

Building or Altering a Swimming Pool or Spa - Information Sheet

The following guidelines are designed to aid you with the preparation and lodgement of a Building Permit application. They do not address compliance criteria. The compliance requirements of the National Construction Code and supporting standards are broad and technical. If you are engaging a builder, architect, draftsman, or another similar building professional, they are best placed to guide you with these compliance requirements.

Do I need approval?

Any person intending to place a new swimming pool or spa on their property is required to obtain a Building Permit prior to commencing the works. This requirement applies irrespective of the pool/spas form of construction. Notable exemptions include any pool or spa that cannot hold water exceeding 300mm in depth.

Note: While works may be exempt from requiring approval, they are not exempt from complying with the relevant Building Standards. If in doubt, please check with the Town prior to carrying out works.

How do I lodge my application?

Once your application is ready to lodge, it is the Town's preference that you submit electronically by email to mail@bassendean.wa.gov.au. If you are unable to email your application, you may alternatively provide a copy of the application on a portable storage device. If necessary, the Town will receive applications in hardcopy, but this will delay your application being formally received and considered.

What do I need to provide with my application?

- A completed application form (see note 1).
- Payment of the application fees (see note 2).
- Provision of plans, specifications and technical documents (see note 3).
- Consent of adjoining property owners where relevant (see note 4).

Note 1 – Building Permit Application Form - What is the difference between a Certified or Uncertified application?

Every Building Permit is partnered with a document called a "Certificate of Design Compliance" (Certificate). While the Building Permit must be issued by the Town, as the applicant, you must decide where you will source the Certificate from. You may ask the Town to issue the Certificate, or, you may choose to obtain it from an independent Building Surveying Contractor.

If you want the Town to supply the Certificate, you must lodge an Uncertified Building Permit application using the BA2 application form. If you intend to obtain the Certificate from an

independent Building Surveying Contractor, you must lodge a Certified Building Permit application using the BA1 application form. These forms, and others, can be obtained from the Department of Mines, Industry Regulations and Safety website at the following location;

<https://www.commerce.wa.gov.au/building-and-energy/building-approval-forms-0>

Furthermore, a list of registered Building Surveying Contractors can also be found on the Department of Mines, Industry Regulations and Safety website at the following location;

<https://www.commerce.wa.gov.au/building-and-energy/find-registered-building-surveyor>

Note: This register includes both Building Surveying Contractors and Building Surveying Practitioners.

Only a Building Surveying Contractor can assist you with the provision of the Certificate, so please ensure you only select from the list of Contractors, which can be found in the first part of this register.

Note 2 – Application Fees – Which fees do I need to pay?

There are a range of fees that may apply to a Building Permit application. Please review the following information, which will help you identify the fees that apply to your submission, as well as the amount you need to pay.

Building Permit Application: This fee must be paid on all Building Permit applications. A charge of \$105 applies to all applications with an estimate value of works under \$55,500. For works over \$55,500, the fee is 0.19% of the estimated value.

Building Services Levy: This fee must be paid on all Building Permit applications. A charge of \$61.65 applies to all applications with an estimate value of works under \$45,000. For works over \$45,000, the fee is 0.137% of the estimated value.

Certificate of Design Compliance: This fee is only relevant if you are lodging an Uncertified Application where you are asking the Town to supply the Certificate of Design Compliance. Where this is the case, please disregard the Building Permit Application fee above in favour of the following. For applications with an estimate value under \$33,000, the combined Building Permit application fee and Certification fee is \$105. For works over \$33,000, the combined Building Permit application fee and Certification fee is calculated at 0.32% of the estimated value.

Security Bond & Inspection: This charge applies to all building works where the Town is of the opinion that our infrastructure is at a high risk of damage. If your scope of works are likely to include the use of heavy machinery (trucks, excavators, cranes and the like) or the delivery of bulk materials, then this charge will apply. The bond is calculated at \$95 per metre of

street frontage your property has, with a minimum charge of \$2805 applicable in all cases. A \$150.50 inspection fee is also required. Please Note, the bond is refundable on completion of the works, provided any damage caused has been corrected.

