Pergola / Shade Sail – Building Application

Pergola is an open sided structure and has an open weave permeable roof, for example shade cloth or lattice.

Shade sail also has an open weave permeable roof that is only tensioned between several anchor points.

They are both class 10a structures.

What Can I Build?

Pergola

Pergolas are open-framed structures covered in a water-permeable material or are unroofed. They may or may not be attached to a dwelling.

- Can be freestanding or attached to a dwelling or another structure;
- May be located up to a side or rear boundary but no part of the structure may be attached to a dividing fence or protrude over an adjoining property;
- The permeable roof cover to the pergola is designed and located to avoid stormwater runoff into neighbouring properties.

Shade Sail

A shade sail is a piece of open weave permeable fabric tensioned between several suitable anchor points i.e. posts to provide shade to an outdoor area. It should comply with Australian Standard AS 4174:2018 Knitted and Woven Shade Fabrics.
A shade sail made of impervious fabric will be assessed as a patio.

- Can be freestanding or attached to a dwelling or another structure;
- No part of the shade sail may be attached to a dividing fence or protrude over an adjoining property;
- The shade sail is to be designed and located to avoid stormwater runoff into neighbouring properties.

Do I Need a Building Permit?

Pergola

Under the *Building Regulations 2012*, the construction, erection, assembly or placement of a pergola may be exempt from requiring a building permit if the structure has:

- A floor area of 20m^2 or less; and
- An overall height of no more than 2.4m.

Shade Sail

Under the *Building Regulations 2012*, the construction, erection, assembly or placement of a shade sail may be exempt from requiring a building permit if the structure has:

- A floor area of 20m^2 or less; and
- An overall height of no more than 2.4m.

If more than one (1) shade sail is to be installed and each has a floor area of less than 20m^2, a Building Permit is required if the accumulative overall floor area is more than 20m^2.
Example:
Shade Sail A = 10m^2
Shade Sail B = 15m^2
Total floor area = 25m^2

Certified Building Applications

Prior to lodging a Certified Building Application to the City, a private Building Surveying Practitioner would need to be engaged to issue a Certificate of Design Compliance. You can find a list of private registered Building Surveyors here.

The City has up to 10 business days from the date of lodgment to assess the application.

Uncertified Building Applications

The City has up to 25 business days from the date of lodgement to assess the application. The required Certificate of Design Compliance will be issued by the City as part of the application process.

CHECKLIST– Click on wording in green to go to the detail of information to submit (listed below)

INFORMATION	WHEN IT IS REQUIRED?	PROVIDED	RECIEVED
Completed Building Permit Application – BA1 (Certified) OR BA2 (Uncertified)	Always	☐	☐
	BA1 OR BA2 required	☐	☐
Construction Training Fund Levy Form (CTF) – Fee - CTF receipt / proof of pre payment	if works exceed $20,000 Link to CTF levies - here	☐	☐
Owner-Builder Approval / Certificate (if applicable) Owner-Builder Approval / Certificate from the Building Services Board (Department of Local Government, Industry Regulation and Safety)	if works exceed $20,000	☐	☐
Certificate of Title and/or Diagram of Survey	Preferrable	☐	☐
Building Permit Application - Fee Building Permit Application Fee plus associated State levies **Refer to the Building Application Fee Schedule**	Always	☐	☐
Planning Approval Planning Approval or Written Advice issued by the City of Vincent's Statutory Planning Services DA No -	If Applicable	☐	☐
Consents/Works Affecting Other Land BA20 and / or BA20A			
• Completed BA20	if building work adversely affects land beyond the boundaries to ensure that there is compliance with s 77 and s 77 of the *Building Act 2011*	☐	☐
• Completed BA20A This is between neighbours outside of the building permit approval process but if you have a copy, please submit	if building work affects a party wall, removal of fences and gates or access adjoining land to do the work in compliance with s 78, 79, 80, 81, 84 and s 85 of the *Building Act 2011*	☐	☐
Certificate of Design (CDC) – For BA1 (certified) If not submitted this will delay assessment of building application and may not be considered	If BA1 Submitted Not Applicable to BA2	☐	☐
Architectural Plans / Drawings	Always	☐	☐
Error! Reference source not found. **(minimum scale 1:200)**	Always	☐	☐
Floor Plan (minimum scale 1:100)	Always	☐	☐

INFORMATION	WHEN IT IS REQUIRED?	PROVIDED RECIEVED
Elevations (minimum scale 1:100)	Always	☐ ☐
Cross Sectional View (minimum scale 1:50)	Always	☐ ☐
Specifications	Always	☐ ☐
Termite Management Certificate Details of Termite Management (eg. chemical and physical barriers)	If applicable	☐ ☐
Structural Engineers Plans and Details	Always	☐ ☐
Soil Classification	Always	☐ ☐
Footing and Slab Details	Always	☐ ☐
Structural Beams	Always	☐ ☐
Roof Construction/Tie Down Details	Always	☐ ☐
Decking or Incidental Structures	If applicable	☐ ☐
Bushfire Attack Level Assessment	If applicable	☐ ☐

How to Submit an Application?

You can lodge your building permit application to the City via the following methods:

- Email - **mail@vincent.wa.gov.au** (Dropbox or OneDrive).
- In person - City's administration building located at 244 Vincent Street, Leederville.
- Post - PO Box 82, Leederville WA 6902

How Long Does It Take to Get a Permit?

