BUILDING

B7.1 Amalgamation of Lot for Building Sites

Responsible Department	Executive Manager Development Services
Resolution Number	C.3392
Resolution Date	20/06/2018
Next Scheduled Review	2020
Related Shire Documents	
Related Legislation	*National Construction Code Series, Building Act 2011*

OBJECTIVE

To prevent building over boundaries unless amalgamation has occurred or is imminent.

SCOPE

Applies to all proposed buildings/structures to be built over a lot boundary.

POLICY

1. A Building Permit will only be issued for a proposed building/structure that extends over more than one surveyed allotment (i.e. a building/structure crossing over a boundary) if:

   a) The Building Surveyor is satisfied that an approved Diagram of Survey has been lodged at the Titles Office and an application for a Certificate of Title for the amalgamated allotments has been registered and accepted; or

   b) A legal agreement has been entered into and signed by all parties to allow the owners twelve (12) months to amalgamate the allotments & provide a registered Certificate of Title to the Shire & evidence that the amalgamation process has commenced is provided to the Shire.

2. An Occupancy Permit will not be issued until a registered Certificate of Title is provided to the Shire.

Part 1
Exemptions for the requirement to amalgamate shall be applied to:
1. Attached additions under the same ownership that "straddle the internal boundary" and meet the requirements of the National Construction Code;
2. Detached additions/new buildings on the second lot that meet the requirements of the National Construction Code. Note- Formal subdivision of the two lots would be required should the owner sell the property.

Part 2
Occupancy Permits are only required for Class 2-9 Buildings (Commercial) A Registered Certificate of Title demonstrating amalgamation has occurred, will only be required if the Fire Separation requirements of the National Construction Code have not been satisfied