



SPASAVIC

SWIMMING POOL & SPA ASSOCIATION OF VICTORIA

Members Forum

6th September 2019

Industry Partners





Chris Samartzis

SPASA Victoria

CEO

WHO IS THE VICTORIAN BUILDING AUTHORITY?

They regulate through:

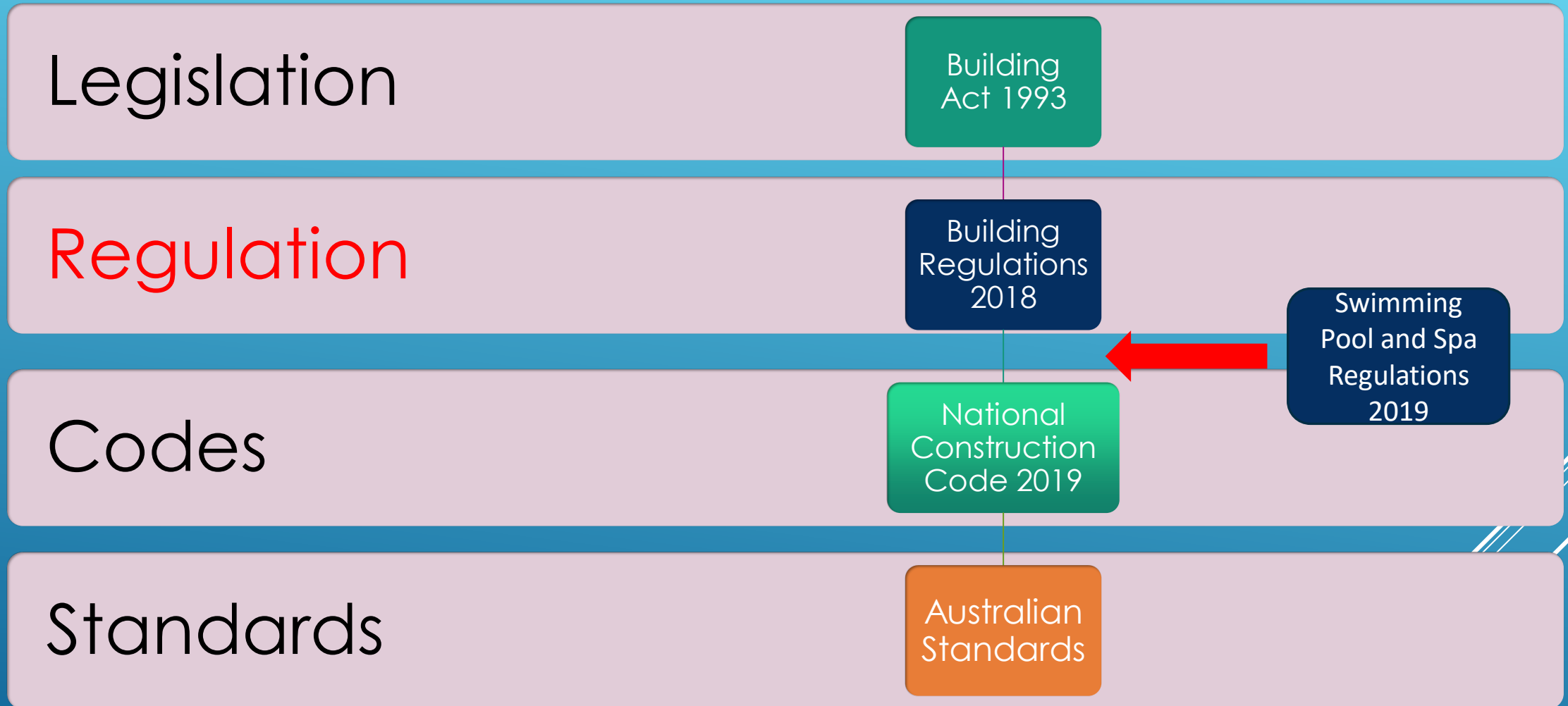
- ▶ Education
- ▶ Licensing and registration
- ▶ Auditing
- ▶ Inspecting
- ▶ Investigating breaches and offences of the building legislation



BUILDING CONFIDENCE

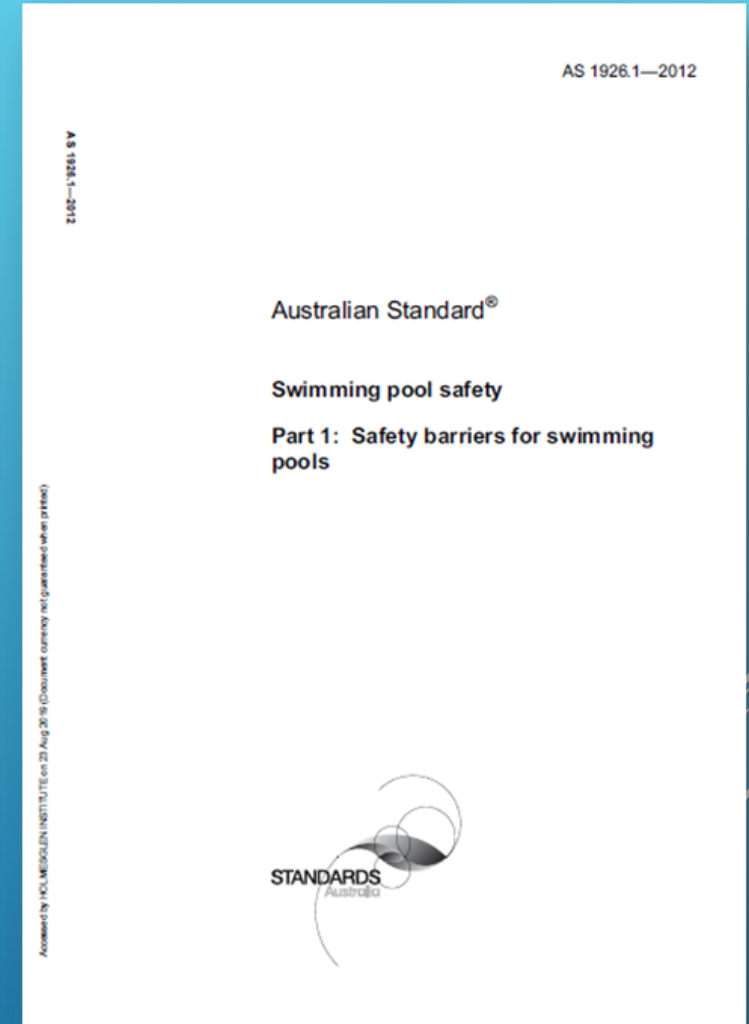
LEGISLATIVE FRAMEWORK

BUILDING REGULATORY FRAMEWORK



STANDARDS FOR POOL SAFETY BARRIERS

- ▶ **AS1926.1 1986 Fences and Gates for private swimming pools**
- ▶ **AS1926.1 1993 Swimming pool safety Part 1: Fencing for swimming pools**
- ▶ **AS1926.1 2007 Swimming pool safety Part 1: Safety Barriers for swimming pools**
- ▶ **AS1926.1 2012 Swimming pool safety Part 1: Safety Barriers for swimming pools**



NEW DRAFT STANDARD

DR AS 1926.1:2019

Draft
Australian Standard

Public Comment is invited for:
DR AS 1926.1:2019, *Swimming pool safety, Part 1: Safety barriers for swimming pools*

Revision of AS 1926.1:2012


Public Comment period:
Start date: 02 September 2019
Close date: 31 December 2019

To submit comments please use the following link:
<https://hub.standards.org.au/hub/public/listOpenCommentingPublication.action>

During their development process, Australian Standards are available in draft form during the public consultation period to allow any interests concerned with the application of the proposed Standard to review the draft and submit their comments.

This draft is liable to alteration. It is not to be regarded as an Australian Standard until finally issued as such by Standards Australia.

Upon successful conclusion of the Public Comment period it is proposed to publish this Standard as AS 1926.1:20XX.

 STANDARDS Australia

This is a draft document made available by Standards Australia to the registered licensees solely for review in preparation of a comment. Any other use of this document is prohibited. The registered licensee may print one copy for their own use only. Further copying, alteration, distribution or use on a network is prohibited. Standards Australia Limited does not warrant or represent that the draft document is accurate or complete. Any use of the document should only be for the purpose of providing a comment. Any use of the document for any other purpose is prohibited.

DOMESTIC BUILDERS

- ▶ **Domestic Builder (Unlimited)**
- ▶ **Domestic Builder (Limited to the Construction of Swimming Pools and Spas):** This does not include the construction of retaining walls
 - ▶ This does not include the construction of shade structures
 - ▶ This does not include water chemistry.
- ▶ **Domestic Builder (Limited to the Construction of Gates and Fences)**

DOMESTIC BUILDERS

- ▶ **Domestic Builder (Limited to wall and floor tiling work)**

Involves affixing tiles for functional or decorative use on internal or external surfaces of buildings and swimming pools and waterproofing the tiling.

- ▶ **Domestic Builder (limited to the Construction of Structural Landscaping)** includes the construction of external landscape features, including:

- ▶ retaining walls (of any material) that do not form part of a building
- ▶ gates and fencing constructed of all types of material (excluding swimming pool and spa safety barriers)
- ▶ driveways, paths and other paving of any material
- ▶ external stairs and ramps, cabanas, pergolas, decks and gazebos
- ▶ ornamental ponds, water features and other structural ornamentation

OWNER BUILDER

- ▶ If the owner is proposing to carry out part of the building work, they must be named as a builder on the building permit.
- ▶ If the cost of work is **greater than \$16,000** the owner must obtain an owner-builder certificate of consent from the VBA.

OWNER BUILDER RESPONSIBILITIES

- ▶ obtaining building permits and paying the building permit levy
- ▶ supervising or undertaking the building work
- ▶ ensuring the work meets building regulations and standards
- ▶ notifying the VBA if the estimated cost of works has increased at the end of the project.

BUILDERS

Registered builders or owner
builders
must to be nominated
on the building permit

TRADES REGISTRATION

Watch this space.....

