

Definition

A swimming pool is an excavation or structure containing water at a depth greater than 300mm used primarily for swimming, wading, paddling or the like. It includes a wading pool or spa.

Frequently asked questions

What can I build ?

The most common type of swimming pool is fiberglass; however pools can be constructed using concrete or a steel frame and liner. The Building Regulations 2012 require all private swimming pools and spas to have a compliant safety barrier that surrounds the pool or spa in accordance with the Australian Standards AS1926.1-2012.

For more information refer to the [Rules for Pools & Spas publication](#) on the Department of Mines, Industry Regulations and Safety website.

Do I need a Building Permit ?

A Building Permit is required for the construction, erection, assembly or placement of a swimming pool and/or spa that is capable of containing a depth of water of more than 300mm. Inflatable and portable aboveground pools are not exempt and will require a Building Permit

How long does it take to get a Building Permit?

The Building Act 2011 sets time frames in which the Shire has to assess and determine an application for a Building Permit. The applicable timeframe depends on whether the Building Application is Uncertified or Certified. It is important that you are aware of the allowed time frames prior to lodging your application and that your application documentation is complete.

Shire of Capel reserves the right to request additional information if it is deemed necessary following a detailed assessment of the application. Should further information be required in order to assess the Building Application, the applicant may be given up to 21 calendar days in which to provide the outstanding information. If the information is not received within the 21 days, the application may be refused unless mutual consent has been granted for an extended period.

Uncertified Building Applications:

An Uncertified Building Application can be submitted for Class 10 structures such as a swimming pools. The Shire has up to 25 business days from the date of lodgement to assess the application and issue a Building Permit. The required Certificate of Design Compliance will be issued by the Shire as part of the application process.

Certified Building Applications:

A Certified Building Application can be submitted for all Class of structures. Prior to lodging a Certified Building Application to the Shire, a private Building Surveying Practitioner would need to be engaged to issue a Certificate of Design Compliance. The Shire has up to 10 business days from the date of lodgement to assess the application and issue a Building Permit.

How long until my permit expires?

A Building Permit is valid for two years from the date on which it was granted. If more time is required to complete the building works, you can apply for an extension of time up to a further 6 months by making a formal application and paying the prescribed fee.

What happens when I have completed my building works?

The nominated builder on the Building Permit must submit a Notice of Completion BA7 form to the Shire of Capel within seven days and an inspection must be conducted before swimming pool or spa can be filled with water. The Shire's Swimming Pool Inspector conducts pre-installation, final installation and 4 yearly maintenance inspections.

Building Application Checklist – BA2 Uncertified Application

Approvals and Forms	Further Information	Attached	
		Yes	N/A
Development Approval	Development approval may be required prior to lodgement of a building application. Planning Information Sheets are available from the Shire's Website www.capel.wa.gov.au or from the front counter at the Shire's Administration Office. Please contact the Shire of Capel's Planning Department to ascertain if development approval will be required for your application.	<input type="checkbox"/>	<input type="checkbox"/>
Health Approval	Health approval may be required prior to lodgement of a building application. Information Sheets are available from the Shire's Website www.capel.wa.gov.au or from the front counter at the Shire's Administration Office. Please contact the Shire of Capel's Health Department to ascertain if there are any health requirements for your application.	<input type="checkbox"/>	<input type="checkbox"/>
BA2 Form	These application forms are available from the Shire's Website www.capel.wa.gov.au or from the front counter at the Shire's Administration Office	<input type="checkbox"/>	<input type="checkbox"/>
Fees	Refer to the Shire's 'Building Services Fees and Charges' information sheet at www.capel.wa.gov.au – also available at the front counter at the Shire's Administration Office.	<input type="checkbox"/>	<input type="checkbox"/>
Building Construction Industry Training Fund (BCITF) levy payment form or receipt	Required for building works with a value greater than \$20,000. The BCITF levy can be paid online, please visit the following website Corporate site - Logon Page (bcitf.org) , receipt of payment must be provided for all online payments.	<input type="checkbox"/>	<input type="checkbox"/>
Required Documents	One Copy of all documents required	Yes	N/A
Site Plan	<i>Drawn to scale (1:200) and to include the following detail:</i> <ul style="list-style-type: none"> • Location and dimensions of the proposed building(s) including pool details, location of gate(s), location of pool safety barrier • Location of all existing structures on the property • Measurement from the boundaries to the proposed building • Location of stormwater drainage, septic tanks and leach drain • Location of any buildings or structures to be demolished • Existing and proposed ground levels • Finished floor levels and finished ground levels • North Point 	<input type="checkbox"/>	<input type="checkbox"/>
Elevation	<i>Drawn to scale (1:100) and to include the following detail:</i> <ul style="list-style-type: none"> • proposed external finishes • heights of the proposed swimming measured from ground level • Location of any proposed or existing structures i.e retaining walls, pool safety barrier 	<input type="checkbox"/>	<input type="checkbox"/>
Sections	<i>Drawn to scale (1:100) and to include the following detail:</i> proposed method of construction of key building elements	<input type="checkbox"/>	<input type="checkbox"/>
Specifications	Specifications are required to describe the standard, including references to the relevant Australia Standards, to which a building is to be constructed in terms of structural, operational, and aesthetic aspects. Associated plans must also demonstrate compliance with the specifications.	<input type="checkbox"/>	<input type="checkbox"/>

