

Approval Process for Unauthorised Structures

Overview

A building permit is required for nearly all building and demolition work, unless exempt under the Building Regulations 2012 (check with your council prior to construction)

Should a building/structure be built without a building permit, the *Building Act 2011* does not permit the Shire to issue one retrospectively. The Shire can however issue a Building Approval Certificate for an unauthorised building/structure, conditional upon compliance with relevant legislation, standard building construction practices, the Building Code of Australia, Health, Planning and Engineering requirements.

An application for Building Approval Certificate is the process by which a person obtains approval for unauthorised building work associated with Class 1 or Class 10 building. The Building Approval certificate confirms the building has been assessed by a registered building surveyor, and complies with the Building Code and relevant Australian Standards

Note: Class 1a building-a dwelling

Class 1b building-a boarding house, guest house, hostel or the like

Class 10a building-a non-habitable building being a private garage, carport, shed or the like

Class 10b building-a structure being a retaining wall, fence, swimming pool or the like

Approval process

The owner/applicant has the choice of engaging a private building surveyor, details available on the Building Commissions website www.commerce.wa.gov.au or the services of the local government building surveyor for certification services. The appointed building surveyor, once satisfied the structure meets the requirements of the Building Code, Health, Planning & Engineering requirements, and relevant standards, will issue a Certificate of Building Compliance (Form BA18) and make an application to the local government permit authority (Shire of Northam) for Building Approval Certificate (Form BA13)

The application must be accompanied by copies of professionally drawn plans i.e. site plan, elevations and section, and payment of the prescribed fees below

- Application for Building Approval Certificate (BA13) - 0.38% of the estimated value of construction (Note: The estimated value of unauthorised building work is the sum of the estimated *current value (including GST)* of the relevant components
- Building Services Levy (BSL) - 0.274% of the estimated value of construction
- Building Construction Industry Training Fund Levy (BCITF) - 0.2% of the estimated value of construction (for all work in excess of \$20,000))

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When the local government is satisfied all requirements have been met, it will issue a Form BA14-Building Approval Certificate, formally endorsing the unauthorised structure (Refer flow chart below)

Summary

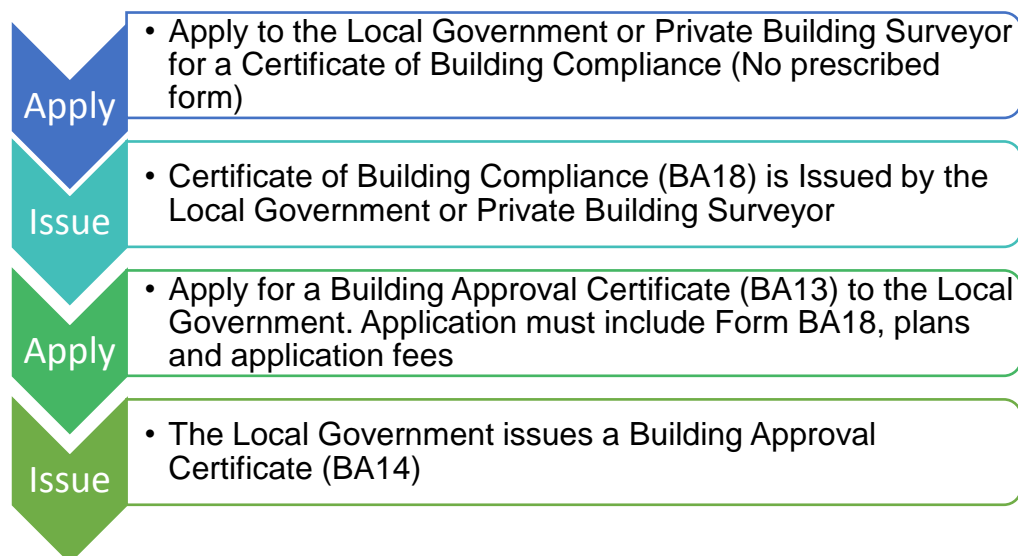
The following is a general list of items that may be required to obtain a Certificate of Building Compliance for an unauthorised structure:

Shed/Outbuilding (Class 10)

- A full set of professionally drawn “As Constructed” plans including Site Plan, Floor Plan, Elevations and Structural Details and endorsed by a Structural Engineer

Dwellings/Dwelling Additions

- Energy efficiency compliance report
- A Bushfire Assessment may be required in a Bushfire Prone area
- Evidence of a suitable waterproof barrier under the floor slab
- Evidence of Termite Treatment
- Electrical & Plumbing Certification (including Effluent Disposal System)
- Stormwater Disposal to the satisfaction of the Shire
- Planning Approval (if required)
- Payment of application fees



Note

The engagement of a building surveyor for certification services does not guarantee automatic certification. If the building surveyor is not satisfied that compliance has been met, the owner has the option of either:

- removing the unauthorised structure;
- carrying out further remedial works that may be required; or
- face the risk of enforcement action by the permit authority.