 151 of the Building Regulations 2018	BCA Volume Two	Performance requirement H1P1
Regulation 13(1) of the amending regulations, which amends regulation 152(2) of the Building Regulations 2018	BCA Volume One	Schedule 1
Regulation 13(2) of the amending regulations, which amends regulation 152(3) of the Building Regulations 2018	BCA Volume Two	Schedule 1

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulation 15(1) of the amending regulations, which amends regulation 164(1) of the Building Regulations 2018	BCA Volume One	Schedule 1
Regulation 15(2) of the amending regulations, which amends regulation 164(2)(a) of the Building Regulations 2018	BCA Volume Two	Schedule 1
Regulation 15(3) of the amending regulations, which amends regulation 164(2)(b) of the Building Regulations 2018	BCA Volume Two	Clause H7O1(f)
Regulation 15(4) of the amending regulations, which amends regulation 164(2)(c) of the Building Regulations 2018	BCA Volume Two	Performance requirement H7P6(e)
Regulation 15(5) of the amending regulations, which amends regulation 164(2)(d) of the Building Regulations 2018	BCA Volume Two	Performance requirement H7P6

Statutory rule provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 16 of the amending regulations, which amends regulation 165 of the Building Regulations 2018	BCA Volume Two	Performance requirement H7P6
Regulation 17 of the amending regulations, which substitutes regulation 166F(1)(a)(i) of the Building Regulations 2018	BCA Volume Two	Performance requirements H1P1, H1P2, H2P2, H2P3, H3P1, H3P2, H4P1, H4P3 and H7P3
Regulation 18 of the amending regulations, which amends regulation 235 of the Building Regulations 2018	BCA Volume Two	Performance requirement H3P1
Regulation 19(1) of the amending regulations, which amends regulation 236(4)(b) of the Building Regulations 2018	BCA Volume One	Clause E3D8
Regulation 19(2) of the amending regulations, which amends regulation 236(4)(c) of the Building Regulations 2018	BCA Volume One	Clauses F4D5(c) and F4D5(e)
Regulation 19(3) of the amending regulations, which amends the definition of ***access provision*** in regulation 236(5) of the Building Regulations 2018	BCA Volume One	Part F4

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulation 20(1) of the amending regulations, which amends regulation 237(1) and (2) of the Building Regulations 2018	BCA Volume One	Schedule 1
Regulation 20(2)(a) of the amending regulations, which amends regulation 237(3) of the Building Regulations 2018	BCA Volume One	Clause A6G7
Regulation 21(1) of the amending regulations, which amends regulation 240(1) of the Building Regulations 2018	BCA Volume One	Schedule 1
Regulation 21(2) of the amending regulations, which amends regulation 240(2) of the Building Regulations 2018	BCA Volume Two	Schedule 1
Regulation 22 of the amending regulations, which amends item 5 in the Table in Schedule 3 to the Building Regulations 2018	BCA Volume One BCA Volume Two	Clauses A6G2, A6G3, A6G4, A6G5, A6G6, A6G7, A6G8, A6G9, A6G10 and A6G11
Regulation 23 of the amending regulations, which substitutes part of Form 2 in Schedule 4 to the Building Regulations 2018	BCA Volume Two	Clauses H8D2(2) and H8P1(a)

Statutory rule provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 24(1) of the amending regulations, which substitutes the definition of ***AS/NZS 3500.1*** in regulation 5 of the Plumbing Regulations 2018	AS/NZS 3500.1 Plumbing and Drainage Part 1: Water services. published jointly by Standards Australia and Standards New Zealand on 28 May 2021 and amended on 27 May 2022	The whole
Regulation 24(2) of the amending regulations, which substitutes the definition of ***AS/NZS 3500.2*** in regulation 5 of the Plumbing Regulations 2018	AS/NZS 3500.2 Plumbing and Drainage Part 2: Sanitary plumbing and drainage, published jointly by Standards Australia and Standards New Zealand on 28 May 2021 and amended in October 2021	The whole
Regulation 26 of the amending regulations, which substitutes regulation 18 of the Plumbing Regulations 2018	PCA	Part B4
Regulation 27 of the amending regulations, which substitutes regulation 22 of the Plumbing Regulations 2018	PCA	Victorian variation VIC Part E2
Regulation 28 of the amending regulations, which substitutes regulation 24 of the Plumbing Regulations 2018	PCA	Victorian variation VIC Part E2

