

# 1.0 Introduction

Building or renovating your home can be a rewarding experience, but the process can be complex. Before you start, there is a lot of information to collect and important decisions to make. Take your time and research thoroughly as this could be one of the largest financial decisions you will ever make. This guide has been prepared to help you on this journey. Checklists have been included at the end of this document to assist you.

If you are considering building a new home you can choose to:

- Buy a house and land package;
- Build a house based on a display home on your own land;
- Build a home through a sales agent;
- Use a designer and a smaller building company;
- Use a small design and build company;
- Become an owner builder; or
- Buy a home being constructed off the plan.

If extending or renovating your home you can:

- Use a company that manages your plans, building permits and construction;
- Use a designer and a smaller building company;
- Use a small design and build company;
- Engage a builder to supervise the entire project and coordinate subcontractors for you; or
- Become an owner-builder.

The level of involvement in your project will vary according to the option you choose.



## 1.1 Building definitions

Understanding the language of residential building can help you to avoid problems. It is recommended that you read the Glossary at the end of this document.

## 1.2 What does a builder do?

Many builders do not actually do building work themselves. They:

- Manage and coordinate home building or renovation projects;
- Manage the purchase and delivery of materials; and/or
- Subcontract the work of tradespeople such as electricians, plumbers, bricklayers, painters and carpenters during the course of construction.

The builder is required to ensure that any persons engaged are appropriately qualified.

A tradesperson works in a particular field in the home building industry, for example: concreters, bricklayers, carpenters, electricians, plumbers, plasterers, tilers, painters, fencers, and gasfitters.

## 1.3 Building control areas

In recognition of the difficulties and costs related to engaging building certifiers in areas remote from Darwin and Alice Springs, from 3 July 2006 the Northern Territory (NT) Government established a two-tier Building Control Area system. The following table provides details of the certification requirements:

| <b>TIER 1</b><br><b>Darwin, Lake Bennett and Alice Springs Building Control Areas</b>  | <b>TIER 2</b><br><b>All other Building Control Areas</b>   |
|--|--|
| <ul style="list-style-type: none"> <li>• Full certification process applies for all buildings.</li> <li>• For prescribed building works* full certification includes;               <ul style="list-style-type: none"> <li>• building permit;</li> <li>• mandatory inspections;</li> <li>• builders declaration; and</li> <li>• occupancy permit.</li> </ul> </li> <li>• Prescribed building works* must be built by a registered building contractor residential or an approved owner-builder.</li> <li>• Building Code of Australia (BCA) and technical regulations apply in full.</li> <li>• Home warranty insurance (HWI)** will be required.</li> </ul> | <ul style="list-style-type: none"> <li>• Full certification process for all buildings other than those specified below.</li> <li>• For prescribed building works* <b>except for Class 1a attached duplexes etc and Class 2 attached units etc</b> the following part certification applies:               <ul style="list-style-type: none"> <li>• building permit;</li> <li>• <b>no</b> mandatory inspections;</li> <li>• builder's declaration; and</li> <li>• <b>no</b> occupancy permit.</li> </ul> </li> <li>• Prescribed building works* must be built by a registered building contractor residential or an approved owner-builder.</li> <li>• Building Code of Australia (BCA) and technical regulations apply in full.</li> <li>• Home warranty insurance (HWI)** will <b>not</b> be required.</li> </ul> |

\*Prescribed building works are works worth more than \$12,000 on:

- Class 1- a detached single house and attached duplexes etc;
- Class 2 - attached units, flats etc;
- Class 10 - garage, carport, etc attached to and built at the same time as the Class 1a or Class 2 and
- a retaining wall that is not attached but is integral to the structural integrity of the building.

\*\* Home Warranty Insurance has not been introduced to date - Home Building Certification Fund requirements apply.

To see if a property is within a building control area, please check the following website: [www.nt.gov.au/lands/building/regulations/areas/index.shtml](http://www.nt.gov.au/lands/building/regulations/areas/index.shtml)

## 1.4 The Building process – permits and paperwork

Building work requires permits and paperwork prior to work commencing and on completion. It is important that you understand the building process and what documents are required by the NT building legislation. These documents are designed to protect you.

The first thing to consider is whether or not you will need a permit for your project. The Building Checklist on page 33 provides a general overview of what building works require a contract; building permits; insurance and registered builders.

Building permits relate specifically to the construction of a building. You may also require a planning permit (known as a Development Permit) that needs to be submitted with Development Assessment Services (for example, side and rear setback variations for single dwellings). If a planning permit is required, it must be obtained **BEFORE** a building permit can be issued. A planning permit does not remove the need to obtain a building permit. Talking to Building Advisory Services or Development Assessment Services (refer to page 32, Section 15.0 Who to Contact) and/or a building professional will be able to give you some initial advice about the permits required.

Contributions must be made to the Home Building Certification Fund (HBCF) Insurance Scheme for all residential building work prior to the issue of a Building Permit. Contributions must be made by the builder at any Territory Insurance Office (TIO) on behalf of the owner and are based on the value of the building work.

The following provides a brief summary of what is involved in getting building approval:

### 1.4.1. Preparing Plans

You must prepare plans for the structure you want to build. It is a good idea to seek the help of a building professional who knows the NT building system. This will ensure finished drawings are accurate, clear and complete.

Drawings should include an accurate and to scale site plan, floor plans, elevations and structural detail. A structural engineer must approve the structural details.

