

THE APPROVAL AND CONSTRUCTION PROCESS

The process of having any type of building work approved and executed, whether a new building or a renovation, can be a complicated one. Even after the design has been finalised a number of different approvals must be sought and certificates issued before construction can commence. This document sets out this process stage by stage. This is an overview only and does not cover all the potential issues that may arise during the construction process.

1.0 STAGE 1: CONCEPTUAL DESIGN PHASE

This is the preliminary conceptual phase of the project. At this stage architect and client work closely together to develop a brief for the proposed building works. This sets out what accommodation is required and any specific needs or wants the client might have. In response to this brief, and after close study of local council guidelines, the architect will develop design concepts that fulfil the requirements of the brief and present these to the client in the form of plans, elevations, sections and/or perspective sketches. The client will respond to these ideas with comments and suggestions for amendments.

In order for preliminary ideas to reflect actual site conditions it is recommended that you obtain a site survey prior to conceptual design phase. Most councils require that a site survey be submitted with any development application. It makes sense to obtain this information at an early stage of the project to avoid inaccuracies in documentation. This information is also crucial for preparation of CAD models to assist in understanding overshadowing, privacy and streetscape concerns that you or council may have. Other important preliminary information to provide at an early stage includes a sewer diagram, your certificate of title and information about any easements or similar that may affect the development potential of your property.

2.0 STAGE 2: DESIGN DEVELOPMENT PHASE

The architect will review the design(s) in response to client feedback. By the end of Stage 01, architect and client will have agreed on a single preferred scheme to be documented for a Development Approval in the next phase.

3.0 STAGE 3: DEVELOPMENT APPROVAL STAGE (DA OR COMPLYING DEVELOPMENT)

3.1 Documentation Requirements

Once the design has been finalised the architect can commence preparation and coordination of the Development Application documents for submission to council or, for some development types, a private certifier. Certain development proposals can be processed as COMPLYING DEVELOPMENT. This type of approval is much simpler and faster than a standard DA. However the eligibility criteria for this type of approval are extremely strict. For example, sites under 200sqm are not eligible. Neither are blocks narrower than 6m wide at the front boundary.

Regardless of whether a DA or Complying Development Application is required a certain amount of documentation is required to describe the proposed works. Councils (or your certifier) have checklists of documentation that is required to accompany each application, as well as the associated fees. DA checklists can be downloaded from Council websites.

For residential projects the following information is generally required for all applications:

- Site analysis plan:
- Plans, sections, elevations of the proposal
- Survey prepared by qualified surveyor
- Notification plan which will be supplied to neighbours (DA's only)
- Statement of Environmental Effects
- Waste Management Plan
- Schematic stormwater diagram.
- Basix Certificate of Energy Efficiency (Refer to www.basix.nsw.gov.au)

In addition to these the following may be required:

- Shadow diagrams illustrating the impact of the development on neighbours;
- Hydraulic engineering drawings
- Structural engineering drawings (CDC only)

Depending on the council and the type of project other documentation, such as photomontages, view analysis diagrams or landscape plans prepared by a qualified landscape architect. Some require a certificate of structural adequacy. Each council is different, and the documentation requirements depend on the type of development, the location and nature of the site and its context. An architect will manage the whole application process and ensure that adequate documentation is submitted to council.

3.2 Gaining Approval

No proposal can be guaranteed development approval. However, with high quality documentation and a well-presented argument by the architect, even non-complying proposals can gain approval, provided they constitute good design and that negative impacts on neighbours and the streetscape are shown to have been minimised.

Good neighbourly relations are helpful but not essential during the approval process. Neighbours are generally given the opportunity to voice any concerns they may have during a notification period. Luckily council planners are usually good at differentiating between valid concerns and vexatious complaints. A proposal can still gain approval even if many objections are received, provided it is deemed reasonable by council.

High quality, detailed documentation that responds to council's concerns is the surest way of achieving Development Approval for any proposal.

Council will inform you by mail whether your proposal was successful or not. Council will issue a package of Development Approval documents to successful applicants. They may impose conditions on the development and it is important to check these carefully as they may have a significant impact on the ultimate form of the proposal.

Most councils will offer an applicant the opportunity to amend or adjust their proposal in response to council or neighbours' concerns rather than simply issuing a refusal.

3.3 Amendments to DA post approval

It is crucial that the design documented represent what the client really wants. If changes need to be made after approval has been gained another application (section 96 application) needs to be made to council to modify the consent. Council charges a significant fee for this (often 50% of DA fee) and fees will also be incurred for preparation of amended documents by your architect or other design professional.

Once approval has been gained a Construction Certificate is required prior to construction works commencing on site.

4.0 STAGE 4: CONSTRUCTION CERTIFICATE STAGE

A Construction Certificate is your permission to commence building works on site. Certified either by the Council or a Private Certifier the aim is to ensure that the proposed works comply with the Building Code of Australia as well as other relevant standards. It is necessary to submit a set of construction drawings and specification for this application. The certifier will check that the construction documents match the DA approved drawing set and adhere to any conditions imposed. In addition, construction-related documentation, such as Site Sedimentation Control and Stormwater Management plans may be required.

It is the architect's responsibility to coordinate documentation for the CC application. In most cases the Contract Documentation set is sufficient to allow construction to commence on site (see Stage 05 below). However, it does not necessarily include internal detailing such as wet area, joinery and kitchen elevations in which case these would be prepared during the Construction Documentation Phase.

5.0 STAGE 5: CONTRACT DOCUMENTATION STAGE

At this stage an architect would prepare a detailed set of construction documents setting out the extent of work including size, materials and construction detailing. This stage overlaps Construction Certificate stage as these documents are required to gain this certificate. A structural engineer must be engaged at this point (if not before) to provide detailed structural design documents. Other consultants, such as a hydraulic engineer, may also be required.