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulation 29 of the amending regulations, which substitutes regulation 26 of the Plumbing Regulations 2018	PCA	Victorian variation VIC Part E3
Regulation 31 of the amending regulations, which substitutes clause 5 of Schedule 2 to the Plumbing Regulations 2018	SAA/SNZ HB 114 Guidelines for the design of eaves and box gutters, published by Standards Australia on 5 November 1998	The whole
Regulation 32 of the amending regulations, which substitutes the note at the foot of clause 8 of Schedule 2 to the Plumbing Regulations 2018	Volume Two of the National Construction Code 2019	The Victorian variation to the energy efficiency provisions of Parts 2.6 and 3.12 in Volume Two of the National Construction Code 2019
Regulation 33 of the amending regulations, which substitutes the note at the foot of clause 11 of Schedule 2 to the Plumbing Regulations 2018	Volume Two of the National Construction Code 2019	The Victorian variation to the energy efficiency provisions in Parts 2.6 and 3.12 of Volume Two of the National Construction Code 2019
Regulation 34 of the amending regulations, which amends clause 12(2) of Schedule 2 to the Plumbing Regulations 2018	PCA	Clause VIC B1D3(3)

Table of Applied, Adopted or Incorporated Matter

The following table of applied, adopted or incorporated matter was included in S.R. No. 122/2023 in accordance with the requirements of regulation 5 of the Subordinate Legislation Regulations 2014.

In this table—

amending regulations means the Building and Plumbing Amendment (Solar Water Heaters and Other Matters) Regulations 2023;

BCA Volume One means Volume One of the National Construction Code 2022 including any Victorian variations or additions set out in Schedule 10 to that Volume;

BCA Volume Two means Volume Two of the National Construction Code 2022 including any Victorian variations or additions set out in Schedule 10 to that Volume;

BCA Volume Two 2019 means Volume Two of the National Construction Code 2019 including any Victorian variations or additions set out in Schedule 1 to that Volume;

National Construction Code 2019 means the National Construction Code 2019 published by the Australian Building Codes Board in February 2019 and as amended on 1 July 2020;

National Construction Code 2022 means the National Construction Code 2022 published by the Australian Building Codes Board on 1 May 2023;

PCA means the Plumbing Code of Australia set out in Volume Three of the National Construction Code 2022, including any Victorian variations or additions set out in Schedule 10 to that Volume.

Statutory rule provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 4 of the amending regulations, which amends regulation 10A of the Building Regulations 2018	BCA Volume One	Performance requirement B1P1, deemed-to-satisfy clause B1D3 and Part G7 as modified by regulation 10A of the Building Regulations 2018

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulation 5 of the amending regulations, which amends Form 2 in Schedule 4 to the Building Regulations 2018	BCA Volume Two	Clauses H8P1(a) and H8D2(2)
Regulation 6(1) of the amending regulations, which inserts new definition of ***AS 1851*** into regulation 5 of the Plumbing Regulations 2018	AS 1851—2012 Routine service of fire protection systems and equipment, published by Standards Australia on 3 December 2012, as amended on 16 November 2016	The whole
Regulation 7(2) of the amending regulations, which amends regulation 9 of the Plumbing Regulations 2018	PCA	Clauses VIC B6D2 and VIC B7D4
Regulation 8 of the amending regulations, which inserts new Part 8A into the Plumbing Regulations 2018	BCA Volume Two 2019	Victorian variations to performance requirement P2.6.1 and clauses V2.6.1 and 3.12.0

Table of Applied, Adopted or Incorporated Matter

The following table of applied, adopted or incorporated matter was included in S.R. No. 106/2024 in accordance with the requirements of regulation 5 of the Subordinate Legislation Regulations 2024.

