

LET US HELP BUILD YOUR
POOL / SPA

**INFORMATION
PACKAGE**



NORTH BURNETT
REGIONAL COUNCIL



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A GUIDE TO BUILDING SWIMMING POOLS AND SPAS (class 10b)

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LEGISLATION

Current legislation requires all outdoor swimming pools be fenced before the pool is intentionally filled to a depth of 300mm or more. This fencing is to comply with the current Australian Standards AS 1926.1-2007, 1926.2-2007, The Queensland Development Code Part MP3.4, The Building Regulations 2006 and the Building Act 1975.

ALL PROPOSED SWIMMING POOLS (Including Fencing) require formal building approval under the *Building Act 1975*. Building application forms fully completed and lodged together with plans and specifications for the pool *and* pool fencing with the application fee are to be submitted by either yourself or a pool contractor. Approval must be granted prior to the installation of the pool.

DEFINITIONS

'swimming pool' means an excavation or structure -

- (a) capable of being filled with water to a depth of 300mm or more, and
- (b) capable of being used for swimming, bathing, wading, paddling or some other human aquatic activity; and
- (c) solely or principally used, or designed, manufactured or adapted to be solely or principally used, for the purposes mentioned in paragraph (b) despite its current use; and includes a spa pool, spa tub or similar thing (whether portable or fixed) and a wading pool (other than a portable wading pool) , but does not include -
- (d) a fish pond, or pool solely or principally used, or designed, manufactured or adapted to be solely or principally used, for ornamental purposes; or
- (e) a dam or tank solely or principally used, or designed, manufactured or adapted to be solely or principally used, for aquaculture, marine research or storage of water ; or
- (f) a watercourse; or
- (g) a portable wading pool; or
- (h) a spa bath situated in a bathroom, other than a spa bath continually filled with water to a depth of more than 300mm; or
- (i) a birthing pool used solely for waterbirths.

'portable wading pool' means a pool that -

- (a) is capable of being filled with water to a depth of no more than 300mm; and
- (b) has a volume of no more than 2000 litres; and
- (c) has no filtration system.

A BUILDING PERMIT

Is a Development Permit to 'Carry Out Building Work', and must be obtained for all building work proposed on any land within the Region. Building work is defined as:-

- (a) building, repairing, altering, underpinning (whether by vertical or lateral support), moving or demolishing a building or other structure; or
- (b) excavating or filling—
 - (i). for, or incidental to, the activities mentioned in paragraph (a); or
 - (ii). that may adversely affect the stability of a building or other structure, whether on the land on which the building or other structure is situated or on adjoining land; or
- (c) supporting (whether vertically or laterally) land for activities mentioned in paragraph (a); or
- (d) other work regulated under the building assessment provisions, other than IDAS.

SUBMITTING AN APPLICATION

The application is not deemed as being received unless all of the following information is received at the time of submission to Council:-

1. IDAS Forms 1 and 2 (attached) completed in full.
2. Documentation as per attached checklist.

Plans must be submitted to Council in triplicate and must be of a good drafting standard. If the applicant is not familiar with the requirements of the *Building Act 1975* and the *Building Regulations 2006*, it would be to their advantage to consult a licensed Building Designer, Architect, or other person who has knowledge of the Act and Regulations. Refer to the attached list of consultants.

A plan is a document that should contain enough information presented in such a way that it is possible to construct the building or structure from it. It should contain information (where applicable) as listed in the attached sheet entitled 'MINIMUM LEVEL OF DETAILS TO BE INCLUDED'.

3. Fees as applicable.
4. **Owner Builders** are required to obtain an Owner Builders Permit if the work is \$11,000 or more. If less than \$11,000, a Permit is not required. The Permit number is to be inserted in the allocated space provided on IDAS Form 2.

GENERAL INFORMATION

1. COMPLIANCE FOR CLASS 10B STRUCTURES

Class 10b Structures are to comply with the applicable Shire Planning Scheme, the *Building Act 1975*, the *Building Regulation 2006*, Volume 2 of the Building Code of Australia, all the referenced Australian Standards contained therein and Queensland Development Code Part MP3.4.

2. GENERAL MATTERS

Setbacks from allotment boundaries shall comply with MP1.1, 1.2 and 3.4 of the Queensland Development Code.

