

Structural landscaping building works checklist

In Victoria, the construction, installation and maintenance of buildings are subject to strict building requirements under the *Building Regulations 2006*, which includes certain aspects of landscaping. This checklist outlines the process for achieving compliant construction of structural landscaping. Home-owners who fail to comply with these legal requirements are risking building outcomes that are not safe, fit for purpose or compliant with minimum building standards.

Before construction

- Do you require a building permit for your landscaping works?** Landscaping works that may require a building permit include fences, pergolas, gazebos, retaining walls, decking, ornamental structures and paving. Consult with a Registered Building Practitioner, registered building surveyor or local council who can advise if your planned landscaping works will require a building permit. You can apply for a permit via a private building surveyor, or through your local council. As your agent, the landscaper can make application for building permits on your behalf.
- Have you checked that your landscaper is registered with the Building Practitioners Board for works over \$5,000 (including labour and materials) and entered into a written domestic building contract?** Only Registered Building Practitioners can engage in building work over \$5,000 and a Domestic Builder - Limited (Structural Landscaping) is one of the relevant classes registered to perform structural landscaping works. You can check the registration of your landscaper at www.vba.vic.gov.au.
- Has your landscaper provided you with proof of domestic building insurance for works worth more than \$16,000?** In this instance the landscaper must have domestic building insurance to cover you if they die, disappear or become insolvent. In the event that your landscaper dies, disappears or becomes insolvent, the insurance provides protection against non-completion of contracted works as well as defective works and will cover costs up to \$300,000 to fix structural defects for six years, and non-structural defects for two years. The landscaper must give you a certificate of currency for the insurance before they take a deposit and start work.
- If permits are required, do you have detailed drawings of the proposed landscaping works from a Registered Building Practitioner, draftsman or architect experienced in landscaping?** The drawings must be particular to your site and include information on the proposed works to demonstrate compliance with building regulations, codes and standards.

During construction

- Have you checked the expiry date of your building permit?** As the owner you must ensure that any work starts within 12 months of the date the building permit is issued, and is completed within two years.

After construction

- Has the 'person in charge of building work' (your Registered Building Practitioner or you, if you chose to be an owner-builder) contacted the building surveyor to do a final inspection of the completed structural landscaping where applicable?** If your landscaper is the 'person in charge of building work' then he/she should notify the relevant building surveyor. If the landscaper has completed permitted landscaping works and you have not received a certificate of final completion, then you must contact the building surveyor. Don't use or access your structural landscaping until a certificate of final inspection has been issued by the relevant building surveyor.

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Important considerations for Owner-Builders

- You may choose to be an owner-builder but be wary if any builder or landscaper asks you to sign a building permit as an owner-builder, even though they will be doing the work.** You need to be aware that as ‘the permit holder’ you have responsibility for all works that fall under the permit. This may end up costing you a lot more in legal and insurance costs. If you have decided to become an owner-builder you must first get a certificate of consent before making application for a building permit and you will need to supervise or undertake the building work, and ensure it meets building regulations and standards.

And finally, while taking these precautions goes a long way to protecting you from non-complying building work and ensuring that your structural landscaping is safe and fit for purpose, visit www.vba.vic.gov.au if you need more information or discuss your project with a Registered Building Practitioner.