Statutory rule provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 4(a) of the Building Amendment Regulations 2024 which amends item 5 of Schedule 6 to the Building Regulations 2018	Bass Coast Planning Scheme made under the **Planning and Environment Act 1987**	Residential Growth Zone and the schedules to that Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone
Regulation 4(b) of the Building Amendment Regulations 2024 which amends item 6 of Schedule 6 to the Building Regulations 2018	Baw Baw Planning Scheme made under the **Planning and Environment Act 1987**	Neighbourhood Residential Zone and the schedule to that Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone
Regulation 4(b) of the Building Amendment Regulations 2024 which amends item 11 of Schedule 6 to the Building Regulations 2018	Campaspe Planning Scheme made under the **Planning and Environment Act 1987**	Neighbourhood Residential Zone and the schedule to that Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone

Statutory rule provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 4(a) of the Building Amendment Regulations 2024 which amends item 12 of Schedule 6 to the Building Regulations 2018	Cardinia Planning Scheme made under the **Planning and Environment Act 1987**	Residential Growth Zone and the schedule to that Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone
Regulation 4(b) of the Building Amendment Regulations 2024 which amends item 13 of Schedule 6 to the Building Regulations 2018	Casey Planning Scheme made under the **Planning and Environment Act 1987**	Neighbourhood Residential Zone and the schedule to that Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone
Regulation 4(b) of the Building Amendment Regulations 2024 which amends item 16 of Schedule 6 to the Building Regulations 2018	Corangamite Planning Scheme made under the **Planning and Environment Act 1987**	Neighbourhood Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone

Statutory rule provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 4(a) of the Building Amendment Regulations 2024 which amends item 19 of Schedule 6 to the Building Regulations 2018	Frankston Planning Scheme made under the **Planning and Environment Act 1987**	Residential Growth Zone and the schedule to that Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone
Regulation 4(c) of the Building Amendment Regulations 2024 which amends item 24 of Schedule 6 to the Building Regulations 2018	Greater Bendigo Planning Scheme made under the **Planning and Environment Act 1987**	Mixed Use Zone and the schedule to that Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone
Regulation 4(b) of the Building Amendment Regulations 2024 which amends item 28 of Schedule 6 to the Building Regulations 2018	Hepburn Planning Scheme made under the **Planning and Environment Act 1987**	Neighbourhood Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone

Statutory rule provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 4(b) of the Building Amendment Regulations 2024 which amends item 30 of Schedule 6 to the Building Regulations 2018	Hobsons Bay Planning Scheme made under the **Planning and Environment Act 1987**	Neighbourhood Residential Zone and the schedules to that Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone
Regulation 4(d) of the Building Amendment Regulations 2024 which amends item 32 of Schedule 6 to the Building Regulations 2018	Hume Planning Scheme made under the **Planning and Environment Act 1987**	Residential Growth Zone and Neighbourhood Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying those Zones
Regulation 4(b) of the Building Amendment Regulations 2024 which amends item 39 of Schedule 6 to the Building Regulations 2018	Mansfield Planning Scheme made under the **Planning and Environment Act 1987**	Neighbourhood Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone

Statutory rule provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 4(e) of the Building Amendment Regulations 2024 which inserts new item 43A in Schedule 6 to the Building Regulations 2018	Merri-bek Planning Scheme made under the **Planning and Environment Act 1987**	Mixed Use Zone, Residential Growth Zone, General Residential Zone and the schedules to that Zone and Neighbourhood Residential Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying those Zones
Regulation 4(a) of the Building Amendment Regulations 2024 which amends item 44 of Schedule 6 to the Building Regulations 2018	Mildura Planning Scheme made under the **Planning and Environment Act 1987**	Residential Growth Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone
Regulation 4(b) of the Building Amendment Regulations 2024 which amends item 45 of Schedule 6 to the Building Regulations 2018	Mitchell Planning Scheme made under the **Planning and Environment Act 1987**	Neighbourhood Residential Zone and the schedule to that Zone and the provisions of the Planning Scheme (including the