- ✓ Stage 1: Consultation required to finalise priority areas of building work (July/August 2019)
- ✓ Stage 2: Consultation to develop regulatory options for registration and licensing requirements for priority areas of building work (October/November 2019)
- ✓ Stage 3: Regulatory Impact Statement and draft regulations. (April to June 2020)



PERMITS & APPROVALS

DEFINITIONS

- ▶ The **BCA** defines swimming pools as:

any excavation or structure containing water and principally used, or that is designed, manufactured or adapted to be principally used for swimming, wading, paddling, or the like, including a bathing or wading pool, or spa.

And applies to swimming pools greater than 300mm in depth.

BUILDING PERMIT REQUIRED

- ▶ Above ground or in ground swimming pool or spa with a depth exceeding 300mm
- ▶ Swimming pool and spas barriers
- ▶ Barriers for a relocatable swimming pool with a depth exceeding 300mm
- ▶ Boundary fence forming part of a swimming pool barrier
- ▶ Retaining walls greater than 1m in height
- ▶ Retaining walls forming part of the swimming pool barrier (any height)
- ▶ Alterations to a swimming pool and spa barrier

EXEMPTIONS

- ▶ The building regulations exempt swimming pools with a depth not exceeding 300mm.
- ▶ A relocatable swimming pool or spa that is erected temporarily in an area enclosed by an approved barrier.

Note

This exemption applies only to the relocatable swimming pool or spa and not to the barrier.



CONSTRUCTION DOCUMENTATION

“The Builder and property owner are to ensure that all security, boundary fences, access point gates and the like meet the requirements of the relevant Australian standards, the building code of Australia and the requirements of the relevant Municipal council.

These requirements are to be in place prior to the pool being filled with water.”

WHAT IS REQUIRED?

- ▶ the layout of the safety barrier;
- ▶ Details showing how the barrier will comply with the standards?
- ▶ the position of any climbable features such as large trees or fixed barbeques; and
- ▶ a drawing of the proposed connection of the barrier to the ground.

BUILDING SURVEYOR

BUILDING SURVEYOR RESPONSIBILITY

The Relevant Building Surveyor must not issue a building permit unless he or she is satisfied that the building work and the building permit will comply with the Building Act 1993 and the Building Regulations 2018;

BUILDING SURVEYOR RESPONSIBILITY

Consistency between the following:

- ▶ the building permit;
- ▶ the certificate of insurance; and
- ▶ the major domestic building contract; and
- ▶ the registration details of the builder.

INSPECTIONS

Regulation 169 - **Mandatory Notification Stages**

- (a) the completion of any excavation related to the installation of the swimming pool or spa;
- (b) before pouring any footing or in situ reinforced concrete member that is specified in the relevant building permit by the relevant building surveyor;
- (c) the completion of any precautions required for public protection;
- (d) final, on the completion of the swimming pool or spa and related safety barrier.

SPA COVERS



BUILDING WORK RESPONSIBILITY

POOL BUILDERS RESPONSIBILITY

The documentation
submitted for approval
is correct.

Site safety

Display on the allotment

Building permit
documentation and
drawing to be kept on
site.

(i) the registration
numbers of the builders
and the relevant
building surveyor;

Contact details of the
builder and the relevant
building surveyor;

(ii) the building permit
number and the date
of issue of the permit;

TEMPORARY FENCING

- ▶ Who is responsible?
- ▶ When the pool builder's obligations end and the barrier is yet to be installed, the owner is responsible
- ▶ Building surveyor to approve – case by case
- ▶ NSW Coroners findings into Jake Rhodes death
- ▶ Educate the owner



WHO IS RESPONSIBLE FOR THE TEMPORARY BARRIER?

- ▶ Property owner not living on site – when the **builder responsible** for the work has vacant possession, they must maintain the temporary pool barrier.
- ▶ Property owner is living on site –
 - ▶ the pool builder is responsible for maintaining the temporary pool barrier while they're on site.
 - ▶ The occupant may be responsible for maintaining the temporary barrier when the builder isn't on the site, depending on the building contract.
- ▶ Property owner is an owner-builder engaging contractors for pool construction.

DOMESTIC BUILDING INSURANCE

**Domestic
Building Work
more than
\$16,000**





Katherine Grace

New Business via Social Media and the Internet





New Business via Social & Online



New Business via Social & Online

- How can the internet help supplement your inquiries?
- How & why Social Media fits into today's marketing
- Social Media & Google Adwords paid advertising
- Using Linked In for business
- Other online forums that will get you found by good clients
- How your image and website helps (& hinders) new work

About Us

- Katherine Grace has 21 years experience with trades & construction, including as a specialist business coach.
- She taught business & marketing for the HIA for 12 years and SPASA for 4.5 years.
- Elemental offers 'outsourced Marketing Managers' and affordable marketing help for small & medium businesses.
- Marketing includes websites, digital, email, social media, telemarketing, brochures, events, signage & management of mass media or video/photo production.

Your Marketing



Referrals vs New Business



50-90%

- High Quality
- Easy to Convert
- Local to other Jobs
- Hard to Control
- Hard to Predict
- Hunt in Packs/Run
- Business tends to stay the same size



10-50%

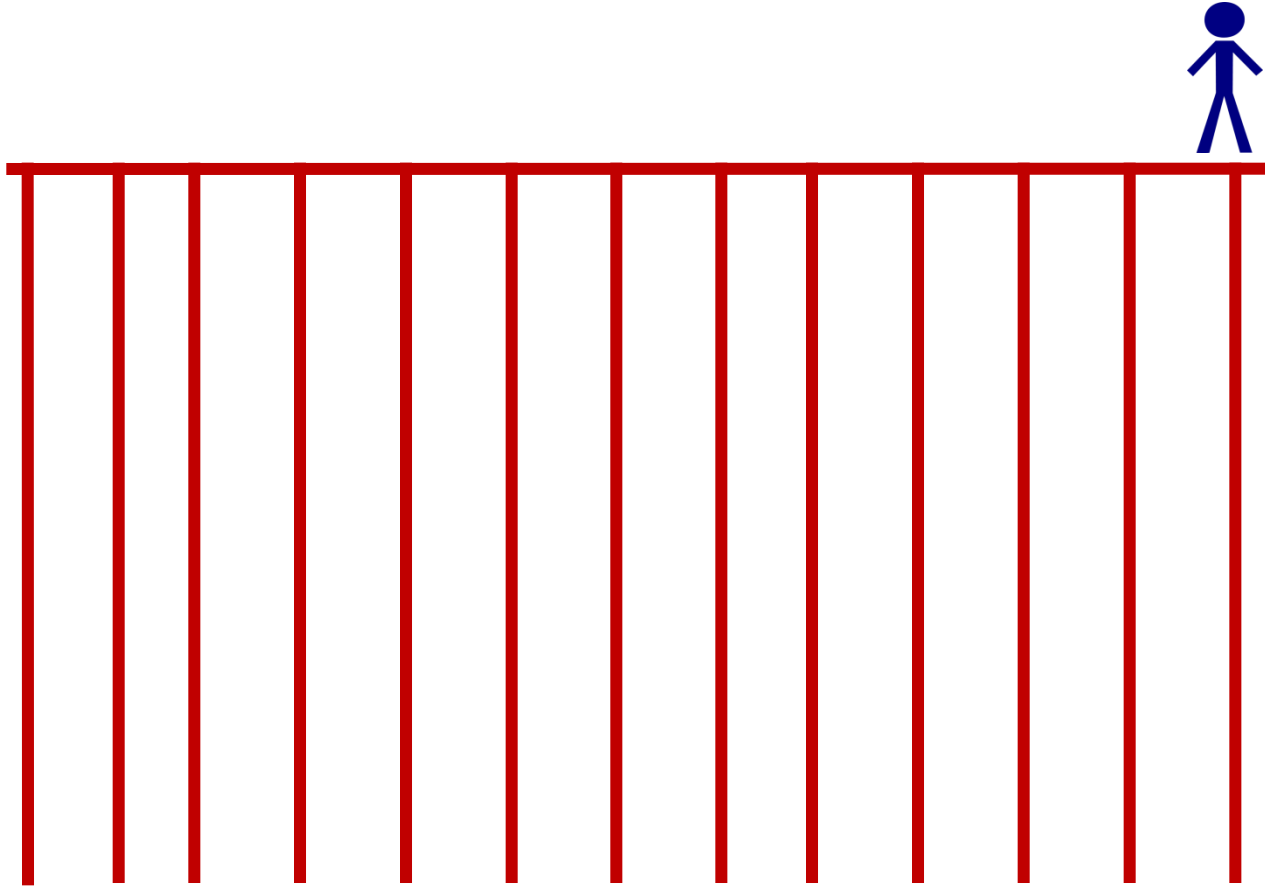
- Varying Quality
- More Effort to Convert
- Separate to other Jobs
- Control type & location
- Control numbers of
- Fresh start with every client
- Can grow the business as much/little as you wish

Why Online?