3. BUILDINGS ERECTED OR USED UNLAWFULLY

Where it comes to the knowledge of a local authority that any building or other structure has been erected or used -

- (a) Without an approval as required by the *Sustainable Planning Act 2009*; or
- (b) Other than in accordance with the approved plans, specifications and conditions as imposed by the local authority;

a notice pursuant to the *Sustainable Planning Act 2009/Building Act 1975* may be served on the owner of the building or structure to perform such work on the building or structure as is necessary to bring the same into conformity with the *Building regulation 2006*, or to demolish or remove the same.

4. CONTAMINATION OF LAND ACT 1991 (AS AMENDED)

An application lodged on a restricted site as defined by the Contaminated Land Act 1991 cannot be approved if the application is inconsistent with the limited use or on-site activity of the land specified in the classification.

5. ALLOTMENT SURVEYS AND BOUNDARY PEGS

The owner is responsible for determining the boundaries and maintenance of survey pegs on their land. The owner and builder should check that the proposed building or additions are within the building lines before commencing the building work. The nature of the building, conditions of the site, levels and depth of the allotment may make it necessary to resurvey the land and/or the building on the land before building work is commenced. An Identification Survey may be required by the North Burnett Regional Council where survey pegs or building lines cannot identify that the building has been sited to meet the deemed to satisfy solutions of the Queensland Development Code.

6. LAND LIABLE TO FLOODING

Certain allotments with the North Burnett Region have been identified as land which may be liable to flooding. Information regarding land is available at the Regional Offices.

7. INSPECTIONS REQUIRED

The Builder/Owner is required to make arrangements with the Building Certifier to carry out inspections that form part of the building approval. The inspections will be at a time agreed between the Builder/Owner for the work and the Building Certifier inspecting the building work. Only (1) one inspection for each stage is included in the application fees.

Failure to notify may result in the commencement of enforcement proceedings. Where considered necessary, that stage of the work may be required to be taken down or uncovered for inspection purposes.

Generally, inspections are required to be made at the following stages of construction, but the actual inspections required for each project are detailed on the Decision Notice:-

Building Work

- Temporary Fencing
- Final (when all work is complete and all certificates are available)

8. MANDATORY SIGNAGE

RESUSCITATION SIGN

Part 4 Section 13A of the *Building Regulation 2006*

13A Resuscitation sign requirements and display

- (1) A standard prescribed for section 231D(1)(b) of the Act for a regulated pool is the display of a resuscitation sign complying with the requirements for a resuscitation sign in subsection (2).
- (2) The sign must—
 - (a) be attached to the barrier for the pool, or displayed near the pool, so that the sign is conspicuous and easily visible to any one near the pool; and
 - (b) be at least 300 mm x 300 mm in size; and
 - (a) be made of durable and weatherproof material; and
 - (b) include a statement that is prominent on the sign, explaining to anyone reading the sign how to act in an emergency, including, for example, telephoning for an ambulance, staying with the injured person, calling for help and providing first aid; and

Example of what sign must state—
'In an emergency phone 000 and ask for ambulance. Stay with injured person, call for help and resuscitate.'

 - (c) for a pool constructed before 1 December 2009 - at least show enough information about the procedures for providing first aid to enable anyone reading the sign to perform expired air resuscitation or cardiopulmonary resuscitation on an infant or young child; and
 - (d) for a pool constructed on or after 1 December 2009-show information about the procedures for providing first aid, including performing cardiopulmonary resuscitation in the way stating in the document called 'Guideline 7 - cardiopulmonary resuscitation' published by the Australian Resuscitation Council in February 2006.

Editor's note-
At the commencement of this section, the document could be inspected on the Australian Resuscitation Council's website at www.resus.org.au.
- (3) Each diagram or letter on the sign must be durable, legible and clearly visible.
- (4) In this section-
resuscitation sign means a sign showing procedures for providing first aid, including, for example, expired air resuscitation and external cardiac compression.

9. WARNING SIGN REQUIREMENTS AND DISPLAY - ACT, S233

Part 4 Section 14 of the *Building Regulation 2006*

- (1) This section prescribes, for section 233(2) of the Act—
 - (a) the way a warning sign must be displayed on land before the construction of a regulated pool other than a portable swimming pool, on the land; and
 - (b) the requirements for the sign.
- (2) The sign must—
 - (a) warn members of the public in the vicinity of the land that—
 - (i) a swimming pool is under construction on the land; and
 - (ii) there is a potential danger to young children accessing the land; and

Example of what sign must state—

'Danger. Swimming pool under construction. Keep children out.'