Statutory rule provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
		planning scheme maps) identifying that Zone
Regulation 4(f) of the Building Amendment Regulations 2024 which amends item 48 of Schedule 6 to the Building Regulations 2018	Moonee Valley Planning Scheme made under the **Planning and Environment Act 1987**	Mixed Use Zone and the schedule to that Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone
Regulation 4(b) of the Building Amendment Regulations 2024 which amends item 51 of Schedule 6 to the Building Regulations 2018	Mornington Peninsula Planning Scheme made under the **Planning and Environment Act 1987**	Neighbourhood Residential Zone and the schedule to that Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulation 4(g) of the Building Amendment Regulations 2024 which amends item 71 of Schedule 6 to the Building Regulations 2018	Whittlesea Planning Scheme made under the **Planning and Environment Act 1987**	Mixed Use Zone and the schedule to that Zone and the provisions of the Planning Scheme (including the planning scheme maps) identifying that Zone

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Table of Applied, Adopted or Incorporated Matter

The following table of applied, adopted or incorporated matter was included in S.R. No. 38/2026 in accordance with the requirements of regulation 5 of the Subordinate Legislation Regulations 2024.

In this table—

National Construction Code 2022 means the National Construction Code 2022 published by the Australian Building Codes Board on 1 May 2023.

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulation 17, which inserts new regulation 212A into the Building Regulations 2018	National Construction Code 2022	The Victorian variation in Part I5 of Schedule 10 to Volume One
Regulation 17, which inserts new regulation 212B into the Building Regulations 2018	National Construction Code 2022	The Victorian variation in Part I5 of Schedule 10 to Volume One

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulation 17, which inserts new regulation 212C into the Building Regulations 2018	National Construction Code 2022	The Victorian variation in Part I5 of Schedule 10 to Volume One

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Table of Applied, Adopted or Incorporated Matter

The following table of applied, adopted or incorporated matter was included in S.R. No. 173/2026 in accordance with the requirements of regulation 5 of the Subordinate Legislation Regulations 2024.

In this table—

amending regulations means the Building Amendment (Siting and Other Matters) Regulations 2026.

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulation 9 of the amending regulations which substitutes regulation 74(2) of the Principal Regulations	Victoria Planning Provisions	Table A2-1 in clause 54.02-1
Regulation 11(2) of the amending regulations which substitutes regulation 76(2) of the Principal Regulations	Alpine Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Ararat Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Ballarat Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Banyule Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Bass Coast Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Baw Baw Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Bayside Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Benalla Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Boroondara Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Brimbank Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Buloke Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Campaspe Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Cardinia Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Casey Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Central Goldfields Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Colac Otway Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Corangamite Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Darebin Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	East Gippsland Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Frankston Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Gannawarra Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Glen Eira Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Glenelg Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Golden Plains Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Greater Bendigo Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Greater Dandenong Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Greater Geelong Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Greater Shepparton Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Hepburn Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Hindmarsh Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Hobsons Bay Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Horsham Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Hume Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Indigo Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Kingston Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Knox Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Latrobe Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Loddon Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Macedon Ranges Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Manningham Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Mansfield Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Maribyrnong Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Maroondah Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Melbourne Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Melton Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Merri-bek Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Mildura Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Mitchell Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Moira Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Monash Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Moonee Valley Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Moorabool Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Mornington Peninsula Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Mount Alexander Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Moyne Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Murrindindi Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Nillumbik Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Northern Grampians Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Port Phillip Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Pyrenees Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Queenscliffe Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	South Gippsland Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Southern Grampians Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Stonnington Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Strathbogie Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Surf Coast Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Swan Hill Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Towong Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Wangaratta Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Warrnambool Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Wellington Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	West Wimmera Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Whitehorse Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Whittlesea Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Wodonga Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Wyndham Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Yarra Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Yarra Ranges Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Yarriambiack Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Victoria Planning Provisions	Table A2-5 in clause 54.02-5
Regulation 12(2) of the amending regulations which substitutes regulation 77(2) of the Principal Regulations	Victoria Planning Provisions	Standard A5-1 in clause 54.05-1
Regulation 13(2) of the amending regulations which substitutes regulation 79(2) of the Principal Regulations	Victoria Planning Provisions	Standard A2-3 in clause 54.02-3
Regulation 14 of the amending regulations which inserts regulation 79A(1)(b) of the Principal Regulations	Alpine Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
		identifying the Residential Zones)
	Ararat Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Ballarat Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Banyule Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Bass Coast Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Baw Baw Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Bayside Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Benalla Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Boroondara Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Brimbank Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Buloke Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Campaspe Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Cardinia Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Casey Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Central Goldfields Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Colac Otway Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Corangamite Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Darebin Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	East Gippsland Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Frankston Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Gannawarra Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Glen Eira Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Glenelg Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Golden Plains Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Greater Bendigo Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Greater Dandenong Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Greater Geelong Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Greater Shepparton Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Hepburn Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Hindmarsh Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Hobsons Bay Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Horsham Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Hume Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Indigo Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Kingston Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Knox Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Latrobe Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Loddon Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Macedon Ranges Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Manningham Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Mansfield Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Maribyrnong Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Maroondah Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Melbourne Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Melton Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Merri-bek Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Mildura Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Mitchell Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Moira Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Monash Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Moonee Valley Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Moorabool Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Mornington Peninsula Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Mount Alexander Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Moyne Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Murrindindi Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Nillumbik Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Northern Grampians Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Port Phillip Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Pyrenees Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Queenscliffe Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	South Gippsland Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Southern Grampians Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Stonnington Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Strathbogie Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Surf Coast Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Swan Hill Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Towong Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Wangaratta Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Warrnambool Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Wellington Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	West Wimmera Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Whitehorse Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
	Whittlesea Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Wodonga Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Wyndham Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Yarra Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)

