



SECTION 2 – BUILDING

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Policy B.01

Building Permit Fees

Objective

To determine procedures for the calculation and payment of building permit application fees.

Statement

Building Value

It is the Council's policy that Building Licence applications be assessed before approval to determine the estimated value of the proposed construction in accordance with schedule 2 of the Building Regulations 2012, for the purpose of setting Building Permit fees. The Shire's Building Surveyor is empowered by the Building Regulations 2012, to estimate the value of construction where the nominated value is considered unrealistic.

If an applicant does not agree with the estimated value which has been calculated, the applicant may be required to submit such supporting evidence on construction value as considered necessary by the Building Surveyor to enable a revision of the estimated value.

Fee Exemption

That the payment of building permit fees by sporting, charitable and other community groups be waived for building works up to the construction value of \$10,000 (plus GST).

Building constructions works exceeding \$10,000 (plus GST) will only be considered for exemption by the Council if the works are fully funded by the community group and/or the Shire.

This policy does not apply to the levy required by the Builders Services Board (BSL), the Construction Training Fund (CTF), sewage apparatus (septic tanks, leach drains etc) applications or any other statutory fees and charges.

Refunds

That in all cases where a building project is abandoned, and a refund of building licence fee is sought by the holder of the building permit: -

that 50% of the fees paid be reimbursed if the claim is made within 12 months of issue of the building permit where no building work has commenced and;

That no refunds are payable after expiry of 12 months from date of issue of the permit, as the permit is then void.

Duration and Extension to Permits

An extension of time or renewal of Building Permits is to be limited to 12 months per extension.

The fee payable on the renewal of a Building Permits is to be in proportion to the extent of the building to be completed, e.g.:

If 50% completed, then 50% of fee charged.

If 75% completed, then 25% of fee charged.

POLICY NO.	B.01
POLICY SUBJECT	Building Permit Fees
ADOPTION DATE	17 June 2004
VARIATION DATE	21 December 2007
LAST REVIEW DATE	18 June 2020

Policy B.02

Building Permits – Kerb Deposit

Objective

To provide a mechanism for the recovery of any likely damage to roads, kerbing or footpaths as a result of building works.

Statement

It is the Council policy to require recipients of a building permit to lodge a bond to cover any likely damage that may be caused to Shire's roads, kerbing and or footpaths during the time of construction. The bond is to be lodged prior to the issue of a building permit.

The Council will establish the amount of bond and include the same in its annual schedule of fees and charges. The amount of the bond will be reviewed annually as part of the budget process.

POLICY NO.	B.02
POLICY SUBJECT	Building Permits – Kerb Deposit
ADOPTION DATE	17 June 2004
VARIATION DATE	21 December 2007
LAST REVIEW DATE	18 June 2020

Policy B.03

Building Approvals – Variations of “R” Codes

Objective

To determine requirement where applicants request a variation of the Residential ‘R’ codes.

Statement

That applications for special approval for buildings which involve exemption or significant variation from any provisions of the “R” codes, the applicants will be required to provide with the application proof that affected neighbours have been notified in writing of the intentions of the applicant, and that they may lodge objections to the proposal with the Council.

POLICY NO.	B.03
POLICY SUBJECT	Building Approvals – Variations of “R” Codes
ADOPTION DATE	17 June 2004
LAST REVIEW DATE	18 June 2020

Policy B.04

Building Stormwater Drainage

Objective

To clarify the requirements for the disposal of stormwater.

Statement

Every owner of a building whether on residential, commercial, industrial, special rural or rural zoned land is responsible for ensuring that adequate guttering and down pipes are provided to carry the stormwater from an "average" rain storm, and dispose of the storm water away from the foundations of all buildings on the property, or adjoining properties preferably onto a road way (with approval from the Manager of Works and Services) then flow through the road stormwater/drain water drainage system.

Policy W13 "Connection of Private Landholders Stormwater into Councils Stormwater Drainage System" is to be read in conjunction with policy B04.

POLICY NO.	B.04
POLICY SUBJECT	Building Stormwater Drainage
ADOPTION DATE	17 June 2004
VARIATION DATE	16 May 2013
LAST REVIEW DATE	18 June 2020

Policy B.05

Building with Bush Timber

Objective

To determine requirements for the use of bush timber for external uprights on buildings.