- (b) subject to subsection (4), be placed on, or within 1.5 m of, the road frontage for the land; and
 - (c) be mounted so that the bottom of the sign is at least 300 mm above ground level; and
 - (d) be positioned so that it is visible from the road; and
 - (e) be made of weatherproof material.
- (3) Any lettering on the sign that relates to the warning mentioned in subsection (2)(a) must be at least 50 mm in height and in a bold style.
- (4) If the land has more than 1 road frontage, a sign need only to be placed on 1 of the road frontages of the land.
- (5) The sign may include a reference to a matter other than the warning mentioned in subsection (2)(a).
- (6) In this section—
- road frontage**, for land, means—
- (a) if the only access to the land is across other land—the boundary between the other land and any road adjoining the other land at the point of access; or
 - (b) otherwise - the boundary between the land and any road adjoining the land.

MINIMUM LEVEL OF DETAILS TO BE INCLUDED ON EACH OF THE FOLLOWING DOCUMENTS FOR CLASS 10B STRUCTURE

- All drawings to be to scale on minimum A4 size sheet
- 3 copies of drawings and details
- 3 copies of the filter/pump system brochure;
- Site Plan - 1:200 to include dwelling and external buildings (including location of windows opening into the pool enclosure) and structures.

NOTE: Doors from the dwelling are not permitted to open into pool enclosure.

- Swimming pool/spa plans & details (Including profile of existing and proposed ground levels) - 1:10 or 1:20
- Location of fences and gates (Show direction of swing)
DETAIL DRAWINGS OF PROPOSED AND/OR EXISTING FENCES AND GATES RELEVANT TO POOL/SPA ENCLOSURE SCALE 1:10 OR 1:20. FENCE IS TO COMPLY WITH QUEENSLAND DEVELOPMENT CODE MP3.4, THE BUILDING ACT 1975, BUILDING REGULATION 2006, AS1926.1 -2007, AND AS 1926.2 - 2007.
- Materials and sizes for fence
- Height - spacing of rails and vertical members
- Latch type - location and shielding details where required
- Location and method of quadrant (non climbable zone - NCZ) protection (where required)
- Location - type and height of any existing or proposed retaining wall/s relevant to the pool/spa area
- Location of pool filter - pump system & schematic of pool plumbing and pipe sizes
- Location of ladders and or stairs - (Provide non slip surface at the base.)
- Electrical earthing provisions and location (Inground concrete pools only)
- 900mm wide non slip surface around pool/spa (recommendation only - for inground pools)
- Location of resuscitation sign
- Capacity of pool (in litres) and pump flow rate in litres per hour
- Location - method and discharge point of pool/spa drainage/back wash water
- Other relevant information
- Landscaping (*Maximum 25% circumference of pool coping*) - *recommended only*

NOTE: EACH DRAWING IS TO HAVE

- Job and page numbers and title of drawing
- Name and original signature of author
- License details/number of author

HOW LONG WILL IT TAKE FOR MY BUILDING APPLICATION TO BE APPROVED?

Your building application is assessed using the Integrated Development Assessment System (IDAS). This system is **MANDATORY** for all local authorities to follow in assessing any type of development application. It is part of the Sustainable Planning Act 2009, which is State Government Legislation.

Your BUILDING APPLICATION will be approved based on a number of matters such as:

- The information you provide as part of the application; and
- The relevant forms being completed correctly by you; and
- Payment by you of all the relevant statutory and local government fees; and
- The time lines included in the provisions of the IDAS process.

