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26 May 2021

Building Review Secretariat  
Better Regulation Victoria

**Via email:** [buildingsystemreview@betterreg.vic.gov.au](mailto:buildingsystemreview@betterreg.vic.gov.au)

Dear Secretariat

I write on behalf of the Nillumbik Shire Council. The Nillumbik Shire Council welcomes the release of the Expert Panel's Review of Victoria's Building System and thank you for the extended opportunity to make representations in response.

At the Ordinary Council Meeting dated 25 May 2021, Council resolved to provide the following opportunities for improvements for the Expert Panel's consideration.

These opportunities highlight the concerns of the Municipal Building Surveyor (MBS) and shortfalls of the current building regulatory system that requires urgent reform:

1. Municipal Building Control Plans to be mandatory and approved by the State Building Surveyor(SBS);
2. Clear lines of responsibility for the various duties, functions and responsibilities of the authorities involved in the scheme to avoid buck passing;
3. The system needs to provide clear lines of funding for Councils and MBS to carry out their building control functions;
4. Establish the office of the SBS as a statutory technical peak building authority for the State of Victoria;
5. Independence and the current conflicts of interest of the Private Building Surveyor to be addressed;
6. The issue of orphaned Building Permits (these are building permits that have been issued by the private building surveyors who are no longer in the business of issuing building permits and remain unresolved) and who is responsible to complete the Relevant Building Surveyor functions on those;
7. Transparency in the process and separation of the certification and mandatory inspections functions – independence and auditing;
8. Enforcement should be a function of local government MBS – or SBS depending on the jurisdiction;

9. Any given building should only have one Occupancy Permit at any given time – issued and updated by MBS;
10. Skills and workforce planning, quality education courses and training opportunities in Local Government, private and SBS sectors to grow Building Surveyor numbers;
11. Increased accountability for Builders and trades generally – licensing and registration should be mandated;
12. Building Practitioner and Architect registrations and licensing of building trades to be centralised in Consumer Affairs Victoria (with the Engineers) – Consumer Protection Authority;
13. Consumer protection in the form of a robust Builders Warranty for all building work (currently only required for work over \$16,000 and limited compensation to consumer);
14. The plumbing functions of the VBA should sit with the same authority that is responsible for gas plumbing safety – currently Energy Safe Victoria.

Should you require further information or have any queries, please contact Rosa Zouzoulas Executive Manager Planning and Community Safety.

Kind Regards

A handwritten signature in blue ink, consisting of several fluid, overlapping strokes that form a stylized representation of the name Peter Perkins.

**Mayor Peter Perkins**  
**Nillumbik Shire Council**