The *Building Act 2011* sets time frames in which the City has to assess and determine an application for a Building Permit. The applicable timeframe depends on whether the building application is Uncertified or Certified.

Should further information be required by the City 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 a mutual consent has been granted for a further 21 days.

How Long Until My Permit Expires?

A Building Permit is generally 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 of up to a further six 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 City within seven days of completing the prescribed building works.

If a bond was request and paid then you can apply for the bond refund here - Infrastructure Protection Bond Refund Application » City of Vincent

Detail of Information to Submit

BA1 (Certified) OR BA2 (Uncertified)

- BA1 or BA2 to be **signed** by, each owner of the land, unless exempt or provide written authorisation
- BA1 or BA2 indicate estimated value of building work (including GST)
- Registered Builder's Details – Builder must provide their **registration number** if works exceed $20,000
- Builder's Details – Builder must **sign** the BA1 or BA2
- BA1 or BA2 application form can be downloaded from the LGIRS website

Planning Approval

If a Planning Approval was granted, all conditions of the planning approval must be satisfied before submitting a Building Application. Planning conditions **not** satisfied will delay assessment of the Building Application.

If you are unsure if the works require Planning Approval, please contact the City's Planning Services team on 9273 6000.

Certificate of Design (CDC) – For BA1 (certified)

- Provide a Certificate of Design Compliance (CDC) BA3 that is signed by a registered Building Surveyor specifying the relevant Drawings, Specifications and Technical Documents for each proposed structure and confirming compliance with the National Construction Code (NCC) / Building Code of Australia (BCA) and all referenced standards. The CDC will need to accompany the application for a Building Permit Certified Form BA1
- Ensure that all documents stated on the Certificate of Design Compliance, (Drawings, Specifications and Technical Certificates) are attached in order as stated on the CDC and lodged with the application

Architectural Plans / Drawings

- ONE complete set of Plans, Specifications, Technical Certificates and Details must be submitted with the application. All plans and details must be legible, drawn to scale and not less than A4 sheet in size.
- **New and Existing Work** - All new work shall be clearly delineated on the drawings as distinct from existing work by colouring or other suitable means

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- Street names, lot number, and title reference to the site
- The size and shape of the site including property boundaries, their dimensions and existing buildings to be clearly shown
- A feature / contour survey of the property showing a datum point, contour lines, spot levels and relative levels of the site
- The proposed finished floor level to the new patio, pergola, shade sail
- Setback distances from the property boundaries to the proposed building/s and distance away from other existing buildings / structures on the property to be clearly indicated
- Height and extent of proposed earthworks
- Existing sewer, stormwater drains or easement locations
- Location and sizes of stormwater drain / disposal system
- Location of septic tanks if no sewer is available
- Location and heights of stabilised embankments or retaining wall/s
- Show structures on adjoining land (fences, retaining walls, buildings
- Clearly indicate the North point

Floor Plan (minimum scale 1:100)

- All dimensions of the proposed patio, pergola, shade sail
- Sunken areas (where applicable)
- Ridge, hip, valley, eaves line and down pipe locations
- Construction of the posts, walls, floors and roofs
- Any other information that the building surveyor may require, all clearly figured and dimensioned

Elevations (minimum scale 1:100)

- All elevations of the pergola or shade sail. Where proposed pergola/shade sail is attached to dwelling provide elevations of the dwelling including externals walls, openings (windows, doors) and roof.
- Existing ground level at the external wall and at the boundary, including proposed ground and finished floor levels
- Ceiling height
- Roof pitch
- Types of materials used

Cross Sectional View (minimum scale 1:50)

- One or more sections, transverse, longitudinal
- Finished ground level
- Sunken areas (where applicable)
- Height of ceilings

Specifications

- ONE set of complete specifications describing materials and method of construction, indicating that the dwelling will be constructed in accordance with the specifications provided and comply with the National Construction Code / Building Code of Australia / Australian Standards

Structural Engineers Plans and Details

- ONE set of Structural Engineers Plans and Details must be designed, certified / signed by a practising Structural Engineer
- NOTE: if part of the shade sail is to be attached to the roof or side of the dwelling, an inspection report is required from the structural engineer.

Soil Classification

- If required a Geotechnical Report as per the National Construction Code / Building Code of Australia and relevant Australian Standard/s

Footing and Slab Details

- Concrete specifications
- Depth and type of footing including dimensions
- Reinforcement size and location
- Slab thickness
- Waterproof membrane location

Structural Beams

- Structural beams should be designed, certified / signed by a Structural Engineer and comply with the National Construction Code/ Building Code of Australia.

Roof Construction/Tie Down Details

- The Roof and tie down details should be designed, certified / signed by a Practising Structural Engineer indicating that the roof will be constructed and held down in accordance with the relevant Australian Standard

Decking or Incidental Structures

- applicable, must include a full material schedule, member sizes and spacings, span lengths, footings, slab details, fixings, connection details, and evidence of compliance with the NCC and all relevant Australian Standards.

Bushfire Attack Level Assessment

- If your build is located within a Bushfire Prone Area and required a BAL report and BAL certificate, full details and specifications must be supplied regarding all construction requirements under the relevant sections of AS3959 per your nominated Bushfire Attack Level.