Council will follow the IDAS process as follows:

1. You will submit your application with the necessary plans, application and statutory fees.
2. Council will peruse the application to determine if it is properly made and if so accept it. If it is not properly made you will be informed and have to resubmit it with the adjustments the relevant officer has informed you are required. Council can accept an application if it is not properly made if there are only minor issues involved.
3. If the application is deemed to be properly made, the clock starts ticking. If all the information that has been submitted is sufficient for the application to be assessed by our Building Surveyors, Council has **20 working days** from the day it is accepted as a properly made application to make a decision. Council can extend this period by another **20 working days** but **MUST** inform you in writing that the additional time is required. Provided there are no issues with the application **it should be approved within 20 working days** of you submitting it.
4. If Council accepts your application as a properly made application and commences to assess it, a clarification or a request for more information can be made. This is called an Information Request. Council has **10 working days** from when it accepts the application to issue an Information Request. The assessment period does not start until you have responded to the Information Request and you have 12 months to do so. At that time, if you have not responded, Council will deem the application to have lapsed. Once you satisfactorily respond, the clock starts ticking again. The time line detailed above commences. Council has 20 working days plus 20 working days notified in writing to make a decision. Therefore, you **should receive approval within 20 days** of providing the information requested of you.

CONSULTANTS

The following is a list of consultants who have worked or are currently doing work in the North Burnett Region. Names of others can be found in the phone book (yellow pages)

NOTE: This list has been compiled to assist applicants. Council does not take responsibility for any errors or omissions and consultants are **NOT** listed in any order of preference. Council does **NOT** offer advice or make recommendations about consultants.

ARCHITECTS

- | | |
|--|--|
| 1. Bronwyn Innes BUNDABERG QLD 4670 Ph/Fax: 4151 3377 Mob: 0412 426 476 | 2. Keystone Architects MARYBOROUGH QLD 4650 Ph: 4123 1005 Fax: 4123 1001 |
|--|--|

LICENSED BUILDING DESIGNERS

- | | | |
|--|--|--|
| 1. Arthur Martin Design & Drafting DALBY QLD 4405 Ph: 4662 1403 Fax: 4669 8049 | 2. Payten & Rodger HERVEY BAY QLD 4655 Ph: 4124 6071 | 3. King Architectural Engineering IPSWICH QLD 4305 Ph: 3812 3443 |
| 4. Coast Wide Plan and Design Service BURRUM HEADS QLD 4610 Ph: 4129 0203 Fax: 4129 0203 | 5. Suncoast Drafting Services HERVEY BAY QLD 4655 Ph: 4128 4987 | 6. Michael Russell Design and Drafting MARYBOROUGH QLD 4650 Ph: 4123 3654 Fax: 4123 5554 |
| 7. John Poulsen Building Design & Drafting BUNDABERG QLD 4670 Ph: 0427 593682 | 8. John Gately Building Design BUNDABERG QLD 4670 Ph: 4153 1183 Fax: 4152 3958 | 9. Greg Pershouse & Assoc P/L BUNDABERG QLD 4670 Ph: 4151 8350 |
| 10. TR & SL Roper Drafting CHILDERS QLD 4660 Ph: 41263110 Mob: 0412 786330 | 11. Megan Maher Computer Drafting MARYBOROUGH QLD 4650 Ph: 41223674 | |

HYDRAULICS CONSULTANTS

- | | | |
|---|--|--|
| 1. Cliff Searle Water Wise Design TORQUAY QLD 4655 Ph/Fax: 4125 3510 MOB: 0416 062 487 | 2. Keith Lees Lees Consulting WARANA QLD 4575 Ph: 5437 7660 | 3. Coast Wide Plan and Design Service BURRUM HEADS QLD 4610 Ph: 4129 0203 Fax: 4129 0203 |
|---|--|--|

TOWN PLANNERS

- | | | |
|---|--|--|
| 1. Insite SJC BUNDABERG QLD 4670 Ph: 4151 6677 | 2. Angelo Oliaro Town Planning HERVEY BAY QLD 4655 Ph: 4125 6887 | 3. Leddy Sergiacomi & Assoc Pty Ltd BUNDABERG QLD 4670 Ph: 4152 9822 |
| 4. Urban Planet Town Planning Consultants HERVEY BAY QLD 4655 Ph: 4128 2888 | | |

SOIL TESTERS

- | | | |
|--|---|--|
| 1. Wide Bay Geotechnical Services P/L PIALBA QLD 4655 Ph: 4124 3677 Fax: 4128 3284 | 2. Dirts (QLD.) P/L PIALBA QLD 4655 Ph: 4124 5533 Mob: 0419 754 598 | 3. CM Testing Service WEST BUNDABERG QLD 4670 Ph: 4152 7644 Fax: 4152 1405 |
|--|---|--|