To execute payment of these fees, it is the Town's preference that you complete a copy of our Credit Card Authorisation form and provide this with your application when you lodge it by email. The form can be found on our website at the following location:

<https://www.bassendean.wa.gov.au/documents/746/credit-card-payment-authority>

Alternatively, you may request a call back from the Town when lodging your application, to facilitate payment by credit card over the phone. Please note, this may incur some delay with the handling of your application. In the event that you are lodging your application in hardcopy, in addition to the above payment options, the Town can also accommodate cheque, cash and eftpos payments.

BCITF Levy: This fee must be paid on all Building Permit applications with an estimate value exceeding \$20,000. The fee is calculated at 0.2% of the estimated value.

This fee is payable to the Construction Training Fund (CTF), however, the Town is required to site proof of payment prior to granting a Building Permit. Payment can be made through the CTF website, which can be found on the web location below. Once payment has been made, you will be provided a receipt by CTF, which should be included with your application when you lodge it to the Town.

<https://portal.bcif.org/Logon-page.aspx?returnurl=%2fDashboard.aspx>

Note 3 – Plans, Specifications & Technical Documents – What do I need to provide?

Once you have decided who you will use to issue your Certificate of Design Compliance (Certificate), you should speak to them to determine what information they require. They and they alone dictate what information is required and what form that information must take.

If you are using an independent Building Surveying Contractor (Certifier) to supply your Certificate, you must wait for them to issue it before you can lodge your application with the Town. When lodging your application, please ensure that a copy of the Certificate, along with a copy of each of the documents quoted within it by your Certifier, are provided.

If you are using the Town to provide the Certificate, the Town will determine what information is required. The information required will largely depend on the nature and the scope of work you are proposing to carry out. It may include:

- Working drawings such as a site plan produced to an appropriate standard and scale.
- Structural designs and details certified by a registered structural engineer.
- Details addressing both temporary barriers and the permanent barrier intended to secure the pool/spa against access by young children.

Please note, irrespective of whether you are lodging a certified application or an uncertified one, the Town is obligated to ensure you provide adequate details demonstrating that the pool/spa will be secure against access by you children in accordance with current standards. For further information where these standards are concerned, please see the “Rules for Pools and Spas” brochure. This brochure can be obtained from the Department of Mines, Industry Regulations and Safety website at the following location:

<https://www.commerce.wa.gov.au/publications/rules-pools-and-spas>

Note 4 – Consent of Adjoining Property Owners – When do I need consent?

If the proposed works include any of the following, the consent of the affected property owner is required:

- Removal of common boundary fences.
- Access onto adjoining properties.
- Encroachment of works onto adjoining land.
- Excavations or other actions that may undermine or adversely affect adjoining land.

Consent must be obtained in a prescribed form. Where removal of fences and/or access to adjoining land is proposed, the completion of a *BA20A – Notice and request for consent* form is required. Where encroachment is proposed, or works may adversely affect adjoining land, the completion of a *BA20 – Notice and request for consent to encroach or adversely affect* is required.

Copies of these consent forms should be provided with your application. In the case of a BA20, a Building Permit cannot be granted until this has been provided. These forms, and others, can be obtained from the Department of Mines, Industry Regulations and Safety website at the following location:

<https://www.commerce.wa.gov.au/building-and-energy/building-approval-forms-0>

When can I expect a response to my application?

The Building Act prescribes strict deadlines that the Town must meet where your application is concerned. For a Certified application, a response must be given within 10 business days of the application being formally received.

For an Uncertified application, a response must be given within 25 business days of your application being received. In most cases, you can expect a response much sooner. You will either receive your Building Permit, or, you will receive advice outlining why the Permit cannot be granted at that time.

Other Approvals

The works you propose may be subject to other approvals. In some cases, those approvals must be granted before you can obtain a Building Permit. Examples include:

- Development (Planning) Approval.
- Approval to install or modify a septic apparatus.
- Heritage Council Approval.

If these approvals are required and have not been obtained, the Town will notify you in response to considering your Building Permit application. However, it is recommended that you confirm the relevance of these applications and seek their approval prior to lodging for Building approval. By doing so, you avoid a delay in obtaining your Building Permit.

Furthermore, in the course of obtaining these approvals, you may be required to change the scope/design of your proposed works. By obtaining these approvals first, these changes will be known in advance of preparing your Building Permit application. This will help you to avoid having to make unnecessary changes to your application.