

SWIMMING POOL BARRIER ADVICE NOTE



Office Hours
8:30am – 4:30pm
Monday to Friday



6177 Great Northern Highway
PO Box 70
BINDOON WA 6502



(08) 9576 4600



chatter@chittering.wa.gov.au
www.chittering.wa.gov.au

NEW SWIMMING POOL BUILDING APPLICATIONS WITHIN THE TOWN SITES OF THE SHIRE OF CHITTERING

Regulation 31C and Part 8 division 2 of the *Building Regulations 2012* applies

Swimming pool/spa containing over 300mm depth of water will:

- Require Building Permit for the swimming pool and barrier.
- Require a compliant barrier.
- Will require 4 yearly inspections.
- Will require the barrier to be maintained in a compliant manner.

NEW SWIMMING POOL BUILDING APPLICATIONS OUTSIDE OF THE TOWN SITES OF THE SHIRE OF CHITTERING

Regulation 31C of the *Building Regulations 2012* applies

Swimming pool/spa containing over 300mm depth of water will:

- Require Building Permit for the swimming pool.
- Require a compliant barrier.
- NOT require a building permit or 4 yearly inspections for the barrier.
- Will require the barrier to be maintained in a compliant manner. *Building Act 2011 division 5 112 (2) (v)*

ADVICE OF SALES OUTSIDE OF TOWNSITES (SALE OF A PROPERTY)

The following items address Swimming Pool Barriers in varying circumstances and Regulations that apply upon sale of the property.

- 1. Sale of property with a swimming pool/spa constructed WITH Building Approval and has a swimming pool barrier.**
 - Will require the fence to be maintained in a compliant manner. A compliance certificate from an independent assessor will be required.
Building Act 2011 division 5 112 (2) (v) "to renovate or repair the building or incidental structure to a specified standard or in a specified way so as to prevent or stop the building or incidental structure from being a danger to persons, to other property or to the environment or to render it fit for human occupation;"
- 2. Sale of property with a swimming pool/spa constructed WITH Building Approval and does NOT have a swimming pool barrier.**
 - Construction of a swimming pool barrier cannot be imposed.
 - Notification in the Advice of Sale concerning the lack of a barrier will be clearly made.
- 3. Sale of property with a swimming pool/spa constructed, WITHOUT Building Permit for swimming pool and swimming pool barrier installed.**

Regulation 31C of the *Building Regulations 2012* applies.

- Swimming Pool is an illegal structure.
- Retrospective Building Approval will be required.
- All current requirements for a new swimming pool Building Application will apply. (see above)
A compliance certificate from an independent assessor will be required. Including for swimming pool. (skimmer box lockable lid etc)

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4. Sale of property with a swimming pool/spa constructed WITHOUT Building Permit and does NOT have swimming pool barrier installed.

Regulation 31C of the *Building Regulations 2012* applies.

- Swimming Pool is an illegal structure.
- Retrospective Building Approval will be required.
- All current requirements for a new swimming pool Building Application will apply. (see above)
A compliance certificate from an independent assessor will be required. Including for swimming pool. (skimmer box lockable lid etc.)

ADVICE OF SALES WITHIN TOWNSITES (SALE OF A PROPERTY)

All swimming pools/spas containing over 300mm depth of water within the town sites of the Shire of Chittering.

- Require a compliant swimming pool barrier.
- Are to be registered with the Shire of Chittering for inclusion in the 4 yearly compliance inspection regime.

Please Note: This is an advice note only and not a legal document.

For further information please call Nathan Gough, Building Surveyor, on 9576 4600 or email chatter@chittering.wa.gov.au