SURVEYORS

1. JB Serisier & Associates
MUNDUBBERA
Ph: 4165 4468
2. Wayne Say & Associates Pty Ltd
CHILDERS QLD
Ph: 4126 2555
3. O'Reilly, Nunn, Favier
KINGAROY QLD
Ph: 4162 2647

ENERGY EFFICIENCY CONSULTANTS

1. McCutcheon MacDonald
HERVEY BAY QLD 4655
Ph: 4124 2454 Fax: 4124 2323
2. Q- Bears
SPRINGWOOD QLD 4127
Ph: 1300 304 313 Fax: 1300 307 331
3. Clyde Anderson Pty Ltd
COORPAROO QLD 4151
Ph: 3394 2886 Fax: 3394 1939
4. EMF Griffiths
Ph: 32542788 Fax: 32542799
5. Rebecca Hunt
BARGARA QLD 4670
Mob: 0418 980 465
6. Z & N Jovanovic
Mt Ommaney Q 4074
Ph: 3376 4319 Mob: 0411 801 605

FIRE DESIGN ENGINEERS

1. Ferm Engineering Pty Ltd
SALISBURY QLD 4107
Ph: 3274 5900
2. Chris Odgers
BRAY PARK QLD 4500
Ph: 3205 2370 Mob: 0409 267 075

ELECTRICAL/MECHANICAL ENGINEERS

1. McCutcheon MacDonald
HERVEY BAY QLD 4655
Ph: 4124 2454 Fax: 4124 2323
2. Cushway Blackford & Assoc Pty Ltd
Gympie Office contact:-
Steven Tramacchi
Ph/Fax: 5486 6325
Mob: 0411 741 766
3. Ashburner Francis
WEST END QLD
Ph: 3510 8888 Fax: 3510 8899
4. EMF Griffiths
Ph: 3254 2788
Fax: 3254 2799

ENGINEERS (STRUCTURAL, CIVIL, HYDRAULICS)

1. Opus International
GAYNDAH QLD 4625
Ph: 4161 2400 Mob: 0407 629 526
2. GJ Brandon & Assoc P/L
CHINCHILLA QLD 4413
Ph: 4668 9351
3. Holmes McLeod Consulting
Engineers
MARYBOROUGH QLD 4650
Ph: 4121 4344 Fax: 4123 3144
4. Larkin Teys Consulting
TOOWOOMBA QLD 4350
Ph: 4639 3620 Fax: 4639 2487
5. Leddy Sergiacomi & Associations P/L
BUNDABERG QLD 4670
Ph: 4152 9822 Fax: 4152 4114
6. Cardno
PIALBA QLD 4655
Ph: 4124 5455
7. Tony Wright Building Design
SCARNESS QLD 4655
Mob: 0429 859