Online marketing gives you a measurable and scale-able way to top up new inquiries

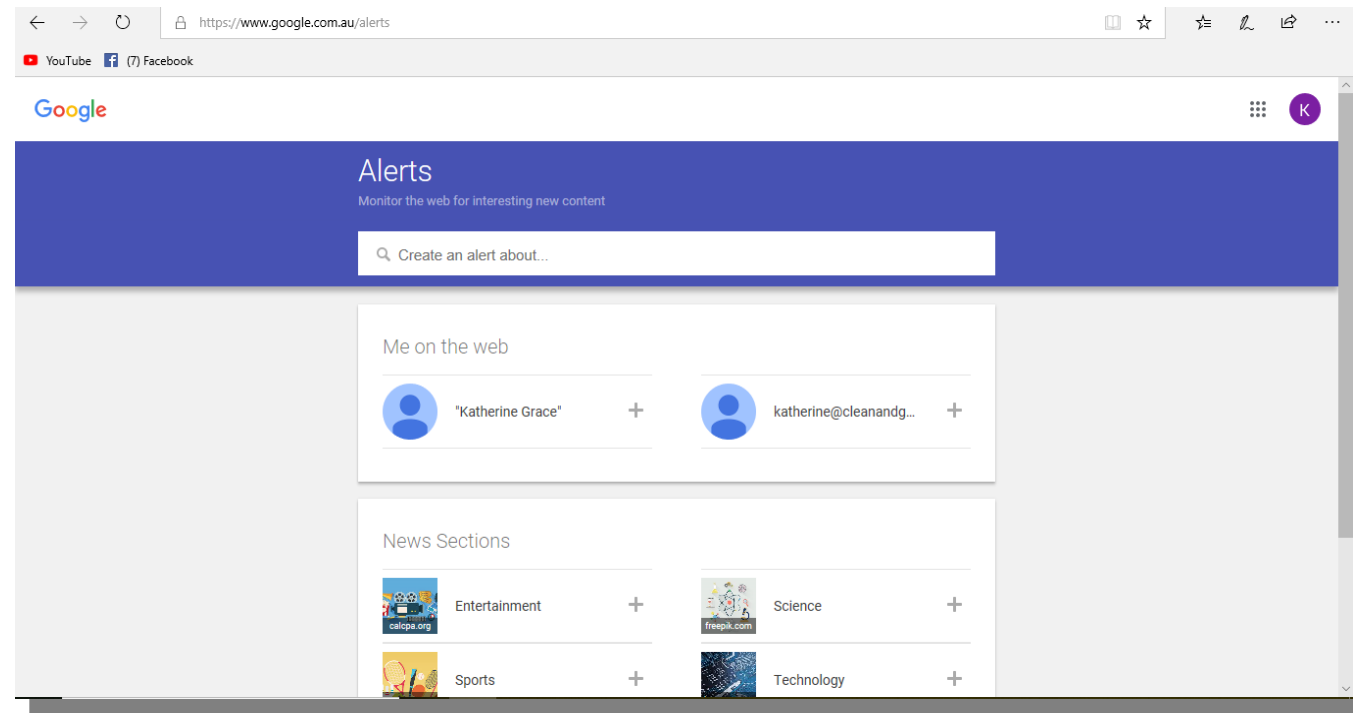
Marketing Plans – Multi-Strategy



Your Online Reputation



How are you perceived – Locally? By your existing customers? Online?



Your Website – Online Brochure



[Home](#) [About](#) [Spotlight](#) [Gallery](#) [Pricing](#) [Blog](#) [Contact](#) (713) 499-9875



Affordable Upgrades | Expert | Proven Track Record

*I am a premier custom swimming pool designer and **custom pool builder**, in The Woodlands Texas. I am a perfect fit for pool buyers wanting a top-rated pool builder and the best pool designer. If you want aesthetics and structural integrity, contact me. For the best Houston Pool Builder, contact me. Don't believe me. Read our great reviews! Ask me to prove it!*

Janine Wilson

Your Desire is: A custom pool builder and contractor: A beautiful design, at affordable prices, within your budget, with many upgrades, with a top rated, local, custom pool builder and pool designer, near me!

Your Personalized Solution: Demand the best: Ask for the business owner, ask for Janine... When you deal directly with the top decision maker your

Free swimming pool quote & unique Design

Learn more for your research phase, including prices

We are #1 on Yelp



Your Website – Marketing Hub



Does Your Website Convert?



Know your audience:

Are you attracting the right kind of people?
Where are they coming from?

Manage your content:

Is it interesting?
Are your images strong?
Are you using the right words?
Does it match your work?

Ensure Functionality:

Does it display well on all devices - phones, tablets
& desktop
Does it load quickly?
Can clients find the important info first?

Conversions:

Do you have multiple conversion factors
for lead generation, phone calls &
enquiries.

How Does Social Fit In?



Groundwork Vs Action – Engagement vs Ads



Effective Frequency



We've gone from being exposed to about 500 ads a day back in the 1970's to as many as 5,000 a day today.*

Markets change but there is still enough work for those doing a good job.

We need to be more creative and *persistent*.

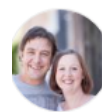
<https://www.cbsnews.com/news/cutting-through-advertising-clutter/>

Australians and Social Media

1. 79% of Australians use Social Media
2. 30-39 (96%), 40-49 (86%), 50-64 (66%)
3. 59% access it every day
4. 96% of people use social media while at home
5. 95% of social media users use Facebook
6. 64% of consumers are more likely to trust a brand which interacts positively on social media

*Sensis Social Media Report 2018

Do People Really Engage?

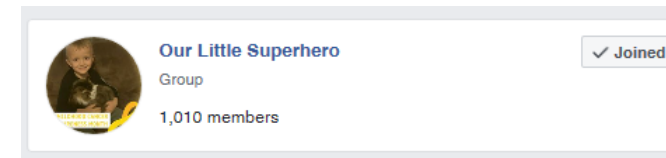


Love Your Sister

Page

Non-profit organisation
575K like this

✓ Liked ▾



Admin · 15 April

Seasoned travellers heading home.

We were blessed to again meet more families on their own neuroblastoma journey and go catch up with some that have become friends for life.

This way works much better with it being after 10pm in New York so hopefully sleeping a good part of the way home. Though since they just discovered you can "verse" each other in the games on screen it may be a challenge getting them to quit for sleep! We has a bit of a hairy first leg with caden being ... See more



Engagement (Groundwork)



Call-to-Action

remarkablepaper
Sponsored



33% off
Pre-order now
getremarkable.com

reMarkable

Buy Now

California Pools - West Covina
31 August at 02:19

Add stools to your swimming pool and make a lovely gathering area.
800-282-7665
www.californiapools.com... See more



CALIFORNIA POOLS
800-282-7665
#WEDIGIT

California Pools - West Covina
Contractor

Send Message

California Pools - West Covina
28 August at 03:29

INTERNATIONAL
POOL | SPA | PATIO
EXPO

Expo: November 5-7, 2019
Conference: November 2-7, 2019
Ernest N. Morial Convention Center | New Orleans



BE OUR GUEST
Get Your FREE Expo Pass

L.FEATHR.CO
California Pools invites you to attend the International Pool | Spa | Patio Expo in New Orleans!

SEO vs Online Advertising



Adwords vs Facebook



PPC - ROI

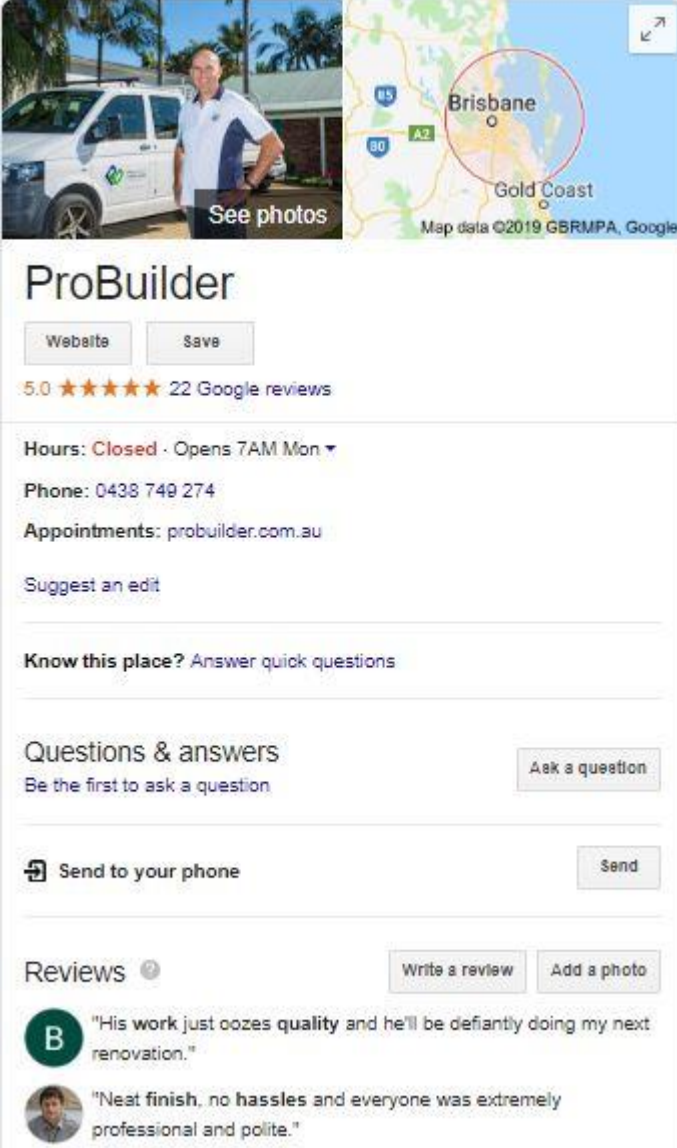


Campaigns	Spend	Cost per Conv	Conversions
	3311	31.33	105
	1907	18.68	102
	1604	71.34	22
	1554	43.17	32.5
	1117	128.37	7.5
	1092	11.14	98
	933	62.24	
	917	29.98	30
	843	120.45	
	748	32.53	
	570	11.29	50
	486	15.43	
	474	33.46	

Online Listings



Google My Business:



The image shows a Google My Business profile for 'ProBuilder'. At the top, there is a photo of a man in a white polo shirt standing next to a white van, and a map of Brisbane and Gold Coast with a red circle around the business location. Below the photos, the business name 'ProBuilder' is displayed, followed by 'Website' and 'Save' buttons. The rating is 5.0 stars with 22 Google reviews. The hours are listed as 'Closed' and 'Opens 7AM Mon'. The phone number is 0438 749 274, and the website is probuilder.com.au. There is a 'Suggest an edit' link. Below this, there is a 'Know this place? Answer quick questions' section. The 'Questions & answers' section is empty, with a 'Be the first to ask a question' prompt and an 'Ask a question' button. There is a 'Send to your phone' button with a QR code icon and a 'Send' button. At the bottom, there is a 'Reviews' section with 'Write a review' and 'Add a photo' buttons. Two reviews are visible: one from 'B' stating 'His work just oozes quality and he'll be defiantly doing my next renovation.' and another from a user stating 'Neat finish, no hassles and everyone was extremely professional and polite.'

