



SHIRE OF  
**HARVEY**

# **Building in the Shire of Harvey**

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## **ADVICE NOTES**

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# BUILDING

## Building Permits

In Western Australia, a building permit is required for most structural work, including new residential or commercial buildings, major renovations, extensions, carports, patios, sheds over 10sqm, retaining walls over 500mm and swimming pool installation. Permits ensure compliance with safety standards and the National Construction Code.

## Amendments to a Building Permit

The Building Act 2011 does not have provisions to amend works within a building permit. Any structural changes will require a new building permit application.

## Workmanship Complaints

Any workmanship complaints or contractual disputes should be referred to the Department of Local Government Regulation Industry and Safety (Building and Energy Division). [Building Dispute Resolution - Building and Energy](#)

## Notice of Completion

The builder must, within 7 days of completion of the work, for which the permit was granted, give notice of completion to the relevant permit authority. The notice of completion must:

- a) be in an approved form; and
- b) state the work for which the permit was granted, is completed; and
- c) be accompanied by a copy of a certificate for each inspection or test mentioned that applies to the permit (as listed in Part 4, Permit Details).

**Penalties may apply.**

## Compaction Certificate

A certificate, certifying that soil compaction below the footings and ground slab is satisfactory to support the proposed building, is advised to be obtained from a suitably qualified Professional Engineer. A copy of the certificate may be submitted to Shire for record keeping. Compaction equipment must be of a suitable type so as to minimise any damage or disturbance to properties within the vicinity of the building works.

## Water Corporation Approval

All construction work, subject of this Building Permit, should not be commenced until the Water Corporation approval has been issued or notification from Water Corporation that such approval is not required.

# BUILDING

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## Storage During Construction

A storage container or site shed may be installed on the lot during the building permit construction period. Once works are completed the storage unit must be removed or a building permit approval is required to remain onsite.

## Fencing During Construction

Under Regulation 298 of the Work Health and Safety (General) Regulations 2022, anyone who manages or controls a construction site must take reasonable steps to make sure the site is secure and that unauthorised people cannot enter.

[Construction site security: Unauthorised access – Information sheet.](#)

Safety during the construction of a swimming pool is important due to the increased risk of drowning for young children during this phase. Owners should be extra vigilant through the construction phase and keep children away from the site. A compliant temporary safety barrier must be installed until the permanent barrier is completed.

[Swimming pool and spa safety barrier requirements.](#)

## Performance Solution

If a performance solution is applicable to a building permit approval, it is the responsibility of the property owner to ensure all conditions are maintained at all times. It's the builder's responsibility to provide a copy of the performance solution to the owner on approval.

## Limitation

This permit does not constitute approval for any works associated with the proposed development that are not expressly indicated on the **Certificate of Design Compliance**. This particularly applies to retaining walls, decks and changes in ground levels. Any building, structures or earthworks undertaken that are not part of this approval will be unauthorised building works.

## Right of Review

If you are dissatisfied with the conditions of the Building Permit you can apply to the State Administrative Tribunal for review under the *Building Act 2011*.

# PLANNING

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Persons responsible for the application of this Building Permit are required to ensure compliance with the Shire of Harvey's Local Planning Scheme, Local Development Plan and Residential Design Codes where applicable. Trees, soft landscaping, and coverage as per the Residential Design Code requirements are to be met in perpetuity.

This Building Permit does not constitute planning approval condition clearance. Planning approval condition clearance must be completed prior to works commencing, or as directed by the Shire's Planning Department.

# HEALTH

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Persons responsible for the application of this Building Permit are required to ensure compliance with Environmental Health requirements where applicable.

**The issuing of this building permit does not seek to provide implied approval of any health conditions or requirements whatsoever.**

## Prevention of Wind-Blown Sand and Dust

The owner or occupier of any building site must take all practicable measures to prevent sand or dust deposited or created on the site from escaping the site.

Where the nature of the building activity is likely to generate wind-blown sand or dust, an Air Quality Management Plan must be submitted for approval prior to any clearing, earthworks or other site works. For information about preparation of an Air Quality Management Plan, contact the Shire's Health Services.

**Infringement Notices may be issued.**

## Excessive Noise

The *Environmental Protection Act 1986* imposes stringent restrictions on the creation of excessive noise outside prescribed hours. Construction work is only permitted between 7am to 7pm hrs on any day which is NOT a Sunday or Public Holiday.

If construction is to occur outside these hours, then compliance with Regulation 13 of the *Environmental Protection (Noise) Regulations 1997*, which includes the submission and approval of a Noise Management Plan, is required prior to the commencement of work.

**Penalties may apply.**

# INFRASTRUCTURE

## Verge Treatments

Developers, Builders and owner-builders shall endeavor to retain all existing and proposed verge trees when considering the location of items such as cross overs, drainage pits, power poles, streetlights and pram ramps and the like. The minimum clearances required for these items can be obtained from the Shire's Design and Development team.

[Shire of Harvey - Crossovers, Verges and Street Trees.](#)

## Crossover Applications

Please note: A separate application called "Crossover Construction and Contribution Application" located on the Shire's website must be completed and submitted to the Shire in addition to the Building Permit. This application refers to the intended crossover to be constructed across the Crown land between the kerb and the property boundary line.

[Shire of Harvey - Crossovers, Verges and Street Trees.](#)

## Prevention of Wind-Blown Refuse

All building waste and materials must be contained within an approved receptacle at all times. The site is to be maintained in a clean and litter-free condition.

**Infringement Notices may be issued.**

## Stormwater, Surface Water and Subsoil Disposal for Single Residential Lots

The issue of this Building Permit does not signify approval of the stormwater drainage disposal installation shown or described on the site plan. It is the responsibility of the Builder/Applicant to ensure the proposed stormwater disposal system complies with the requirements of the Shire. The Shire can be contacted to confirm the acceptable water disposal system for this property.

[Shire of Harvey - Stormwater, Water Tanks, Fences and Retaining Walls.](#)

# INFRASTRUCTURE

## Trees

Street trees contribute to the visual amenity of streets and are highly valued assets, providing shade, cooling the environment, and supporting food and habitat for wildlife. Street trees are the property of the Shire and must be protected during development on adjacent private land, from demolition through to building completion. There are also requirements to protect threatened fauna. Visit the Shire's website for more Information.

[Shire of Harvey - Protecting threatened flora](#)

## Firebreaks and Bushfire Safety

All landowners are required to manage their properties in accordance with the Shire Firebreak Notice to reduce the risk of bushfire. Further information can be found on the Shire's website.

[Shire of Harvey - Fire and Emergency Management](#)

## Working Around Private Utility Assets

The following organisations can provide resources and guidance for working around private utility assets:

- Dial Before You Dig
- Water Corporation
- Western Power
- Telstra
- ATCO

