

FEBRUARY 2020

# regulations overview

KINLEY

**AVANT**  
TOWNHOMES

At Avant Townhomes, we're driven to give our customers the best expertise, commitment and professional service. Additionally, Avant Townhomes must ensure all of its homes comply with a range of regulations that are set and administered by local, state and federal government.

The following information provides buyers with an overview of the regulations that influence the design and construction of residential homes by Avant Townhomes in Victoria:

### PLANNING CONTROLS

#### Source of Power & Objective

Planning controls are designed to ensure the proper development of the built environment. Planning Schemes are managed on a state basis by the relevant state governments and administered by local councils.

Planning controls span from the very broad (e.g. the growth of a city) to the minute (e.g. circulation clearances required in a bathroom). All Avant Townhomes projects require a Planning Permit. The responsibility to obtain a Planning Permit and to comply with its requirements rests with Avant Townhomes

Planning Scheme (Victoria): [planningschemes.dpcd.vic.gov.au](http://planningschemes.dpcd.vic.gov.au)

#### Administered By

Generally **Local Councils** are responsible for the administration of planning regulation in their area.

#### Critical Compliance Document

Planning Permit

### BUILDING CONTROLS

#### Source of Power & Objective

The design and construction of buildings in Australia is controlled through the **National Construction Code** (NCC). The NCC is managed on a national basis by the federal government. The overall objective of the NCC is to ensure buildings are built properly and safely for their occupants. The responsibility to obtain a **Building Permit** and to comply with its requirements rests with Avant Townhomes.

National Construction Code: [abcb.gov.au](http://abcb.gov.au)

#### Administered By

To gain a **Building Permit** an applicant must submit the documentation for their project to a **Relevant Building Surveyor** (RBS). The RBS will then assess the project against all of the requirements set out in relevant legislation and the NCC. For larger projects this process is typically iterative with the RBS providing a list of items that require change for compliance to be achieved. When the RBS is satisfied the documentation complies with all regulatory requirements a Building Permit is issued. As an integral part of their engagement the RBS must also carry out various inspections during construction to ensure the works are proceeding in accord with the approved documentation. When the RBS is satisfied a dwelling is "Fit for Habitation", the RBS issues an **Occupancy Permit**. The Handover Manual provided at completion of each new home includes a copy of the Occupancy Permit.

#### Critical Compliance Documents

Building Permit  
Occupancy Permit

### STANDARDS AND CODES OF PRACTICE

<b>Source of Power &amp; Objective</b>	<p>Many aspects of commerce in Australia are controlled by Australian and International Standards and Codes of Practice. Compliance with some of these standards and codes is mandatory and some are voluntary. The design and construction of residential buildings in Australia is influenced by more than 100 individual Australian Standards. Mandatory standards are administered by the Australian Competition and Consumer Commission (ACCC).</p> <p>Standards Australia: <a href="http://standards.org.au">standards.org.au</a></p>
<b>Administered By</b>	<p>The application of Standards and Codes of Practice arises through the Planning Permit process, the Building Permit process and through the expertise invested by Avant Townhomes' consultants in designing the project.</p>
<b>Critical Compliance Document</b>	<p>Not Applicable</p>

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### HOME WARRANTY INSURANCE

<b>Source of Power &amp; Objective</b>	<p>Generally, residential buildings less than four levels high must have <b>Home Warranty Insurance (HWI)</b> provided to the owners. The obligation to provide HWI and the cover provided by HWI is mandated under various state Building Acts. HWI generally protects owners when their builder becomes unable to complete building work they have contracted to undertake. The providers of HWI place strict controls on the builders whose work they insure. These controls mean that builders have to be financially sound and have a good track record to be able to have their work covered by HWI. Whilst it is highly unlikely an Avant Townhome customer will ever have cause to make a claim under their HWI the framework that mandates and administers this insurance scheme does embed greater competence and financial resilience in the whole residential building industry.</p> <p>Home Warranty Insurance (Victoria): <a href="http://vba.vic.gov.au">vba.vic.gov.au</a></p>
<b>Administered By</b>	<p>The <b>Registered Builder</b> for the project must procure the HWI certificate for each dwelling and provide it to the owner at or prior to handover at completion. The responsibility to ensure compliance with this requirement rests with Avant Townhomes. The Handover Manual provided at completion of each new home includes a copy of the HWI certificate.</p>
<b>Critical Compliance Document</b>	<p>Home Warranty Insurance Certificate</p>

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### TRADE BASED CERTIFICATIONS

#### Source of Power & Objective

Various elements of works on site must be carried out by **certified trades people** and at completion these tradespeople must provide certificates evidencing their work has been completed in compliance with applicable standards and regulations. Trade certification required for issuance of an Occupancy Permit typically includes:

- Electrical – Electricity Safety Act and Regulations
- Plumbing – Building Act
- Termite Protection – Australian Standard AS3660
- Windows & Doors – Australian Standards AS2047 & AS1288
- Waterproofing – Australian Standard AS 3740
- Insulation – Australian Standard AS3999

#### Administered By

Trade certificates are required by the **Relevant Building Surveyor** to allow issuance of the Occupancy Permit. The responsibility to ensure the engagement of competent trades that are able to properly satisfy this requirement rests with Avant Townhomes. The Handover Manual provided at completion of each new home includes copies of the necessary trade certificates.

#### Critical Compliance Document

Occupancy Permit  
Trade Certificates

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### BUILDER REGISTRATION

#### Source of Power & Objective

The system of registering builders is designed to ensure that only suitably qualified and experienced people can contract to do building works. There are different types and levels of registration. Construction must be carried out by a suitably registered builder. Avant Townhomes is not a building company and has formed an alliance with SAW Constructions Pty Ltd to undertake Avant's building work. SAW Constructions holds a Domestic Building Unlimited licence (DBU).

Builder Registration: [vba.vic.gov.au](http://vba.vic.gov.au)

#### Administered By

Builder registration (in Victoria) is administered by the **Victorian Building Authority**. The Building Permit for a project is issued by the **Relevant Building Surveyor** to the **Registered Builder** contracted to do the work.

#### Critical Compliance Document

Building Permit

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