Statement

Should a building application be submitted for a dwelling whereby the applicant wishes to utilise 'bush timber' for any external uprights on the building then that timber shall comply with the following: -

1. Timber may only be selected from the following:
 - White Gum (Wandoo)
 - Jarrah
 - Karri
2. All timber upon erection is to have no more than 0.5 degree variance from the straight perpendicular which is equivalent to 20 mm distance from the perpendicular at 2400 mm above ground level.
3. All timber is to be of uniform size and length.
4. All bark shall be removed, and branches shall be cut off at the main trunk to render a smooth surface.
5. Timber shall be sealed to render a finished surface which is impervious (to water).

POLICY NO.	B.05
POLICY SUBJECT	Building with Bush Timber
ADOPTION DATE	17 June 2004
LAST REVIEW DATE	18 June 2020

Policy B.06

Building Application – Land without Legal Access

Objective

To ensure applicants are informed of land which has no legal access.

Statement

Should the Building Surveyor become aware of legal access not being provided to a property, the applicant shall be advised in writing that: -

1. As far as the Council is aware no legal access to the land exists;
2. He/she should seek legal opinion on the position regarding access to the land, prior to the commencement of building operations;
3. Be advised that the Shire is under no obligation to provide legal access to the land at present or any time in the future.

POLICY NO.	B.06
POLICY SUBJECT	Building Application – Land without Legal Access
ADOPTION DATE	17 June 2004
VARIATION DATE	21 December 2007
LAST REVIEW DATE	18 June 2020

Policy B.07 Sub-Standard Buildings

Objective

To provide guidelines where a building is determined as sub-standard.

Statement

Should a sub-standard dwelling or other buildings on any location or lot throughout the Shire become known to the Shire Officers then an appropriate order subject to the provisions of the Health Act and/Building Act 2012 be prepared and served on the owners of the properties concerned.

In the case of there being more than one dwelling on any location, the matter is to be referred to the Council for consideration.

The maximum time frame allowed for completion of all works required by the notice shall be as follows: -

Where only building additions or alterations are required, which the Building Surveyor determines that a building permit is not required and the majority of required works involved the provision of toilet and ablution facilities, then all works to be completed within one year.

Where substantial building alterations, or complete rebuilding together with the provision of toilet and ablution facilities is required the following is to apply: -

- a) Appropriate plans and specifications shall be submitted to the Shire and a building permit obtained within three months.
- b) Works are to be substantially commenced within one year.
- c) All works to be completed within a period of two years of issue of the original notice.

POLICY NO.	B.07
POLICY SUBJECT	Sub-Standard Buildings
ADOPTION DATE	17 June 2004
VARIATION DATE	21 December 2007
LAST REVIEW DATE	18 June 2020

Policy B.08

Resited Transportable Residences

Objective

To determine requirements relating to resited/transportable residences.

Statement

Relocated houses may not be brought into the shire until a building permit is issued.

The re-erection of a second-hand building that has been removed and transported from another site or from another location on the same site shall be regarded as being the erection of a new building. A demolition permit shall be obtained from the local government in which the building is located prior to removal.

Houses clad with asbestos cement sheeting will be permitted, provided the cladding is undamaged and the relocation complies with the Health (Asbestos) Regulations, 2012, specifically:

1. That part of the building built wholly or partly with asbestos cement sheet is not substantially dismantled.
2. A person shall not cut or deliberately break asbestos cement sheet for the purpose, or in the course of moving a dwelling/house built wholly or partly with asbestos cement sheet. (See note 2 - Conditions).

A building application will comply with clause 5.17 of Town Planning Scheme No 2 and clause 1.7 of the Residential Planning Codes.

The visual amenity of the building shall be brought up to the required standard within three (3) months of being placed on the lot.

The application shall include: -

1. **STRUCTURAL ENGINEER'S REPORT:** The dwelling is to be inspected by a practising Structural Engineer who is to issue a full report, stating that the proposed dwelling is in a sound structural condition and can be transported and relocated on a stump floor system. The report must also detail any defects in relation to cladding, roofing, etc and repairs necessary to bring the house up to the required standard.
2. **PHOTOGRAPHS** of each elevation.
3. **BUILDING PLANS** of the dwelling as per the Building Regulations, 2012.
4. **SEPTIC TANK** application form and plans.
5. The **BUILDING Permit FEE** and bond (cash or bank guarantee) must be paid prior to the issuing of a building permit. The Chief Executive Officer is authorised to make progressive refunds (a maximum of 2 refunds) of the bond as the required works are finished.

NOTE: Relocation into the Shire prior to the permit fee and bond being paid may result in prosecution and the offender will be required to remove the house and relocate it outside the Shire boundary.

