

Demolition DE 02 | Demolition and Removal of Buildings

Audience

The audience/s for this Practice Note include/s:

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| <input type="checkbox"/> Architects/ Designers | <input checked="" type="checkbox"/> Owner Builders |
| <input checked="" type="checkbox"/> Builders | <input type="checkbox"/> Plumbers |
| <input checked="" type="checkbox"/> Building Surveyors/ Inspectors | <input type="checkbox"/> Real estate management agents |
| <input type="checkbox"/> Engineers | <input type="checkbox"/> Trades and Maintenance (inc. Electricians) |
| <input type="checkbox"/> Home Owners / Residential Tenants | |

Purpose

This Practice Note provides guidance on documentation required for an application for a building permit under regulation 26 of the Building Regulations 2018 and the builder specified for the building permit.

The content below provides guidance on:

- What is demolition work
- Undertaking demolition work
- Building permit application requirements for demolition work

Abbreviations & Definitions

The abbreviations and definitions set out below are for guidance only. They are not intended to vary those set out in the Building Act 1993, the Building Regulations 2018 or the National Construction Code.

- **Act** – Building Act 1993
- **Building work** – work for or in connection with the construction, demolition, or removal of a building
- **RBS** – Relevant Building Surveyor
- **Regulations** – Building Regulations 2018
- **Section** – of the Building Act 1993
- **Standard** – AS 2601-2001 The demolition of structures

What is demolition work

Demolition work is building work that often combines structural demolition, such as removal of load bearing elements, and the removal of internal fixtures, fittings, services, and non-load bearing elements. Demolition work can also involve the complete or partial dismantling of buildings and other



structures and if carried out inappropriately, it can cause damage to adjoining property, and expose workers and the public to significant risk of injury or death.

Undertaking demolition work

The building practitioner engaged in undertaking demolition work must be appropriately registered, have the capacity to carry out, manage or arrange the work in a competent manner and to a professional standard.

To undertake this work, the builder must be specified in accordance with section 24B and should be registered in one of the following classes:

Demolisher (low rise)

Persons registered in this class are responsible for managing, arranging, and carrying out:

- the complete or part dismantling of buildings and other structures up to two storeys in height and
- the demolition and stripping of internal fittings, fixtures, services, and non-load bearing elements of unoccupied buildings up to two storeys in height.

Demolisher (medium rise)

Persons registered in this class are responsible for managing, arranging, and carrying out:

- the complete or part dismantling of buildings and other structures up to five storeys in height and
- the demolition and stripping of internal fittings, fixtures, services, and non-load bearing elements of unoccupied buildings up to five storeys in height.

Demolisher (unlimited)

Persons registered in this class are responsible for managing, arranging, and carrying out of:

- the complete or part dismantling of all buildings and structures, and
- the demolition and stripping of internal fittings, fixtures, services and non-load bearing elements of all buildings and structures.

Domestic builder (unlimited)

Persons registered in this class are authorised to carry out all components of domestic building work as per regulation 261 and Schedule 12 to the Regulations.

Section 5(1)(d) of the Domestic Building Contracts Act 1995 stipulates the demolition or removal of a 'home' is domestic building work.

Owner-builders

Owner-builders wishing to undertake demolition or removal of a building requiring a building permit are subject to Minister's Guideline 09.

Minister's Guideline 09 provides a guideline for the RBS to consider before specifying an owner-builder for a building permit involving the demolition or removal of a building.

Minister's Guideline 09 states that "it will be rare for a building permit to demolish a building to be issued to an owner builder".



For building permit applications requiring an owner-builder Certificate of Consent, the VBA will not give an owner-builder Certificate of Consent for demolition work due to Minister's Guideline 09 and the high-risk nature.

Building permit application requirements for demolition work

Building permit application

Regulation 26 outlines the information that is required to accompany an application for a building permit to demolish or remove a building. This includes:

- Any planning permit relating to the building work
- Any report and consent issued by the responsible authority, such as report and consent under section 29A
- Description and outline of the building or part of the building to be demolished or removed
- Allotment plan showing the location of the building, setbacks, adjoining buildings, streets, footpaths, and the like
- Where only part of a building is proposed to be demolished, computations or other information is required to show that the remainder of the building will remain structurally stable
- Information showing the position and description of hoardings, allotment boundaries, barricades, temporary crossings, protective awnings, and outriggers
- Written description of the proposed demolition or removal procedure
- Evidence that the demolisher has the necessary knowledge, experience, equipment, and storage facilities to properly conduct the demolition operations
- Any other documents that the RBS reasonably requires.

Responsibilities of the RBS

When assessing an application for a building permit, the RBS must:

- Ensure that adequate documentation has been lodged in accordance with regulation 26
- Be satisfied the proposed demolition work complies with the Act and the Regulations
- Ensure precautions related to public safety are adequate and in place under regulations 116 & 117 (if required).

In addition, the RBS must also ensure the precautions under regulation 117 are taken before and during demolition in accordance with the Standard and:

- The demolition must not be commenced until the precautionary measures have been inspected and approved by the RBS
- No part of any external wall on or within 3 m of a street alignment may be pulled down except during the hours that the RBS directs
- Protective outriggers must be installed where necessary to guard against danger to life or property or when required by the relevant building surveyor
- The site must be cleared of all debris.

The RBS may exempt minor demolition work from all or parts of the measures set out in regulation 117 if the RBS determines that the proposed demolition work does not warrant those measures.

In considering whether to grant an exemption where a partial demolition is proposed, the RBS must pay due regard to the potential for any remaining part of the building to become structurally unstable after the demolition or partial building removal is completed.



Minister's Guideline 09 – Issuing of Building Permits (Demolitions/Removal) and the Owner Builder, provides that the RBS must have regard to this Guideline when considering an application for a building permit for demolition work where the owner is nominated as the builder

Responsibilities of the Builder for demolition work

Regulation 117 requires in part that the building practitioner (demolisher) takes precautions in accordance with the Standard before and during demolition. Compliance with the Standard reduces the risk of injury and property damage in a workplace safety setting.

It is recommended that demolishers observe Part 2 of the Standard. This Part sets out a procedure to inspect the site and structure prior to work commencing to identify potential hazards on the site and in the structure. It then requires the preparation of a work plan. The work plan requires (in part) documentation of any precautions to be implemented and a description of the demolition procedure.

This document does not only provide valuable information to workers on the site in terms of identifying where hazards are and what precautions are required to mitigate the risk of those hazards, it can also be used to satisfy that part of regulation 26 which requires a written description of the demolition procedure to be lodged with the application for a building permit.

In summary to mitigate site risks, demolishers must:

- Not commence building demolition work until the building permit has been issued by the RBS
- Implement precautionary measures in accordance with regulations 116 & 117 and the Standard
- Review the progress of demolition and take further precautions during the demolition as it may be necessary.

Related Documentation

- Building Act 1993
- Building Regulations 2018
- Ministerial Order - Building practitioners' insurance (Victoria Government Gazette S19 17/01/2020)
- Minister's Guideline 09
- Occupational Health and Safety Act 2004
- Occupational Health and Safety Regulations 2017
- Public Safety and Amenity - A Code of Good Practice at Construction sites:
<https://www.melbourne.vic.gov.au/SiteCollectionDocuments/code-practice-building-construction.pdf>
- Worksafe Victoria: <https://www.worksafe.vic.gov.au/>

List of Amendments

- Updated information for Domestic builder – unlimited
- Updated information for owner-builders
- Update format and content review
- Other miscellaneous changes
- Practice note title changed from DE-02 Demolition Work – Regulation 26 to Demolition DE 02 | Demolition and Removal of Buildings



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