ProBuilder

Website Save

5.0 ★★★★★ 22 Google reviews

Hours: Closed · Opens 7AM Mon ▾

Phone: 0438 749 274

Appointments: probuilder.com.au

Suggest an edit

Know this place? Answer quick questions

Questions & answers

Be the first to ask a question

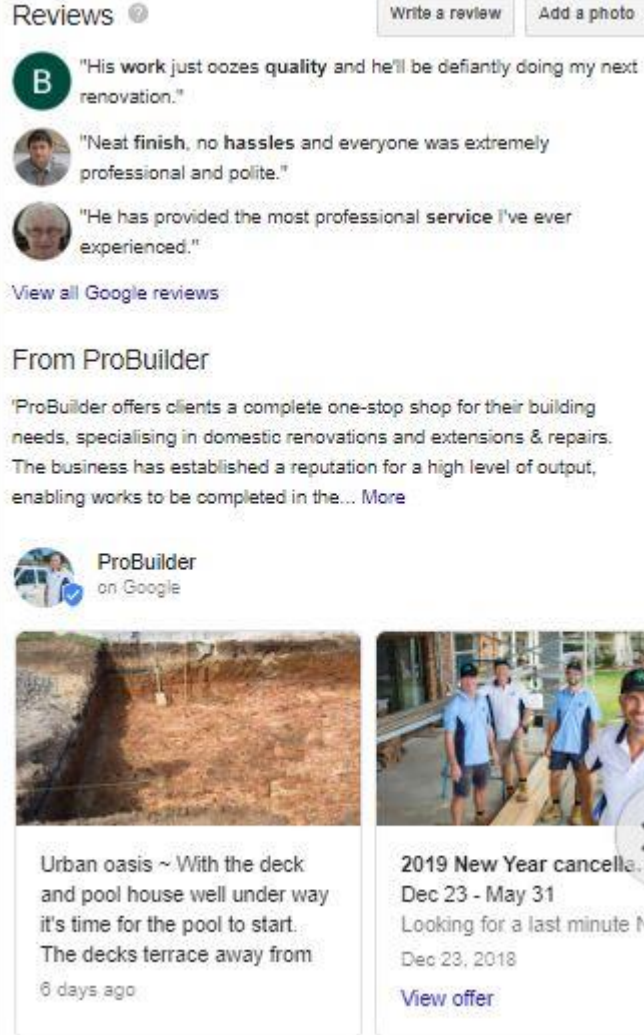
Ask a question

Send to your phone Send

Reviews ? Write a review Add a photo

B "His work just oozes quality and he'll be defiantly doing my next renovation."

"Neat finish, no hassles and everyone was extremely professional and polite."



This section continues the Google My Business profile for 'ProBuilder'. It features a 'Reviews' section with three reviews: one from 'B' stating 'His work just oozes quality and he'll be defiantly doing my next renovation.', another from a user stating 'Neat finish, no hassles and everyone was extremely professional and polite.', and a third from a user stating 'He has provided the most professional service I've ever experienced.' Below the reviews is a 'View all Google reviews' link. The 'From ProBuilder' section contains a description: 'ProBuilder offers clients a complete one-stop shop for their building needs, specialising in domestic renovations and extensions & repairs. The business has established a reputation for a high level of output, enabling works to be completed in the... More'. Below this is a 'ProBuilder on Google' section with two photos: one of a construction site and another of three men in blue polo shirts standing in front of a building. The first photo has a caption: 'Urban oasis ~ With the deck and pool house well under way it's time for the pool to start. The decks terrace away from 6 days ago'. The second photo has a caption: '2019 New Year cancella... Dec 23 - May 31 Looking for a last minute Ne. Dec 23, 2018 View offer'.

Reviews ? Write a review Add a photo

B "His work just oozes quality and he'll be defiantly doing my next renovation."

"Neat finish, no hassles and everyone was extremely professional and polite."

"He has provided the most professional service I've ever experienced."

View all Google reviews

From ProBuilder

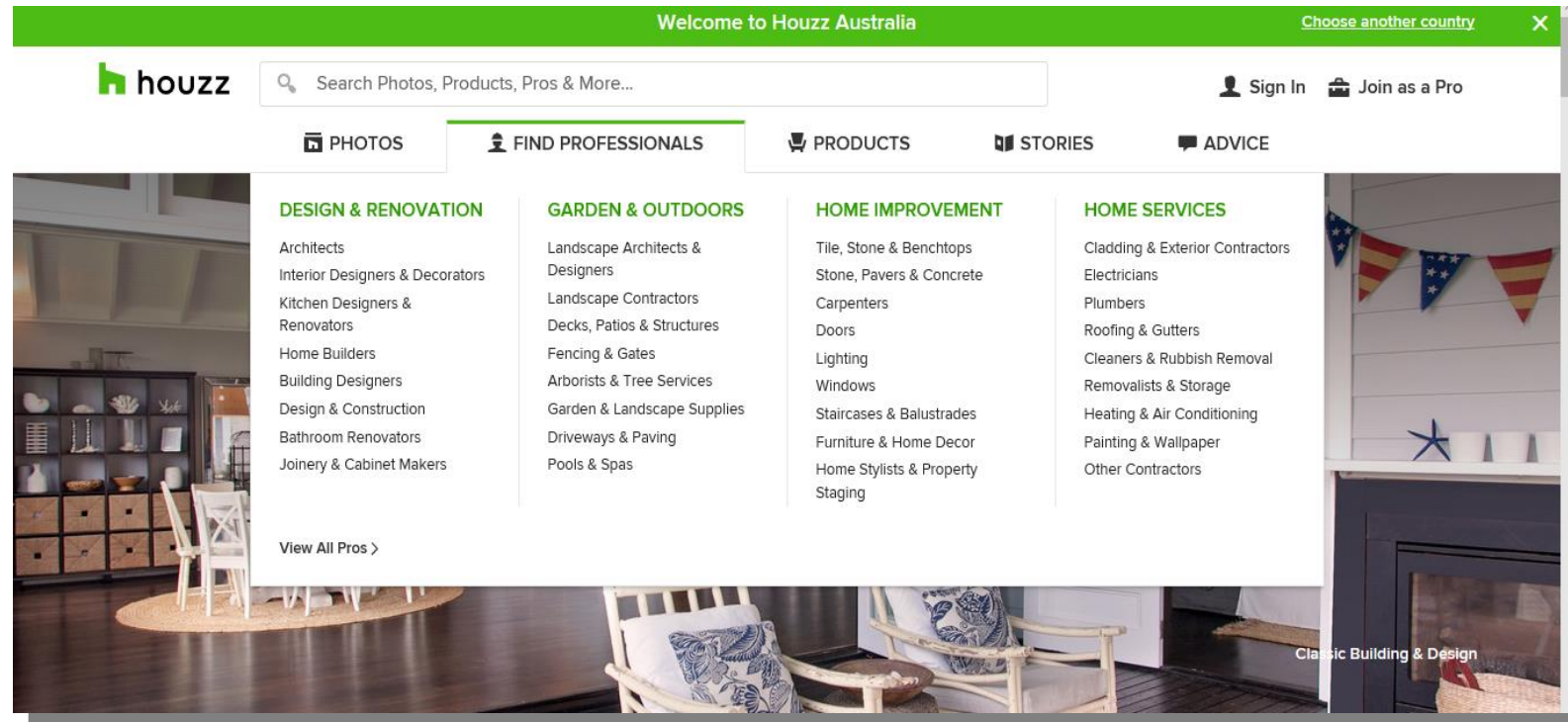
ProBuilder offers clients a complete one-stop shop for their building needs, specialising in domestic renovations and extensions & repairs. The business has established a reputation for a high level of output, enabling works to be completed in the... More

ProBuilder on Google

Urban oasis ~ With the deck and pool house well under way it's time for the pool to start. The decks terrace away from 6 days ago

2019 New Year cancella... Dec 23 - May 31 Looking for a last minute Ne. Dec 23, 2018 View offer

Paid Directories



Other Directories

Directories	'3 Quote' Sites	Review Forums
Bing	HI Pages	Product Review
Yellow Pages	OneFlare	Home One
True Local		Yelp
Hot Frog		Womo
Aussie Web		

Tips For Online Reviews

Offer different places to leave reviews.

Publish reviews across multiple platforms at different times.

Create incentives.

Ask at the right moments.

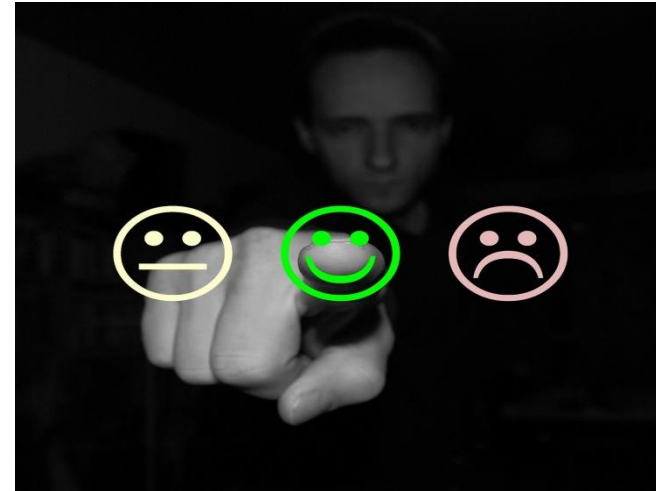
Make it easy to click the link

Ask open-ended questions first.

Respond to every review -- even negative ones.

Give your customers a positive review first.

Call / ask the customer in person.



In Summary...



New Business Marketing Summed Up



Topics discussed...

