

Approval for Unauthorised Building and Development - Information Sheet

The following guidelines are designed to aid you with the preparation and lodgement of an application seeking approval for unauthorised building and development. These guidelines do not address compliance criteria. Building compliance requirements are outlined under the National Construction Code and supporting standards. These requirements are broad and technical in nature. If you are engaging a builder, architect, draftsman, or another similar building professional, they are best placed to guide you where these requirements are concerned.

Do I need approval?

All building and development that requires approval must be approved before it is carried out. Where such work is conducted without an approval, or, contrary to the approval, it is regarded as unauthorised. To correct this, the unauthorised works should be removed, or, an application must be made seeking a Building Approval Certificate.

If you are contemplating an application for a Building Approval Certificate, then you have most likely already identified that the works in question have not been approved where approval was required. If in doubt, please refer to our information guidelines located on our website relating to proposed building/development. These guidelines relate to a variety of different work types and clarify when works are exempt from requiring approval. Alternatively, you may contact the Town who can provide further clarification.

How do I lodge my application?

Once your application is ready to lodge, it is the Town's preference that you submit electronically by email to mail@bassendean.wa.gov.au. If you are unable to email your application, you may alternatively provide a copy of the application on a portable storage device. If necessary, the Town will receive applications in hardcopy, but this will delay your application being formally received and considered.

What do I need to provide with my application?

- A completed application form (see note 1).
- Payment of the application fees (see note 2).
- Provision of plans, specifications and technical documents (see note 3).
- Consent of adjoining property owners where relevant (see note 4).

Note 1 – Building Approval Certificate Application Form.

If you require a Building Approval Certificate for unauthorised works, your application must include a completed BA13 application form for Building Approval Certificate. This form, and

others, can be obtained from the Department of Mines, Industry Regulations and Safety website at the following location;

<https://www.commerce.wa.gov.au/building-and-energy/building-approval-forms-0>

Note 2 – Application Fees – Which fees do I need to pay?

There are a range of fees that may apply to a Building Approval Certificate application. Please review the following information, which will help you identify the fees that apply to your submission, as well as the amount you need to pay.

Building Approval Certificate: This fee must be paid on all Building Approval Certificate applications. A charge of \$105 applies to all applications with an estimate value of works under \$27,700. For works over \$27,700, the fee is 0.38% of the estimated value.

Building Services Levy: This fee must be paid on all Building Approval Certificate applications. A charge of \$123.30 applies to all applications with an estimate value of works under \$45,000. For works over \$45,000, the fee is 0.274% of the estimated value.

Certificate of Building Compliance: This fee is only relevant if you are asking the Town to issue the Certificate of Building Compliance (see Note 3 for clarification of your options). A charge of \$105 applies to all applications with an estimate value of works under \$52,500. For works over \$52,500, the fee is 0.2% of the estimated value.

To execute payment of these fees, it is the Town's preference that you complete a copy of our Credit Card Authorisation form and provide this with your application when you lodge it by email. The form can be found on our website at the following location:

<https://www.bassendean.wa.gov.au/documents/746/credit-card-payment-authority>

Alternatively, you may request a call back from the Town when lodging your application, to facilitate payment by credit card over the phone. Please note, this may incur some delay with the handling of your application. In the event that you are lodging your application in hardcopy, in addition to the above payment options, the Town can also accommodate cheque, cash and eftpos payments.

BCITF Levy: This fee must be paid on all Building Approval Certificate applications with an estimate value exceeding \$20,000. The fee is calculated at 0.2% of the estimated value.

This fee is payable to the Construction Training Fund (CTF), however, the Town is required to site proof of payment prior to granting your approval. Payment can be made through the CTF website, which can be found on the web location below. Once payment has been made, you will be provided a receipt by CTF, which should be included with your application when you lodge it to the Town.

<https://portal.bcif.org/Logon-page.aspx?returnurl=%2fDashboard.aspx>

Note 3 – Plans, Specifications & Technical Documents – What do I need to provide?

Most Building approvals are coupled with a certification document. In the case of a Building Approval Certificate, the certification document is referred to as a Certificate of Building Compliance (CBC). The CBC may be sought from the Town, or, you may choose to source it from an independent Building Surveying Contractor. A list of registered Building Surveying Contractors can be found on the Department of Mines, Industry Regulations and Safety website at the following location;

<https://www.commerce.wa.gov.au/building-and-energy/find-registered-building-surveyor>

Note: This register includes both Building Surveying Contractors and Building Surveying Practitioners.

Only a Building Surveying Contractor can assist you with the provision of the CBC, so please ensure you only select from the list of Contractors, which can be found in the first part of this register.

Once you have decided who you will use to issue your CBC, you should speak to them to determine what information they require. They and they alone dictate what information is required and what form that information must take.

If you are using an independent Building Surveying Contractor (Certifier) to supply your CBC, you must wait for them to issue it before you can lodge your application with the Town. When lodging your application, please ensure that a copy of the Certificate, along with a copy of each of the documents quoted within it by your Certifier, are provided.

If you are using the Town to provide the Certificate, the Town will determine what information is required. The information required will largely depend on the nature and the scope of the work in question It may include:

- An inspection report produced by a registered structural engineer certifying that they have conducted a site inspection of the works and found them to be without structural defect.
- Working drawings such as site plans, floor plans, elevation plans, and sectional drawings, all produced to an appropriate standard and scale.
- Structural designs and details.
- Details addressing energy efficiency compliance for habitable works.
- A Bushfire Attack Level (BAL) assessment for properties located in affected areas.
- Specifications.
- Termite pest control treatment details

Note 4 – Consent of Adjoining Property Owners – When do I need consent?

If the works the subject of your application encroach onto adjoining land, the consent of the affected property owner must be obtained in the prescribed form. A *BA20 – Notice and request for consent to encroach or adversely affect* must be provided with your application. A copy of the BA20 form can be obtained from the Department of Mines, Industry Regulations and Safety website at the following location;

<https://www.commerce.wa.gov.au/building-and-energy/building-approval-forms-0>

When can I expect a response to my application?

The Building Act prescribes strict deadlines that the Town must meet where your application is concerned. If you provide a Certificate of Building Compliance with your application, a response must be given within 10 business days of the application being formally received. If you are asking the Town to issue the Certificate of Building Compliance, a response must be given within 25 business days of your application being received. In most cases, you can expect a response much sooner. You will either receive your Building Approval Certificate, or, you will receive advice outlining why the approval cannot be granted at that time.

Other Approvals

Your works may be subject to other approvals. In some cases, those approvals must be granted before you can obtain your Building Approval Certificate. Examples include:

- Development (Planning) Approval.
- Approval to install or modify a septic apparatus.
- Heritage Council Approval.

If these approvals are required and have not been obtained, the Town will notify you in response to considering your Building Approval Certificate application. However, it is recommended that you confirm the relevance of these applications and seek their approval prior to lodging your application for a Building Approval Certificate.

In the course of obtaining these approvals, you may be required to modify the works. By obtaining these approvals first, these changes will be known to you in advance of preparing your Building Approval Certificate application. This will help you to avoid having to make unnecessary changes to your application that may incur expenses that could have been avoided.