



GOLDEN PLAINS SHIRE

ATTACHMENTS

**Under Separate Cover
Ordinary Council Meeting**

6.00pm Tuesday 26 November 2019

Table of Contents

7.10	Update on new requirements for swimming pools and spas	
	Attachment 1 DELWP correspondence dated 30/10/19.....	4



Department of Environment, Land, Water and Planning

PO Box 500, East Melbourne,
Victoria 8002 Australia
delwp.vic.gov.au

Dear CEO

COMMENCEMENT OF NEW REQUIREMENTS FOR SWIMMING POOLS AND SPAS

On 1 December 2019, amendments to the *Building Act 1993* will take effect that require all local councils to establish a register of swimming pools and spas located within their municipal districts.

The Department of Environment, Land, Water and Planning (DELWP) is currently finalising Regulations in relation to swimming pool and spa barriers. Amongst other things, the Regulations will impose mandatory obligations on land owners to register their swimming pools and spas with council.

A draft of the proposed Regulations was released in late July 2019 for public consultation. Many councils provided responses to the consultation process and this strong engagement was greatly appreciated. DELWP is considering the feedback provided by councils and other stakeholders as it works to finalise the new requirements. This includes consideration of potential changes that take into account stakeholder views regarding costs and implementation timeframes.

DELWP will advise the Minister for Planning on proposed changes to the Regulations in response to the issues raised through consultation. The Minister for Planning will decide what is included in the Regulations and will make formal recommendations to the Governor in Council.

To assist councils to prepare for the new requirements, DELWP is providing advance notification of the information that is likely to be required to be kept on council registers:

- Owner's **name, address where the pool or spa is located** and whether the pool or spa is **relocatable**.
- The **date of construction** – determined by council, and what the **applicable barrier standard** is.
- **Compliance certificate** (most recent, if issued): The date it was issued, the registration number of the inspector who issued it, and a record of whether the inspector has indicated that they carried out building work on the barrier before issuing the certificate.
- **Non-compliance certificate** (if issued): the date the certificate was issued, and the registration number of the inspector who issued it.
- **Compliance dates**: date that any exemption was granted relating to owner's provision of the first compliance certificate, when the next barrier compliance certificate is due, and dates and building permit numbers of any work that altered, modified or replaced the barrier after the date of construction.

Any personal information about you or a third party in your correspondence will be protected under the provisions of the *Privacy and Data Protection Act 2014*. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorized by law. Enquiries about access to information about you held by the Department should be directed to foi.unit@delwp.vic.gov.au or FOI Unit, Department of Environment, Land, Water and Planning, PO Box 500, East Melbourne, Victoria 8002.



DELWP is committed to working with local government stakeholders to ensure smooth and successful implementation of the new requirements. Further information will be provided to councils and other stakeholders once the final regulations have been made.

Should you wish to discuss this matter in further detail please contact the Building Policy team via building_policy@delwp.vic.gov.au.

Yours sincerely



Dr Trevor Pisciotta
Executive Director
Building

30/10/2019