1. Different channels for marketing online
2. Importance of your online reputation
3. How your marketing feeds into your website
4. Tips to ensure your website converts
5. Brand exposure (6-20 times)
6. Creating a fertile ground for other advertising
7. Local directories and Google my Business
8. Building reviews

If You Need Our Help

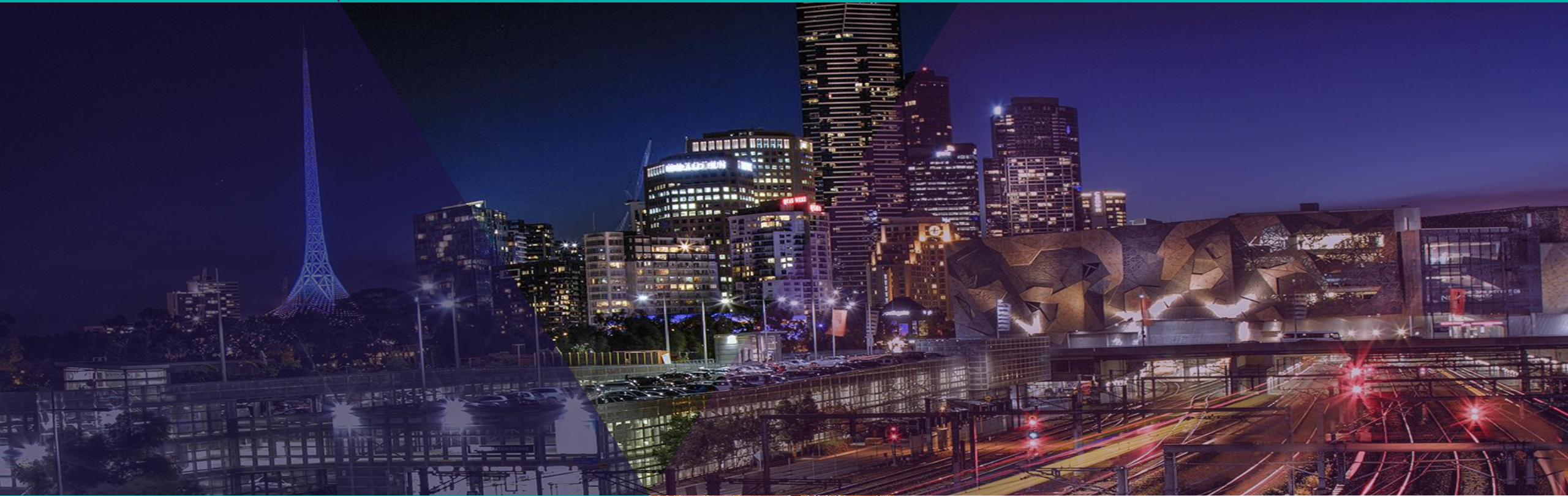
1. 6 month marketing plan
2. Marketing manager (tailored)
3. Business coaching *very limited

Questions



Tom Sankey, Gareth Shaw & Chloe John

Current Regulatory Reform Projects



Tom Sankey
Principal Policy Officer



Environment,
Land, Water
and Planning

New requirements for private swimming pools and spas



Why is the Victorian Government taking action?

- **Aim:** Reduce drowning deaths of young children in pools and spas
- High priority under *Victorian Water Safety Strategy 2016-2020*
- Between Jan 2000 and May 2019 – 27 fatal drownings
- For every fatal drowning, estimated 6 non-fatal drownings

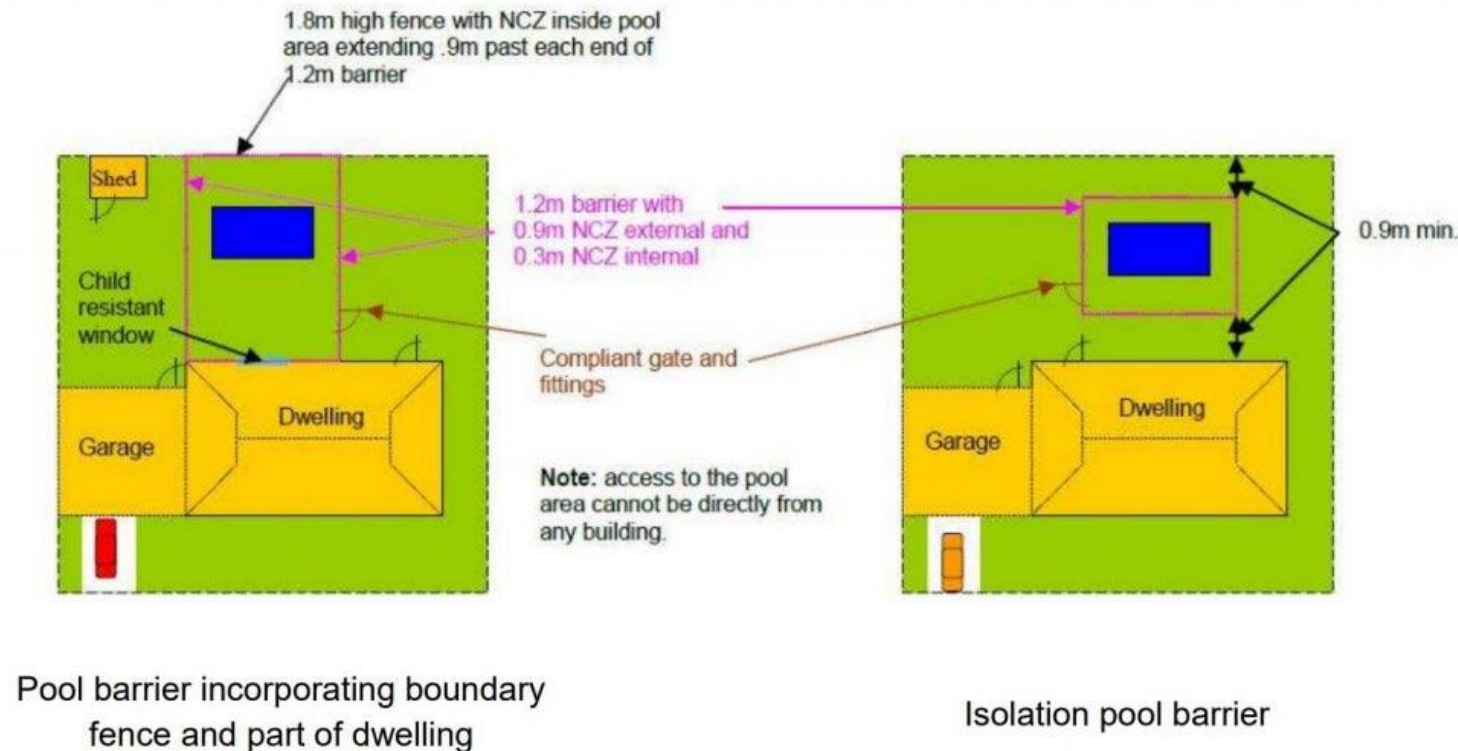


- Supervision is key, however...
- In at least 20 of the 27 drownings, a non-compliant barrier was likely a contributing factor
- At least 12 drownings occurred at properties where child was not a resident
- Victorian Coroner has called for stronger pool barrier laws

- Current safety barrier laws are ineffective
- High rate of non-compliance reported by councils and private sector
- Low level of knowledge among owners
- Council resources generally constrain proactive audit activity

Previous regulatory policy proposal

- Building Regulations Sunset Review (2017)
- Proposal: All pools and spas to upgrade to comply with AS 1926.1:2012



- *Building Act 1993* amended in September 2018
- From 1 December 2019, all councils required to establish and maintain pool and spa register
- Draft regulations developed by DELWP with input from key stakeholders
- Two key features:
 - Mandatory registration
 - Periodic inspection and certification of barriers.

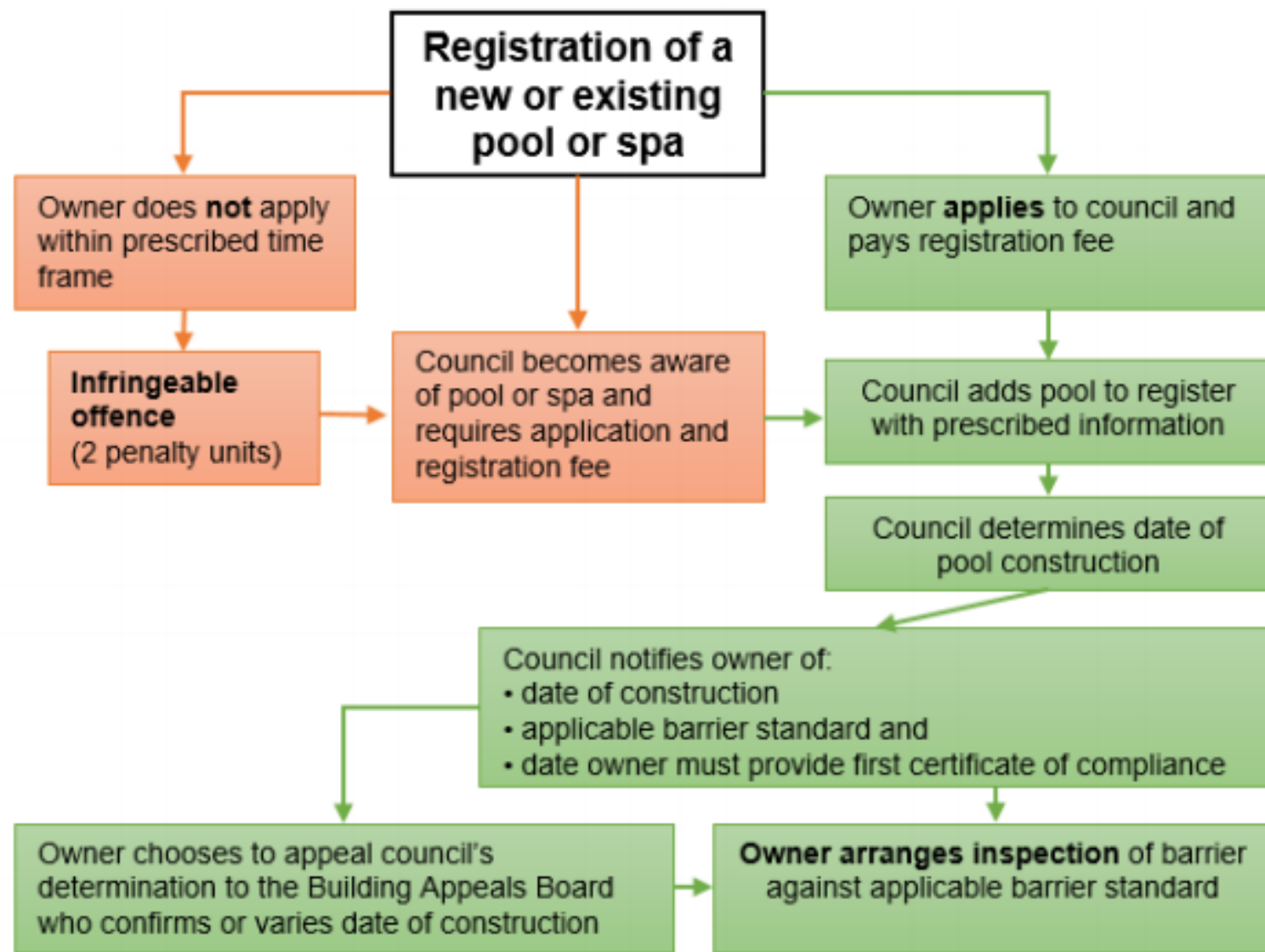
Proposed registration timeframes

Nature of pool or spa	Registration application must be made by
Pre-existing as at 14 April 2020	14 April 2020; or Within 30 days of issue of Occupancy Permit or Certificate of Final Inspection
Under construction as at 14 April 2020	Within 30 days of issue of Occupancy Permit or Certificate of Final Inspection
Constructed after 14 April 2020	Within 30 days of issue of Occupancy Permit or Certificate of Final Inspection

Mandatory registration of pools and spas cont.

