

# Building Information Sheet - Unauthorised Work

## What is unauthorised work?

Unauthorised works are building works that have been commenced without a Building Permit. A Building Approval Certificate (BAC) is used to retrospectively approve unauthorised building work relating to residential Class 1 and 10 structures and an Occupancy Permit is required for commercial Class 2 - 9 structures.

## What can I do about an unauthorised structure?

Building work must not be commenced without a Building Permit where one is required. The *Building Act 2011* allows a person to make an application to approve unauthorised building work in relation to a building or incidental structure. This process should not be used to circumvent the need for a Building Permit.

The retrospective approval process may assist those who are buying or selling a property that has an unauthorised structure. If you have commenced building work without approval, or purchased a property with unauthorised structure/s, you are able to submit an application to obtain retrospective approval from the City of Armadale.

In most cases, the City is able to grant retrospective approval for unauthorised structures. In certain circumstances, if the unauthorised building/structure does not comply with the Building Code of Australia (BCA) or relevant standards, the property owner may be requested to complete building work to achieve compliance with the relevant standards or remove the structure.

In cases where the *Building Act 2011* has been breached, the City may consider legal action which could include the issuance of a building order and/or referral to the City's solicitors for prosecution.

For further information, please visit <https://my.armadale.wa.gov.au/service/unauthorised-building-work-and-building-complaints>.

## How do I obtain retrospective approval?

Obtaining retrospective approval is a two-stage process, comprising firstly of obtaining a Certificate of Building Compliance. Once a Certificate of Building Compliance has been issued, an application to the City for a Building Approval Certificate for residential structures or an application for an Occupancy Permit for commercial structures.

### Certificate of Building Compliance

A Certificate of Building Compliance (CBC) can be obtained from a registered Building Surveying Practitioner. The Building Surveyor will need to gather relevant information to ensure the applicable building standards have been met.

A CBC is required to ensure the unauthorised building or incidental structure is compliant with the Building Codes of Australia.

### Building Approval Certificate or Occupancy Permit

A Building Approval Certificate or an Occupancy Permit is issued by the City to confirm that the building has been assessed by a registered Building Surveying Practitioner for compliance and that a Certificate of Building Compliance (CBC) has been issued. A building approval certificate is issued for the approval of unauthorised residential structures (class 1 and 10). An occupancy permit is issued for the approval of unauthorised commercial structures (class 2 to 9).

For more information regarding Occupancy Permit or Building Approval Certificate applications, fees and how to apply, please visit <https://my.armadale.wa.gov.au/service/apply-for-building-approval>.

## How long does it take to get retrospective approval?

The City has up to 10 business days to assess an application for retrospective approval, unless further information is required.

## Building Application Checklist - Unauthorised Work

<p><b>A completed application form</b></p> <ul style="list-style-type: none"> <li>• A 'BA13 - Application for Building Approval Certificate' form for residential Class 1 and 10 structures, or;</li> <li>• A 'BA9 – Application for Occupancy Permit' form for commercial Class 2 - 9 structures.</li> <li>• Application form to be completed in full and signed by all property owners and the applicant</li> <li>• Application forms are available from the Department of Local Government, Industry Regulation and Safety's (LGIRS) website <a href="https://www.wa.gov.au/organisation/departments-of-local-government-industry-regulation-and-safety">https://www.wa.gov.au/organisation/departments-of-local-government-industry-regulation-and-safety</a></li> </ul>	
<p><b>Certificate of Building Compliance (CBC)</b></p> <ul style="list-style-type: none"> <li>• Issued by a registered building surveyor practitioner</li> <li>• Include all documentation as referenced on the CBC</li> </ul>	
<p><b>Payment of fees</b></p> <ul style="list-style-type: none"> <li>• Refer to the City's 'Building Services Information Sheet - Fees &amp; Charges' on the City's website <a href="https://my.armadale.wa.gov.au/service/apply-for-building-approval">https://my.armadale.wa.gov.au/service/apply-for-building-approval</a>.</li> </ul>	
<p><b>Construction Training Fund (CTF) Levy receipt</b></p> <ul style="list-style-type: none"> <li>• Required for building works under <i>section 51</i> with a value greater than \$20,000</li> <li>• If the CTF levy is applicable, please visit <a href="https://ctf.wa.gov.au/levy">https://ctf.wa.gov.au/levy</a> to make payment</li> <li>• Please provide a copy of your CTF levy payment receipt with your building application submission</li> </ul>	

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For further information contact **Building Services** on **9394 5000**.