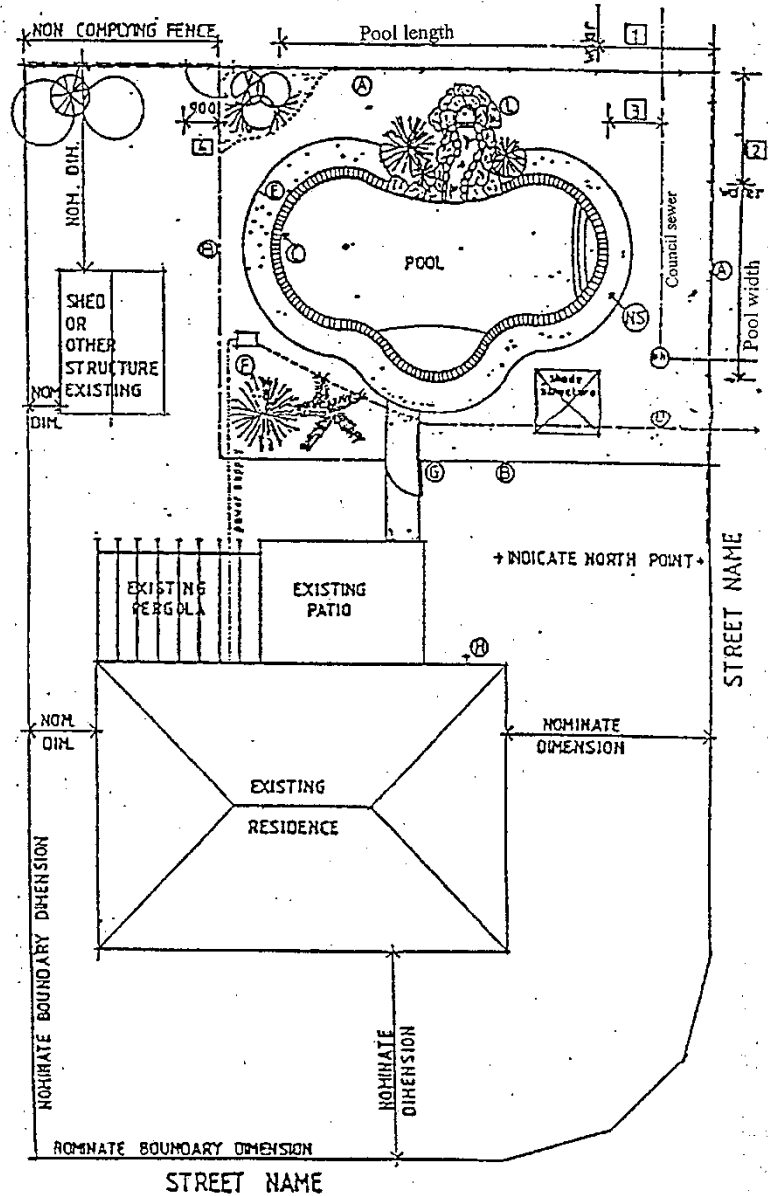
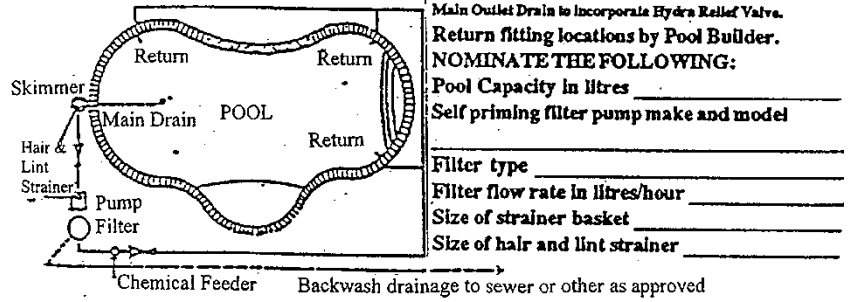
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LEGEND

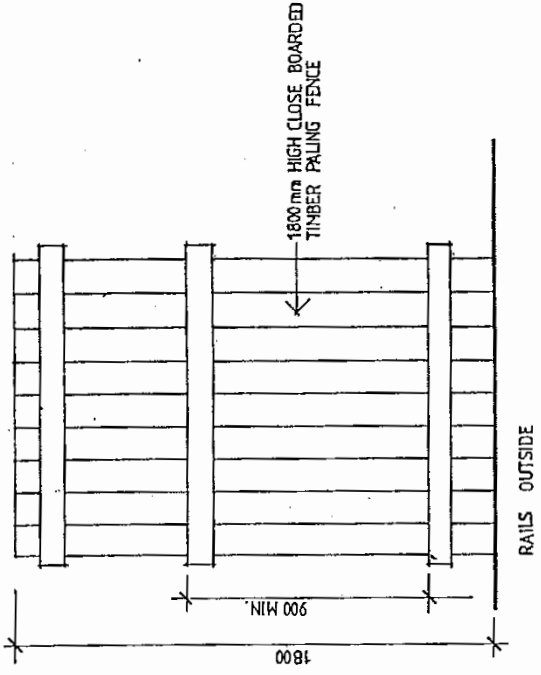
- (A) Existing fence comply with AS 1926 - Pt.1 - 2007 & Pt.2 - 2007 & QDC MP3.4
- (B) Proposed pool fencing to AS 1926 Pt.1. Pt.2 - 2007 & QDC MP3.4
- (C) Coping to 200mm wide.
- (D) Backwash drainage line from pump filter to sewer or as approved min. 50 mm ID pipe.
- (E) Electrical conductor location and attachment (concrete pools only)
- (F) Filter and pump system
- (G) Gate complying with AS 1926 Pt. 1 & QDC MP3.4
- (H) Nearest hosecock to be fitted with a vacuum breaker valve.
- (L) Landscaping around pool not to exceed 25% of the coping circumference. (Recommended only)
- (NS) Min. 900mm wide non-slip surround to pool.
- (1) Min. setback from a street property alignment to be 1.50m to the waters edge.
- (2) Min. setback from a rear or side boundary to be 1.50m to the waters edge.
- (3) Pool wall to any Council sewer or stormwater drain to comply with QDMC1.4..
- (4) 1200mm quadrant protection.