- Application must be on prescribed form
- One-off, lifetime registration
- No renewal requirement
- Owner can apply to have pool/spa removed from register if it is no longer capable of being used
- Application fee payable – proposed max. fee of \$37

- Council must determine date of construction of pool or spa upon registration application
- Council can consider any relevant information
- Applicable barrier standard is the set of technical requirements that the compliance of the barrier will be assessed against
- Applicable barrier standard based on requirements in force at date of construction or alteration to barrier



Flow chart: Swimming pool and spa registration process

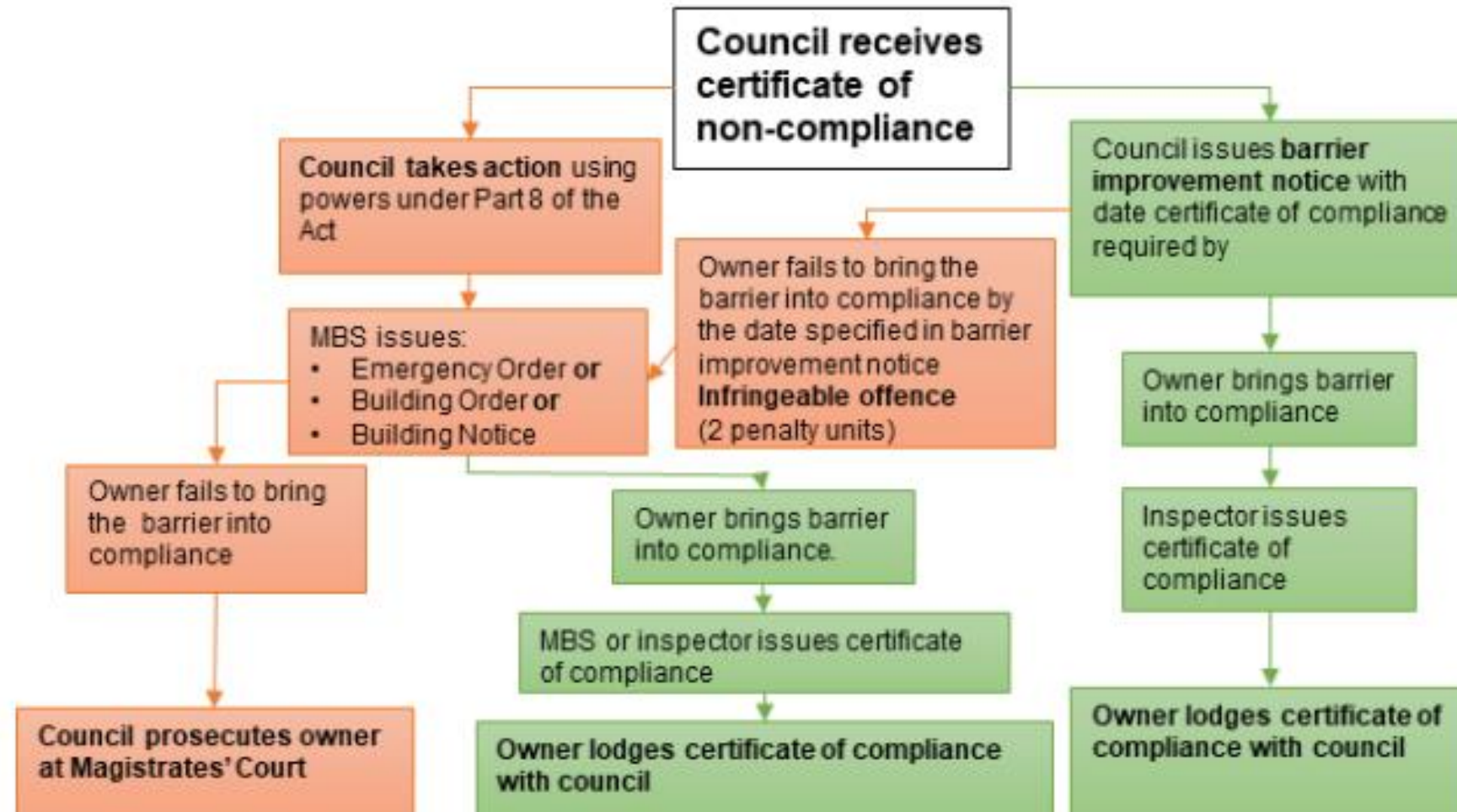
- Inspection and certification of barriers every 3 years
- Inspection can only be undertaken by:
 - Registered building surveyors
 - Registered building inspectors
- Certificates of barrier compliance have 30-day 'recency' requirement
- Lodgement fee payable – proposed max. fee of \$20

Proposed timeframes for lodgement of first certificate of barrier compliance

Registration pathway	Date of construction	First certificate must be lodged by
Existing	Before 30 June 1994	30 October 2020
Existing	Between 1 July 1994 and 1 May 2010	30 April 2021
Existing	After 1 May 2010	29 October 2021
Newly constructed	After 14 April 2020	At time of application for registration

- Draft Regulations propose new class of registration: *Building Inspector (Pool Safety)*
- Proposed eligibility requirements:
 - Successful completion of a course in swimming pool and spa safety barrier inspection approved by the VBA from a Registered Training Organisation; and
 - At least six months of practical experience.

- Two pathways for addressing non-compliance:
 - Inspector oversees rectification or minor matters; or
 - More significant non-compliance referred to council
- Certain prescribed matters will require inspector to issue certificate of barrier non-compliance and lodge with council.



Flow chart: Processes when council receives a certificate of pool and spa barrier non-compliance

- Broadly, same requirements apply
- Relocatable pools and spas must be registered after remaining up for 3 consecutive days
- Registration requirement only starts from 14 April 2020
- Council will nominate period for provision of first certificate

- Public consultation closes: 5PM today
- Last minute submissions accepted until end of this weekend
- Regulations to be made later this year in order to commence on 1 December 2019

Registration and Licensing of Building Trades



- Recent amendments made to the Building Act
- Increase confidence and accountability
- Registration or licence required to perform certain building work
- **September 2020:** new Regulations commence



Key Project Stages and Consultation

- **Stage 1:** Finalise priority areas of work (**July-Oct 2019**)
- **Stage 2:** Develop regulatory options for priority areas (with industry consultation) (**Oct-Dec 2019**)
- **Stage 3:** Test regulatory options by Regulatory Impact Statement (RIS) and draft regulations (**Jan-July 2020**)
- New regulations made (**by 1 September 2020**)

- **Project updates**
 - posted to Engage Victoria website:
<https://engage.vic.gov.au/>
- **More questions?**
 - Email DELWP at building.policy@delwp.vic.gov.au



Questions?



Craig Salter & Mary Kikas

The background image shows a construction site. On the left, there is a modern house with a grey corrugated metal roof and large glass windows. A satellite dish is mounted on the roof. In the foreground, a yellow excavator is positioned on a pile of dirt. To the left of the excavator, there are stacks of concrete blocks. In the bottom left corner, a portion of a blue swimming pool is visible. The overall scene is set in a rural or semi-rural area with trees and hills in the background.

SPASA Victoria | Members Briefing

September 2019 | Version 1

Who are we....



What we do...



What we do...



What we stand for...

vision

We want to see a world in which no one is hurt at work, ever.

ACTION
OHS CONSULTING

mission

We strive to make safety accessible & easier for all people, no matter their expertise.

ACTION
OHS CONSULTING

values



We are customer alert.
We wouldn't be in business without our customers. That's why we keep our customers and their needs at the center of our focus.

We are better together.
We value inclusive contribution, diversity and inclusion. We are stronger and more effective as a team.

We love bold ideas.
We think big – bigger and better – and push the boundaries in everything we do.

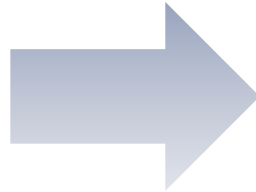
We use a start-up mindset.
We are ready and open to growth. With growth comes exciting opportunities.

We value life-work balance.
We believe in life-work balance and we make it happen. That's right, life comes first.

We go for gold.
We are committed to delivering the highest quality products & services.

Your obligations

Identify how your workers, or people impacted by your work could get hurt



Build processes to stop this occurring

Member Support, OHS



OHSMS Documents



Training & Webinar Series



Free OHS Review



Safety Champion Software

Health and Safety Manual + Hazards and Risk Register



- OHSMS Manual
- OHSMS Appendices
- Safe Operating Procedures
- Hazards Register
- Signage - Order

<https://www.spasavic.com.au/members-area/ohas-resources>

OHS Training



SPASA Victoria

- OHS Essentials
- OHS Materials Made Easy

Webinar Series



3 per year

Topics that impact you: SWMS, Contractor Management, etc.