Statutory rule provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
	Yarra Ranges Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
	Yarriambiack Planning Scheme made under the **Planning and Environment Act 1987**	Clause 32—Residential Zones (including the planning scheme maps identifying the Residential Zones)
Regulation 14 of the amending regulations which inserts regulation 79A(2) of the Principal Regulations	Victoria Planning Provisions	Standard A5-2 in clause 54.05-2
Regulation 16 of the amending regulations which substitutes regulation 83(4) of the Principal Regulations	Victoria Planning Provisions	Standard A4-3 in clause 54.04-3
Regulation 18(2) of the amending regulations which inserts regulation 85(1A) of the Principal Regulations	Victoria Planning Provisions	Standard A3-4 in clause 54.03-4

Statutory rule provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 19(1) of the amending regulations which substitutes regulation 86(2) of the Principal Regulations	Victoria Planning Provisions	Standard A3-2 in clause 54.03-2
Regulation 20 of the amending regulations which substitutes regulation 86A(1) of the Principal Regulations	Victoria Planning Provisions	Standard A3-2 in clause 54.03-2
Regulation 21 of the amending regulations which substitutes regulation 96(4) of the Principal Regulations	Victoria Planning Provisions	Standard A4-3 in clause 54.04-3
Regulation 30(2) of the amending regulations which amends item 4 of Schedule 6 to the Principal Regulations	Banyule Planning Scheme made under the **Planning and Environment Act 1987**	Housing Choice and Transport Zone and the schedules to that Zone (including the planning scheme maps identifying that Zone)
Regulation 30(3) of the amending regulations which amends item 7 of Schedule 6 to the Principal Regulations	Bayside Planning Scheme made under the **Planning and Environment Act 1987**	Housing Choice and Transport Zone and the schedules to that Zone (including the planning scheme maps identifying that Zone)

Statutory rule provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 30(4) of the amending regulations which amends item 9 of Schedule 6 to the Principal Regulations	Boroondara Planning Scheme made under the **Planning and Environment Act 1987**	Housing Choice and Transport Zone and the schedules to that Zone (including the planning scheme maps identifying that Zone)
Regulation 30(5) of the amending regulations which amends item 17 of Schedule 6 to the Principal Regulations	Darebin Planning Scheme made under the **Planning and Environment Act 1987**	Housing Choice and Transport Zone and the schedules to that Zone (including the planning scheme maps identifying that Zone)
Regulation 30(6) of the amending regulations which amends item 19 of Schedule 6 to the Principal Regulations	Frankston Planning Scheme made under the **Planning and Environment Act 1987**	Housing Choice and Transport Zone and the schedules to that Zone (including the planning scheme maps identifying that Zone)
Regulation 30(7) of the amending regulations which amends item 21 of Schedule 6 to the Principal Regulations	Glen Eira Planning Scheme made under the **Planning and Environment Act 1987**	Housing Choice and Transport Zone and the schedules to that Zone (including the planning scheme maps