Tasks undertaken at this stage include:

- The preparation of contract documents including to appropriate scale, plans, elevations, sections, bathroom layouts (min 1:50) and details; window and door details at 1:5 scale and window and door schedule, and any other details as required to provide sufficient information for the calling of tender
- Co-ordination and integrating consultants information with the architectural drawings
- Preparation of a full Specification describing quality of materials, finishes and workmanship
- This stage checks, refines and resolves the work undertaken in previous stages, so that construction discrepancies are minimised in contract documents
- Meetings and discussions with you as required in order to advance the works to call tenders

The Contract Documentation set has sufficient information to be used for obtaining tenders (See Section 6.0) as well as the Construction Certificate (See Section 4.0).

6.0 STAGE 6: TENDER STAGE

Tender phase might be the stage at which you choose to start managing the project yourselves. This would mean taking on the task of obtaining and assessing quotes from builders. However an architect can provide assistance with this process if required.

Although some builders will agree to offer a cost estimate at a much earlier stage, no builder can confidently price a development based on DA drawings alone. Construction documents, such as those described under section 5.0 above will contain most of the information a builder needs to accurately price a project. If prices for kitchens, bathroom, joinery and the like are to be included then these drawings will also need to be available as well as a comprehensive list of materials, fixtures etc. If specific information is not available then the builder will allocate a so-called PC sum for these items, based on similar recent jobs. Once the actual items have been selected the cost may increase or decrease accordingly. The more detail available to give to a builder for a costing the more accurate the estimate will be.

Conventionally three or four (or more) builders will be given the opportunity to provide a quotation for construction. Each is issued with identical sets of drawings and specifications. When the prices are available it is up to the client to select one to complete the building work. This is usually, but not always, the lowest.

7.0 STAGE 7: CONSTRUCTION PHASE

Now the builder can start work on site. Some property owners choose not to involve their architect at this point. However, there are significant benefits to having your architect around during construction. An architect can assist by performing contract administration duties including regular site visits and meetings, handling variations and builder's claims, signing off on work completed and checking that this work is being performed in accordance with the drawings and specification.

This role has the benefit for the property owner of providing a third party to act on his or her behalf. An architect has an intimate knowledge of the project documentation and experience with construction that allows faults and shortcomings to be quickly picked up and rectified before they can result in expense and conflict between the owner and builder. This relationship endures throughout the entire construction period until an occupation certificate has been issued.

The main tasks at this stage can be divided into four areas as follows:

6.1 Design Intent Management

- Setting up regular site meetings
- Responding to issues which occur on site
- Preparing additional documentation and details as required due to site circumstance and/or client changes
- Preparation of detail design of kitchen and any other joinery units
- Check work in progress regarding design quality control, materials selection and performances as described in the contract documents
- Provide instructions to clarify the contract documents where required
- Co-ordinate consultants

6.2 Variation and Amendment Management

- Administer variations and obtain client approvals
- Issuing memorandum instructions for variations

6.3 Price, Financial and Time Management (Providing the contract used between the builder and the owner has provision for the role of the architect)

- Assessing builder's progress claims and issue progress certificates
- Assess and approve claims for extensions of time
- Adjust prime costs and provisional sums and other monetary sums included in the contract documents
- Prepare defects list prior to practical completion
- Inspect rectification and issue notice of practical completion

6.4 Post Practical Completion

- Issuing Assess the final contract account
- Inspect the works and prepare final defects listings
- Issue the final certificate on completion of all defects and other outstanding work

Due to the unpredictability of project scope and costs, I do not provide estimates of my time for the construction phase of the project. Unlike Stages 01-06 this stage is charged either at an hourly rate or as 5% of the total construction cost.

8.0 CONSULTANTS

In most projects the assistance of other consultants is required at some stage of the construction process. Sometimes this is as a result of council requirements but mostly due to the requirements of the site.

Most commonly in small residential jobs the following consultants are required:

- Issuing Structural engineer (steel, concrete, timber structure)
- Surveyor

And less often:

- Hydraulic engineer (stormwater, plumbing)
- Landscape Architect
- Planner etc

All consultants charge fees for their services. I will brief each consultant, obtain quotes and liaise with them as required during the approval and construction processes.

9.0 FEES

Unfortunately the construction process is an expensive one. Not only will you find yourself paying the builder and architect, but also numerous consultants and authorities. Each application that is made to council or a certifying authority incurs a fee. There may also be levies and charges based on the type of work being carried out. Different councils impose different fees. It is important to be aware of and prepared for these fees as they occur throughout the process.

10.0 OUR FEES

Most architects structure their fees according to the Royal Australian Institute of Architects recommended fee scale. This means that the total fee for all six phases as set out above will add up to a total percentage of the construction cost of the project. The percentage usually ranges from 10-15% for a dwelling renovation project.

As construction costs are difficult to predict at the outset of a project this means that clients often find themselves paying additional fees towards the end of construction as final costs become apparent, a far from appealing prospect. To avoid this uncertainty for our clients we do not follow this method of pricing for the first five phases of a project. I quote fixed fees which are not subject to variation due to changing construction costs. I estimate the number of hours required for each task based on previous experience. Any hours that are not used will be subtracted from the fee. All of this is set out in more detail in our fee proposal.

However, due to the unpredictability of project scope and costs, we do not provide estimates of time for the Construction Phase of the project. Unlike Stages 01-05 this stage is charged either at an hourly rate or as 2.5% of the total construction cost.

Please feel free to contact us with any queries you might have about the above process.