Building Application Checklist – BA2 Uncertified Application

Required Documents	One Copy of all documents required	Yes	N/A
Structural Engineer's Certification	Detailed Structural Plans that are signed, dated, and certified by a suitably qualified structural engineer.	<input type="checkbox"/>	<input type="checkbox"/>
	Engineering plans should refer to the site soil classification to which they are designed, and any soil classification reports submitted with the application where required.		
Encroachments/work affecting other land	All consents or court order must be obtained if part of a building or incidental structure is proposed to be placed beyond the boundaries of the works land or if the building work may adversely affect land beyond the boundaries of the works land	<input type="checkbox"/>	<input type="checkbox"/>

Further Information

If your application is incomplete, it may be rejected or refused. The Shire of Capel reserves the right to request additional information if it is deemed necessary following a detailed assessment of the application. This checklist should be completed for all applications.

Disclaimer

The information contained in this brochure is intended as a guide only. It is recommended that the advice and assistance of the Shire's Building Services be sought prior to lodgement of a Building Application. The Shire of Capel disclaims any liability for any damages sustained by a person acting on the basis of this information.

Building Application Checklist – BA1 Certified Application

Approvals and Forms	Further Information	Attached	
		Yes	N/A
Development Approval	Development approval may be required prior to lodgement of a building application. Planning Information Sheets are available from the Shire's Website www.capel.wa.gov.au or from the front counter at the Shire's Administration Office. Please contact the Shire of Capel's Planning Department to ascertain if development approval will be required for your application.	<input type="checkbox"/>	<input type="checkbox"/>
Health Approval	Health approval may be required prior to lodgement of a building application. Information Sheets are available from the Shire's Website www.capel.wa.gov.au or from the front counter at the Shire's Administration Office. Please contact the Shire of Capel's Health Department to ascertain if there are any health requirements for your application.	<input type="checkbox"/>	<input type="checkbox"/>
BA1 Form	These application forms are available from the Shire's Website www.capel.wa.gov.au or from the front counter at the Shire's Administration Office	<input type="checkbox"/>	<input type="checkbox"/>
Fees	Refer to the Shire's 'Building Services Fees and Charges' information sheet at www.capel.wa.gov.au – also available at the front counter at the Shire's Administration Office.	<input type="checkbox"/>	<input type="checkbox"/>
Required Documents	One Copy of all documents required	Yes	N/A
Certificate of Design Compliance	BA3 – Certificate of Design Compliance (CDC)	<input type="checkbox"/>	<input type="checkbox"/>
Plans & Specifications	A copy of all plans & specifications specified in the CDC	<input type="checkbox"/>	<input type="checkbox"/>
Technical Certificate	A copy of each technical certificate relied on by the building surveyor	<input type="checkbox"/>	<input type="checkbox"/>
Encroachments/work affecting other land	All consents or court order must be obtained if part of a building or incidental structure is proposed to be placed beyond the boundaries of the works land or if the building work may adversely affect land beyond the boundaries of the works land	<input type="checkbox"/>	<input type="checkbox"/>

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