NOTE: Any easement on the property to be shown and the pool to be located clear of the easement

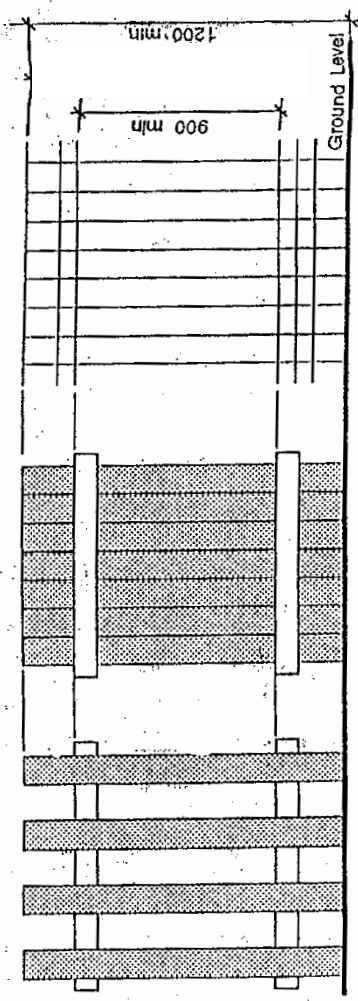
POOL RETICULATION SYSTEM NOTES



| | | |
|---|---|--|
| <p>PROPOSED SWIMMING POOL FOR _____ AT _____ SUBURB _____ CITY _____</p> | <p>SCALE: 1 = 200 DATE: / / DRAWN: _____</p> | <p>REAL PROPERTY DESCRIPTION Lot No: _____ RP No: _____ Parish: _____</p> |
|---|---|--|



RAILS OUTSIDE
TYPE D'



TYPE C'

Fencing with several horizontal members such as welded steel construction

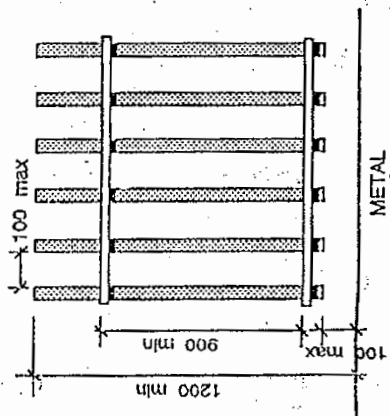
Rails outside

Rails inside, but uprights spaced more than 10 mm apart

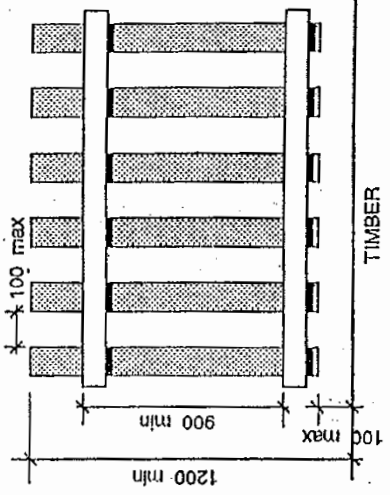
TYPE B'

TYPE A'

Note:
Pool fencing to comply to
AS1926.1 & AS1926.2 and
QDC MP3.4



METAL
TYPE F'



TIMBER
TYPE E'

| | | | |
|---------------|--|---------------------------|--|
| DATE : 1 / 93 | | PROJECT : | |
| DRAWN : | | REAL PROPERTY DESCRIPTION | |
| SKETCH BY : | | LOT NO. R.P. | |
| SHT. NO. : | | PARISH OF | |
| JOB NO. : 1 | | COUNTY OF | |
| | | SITE AREA | |
| | | LOCAL AUTHORITY. | |
| | | POOL FENCING DETAILS | |