CONDITIONS

1. Stumps may be of timber, steel or concrete. All timber stumps and sole plates to be of new jarrah or other hardwood approved by the Building Surveyor. No second-hand wood stumps or sole plates to be used.
2. All damaged sections of external wall cladding, and roof sheeting shall be replaced with new material to match existing.
3. If more than 10% of roofing sheets, gutters, ridge caps or flashings are affected by rust then those sheets or materials must be replaced with new roofing materials to match existing.
4. Any damaged or rusted gutters or downpipes are to be replaced with new materials to match existing.
5. Any damaged tiles to be replaced with new tiles of the same colour and design as the existing tiles.
6. All external items (architraves, fascia's, barge boards etc) are to be replaced with new material where necessary due to damage incurred in transit, splitting, rot or other reason, to match existing.
7. All windows and openings are to comply with the Building Code of Australia. All broken glass in the dwelling is to be replaced, all windows and doors to open freely and locks and catches are to be easily operable.
8. The dwelling to give an aesthetically pleasing and professionally finished appearance.
9. The building is not to be occupied prior to final inspection by the Building Surveyor.
10. The Shire at all times reserves the right to revoke the above building permit and require the building to be removed from the site, in the circumstances where damage sustained by the dwelling during sectioning, transport or re-erection renders the building to be, in the opinion of the Shire, of an unacceptable standard for relocation to the site.
11. Cement tiled roofs shall be replaced with new material being either clay tiles, Zinalume or Colourbond sheeting.
12. Clay tiled roofs shall be cleaned to the satisfaction of the Building Surveyor.
13. Applicants are encouraged to erect verandahs over all external doors and a full-length patio, a minimum of 2.4 metres wide, to the rear of the building. Materials shall be new.
14. Other conditions may be imposed as the Shire sees fit.

POLICY NO.	B.08
POLICY SUBJECT	Resited Transportable Residences
ADOPTION DATE	17 June 2004
LAST REVIEW DATE	18 June 2020

Policy B.09

Buildings – Set out by Licensed Surveyor

Objective

To ensure that specified buildings are correctly sited.

Statement

It is Council's policy that the following condition be imposed on all building permits issued for all developments excluding single residential buildings, outbuildings, etc. That is, the condition is to be imposed on duplexes, group residential, commercial, industrial and the like.

All buildings, excluding single residential buildings, outbuildings, etc, are to be set out by a licensed surveyor. The set out is not to occur unless the boundaries of the lot have been re-established by a licensed surveyor who confirms that the survey pegs determining the lot boundaries are correctly positioned.

Prior to the construction of a residential building in a gazetted townsite, the set out is not to occur unless the boundaries of the lot have been re-established by a licensed surveyor who confirms that the survey pegs determining the lot boundaries are correctly positioned.

POLICY NO.	B.09
POLICY SUBJECT	Buildings – Set out by Licensed Surveyor
ADOPTION DATE	17 June 2004
LAST REVIEW DATE	18 June 2020

Policy B.10

Building Materials Standards in Industrial and Light Industrial Areas

Objective

To determine the minimum standard of building materials relating to the development of workshops and other associated outbuildings in the 'Industrial' and 'Light Industrial' zones.

Statement

In order to maintain consistency in considering developments within the 'Industrial' and 'Light Industrial' zones for future planning applications, the Council will require compliance with the following provisions.

The minimum standard of building materials to be used in the construction of roofs on buildings, workshops and any associated outbuildings in the 'Industrial' and 'Light Industrial' zones shall be: -

- corrugated iron
- Zinalume
- Colorbond

In relation to external walls, consideration will be given to the use of the following materials subject to a planning application being forwarded to the Shire:-

- Concrete
- Brick
- Stone
- Rammed earth

POLICY NO.	B.10
POLICY SUBJECT	Building Materials Standards in Industrial and Light Industrial Areas
ADOPTION DATE	17 June 2004
VARIATION DATE	21 December 2007
LAST REVIEW DATE	18 June 2020

Policy B.11

Wood Encouragement Policy

Objective

To ensure that wood is considered as a building material for all new Shire buildings and encourage its use within the Shire.

The aim is to ensure that the use of wood is considered, not that its use be mandated as economic and other factors may dictate the use of other materials.

Statement

It is Council policy that:

- the use of wood will be considered for all new Shire buildings as part of the normal process of planning, designing and construction.
- the use of wood in all new buildings be encouraged

POLICY NO.	B.11
POLICY SUBJECT	Wood Encouragement Policy
ADOPTION DATE	16 December 2016
LAST REVIEW DATE	18 June 2020