

RBS Guide – Building Documentation Audits

What does the audit process involve?

Under section 24 of the Building Act 1993 (the Act), the Relevant Building Surveyor (the RBS) must not issue a building permit, unless he or she is satisfied that the building work complies with the Act and the Building Regulations (the Regulations). Regulation 24 of the Regulations and Part A5 of the National Construction Code (the NCC) provide details of what minimum documentation and/or information could be included and how compliance can be achieved and demonstrated. The [Design Documentation Practice Guide for Class 2 residential buildings](#) also provides guidance on how compliance can be demonstrated.

Audits carried out under Building Documentation Audit Program (the Program) examine how the RBS was satisfied of compliance. Upon completion of the assessment, a Building Audit Report (the Report) will be sent to the RBS. The Report contains a list of items, some of which may require a response from the RBS, typically within 14 days from the date of the Report. Other items may not require a response but are brought to the RBS' attention to ensure that compliance is verified before the occupancy permit is issued and they are taken into consideration for any future building permit approvals.

What should the RBS' response look like?

While the Program is about ensuring compliance, there is a strong educational focus which aims to improve future compliance. The audits aim to engage with the RBS and gain an understanding of what information the RBS has used to make a decision around compliance under section 24 of the Act.

When responding to the Report, the RBS is required to demonstrate how he or she was satisfied, **before the building permit was issued**, that the proposed building work complied with the Act, the Regulations and the NCC.

It is expected that the RBS' response will include detailed information on which compliance pathway was adopted and why the RBS was satisfied that each item was compliant. The supporting evidence should provide an insight on how the assessment process was carried out. *For example, the evidence should demonstrate what documentation the RBS relied on when making a determination, and whether compliance was achieved through a DtS, Performance Solution or combination of both. References to specific clauses should also be provided.*

If the RBS is unable to confirm that compliance was determined before the permit was issued, the response should detail what action will be taken to rectify it. *For example, where a non-compliance is later identified, it should be addressed through enforcement action.* The response may also include confirmation that compliance will be verified before the occupancy permit is issued and information on how similar issues will be addressed in the future. This may be achieved by implementing improvements to the assessment process, inclusion of additional documentation/information in the building permit documentation and training.

All responses should be tabulated in the Building Audit Response Form and each item should be addressed individually. The Building Audit Response Form (shown below) is attached to the Report.

Building Audit Response Form

VBA Ref: BA/XX/XXX

We request that all responses be recorded in the 'RBS Response' column, including any supporting evidence. Each item should be addressed individually and labelled with the corresponding item number from the Audit Report.

Please refer to the *RBS Guide - Building Documentation Audits* for guidance on how to respond.

Item	RBS Response
1	
2	
3	
4	
5	

Relying on permit conditions and general notes

To support his or her response, the RBS may provide a copy of the relevant documentation he or she considered in making a compliance determination. This may include drawings, reports, and/or certificates. Some documents may not have been available at the time the building permit was issued, and it may be possible certain items were covered by a permit condition. However, reliance on permit conditions for this purpose is discouraged. Instead, it may be more appropriate to issue a staged building permit.

When an item is subject to a building permit condition, the required documentation should be supplied to the RBS prior to commencement of works to ensure that the RBS is satisfied of compliance. Confirmation that compliance was confirmed by the RBS after completion of works may constitute a breach of section 24 of the Act. *For example, stair and balustrade design details, including slip resistance classification and evidence of suitability, should be provided to the RBS for approval prior to installation.*

General notes on the drawings are often relied on and are deemed acceptable by the RBS. However, general notes alone often do not sufficiently demonstrate compliance of the building works as required by section 24 of the Act. Site specific details demonstrating how the building work will comply should be detailed in the drawings and specifications. *For example, where a general note on the drawing(s) specifies that construction of wet areas must comply with the NCC but there are no construction details, the VBA will seek a response from the RBS to demonstrate how compliance was verified before installation. Confirmation that waterproof membrane will be installed is insufficient, as it doesn't cover details of the entire waterproofing system. The [Design Documentation Practice Guide for Class 2 residential buildings](#) provides guidance on how compliance can be demonstrated.*

Can someone else respond on behalf of the RBS?

The RBS may sometimes request additional documentation to be provided by other practitioners, i.e., the design engineer or the builder, and supply a copy to the VBA. However, it is expected that, when making a submission, the RBS will verify that compliance has been

confirmed. Direct response from other practitioners, without confirmation from the RBS that the design or product is compliant, will not be accepted.

Where the response to the Report is provided by another person, the VBA may seek confirmation that the person is authorised to make representation on behalf of the RBS.

What to do if more time is required

When additional time is required for the RBS to respond to the Letter, an extension of time may be requested. The request should state the reason why additional time is required and the length of extension required.

Amending Building Permit documentation

Where additional information is provided to the RBS in response to an audit, it may necessitate a variation to the original design. Any variations to the design, construction methods, materials, or products used must be approved by the RBS. Records of such decisions must be documented and maintained as required under section 6 of the Code of Conduct for Building Surveyors in Victoria. The variation may only be approved before commencement of work.