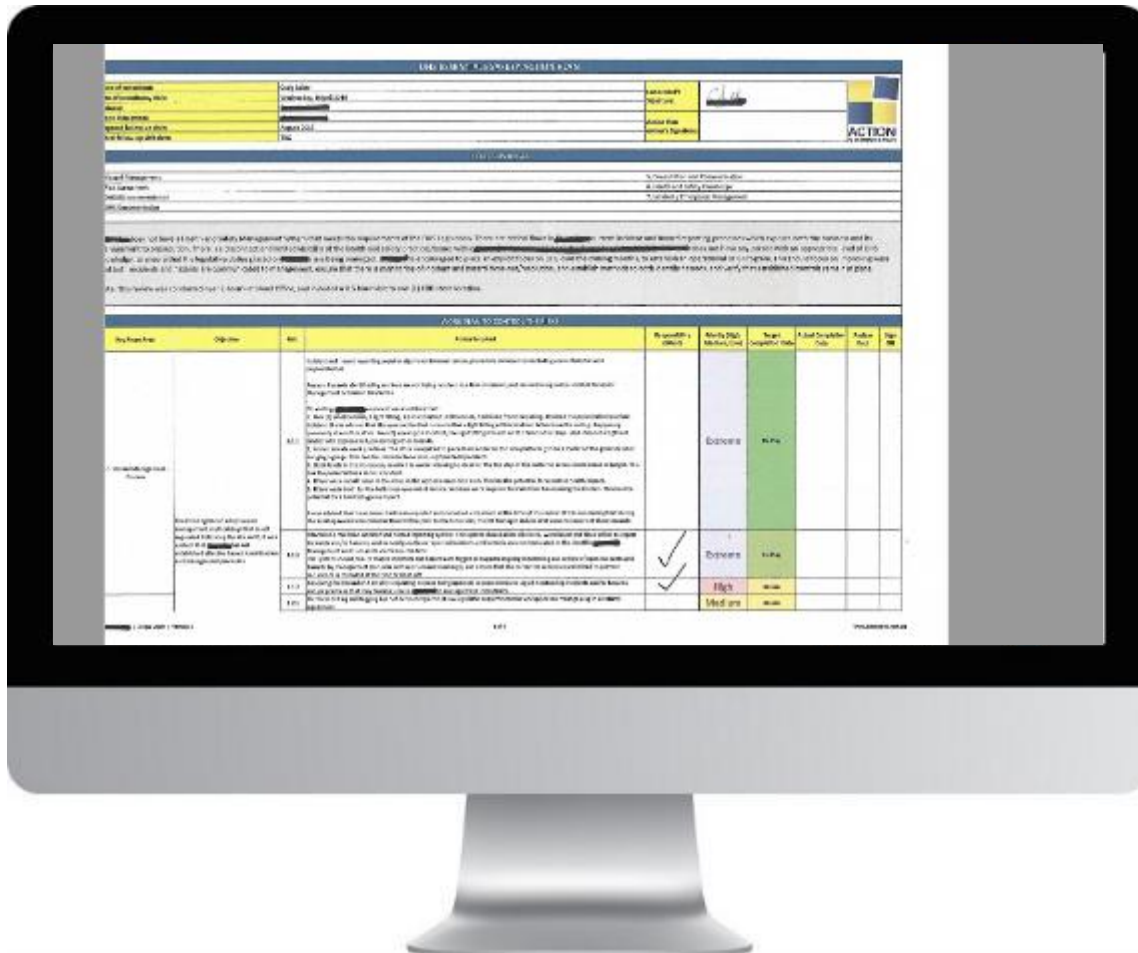
Free Resource: War on Safety

<https://www.actionohs.com.au/the-war-on-safety-webinar-series/>

Free Health and Safety Review

1. Initial Visit
2. Follow-up Visit – 6 months
3. Close-out Visit – 12 months

<https://www.actionohs.com.au/ohs-essentials-program/>



Safety Champion Software



www.safetychampion.online

Username: 123@spasavic.com.au

Password: Swim2019

www.safetychampion.com.au

Safety Champion Software

Freemium = Launching October...



www.safetychampion.com.au

www.safetychampion.com.au/access-freetrial/

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**MORNINGTON
PENINSULA**
Shire

David Kotsiakos

Planning & Suveyors

Building Permits & Compliance With Regulations

September 2019



**David
Kotsiakos**

Municipal
Building
Surveyor

Registered Building
Surveyor

What are building permits?

- Documents that signify that a Building Surveyor has approved documentation for proposed work prior to its commencement.
- Building permits relate specifically to the carrying out of **building work**. Note: Construction of a Swimming Pool/Spa and associated Barrier constitutes building work. However, there are times when a planning permit may also be required.
- Undertaking works without a Building Permit is a serious offence and can result in severe penalties and hefty fines set by the Magistrate. Section 16 500-2500p/u

Why obtain a building permit?

- A building permit ensures:
 - The required building practitioners are all registered and carry the required insurance(s).
 - Adequate documentation is prepared to enable compliant construction of the proposed Pool/Spa and Barrier.
 - An independent review of building documentation occurs.
 - Key stages of the work are independently inspected. ie: excavation, temporary Safety Barrier, footings, reinforcement and final
 - Your Pool/Spa and Barrier is independently assessed as suitable for use.
 - Other benefits for owners include compliance with building legislation prior to building work commencing. (Avoidance of Section 16 Breach)

What is the role of a building surveyor?

- To provide oversight for compliance with safety standards for the built environment. (Pool/Spa and Barrier)
- To review, analyse and assess plans for compliance with current Australian Standards, the NCC, the Building Regulations 2018, the Building Act 1993.
- To conduct inspections and issue Building Permits, approvals and/or certification.
- You can only appoint one building surveyor to a building project.

Building Permit process

Applicant

Choose Building Surveyor

Apply for Building Permit

Private Building Surveyor to send Section 80 notification to relevant Council

Submit all required documents

eg: plans, specifications, soil reports and Certificate of Title to the Building Surveyor for review

Pay Fees and Levy

Assess application

Issue Building Permit

(Private Building Surveyor to send Section 30 to relevant Council with fee)

Commence Construction

Builder/Owner to notify PBS of Inspection stages

Inspections

1. Excavation Stage
2. Fencing Stage(temporary)
3. Footings (if any)
4. Frame (if any)
5. Final

Issue Occupancy Permit/Final Certificate

Who can apply for a building permit?

- An Owner
- An agent of the Owner

Note: Builders are prohibited from appointing a
Private Building Surveyor(PBS)
for domestic building work.

How do I apply for a Building Permit?

- Lodge a Form 1 with either a Municipal Building Surveyor (MBS) at Council or a Private Building Surveyor (PBS).
- All documentation to be submitted together with an Application Form. (Form 1)
- Each Council or Private Surveying Company may have different requirements for applications, however we are generally bound by Regulation 25.

What documents will the building surveyor need?

- An application for Pools, Spas and Barriers must be accompanied by:
 - Working drawings showing the site plan, elevations, sections, dimensions, the sizes and locations of structural members... (i.e. for Pool/Spa & Barrier).
 - Specifications describing the materials and methods used in construction.
 - Structural Drawings.
 - Any relevant computations or reports.
 - Regulation 126 Certification.

Continued..

- Application Form. (Form 1)
- Agent Appointment Form. (with Owner's Consent)
- Current Certificate of Title & Subdivision.
- Planning Permit and Endorsed drawings (If required).
- Documentary evidence to support the use of material, form of construction or design referred to in clause 1.2.2 of the NCC.
- Land Survey Plan (If required).

Continued..

- Sewer Depth & Offset Plan (when pool is in close proximity to easement).
- Warranty Insurance Certificate (from builder) or Owner Builder's Certificate of Consent (from BPB).
- Protection works notices (more information to follow).
- **Builders contract or Commercial cost break down schedule for materials and labour (pool & fence).**

What needs to be on the site plan?

- All boundaries, street address, distance to nearest intersecting street, who prepared the plans – title block.
- Location of swimming Pool/Spa.
- Location of Barrier
- Location of existing or proposed buildings on subject site.
- Setbacks to boundaries.
- Safety fencing. If boundary fencing to be used, must be noted.
- Structures on adjoining properties if pool is in close proximity to boundary.
- Location of any easements.

Safety fencing

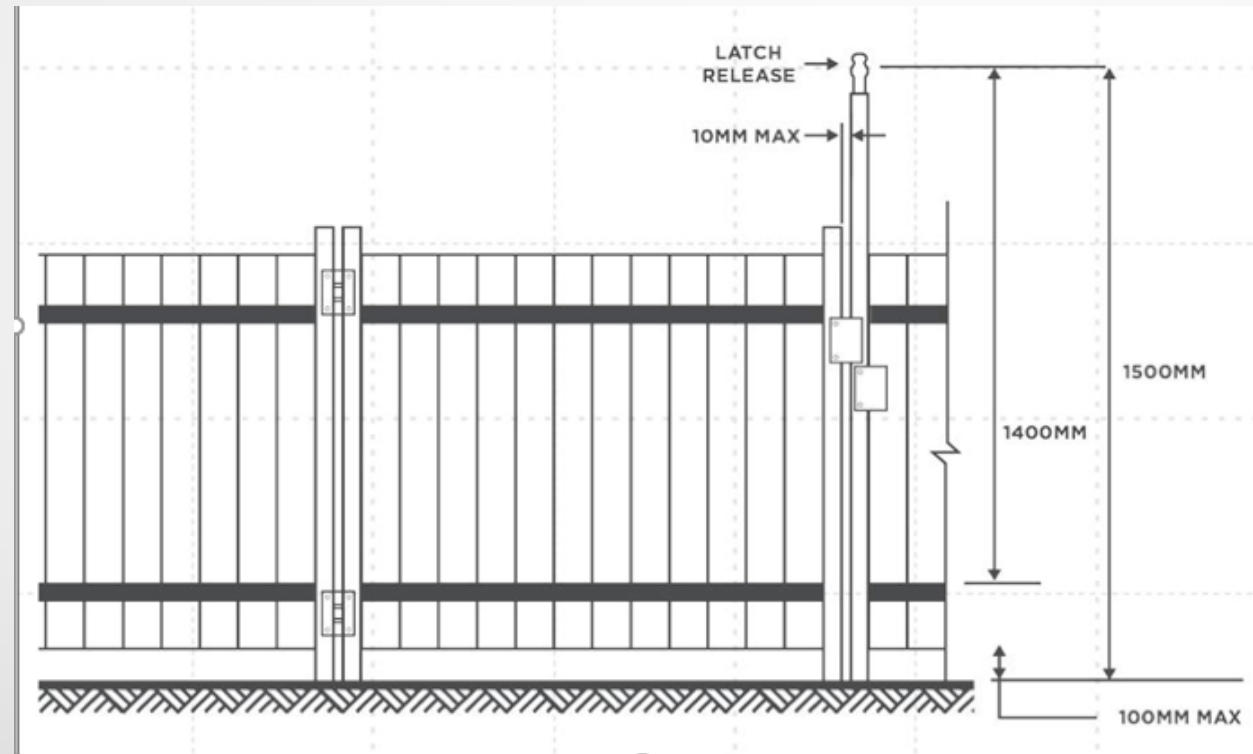
- A Safety Barrier must be installed to all pools & spas with a depth greater than 300mm.
- Drowning is the most common cause of preventable death for children under 5 (kids are attracted to bodies of water). Pool fencing considerably reduces this risk.
- A Safety Barrier refers to a fence, wall, gate or screen. Includes windows, locks, hinges and self-closing devices attached to them.

