

Swimming pools, spas and their safety barriers checklist

In Victoria, the construction and installation of swimming pools and spas are subject to strict building requirements under the *Building Regulations 2006*. This checklist outlines the process for the installation of a swimming pool, or spa, and their mandatory safety barriers. Home-owners who fail to comply with these legal requirements are risking the lives of their friends or family, as well as substantial fines.

Before construction

- Have you considered the type of pool/spa and safety barriers you want and their location?** All private swimming pools/spas with a depth of more than 30 cm (including inflatable or relocatable pools and spas) must have safety barriers that meet the Australian Standard. All pools and spas built since 2010 require a four-sided safety barrier or fence, with no direct access from the house to the pool or spa surround.
- Have you checked that your builder is registered with the Victorian Building Authority for works over \$5,000 (including labour and materials) and entered into a written domestic building contract?** Remember to check if the contract includes information on the provision of a temporary barrier during construction, where this is part of the agreed service. You can check the registration status of your builder at www.vba.vic.gov.au
- Has your builder provided you with proof of domestic building insurance for works worth more than \$16,000?** In this instance the builder must have domestic building insurance to cover you if they die, disappear or become insolvent. They must give you a certificate of currency for the insurance before they take a deposit and start work.
- If you have decided to become an owner-builder, do you have a certificate of consent from the Victorian Building Authority for all work over \$16,000?** As an owner-builder you will need to obtain building permits, supervise or undertake the building work, and ensure it meets building regulations and standards. You must get a certificate of consent before a building permit. Visit www.vba.vic.gov.au for more information.
- Do you have detailed drawings of the proposed pool and safety barriers from a registered pool builder, draftsman or architect?** The drawings must be particular to your site and include information on the proposed pool's location, safety barriers, as well as the water reticulation and filtration system.
- Do you have a building permit for your pool or spa and safety barrier?** You, or your builder, can apply for a permit to a municipal building surveyor or to a private building surveyor. Temporary inflatable pools and portable spas do not require a building permit. However, if they hold more than 30 cm of water they must have appropriate safety barriers, which will require a building permit.
- Does the building permit application include full details about the proposed safety barriers?** A single building permit is required for the pool/spa and the safety barriers. You cannot obtain separate building permits for the pool and the safety barriers.

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- Have you talked to your builder to decide on who will be the 'person in charge of building work', as stipulated in the building permit?** This will generally be the builder, unless you intend to be an owner-builder. Be wary if a builder asks you to sign a building permit as an owner-builder, even though they will be doing the work. This is risky and may end up costing you a lot more in legal and insurance costs.

During construction

- Does your pool/spa construction site have a temporary barrier placed around it?** Any excavated pool site must have a temporary safety barrier. The 'person in charge of building work' must maintain the temporary safety barrier while on site. At all other times, the owner is responsible for maintaining it until the permanent barrier is installed.
- Have you checked the expiry date of your building permit?** As the owner you must ensure that building work on the pool or spa starts within 12 months of the date the building permit is issued, and is completed within six months.
- Have you let the building surveyor know that construction work has started?** This is the responsibility of the person in charge of building work.
- Do you have an outstanding building direction, notice or order out against the building work?** If the building surveyor issues a building direction, notice or order to the 'person in charge of building work', you must work with your builder to promptly resolve the issues outlined as this could prevent the building work from continuing.

After construction

- Is the permanent safety barrier installed and in good working order?** Remember, if you only contract your builder to construct the pool or spa, you must hire another registered builder to install the permanent barrier if the building work is over \$5,000. It is your responsibility to maintain the permanent barriers, and ensure any defects are repaired.
- Has the 'person in charge of building work' contacted the building surveyor to do a final inspection of the completed swimming pool, spa and permanent safety barriers?** If your builder is the 'person in charge of building work' he should notify the building surveyor. Don't use your pool or spa until you have a certificate of final inspection.
- Is your pool gate self-latching and self-closing?** This will prevent your children from gaining access to the pool or spa. Never prop your gate open. It is illegal to do this.
- Have you installed/left any objects next to the swimming pool barriers, such as barbeques, trees, pot plants or garden furniture?** If so, it is important that you remove these immediately as these could be used to gain access to the pool or spa area.

And finally, while taking these precautions goes a long way to protecting children, always actively supervise your kids around water.