



City of
STONNINGTON

Instrument of Delegation and Authorisation

by

the Acting Municipal Building Surveyor

Instrument of Delegation and Authorisation

In exercise of the powers conferred by sections 216B and 228(2) of the *Building Act 1993*, by this instrument of delegation and authorisation, I, **George Petridis** as Acting Municipal Building Surveyor of Stonnington City Council –

1. delegate each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff (being registered as a building surveyor under Part 11 of the *Building Act 1993*) described opposite each such duty and/or function and/or power in column 3 of the Schedule, with the limitation that persons registered as a building surveyor (limited) under Part 11 of the *Building Act 1993* may only carry out a function to the extent that it relates to a building of up to three storeys in height with a maximum floor area of 2,000 square metres:

2. record that a reference in the Schedule to:

BI	means	Building Inspector
BS	means	Building Surveyor
MBS	means	Municipal Building Surveyor
SBS	means	Senior Building Surveyor

3. appoint the following persons to be authorised persons for the purposes of exercising the powers of the municipal building surveyor under Division 2 of Part 13 (*) of the *Building Act 1993*:
 - 3.1 Andrew Fossett;
 - 3.2 Maurice Gradstein;
 - 3.3 Vince Lodato;
 - 3.4 Robert Mitchelmore
 - 3.5 Serge Perna;
 - 3.6 Matt Rosendale;
 - 3.7 Elisa Sapuppo;
 - 3.8 Ankur Varma;


(*) *the power of entry provisions.*

4. record that on the coming into force of this Instrument of Delegation and Authorisation each previous delegation and authorisation issued by me is revoked;

5. declare that this Instrument of Delegation and Authorisation:
- 5.1 comes into force immediately upon its execution;
 - 5.2 is subject to any conditions and limitations set out in the Schedules; and
 - 5.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts.

Dated 30 August 2018

Signed by **George Petridis** in the presence of:




Witness

SCHEDULE

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BUILDING ACT 1993			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
			<i>Note – in this Instrument of Delegation, “Regulations” means the Building Regulations 2018.</i>
s.10(2)	Power to be satisfied and to certify in writing that substantial progress was made on the design of a building before a building regulation or amendment commenced.	SBS.	
s.10(4)	Power to agree with the owner of a building or land that a building regulation or amendment is to apply.	SBS.	
s.17	Function of receiving an application for a building permit.	SBS.	
s.18A(2)	Duty to provide to the Development Victoria without delay notice setting out information in section 18A (2) (a) and a copy of any relevant planning permit, in certain circumstances where section 18 A (1) is satisfied.	Not applicable.	<i>Note – refers to growth areas infrastructure contributions and does not therefore apply to Stonnington.</i>
s.18B(2)	Duty to give notice of an application which satisfies section 18B (1), to the Commissioner of State Revenue.	Not applicable.	<i>Note – refers to growth areas infrastructure contributions and does not therefore apply to Stonnington.</i>
s.19	Duty to decide on an application for a building permit by either issuing a permit, issuing a permit with conditions or refusing a permit.	SBS.	
s.21(1)	Duty to specify in a building permit whether an occupancy permit is required under section 21(2) for the whole or part of the building.	SBS.	

BUILDING ACT 1993			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.21(2)	Duty to consider whether building work is minor or does not compromise the suitability of the building for occupation.	SBS.	
s.23	Duty to notify the reporting authority of a permit and give the reporting authority a copy of the permit, where it issues a building permit which differs from or fails to implement the recommendations in the reporting authority's report under Schedule 2 on the application for the permit.	SBS.	<p><i>Note - does not apply to classes of buildings set out in regulation 1805 which refers to various classes of buildings (including residential care, remand centres and prisons) affected by:</i></p> <ul style="list-style-type: none"> • <i>the Children and Young Persons Act 1989;</i> • <i>the Corrections Act 1986;</i> • <i>the Intellectually Disabled Person's Services Act 1986; and</i> • <i>the Mental Health Act 1986.</i>
s.24(1)	Duty to not issue building permit unless satisfied of matters set out in section 24(1), subject to section 24A.	SBS.	<i>Note – the matters include compliance with the Act and regulations, and necessary consents and the issue of a planning permit (if required).</i>
s.24(2)	Duty to not issue a building permit that imposes on the applicant lesser or greater standards or requirements than those prescribed by this Act or Regulations, unless permitted to do so by this Act or the Regulations.	SBS.	

BUILDING ACT 1993			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.24(3)	Duty to not issue a building permit if notice is required to be given to the Development Victoria under section 18A unless the Victorian Building Authority (VBA) has notified the relevant building surveyor under section 51ZA of the <i>Development Victoria Act 2003</i> that, either charges are not payable, or if charges are payable, that they have been paid or an agreement has been entered into.	Not applicable.	
s.24(4)	Duty to not issue a building permit for the carrying out of building work on land in respect of which there is a GAIC recording (within the meaning of Part 9B of the <i>Planning and Environment Act 1987</i>), unless the applicant produces a certificate relating to that liability as set out in (a)-(d).	Not applicable.	<i>Note – refers to growth areas infrastructure contributions and does not therefore apply to Stonnington.</i>
s.24(5)	Duty to not issue a building permit in respect of building work unless satisfied that any community infrastructure levy payable under Part 3B of the <i>Planning and Environment Act 1987</i> has been paid to the relevant agency or an agreement has been entered into for payment.	SBS.	
s.24A(1)	Power to consider an application for a building permit for building work that is not domestic building work subject to the duty to not issue the permit unless satisfied of matters in section 24A(1).	SBS.	<i>Note – the matters relate to the registration of the proposed building practitioner and the requirement that any architect engaged in the building work is insured.</i>
s.24A(2)	Power to consider an application for a building permit for work that is to be carried out under a major domestic building contract subject to the duty to not issue a permit unless satisfied of the matters in section 24A (2).	SBS.	<i>Note – the matters relate to the registration of the proposed building practitioner under Part 11 of the Act and the requirement that any architect engaged in the building work is insured.</i>