Documenting safety fences

- Safety fences must be included in the building contract.
- Builders should refrain from letting the owner take responsibility of the safety fence.
- Full architectural details must be supplied to comply with AS1926.1.

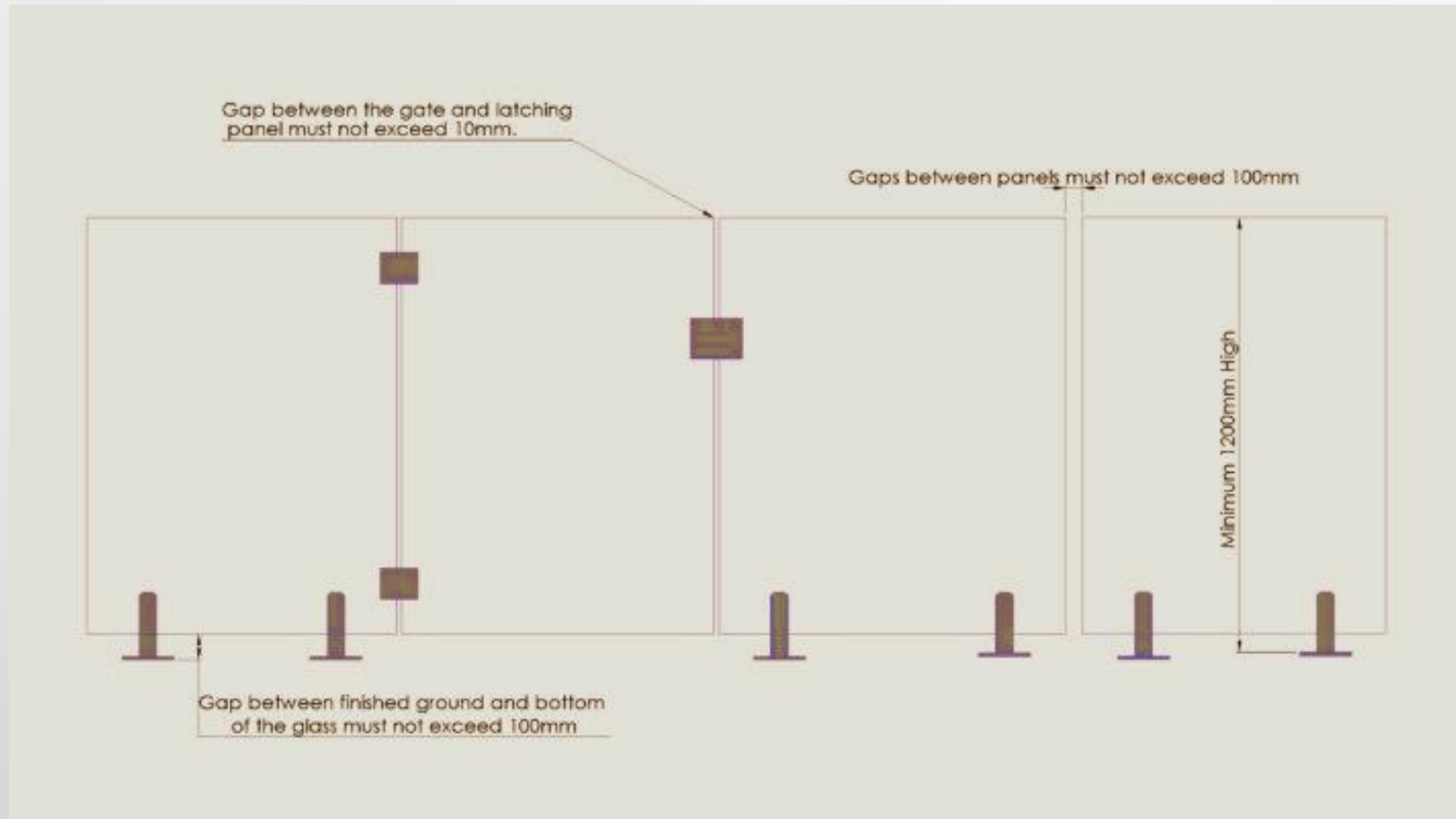
Example of documenting fences

Typical Safety Barrier with Gates

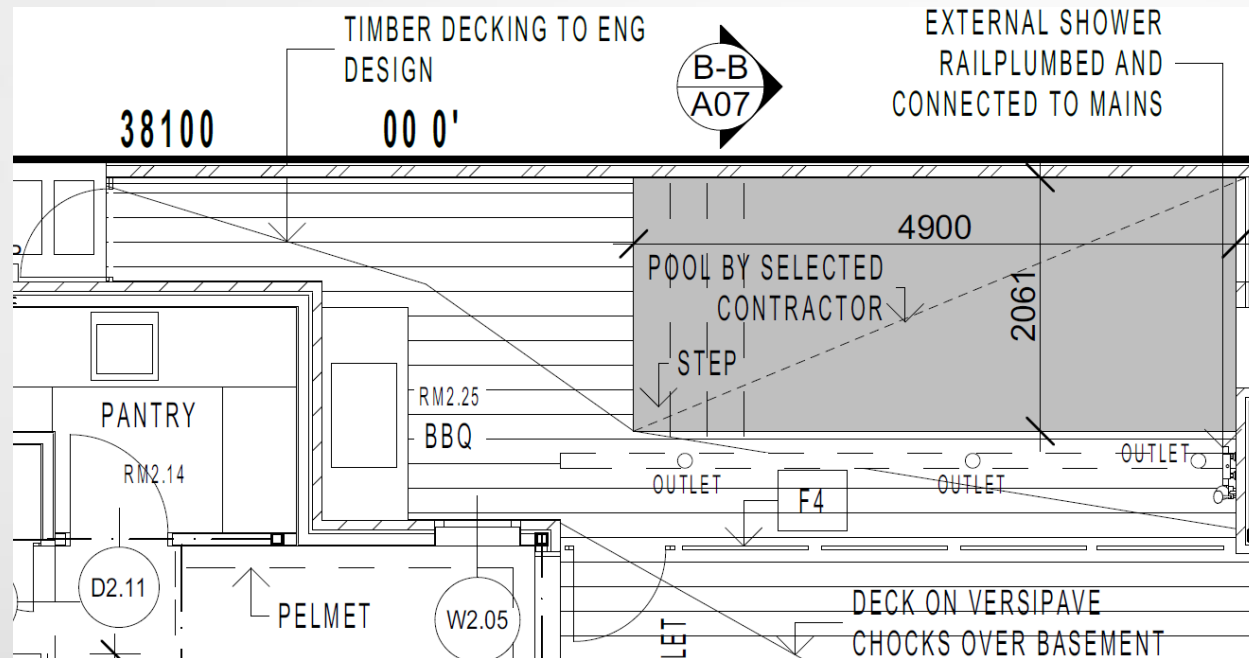


Question: Is there a measurement not provided that is required?

Typical Glass Safety Barrier with Gates



Typical Plan Detail of a Safety Barrier



Question: Can anyone see any possible dangers associated with this design?

What is Protection Works?

- The RBS makes a formal determination whether Protection Works will be required (Form 6).
- The more information supplied to the RBS the better.
- Excavation of a pool/spa near adjoining properties can affect adjoining land and/or buildings.

Protection works continued...

Protection work provides protection to adjoining property and buildings from damage due to building work. It includes but is not limited to:

- Underpinning of adjoining property's footings
- Shoring up of the adjoining property
- Other work designed to maintain the stability of adjoining property from damage due to building work

Protection works continued...

- Owner to notify the adjoining owner via Form 7 (notice)
- The adjoining owner must respond via Form 8 (response) within 14 days and agree, disagree or request further information

Question: When is the 14 day (2 week) period counted from?

Examples of failed Protection Works





Once a Building Permit has been obtained...

- Construction may commence.
- The RBS must be notified for the following inspections:
 - Excavation stage
 - Temporary Fencing stage
 - Footing stage (if any)
 - Reinforcement stage (if any)
 - On completion
- Pre-plumbing should also be complete.
- Prior to booking Final Inspection, all safety fencing must be complete.

- Temporary fencing **will not** be approved as a permanent safety barrier.
- Temporary barriers **must** be installed around a pool until the permanent barrier is installed.



If a temporary fence isn't installed, a building or emergency order can be issued by the MBS.

Note: Shade cloth used on Temporary Fencing



An example of a compliant temporary barrier that meets regulations

New Pool/Spa Legislation

- Regulatory impact statement (RIS) not distributed yet for Public review
- Summary of proposed changes:
 - 3 yearly Pool/Spa registration with local Council.
 - Registration fee to pay to Council.
 - Pool Inspectors to inspect Pool.
 - Pool Inspectors to issue certification OR a Direction to fix.
 - Council can step in and issue Enforcement.
 - Section 32's, buying and selling.
- What this means to the Industry?
 - Pool/Spa Permit costs to increase.

Questions?

Thank you!

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Thank you!



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