



# Notes On Building & Planning



## Shire of Pingelly

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*At the time of preparation this information brochure was deemed to be correct. However, as Building Regulations, Residential Planning Codes, Town Planning Scheme and Council Policies are amended from time to time please ensure that you have the most up to date edition of this brochure.*

July 2016

### WHEN TO APPLY FOR APPROVAL

If you propose to erect any building or outbuilding, alter or make additions to any existing building or outbuilding, demolish or remove any building or outbuilding, construct a swimming pool or erect a patio, pergola or the like then you need to apply for town planning development and building approval. Other activities may only require building approval (see below). Always check with the Shire of Pingelly on this requirement.

**Dwellings** in the Residential, Mixed Use & General Agriculture Zones do not require Planning Approval but require Building Approval. Dwellings in the Town Centre & Rural Residential Zones require Planning Approval & Building Approval.

**Outbuildings** over 10m<sup>2</sup> in the Townsite & Rural Residential Zones require Planning and Approval Building and in the General Agriculture Zone Building Approval only (this includes eco shelters).

Applications on the prescribed form, together with plans and specifications are required in duplicate. Plans (minimum scale 1:100) showing the site plan, building plan, building elevation and building end elevation are required. The site plan is to clearly show dimensions from property boundaries, other buildings on the property and effluent disposal systems.

An application fee is payable when the plans are lodged. See the section on fees further on, including BCITF and the Building Services Levy.

Special conditions are applicable to Owner-Builders and may require registration as an owner builder with the Building Commission.

An application for approval of an effluent disposal system is required for dwellings or a building that requires such a system. Chemical toilets will not be approved in the Shire

When your plans and specifications are passed you will be issued with a Building Permit. Also you will be advised of any conditions that apply to your application.

### TOWNSITE DEVELOPMENT DENSITY

Buildings in the townsite must comply with the density requirements of the R-Codes.

### SEPTICS CLEARANCE

All buildings must be at least 1.2m clear of septic tanks and at least 1.8m clear of leach drains.

### BUILDING SETBACKS (TOWNSITE)

As a general rule no building shall be constructed within a distance of 7.5m from the front boundary. Minimum side boundaries are set by the *Residential Design Codes* however generally no building shall be erected within 1.5m of any other lot boundary. These setbacks may be reduced by a decision of Council on written application.

### BUILDING SETBACKS (RURAL RESIDENTIAL)

Building setbacks for rural residential lots are: Front 15m, Rear 10m and Side 10m.

Only one dwelling will be permitted on any lot in the Rural Residential Zone.

Council may permit ancillary accommodation providing it is located within the same building envelope or building clearance area as the first or primary dwelling, or otherwise complies with the *Residential Design Codes*. Outbuildings will not be granted planning approval on any lot within the Rural Residential Zone unless a single dwelling exists on the lot, or planning and building approval has been issued for a single dwelling.

### BUILDING SETBACKS (GENERAL AGRICULTURE)

Building setbacks for general agriculture lots are: Front 20m (50m to major road), Rear 20m and Side 20m. A reduction in setbacks may be permitted if it is shown to the satisfaction of Council that for reasons of topography or lot configuration the prescribed setbacks cannot be adhered to.

Some rural blocks have building envelopes created at the time of subdivision. Should you wish to relocate this envelope, approval will be required. A detailed application in writing, including a clear scaled plan, should be submitted.

### NATIVE VEGETATION

The clearing of trees and indigenous vegetation for lot boundary fence lines, access to building sites and boundary firebreaks is permitted without Shire approval. However, the removal of trees and native vegetation for any other purpose is strictly prohibited without the consent of Council. Also, be aware of the Department of Environment & Conservation's requirements regarding clearing.

### ACCESS POINTS

All access points and crossovers to individual lots are subject to Shire approval. Consideration is given to such

issues as adequate sight distances by road users, drainage requirements and utility services in the area.

## **WATER REQUIREMENTS**

Outside the reticulated water supply area, all buildings intended for residential use must provide for the catchment and storage of rain-water in suitable tanks (minimum of 92,000L) (with impervious covers). Otherwise, a bore or a reticulated supply of potable water is to be provided and connected to the house. When submitting plans for a dwelling house be sure to indicate from where you will be drawing your water supply.

## **SEISMIC BUILDING REQUIREMENTS**

As the whole of the Shire of Pingelly is subject to the possibility of seismic (earthquake) activity, all dwellings must be designed by a practicing structural engineer. The Acceleration Coefficient for most of the Shire, including the Pingelly townsite, falls between 0.12 and 0.15.

## **SAND PAD**

The *Building Code of Australia* requires an Engineer to classify the building site prior to placement of a sand pad. Depending on the topography and local soil, a sand pad of 600mm compacted in 200mm layers will generally be required. The Engineer will determine the size of the footings necessary and is also required to certify that the pad's compaction is satisfactory.

## **BUILDING PERMIT DURATION**

The duration of the Building Permit is 12 months. If the building has not been finished yet substantial progress has been made, the Permit may be extended for a further 12 months. Further extensions are only given at Council's discretion and are subject to a further building license application fee.

