



Policy 4.2.5 – Approval of Building Permits

1. Policy

A building permit will only be issued in respect of a lot which:

- has a title issued; and
 - abuts a road which provides all weather access, as determined by the Principal Building Surveyor in consultation with the Executive Manager of Technical Services, or which has access to a constructed road (i.e. it must have a road frontage); or
 - complies with the zoning provisions of the Town Planning Scheme in respect to the intended development; or
- in a “residential” (including “special residential”) zone, the Diagram of Survey has been approved by the Western Australian Planning Commission and the lot has trafficable/open road access or access can be obtained across private property (with the owner’s written consent) from another trafficable/open road; and
- Notwithstanding the provisions of the above paragraphs, a building permit shall not be issued until a copy of a receipt containing a dealing number from the Department of Land Administration has been presented to the Principal Building Surveyor.

Building Permits Lists

It is Council’s policy to make available copies of the monthly lists of building permits issued to any individual or company wishing to receive same, but subject to the payment of the annual or monthly charge set by Council each year and contained within the annual schedule of fees and charges.

Refund of Building Permit Fees

It is Council’s policy to refuse any application for a refund of any building permit fee and the Principal Building Surveyor is authorised to inform any applicant of Council’s refusal without reference to the Council. Applicants are to be advised to apply direct to the Construction Training Fund (C.T.F.) for any refund of the C.T.F. levy. However, Council shall refund the Building Services levy in accord with the provisions of the WA Building Commission. Likewise, the Builders’ Registration Board (BRB) for any refund of the BRB Levy.

Additions to Existing Buildings

Where additions to existing dwellings can be viewed from the primary street frontage, the visible walls and roof cladding to the addition shall be of the same external construction as the existing dwelling. If the applicant is not agreeable with the requirements of this policy, the proposal is to be submitted to Council for determination.

Front Setback - R15 and Above - Kingston Estate

The front setback for lots zoned R15 and above within the Kingston Estate, Australind, shall not be less than 3 metres with an average of 4 metres subject to vehicle access and parking within the lots as per the requirements of the Residential Design Codes of Western Australia.



Performance Based Solutions under the Provision of the Residential Design Codes

Administration of requests to process applications under the provisions of the performance criteria of the Residential Planning Codes (R Codes) it is Council's Policy to:

- Where an application has been referred to the adjoining landowners for comment and no adverse comments have been received the application shall be processed on its merit; and
- Where an application has been referred to the adjoining land owners for comment with adverse comments being received the application shall be referred to Council for determination on its merit

2. Strategic objective

The policy aligns to the following strategic objective:

	We have a balanced respect for our natural assets and built environment, retaining our lifestyle values and community spirit.
	Strong civic leadership representing the whole of the Shire which engages in effective partnerships and reflects the aspirations of an engaged community.

3. Definitions

- Nil.

4. Legislation

- *Building Act 2011 and Regulations 2012.*
- *Building and Construction Industry.*
- *Training Fund and Levy Collection Act.*
- *1990 and Regulations 1991.*
- *Building Services Levy Act 2011;* and
- *Building Services (Registration) Regulation 2011.*

5. Related documents

- Former Council Policy Numbers 19.1, 19.1.1, 19.1.2, 19.1.3, 19.1.4, 19.1.5 and 19.1.6.

Responsible officer	Director Sustainability		
Responsible team	Building		
Responsible area	Building Services		
Version control	Date	Resolution	Number
Version 1	24.03.1997	Resolution	
Version 2	26.05.1998	Resolution	
Version 3	13.07.2004	Resolution	19357/10
Version 4	08.05.2007	Resolution	21548
Version 5	23.09.2008	Resolution	08/416
Version 6	13.11.2013	Resolution	13/363