

APPOINT – PRINCIPAL BUILDING SURVEYOR

Reference: OCM 14/12/10 Item 4.3.2 **Sub delegated:** No

Directorate: Office of the Chief Executive Officer

Applicable Legislation & Policy: Local Government (Miscellaneous Provisions) Act 1960

Delegation from Council:

That, under section 373A (Qualifications) and section 373B (Appointment of local government building surveyors) of the Local Government (Miscellaneous Provisions) Act 1960, the CEO be delegated authority to appoint a principal building surveyor.

Reporting requirement: Principal Building Surveyor HR File

BUILDING LICENCES

Reference: OCM 14/12/10 Item 4.3.4 **Sub delegated:** Yes

Directorate: Planning and Development Services: Building

Applicable Legislation & Policy:

- Local Government (Miscellaneous Provisions) Act 1960, Part XV, Division 2
- Local Government (Building Surveyors) Regulations 2008, Regulation 6(4)

Delegation from Council:

That, under the Local Government (Miscellaneous Provisions) Act 1960, section 374AAB and regulation 6(4) of the Local Government (Building Surveyors) Regulations 2008, the CEO be delegated authority to appoint qualified building surveyors and/or technicians to approve or refuse:

- Plans and specifications submitted under section (s.374);
- Unauthorised building works under section (s.374AA);
- Buildings which encroach over a public place or street no more than 0.4 of a metre; and
- Enforce the completion or removal of unfinished buildings (s.409A).

Condition(s): Not applicable


Sub delegates Conditions:

- **Level 1 – Building Surveyor:** Authority to approve or refuse a building licence application or building approval certificates, under sections 374 and 3674AA. **Conditions:** Unrestricted assessment and certification.
- **Level 2 – Building Surveyor:** Authority to approve or refuse a building licence application or building approval certificates, under sections 374 and 3674AA. **Conditions:** Restricted to assessing and certifying compliance of building that are not more than three (3) storeys and 2000m² in total floor area.
- **Level 3 - Building Surveyor/Technician:** Authority to approve or refuse a building licence application or building approval certificates, under sections 374 and 3674AA. **Conditions:** Restricted to assessing and certifying compliance of building that are not more than two (2) storeys and 500m² in total floor area.

Authorised Positions:

Authority is sub delegated to approve or refuse:

- Plans and specifications submitted under section (s.374);
- Unauthorised building works under section (s.374AA);
- Buildings which encroach over a public place or street no more than 0.4 of a metre; and
- Enforce the completion or removal of unfinished buildings (s.409A).

 <p>Delegation of Authority</p> <p>BUILDING PERMIT</p>	
Function to be performed:	To approve or refuse to approve plans and specifications submitted under section 20 of the <i>Building Act 2011</i>
Delegator:	Council of the City of Albany
Delegate:	Executive Manager Building and Health Services Principal Building Surveyor Building Surveyor(s)
Sub-delegation to:	N/A
Legislative Powers:	Sections 20, 22 and 127 of the <i>Building Act 2011</i>
Conditions and Exceptions:	In undertaking the functions of this delegation, Building Surveyors must: <ul style="list-style-type: none"> 1) Be employed by the City of Albany in accordance with section 5.36 of the <i>Local Government Act 1995</i>; and 2) Hold the appropriate qualifications as set out under Regulation 6 of the <i>Local Government (Building Surveyors) Regulations 2008</i>
Duration of delegation:	Until next annual review
Origin of Delegation:	
Delegation last reviewed:	



Delegation of Authority

DEMOLITION PERMIT

Function to be performed:	To approve or refuse to approve plans and specifications submitted under section 21 of the <i>Building Act 2011</i>
Delegator:	Council of the City of Albany
Delegate:	Executive Manager Building and Health Services Principal Building Surveyor Building Surveyor(s)
Sub-delegation to:	N/A
Legislative Powers:	Sections 21, 22 and 127 of the <i>Building Act 2011</i>
Conditions and Exceptions:	In undertaking the functions of this delegation, Building Surveyors must: <ul style="list-style-type: none"> 1) Be employed by the City of Albany in accordance with section 5.36 of the <i>Local Government Act 1995</i>; and 2) Must hold the appropriate qualifications as set out under Regulation 6 of the <i>Local Government (Building Surveyors) Regulations 2008</i>
Duration of delegation:	Until next annual review
Origin of Delegation:	
Delegation last reviewed:	



Delegation of Authority

GRANT OCCUPANCY PERMIT AND BUILDING APPROVAL CERTIFICATE

Function to be performed:	To approve, modify or refuse to approve applications submitted under section 58 of the <i>Building Act 2011</i>
Delegator:	Council of the City of Albany
Delegate:	Executive Manager Building and Health Services Principal Building Surveyor Building Surveyor(s)
Sub-delegation to:	N/A
Legislative Powers:	Sections 58 and 127 of the <i>Building Act 2011</i>
Conditions and Exceptions:	In undertaking the functions of this delegation, Building Surveyors must: <ul style="list-style-type: none"> 1) Be employed by the City of Albany in accordance with section 5.36 of the <i>Local Government Act 1995</i>; and 2) Hold the appropriate qualifications as set out under Regulation 6 of the <i>Local Government (Building Surveyors) Regulations 2008</i>
Duration of delegation:	Until next annual review
Origin of Delegation:	
Delegation last reviewed:	