## **RELOCATED BUILDINGS**

Planning approval is required for all transported buildings. An Engineer's certificate of sound condition and suitability for relocation is required for buildings proposed for relocation into the Shire of Pingelly. You will also need to make yourself familiar with the Shire of Pingelly's Relocated Buildings Policy. Note that a performance bond of \$5,000 applies to relocated buildings.

## **BUILDING LAWS**

The *Building Code of Australia* provides the relevant legislative framework and standards for the building control in the Shire of Pingelly.

The *Building Regulations 2011* apply to the whole of the Shire of Pingelly.

## **WIND REGION**

The Shire of Pingelly is within Wind Region A, Terrain Category 2 of the Australian Standard AS4055.

## **ENERGY EFFICIENCY**

Energy efficiency certification is Climate Zone 4 of the *Building Code of Australia*.

## **SMOKE ALARMS**

Smoke alarms are mandatory for existing dwellings prior to sale & rental properties & Classes 1a, 1b, 2 & 4.

## **SWIMMING POOLS & SPAS**

All private swimming pools and spas are to be approved and licensed by the Shire. A child-proof fence enclosure of not less than 1.2m in height incorporating a self-closing and locking gate is required. Swimming pools are to comply with the *Local Government Act 1995* and *Building Regulations* and the fences and gates must be inspected prior to water being added to the pool. A building permit application, with application fee, is required. Pool covers are required as per the *Building Code of Australia*. All pools are required by law to be inspected by the Shire every 4 years. A fee will be levied for this inspection.

## **EFFLUENT DISPOSAL SYSTEMS**

All septic tanks and leach drain installations and modifications must be of an approved design and are to be installed only after the application has been approved. Application forms are available from the Shire Office, there are other approved effluent disposal options available contact the Shire Environmental Health Officer for more information.

Two tanks (1.52m and 1.22m) are required. In Pingelly, leach drains are often required to be fully inverted because of the ground conditions. As a guide, generally, 2 leach drains 13m long are required however this will depend on the type of development and type of drain. Generally, a minimum depth of 450mm and a minimum width of 840mm with crushed rock, 20mm blue stone or river sand 300mm either side of each leach drain is required, covered with 200mm of backfill/existing earth.

Once installed, the tanks and drains are required to be inspected. Concrete bases must be placed in the tanks, filled with water and the lids left off or apart so that a leak and effective depth inspection can be carried out. Similarly, at

least a portion of the two leach drains must be left exposed for inspection.

If the installation does not comply and a second inspection is required, a further charge will be levied. The septic system can be inspected separately to the plumbing. All plumbing installed before the septic tanks must be carried out by a licensed plumber.

## **OWNER BUILDER RESTRICTION**

**Separate to the requirement for a Building Permit with the Shire where the total equivalent commercial value of work exceeds \$20,000, the work must be carried out by a registered/licensed builder or the owner must obtain an Owner Builders Permit from the Building Commission:**

An owner-builder may only construct for himself a dwelling and an owner builder registration number is required if the work is valued at over \$20,000. An owner-builder may also construct an out building (shed etc) with a value not exceeding \$20,000. Information regarding these requirements can be obtained from the Building Commission (Ph: 1300 489 099 or WEB: [www.buildingcommission.wa.gov.au](http://www.buildingcommission.wa.gov.au)). All other building must be carried out by a registered builder.

## **FENCES AND WATER TANKS**

No application is necessary for the erection of a standard fence 1.2m high for front, or rain-water tank unless within the Townsite the tank capacity is over 5,000 litres a permit is required.

## **BUILDING CLASS**

- 1a Dwelling, 1b boarding house, guest house, hostel
- 2 Building containing 2 or more dwelling units (e.g. flats, apartments)
- 3 Large scale boarding house, guest house, hostel, greater than 12 persons
- 4 Dwelling for commercial use (e.g. care takers / managers flat)
- 5 Office
- 6 Retail shop
- 7 Storage building or wholesale building
- 8 Factory
- 9 Hall, aged care building
- 10a Non habitable building or 10b other structures

## **BUILDING FEES**

Building Permit Application Fee (minimum \$105)

- Class 1a & 10 uncertified..... 0.32% of value
- Class 1 & 10 certified..... 0.19% of value

- Class 2 & 9 certified .....0.09% of value
- \*Building Services Levy – under \$45,000 ..... \$61.65
- \*Building Services Levy – over \$45,000.....0.137% of value
- BCITF Levy (development over \$20,000) .....0.2% of value
- Bond for re-locatable Homes ..... \$5,000

**HEALTH FEE**

Septic System ..... minimum \$236

**PLANNING & DEVELOPMENT APPLICATION FEES**

- Development not more than \$50,000 ..... \$147
  - Development \$50,000 - \$500,000 .....0.32% of value
  - Development \$500,000 - \$2.5M ..... \$1,700 plus  
0.257% for every \$1 in excess of \$500,000 value
- Development in excess of 500,000 please see the Shire of Pingelly's schedule of Fees and Charges.

- **Rural Address** (for all rural dwellings)..... \$80.00

**\*Note:** Building Services Levy applies to Building, Demolition, & Occupancy Permits, Building Approval Certificates & Unauthorised Building Work.