If a planning permit is required, it must be obtained **BEFORE** a building permit can be issued.

### 1.4.2. Applying for a Building Permit

You must engage a NT registered building certifier to issue a Permit to Build (Building Permit) before you start building work.

A Building Permit ensures:

- The required builders are registered and carry insurance;
- Adequate documentation is prepared to enable proper and complying construction of the proposed building;
- An independent review of building documentation occurs;
- Key stages of the work are independently inspected;
- Your building is independently assessed as suitable for occupation; and
- The certainty of compliance with the building legislation prior to building work commencing.

A list of NT registered building certifiers can be obtained from the Building Practitioners Board website:  
[www.nt.gov.au/bpb](http://www.nt.gov.au/bpb)

In the NT, building certification is done by registered private certifiers who assess building applications, issue building permits, undertake site inspections and issue permits to occupy on satisfactory completion of any building works.

A building certifier will charge you for issuing a Building Permit.

You will need to give your building certifier a completed Application for Building Permit; and:

- Details of the proposed structure (including drawings);
- Structural engineer's certification for the structural design;
- Certified plumbing design (for any plumbing work);
- A statement describing the purpose of the building;
- Proof that the relevant insurance has been obtained;
- Any relevant planning consents and approvals (if applicable); and
- Owner-builder certificate (if applicable); or
- Details of the registered builder by providing evidence of a building contract (if applicable).

Electronic copies of the various building forms can be found at the following website: <http://www.nt.gov.au/lands/building/regulations/forms/index.shtml>

### 1.4.3. Assessment by a Building Certifier

Your building certifier will assess your application for a Building Permit to make sure that the proposed work complies with the *Building Act*, Regulations and the Building Code of Australia (BCA). The BCA covers issues such as structural safety, and health and fire protection, but does not address the quality of the work or finish.

#### 1.4.4. Building Permit

Your building certifier will issue a Building Permit, which is valid for two years from the date of issue. This period can be extended by applying to your building certifier **BEFORE** the expiry date.

The Permit will state at what stages inspections will need to occur.

Amendments/variations to the approved design must be approved by the building certifier before any work commences.

#### 1.4.5. Before Construction Starts

Before construction starts, your building certifier must have:

- Approved all plans;
- Issued the Building Permit;
- Forwarded the Permit and plans to the Regulator (Director of Building Control), Building Advisory Services, Department of Lands and Planning;
- Checked that the building insurance has been taken out; and
- Informed the builder of the appropriate notification stages (inspections).



#### 1.4.6. Inspections

Inspections are an important part of the permit process. Your builder will ring your building certifier to arrange these inspections. It is vital that you ensure that your builder arranges for these inspections to occur. If they have not taken place, you may not be allowed to live in your building once the work is completed.

If you are an owner-builder, you will need to contact your building certifier and organise these inspections yourself.

Please note that the plumber or drainer carrying out drainage works has to notify Building Advisory Services of the completion of the drainage works prior to covering up the works.

#### 1.4.7. Completion

On completion of building work, the builder must sign a declaration stating the building works have been carried out in accordance with the permit. This must be given to your building certifier before an Occupancy Permit is granted.

#### 1.4.8. Occupancy Permit

An Occupancy Permit is a document that shows the building certifier is satisfied and has approved your building as being suitable for occupation. It will only be issued when items affecting health and safety are in place and fully operational (e.g. water supply, safety glass, handrails etc). It does not mean that all the painting is done, the carpet is laid or that all the fittings are in place. The relationship between the Occupancy Permit and your contract should be clear to you before signing the document. If you have any doubts or do not understand the relationship you should obtain legal advice.

When the building is constructed in compliance with the Building Permit and approved plans, you must apply to your building certifier for an Occupancy

Permit. The building certifier will tell you what documents need to be lodged with your application. For example, you may need to obtain certificates from tradesmen on the project, for building work such as:

- Plumbing;
- Glazing;
- Electrical;
- Termite;
- Prefabricated roof trusses;
- Wet area sealing products;
- Prefabricated window and door frames; and
- Fire safety products or installations.

The building certifier must settle the application within 20 days.

A building cannot be occupied unless an Occupancy Permit has been issued. The building certifier must forward a copy of the Occupancy Permit to the Regulator (Director of Building Control), Building Advisory Services, Department of Lands and Planning within seven days of issue.

It is essential that you obtain a copy of the Occupancy Permit as this shows that you can legally occupy the building. You should keep this certificate in case you are ever asked for it.

#### 1.4.9. What happens if your Building Permit lapses?

If a Building Permit lapses but building work continues, that building work may have been required to be inspected at one of the mandatory inspection stages. It is difficult to confirm the compliance of building work after it has been completed. The building certifier who originally issues the Building

Permit may refuse to approve the work or may require a part of the building to be exposed to be satisfied that the work is appropriate before issuing an Occupancy Permit.

If a Building Permit lapses and building work is not complete, a new Building Permit will be required to be issued to enable completion of the unfinished building work. This would require a new application for the issue of a Building Permit for the unfinished building work. The building certifier will require plans that show the work yet to be completed. As well as the payment of the appropriate fees. The application must be made to the same building certifier who issued the original Building Permit unless a termination of their appointment has been obtained from the Regulator (Director of Building Control), Building Advisory Services, Department of Lands and Planning.