Delegation of Authority

**EXTENSION OF PERIOD OF DURATION OF AN
OCCUPANCY PERMIT OR BUILDING APPROVAL
CERTIFICATE**

Function to be performed:	To approve or refuse to approve applications submitted under section 65 of the <i>Building Act 2011</i>
Delegator:	Council of the City of Albany
Delegate:	Executive Manager Building and Health Services Principal Building Surveyor Building Surveyor(s)
Sub-delegation to:	N/A
Legislative Powers:	Sections 65 and 127 of the <i>Building Act 2011</i>
Conditions and Exceptions:	In undertaking the functions of this delegation, Building Surveyors must: <ul style="list-style-type: none"> 1) Be employed by the City of Albany in accordance with section 5.36 of the <i>Local Government Act 1995</i>; and 2) Hold the appropriate qualifications as set out under Regulation 6 of the <i>Local Government (Building Surveyors) Regulations 2008</i>
Duration of delegation:	Until next annual review
Origin of Delegation:	
Delegation last reviewed:	



Delegation of Authority

BUILDING APPLICATION FEES

Function to be performed:	<p>To waiver, increase, reduce or refund the payment of building service application fees in the following circumstances:</p> <ul style="list-style-type: none"> • The application is on behalf of a non-profit or charitable organisation. • Where an application is cancelled prior to final determination. • Where an applicant has requested a renewal of an expired decision. • For a request for the City to provide a Certificate in respect to a proposed development that is not part of a statutory application. • Any major development made on behalf of local government or government department where most of the assessment has already been carried out; <p>Any waiver, increase, reduction or refund of a fee shall be based on the following criteria:</p> <ul style="list-style-type: none"> • Be reflective of the benefit of the proposal to the community. • The proposal not being intended to be a money making venture for the benefit of the organisation. • The level of work undertaken by the City of Albany at the time of cancellation. • Cover administrative, advertising and other such costs incurred by the City of Albany
Delegator:	Council of the City of Albany
Delegate:	Chief Executive Officer
Sub-delegation to:	Executive Director Planning and Development Services Executive Manager Building & Health Services
Legislative Powers:	Sections 6.12, 5.42 & 5.44 of the <i>Local Government Act 1995</i>
Conditions and Exceptions:	Nil
Duration of delegation:	Until next annual review
Origin of Delegation:	
Delegation last reviewed:	



Delegation of Authority
BUILDING ORDERS

Function to be performed:	<ol style="list-style-type: none"> 1) To make Building Orders pursuant to section 110 of the <i>Building Act 2011</i> in relation to: <ul style="list-style-type: none"> • Stop work, demolish/remove a building, alter a building or evacuate a building, where there is a contravention of a provision of the <i>Building Act 2011</i>; • Take a specific action to prevent contravention of the <i>Building Act 2011</i>; • Finish an outward facing side of a wall; • Buildings which are considered as being unsafe or not fit for human habitation. 2) To revoke Building Orders pursuant to section 117 of the <i>Building Act 2011</i>.To
Delegator:	Council of the City of Albany
Delegate:	Chief Executive Officer
Sub-delegation to:	Executive Director Planning and Development Services Executive Manager Building and Health Services Principal Building Surveyor
Legislative Powers:	Sections 110, 117 and 127 of the <i>Building Act 2011</i>
Conditions and Exceptions:	<ol style="list-style-type: none"> 1) The Executive Director Planning and Development Services and Executive Manager Building and Health Services may: <ul style="list-style-type: none"> • Seek legal advice on the issue of a Building Order where it is considered appropriate. • Determine that a Building Order is to remain in effect in accordance with section 117(2) of the <i>Building Act 2011</i> where it is considered appropriate. 2) In undertaking the functions of this delegation, Building Surveyors must: be employed by the City of Albany in accordance with section 5.36 of the <i>Local Government Act 1995</i>
Duration of delegation:	Until next annual review
Origin of Delegation:	
Delegation last reviewed:	



Delegation of Authority

AUTHORITY TO COMMENCE PROSECUTIONS

Function to be performed:	Authority to commence prosecutions pursuant to section 139 of the <i>Building Act 2011</i> .
Delegator:	Council of the City of Albany
Delegate:	Chief Executive Officer
Sub-delegation to:	N/A
Legislative Powers:	Section 139 of the <i>Building Act 2011</i>
Conditions and Exceptions:	Nil
Duration of delegation:	Until next annual review
Origin of Delegation:	
Delegation last reviewed:	

Uncertified Applications	
Certificate of Design Construction (Class 1 and 10 buildings)	0.13% of the estimated value (inclusive if GST) but not less than \$90.
Certificate of Design Construction (Class 2 to 9 buildings)	0.09% of the estimated value (inclusive if GST) but not less than \$90.
Request to provide a Certificate of Design Construction for buildings outside City of Albany boundaries (Class 1 and 10)	0.13% of the estimated value (inclusive if GST) but not less than \$90.
Request to provide a Certificate of Design Construction for buildings outside City of Albany boundaries (Class 2 to 9)	0.09% of the estimated value (inclusive if GST) but not less than \$90.
Request to provide Certificate of Construction Compliance	\$100 per hour, with a minimum of \$200
Request to provide a Certificate of Building Compliance	\$100 per hour, with a minimum of \$200

Other fees (Excluding GST)	
Application for copies of permits, building approval certificates in register	\$50.00
Providing advice on town planning, environmental health or stormwater disposal requirements and/or providing written confirmation of compliance with town planning, environmental health and stormwater requirements.	\$100 per hour, with a minimum of \$200.00
Inspections (per hour)	\$100.00