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
		identifying that Zone)
Regulation 30(8) of the amending regulations which amends item 23 of Schedule 6 to the Principal Regulations	Golden Plains Planning Scheme made under the **Planning and Environment Act 1987**	Neighbourhood Residential Zone and the schedules to that Zone (including the planning scheme maps identifying that Zone)
Regulation 30(9) of the amending regulations which amends item 24 of Schedule 6 to the Principal Regulations	Greater Bendigo Planning Scheme made under the **Planning and Environment Act 1987**	Neighbourhood Residential Zone and the schedules to that Zone (including the planning scheme maps identifying that Zone)
Regulation 30(10) of the amending regulations which amends item 32 of Schedule 6 to the Principal Regulations	Hume Planning Scheme made under the **Planning and Environment Act 1987**	Housing Choice and Transport Zone and the schedules to that Zone (including the planning scheme maps identifying that Zone)
Regulation 30(11) of the amending regulations which amends item 34 of Schedule 6 to the Principal Regulations	Kingston Planning Scheme made under the **Planning and Environment Act 1987**	Housing Choice and Transport Zone and the schedules to that Zone (including the planning

Statutory rule provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
		scheme maps identifying that Zone)
Regulation 30(12) of the amending regulations which amends item 40 of Schedule 6 to the Principal Regulations	Maribyrnong Planning Scheme made under the **Planning and Environment Act 1987**	Housing Choice and Transport Zone and the schedules to that Zone (including the planning scheme maps identifying that Zone)
Regulation 30(13) of the amending regulations which amends item 41 of Schedule 6 to the Principal Regulations	Maroondah Planning Scheme made under the **Planning and Environment Act 1987**	Housing Choice and Transport Zone and the schedules to that Zone (including the planning scheme maps identifying that Zone)
Regulation 30(14) of the amending regulations which amends item 43A of Schedule 6 to the Principal Regulations	Merri-bek Planning Scheme made under the **Planning and Environment Act 1987**	Housing Choice and Transport Zone and the schedules to that Zone (including the planning scheme maps identifying that Zone)
Regulation 30(15) of the amending regulations which amends item 45 of	Mitchell Planning Scheme made under the **Planning and Environment Act 1987**	Residential Growth Zone and the schedules to that Zone (including

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Schedule 6 to the Principal Regulations		the planning scheme maps identifying that Zone)
Regulation 30(16) of the amending regulations which amends item 47 of Schedule 6 to the Principal Regulations	Monash Planning Scheme made under the **Planning and Environment Act 1987**	Housing Choice and Transport Zone and the schedules to that Zone (including the planning scheme maps identifying that Zone)
Regulation 30(17) of the amending regulations which amends item 48 of Schedule 6 to the Principal Regulations	Moonee Valley Planning Scheme made under the **Planning and Environment Act 1987**	Residential Growth Zone and the schedules to that Zone and Housing Choice and Transport Zone and the schedules to that Zone (including the planning scheme maps identifying those Zones)
Regulation 30(18) of the amending regulations which amends item 52 of Schedule 6 to the Principal Regulations	Mount Alexander Planning Scheme made under the **Planning and Environment Act 1987**	Neighbourhood Residential Zone and the schedules to that Zone (including the planning scheme maps identifying that Zone)

Statutory rule provision	**Title of applied, adopted or incorporated document**	**Matter in applied, adopted or incorporated document**
Regulation 30(19) of the amending regulations which amends item 53 of Schedule 6 to the Principal Regulations	Moyne Planning Scheme made under the **Planning and Environment Act 1987**	Neighbourhood Residential Zone and the schedules to that Zone (including the planning scheme maps identifying that Zone)
Regulation 30(20) of the amending regulations which amends item 56 of Schedule 6 to the Principal Regulations	Northern Grampians Planning Scheme made under the **Planning and Environment Act 1987**	Neighbourhood Residential Zone and the schedules to that Zone (including the planning scheme maps identifying that Zone)
Regulation 30(21) of the amending regulations which amends item 62 of Schedule 6 to the Principal Regulations	Stonnington Planning Scheme made under the **Planning and Environment Act 1987**	Housing Choice and Transport Zone and the schedules to that Zone (including the planning scheme maps identifying that Zone)
Regulation 30(22) of the amending regulations which amends item 71 of Schedule 6 to the Principal Regulations	Whittlesea Planning Scheme made under the **Planning and Environment Act 1987**	Housing Choice and Transport Zone and the schedules to that Zone (including the planning scheme maps

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
		identifying that Zone)