

Building Information Sheet: Retrospective Approval

Introduction

A Building Approval Certificate can be applied for to retrospectively approve unauthorised work after the building is completed.

If the unauthorised works are not subject to any ongoing enforcement action, the City of Canning is able to issue a Building Approval Certificate when an owner has submitted an application, paid the required fees and demonstrated that the building work complies with all of the relevant standards. This provision allows The City to issue an approval and be satisfied that the building is safe, complies with all necessary requirements, and is included in the building's records

What plans and specifications do I need to submit with an application for a Building Approval Certificate?

Along with a completed application form for Building Approval Certificates – (Form BA 13) you will need to supply:

- A Certificate of Building Compliance (Form BA 18). This certificate needs to be issued by an appropriately registered Building Surveyor and satisfy the relevant provisions of the Building Act 2011.
- Copies of all the plans and documents referenced in the Certificate of Building Compliance.

A Certificate of Building Compliance provides evidence that the building will not adversely affect the safety of occupants, is suitable for use in its current state, complies with the City of Canning's local laws, Town Planning Policies and any Building Code requirements that are applicable at the time of the application being made.

What are the fees for an approval certificate application?

For application fees please refer to the "building fees schedule" on the City's website.

Offences and penalties

Owners and Builders should be mindful that performing unauthorised building work is an offence under the Building Act 2011 and either the City or the Building Commission may prosecute any breaches.

It should be noted, however, that the offences for these breaches continue to apply only to the person who commits the offence(s), ie. the Builder or original owner who commences unauthorised building

work or who allows an unauthorised building to be occupied, not a person who may subsequently become the owner.

From 2 April 2012, breaches of these provisions may attract a maximum penalty of \$100,000 for unauthorised building work. Furthermore, the penalty for permitting the occupation of an unauthorised building is \$50,000 for the first offence.

Please note that these penalties are also applicable to change of use without obtaining The City's approval in the form of a new occupancy permit.

Disclaimer

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