

INFORMATION SHEET

Class 10b structures – Swimming Pools & Spas

Applications may be lodged either in person, or via email at: records@toodyay.wa.gov.au

This publication is intended as a general guide only.

Where an exemption from requiring a Building Permit applies, it does not exempt compliance with the Building Code of Australia (BCA), relevant Australian Standards, Local Laws, Planning (Development) approvals and conditions, or any other applicable legislation and statutory requirements.

Important: It is the responsibility of the applicant and/or builder to ensure all necessary approvals, consents, and licenses are obtained prior to commencing any work.

General Requirements

Swimming pools and spas are a popular feature in many WA homes but ownership comes with strict legal obligations. Under the Building Regulations 2012, any private swimming pool or spa capable of holding 300mm or more of water must be enclosed by a compliant safety barrier in accordance with AS1926.1-2012.

This includes:

- In ground, above ground and portable pools or spas
- Prefabricated, inflatable and fibreglass pools
- Concrete pools, precast or in ground

Pool owners (and occupiers) are legally responsible for ensuring the barrier remains compliant at all times.

Do I need a Building Permit?

Yes, a Building Permit is always required for a swimming pool and the plans for a swimming pool **must** contain details of a compliant barrier in accordance with AS1926.1-2012.

Please refer to the Rules for Pools and Spas document on the WA.gov.au website for all of the information on how to design and maintain a compliant swimming pool barrier.

Fees & levies

BA1 (Certified)	0.19% of estimated value (min \$110.00)
BA2 (Uncertified)	0.32% of estimated value (min \$110.00)
Building Services Levy	0.137% of value (min \$61.65)
Construction Training Fund (>\$20,000)	0.2% of estimated construction value

All fees must be paid before a Building Permit is issued. Projects over \$20,000 must be completed by a registered builder or approved owner-builder.

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APPLICATION CHECKLIST

To apply for a Building Permit, the following documentation is required.

1. Form BA1 (Certified) or BA2 (Uncertified), signed by all owners
2. Accurate estimated construction value (incl. GST)
3. Builder's details (must be registered for works >\$20,000)
4. CTF Levy form or payment receipt (if >\$20,000)
5. Application fee + all applicable State levies
6. Planning/development approval (if required)
7. Geotechnical report or engineer-certified site classification
8. Required plans and engineering as detailed below

REQUIRED PLANS AND ENGINEERING

Site Plan (1:200 scale)	Include street names, lot number, boundaries, existing and proposed structures, contour lines and / or spot levels, proposed finished floor level, all setbacks, stormwater drainage, sewer/septic locations, embankments or retaining walls, and clearly indicate the North point.
Elevations (min. scale 1:100)	Show all elevations with existing ground level, proposed natural ground level (NGL), finished floor level (FFL), and roof pitch. Decks which are greater than 1m above the NGL below, require a compliant barrier to prevent falls.
Fencing / Barrier Design	Must show the location of the barrier and gate, details of the type of barrier (e.g. aluminum fencing, glass fencing), location of any openings coming into the pool area including windows from an existing house which would need to be modified to comply with AS1926-2012 and details of compliant non climbable zones (NCZ) 1 – 5.
Structural Engineering Signed by a registered structural engineer. Drawings or certification letter must include both the company and the individual engineers details, registration number and signature.	Schedule of materials and construction details as required to demonstrate compliance with BCA/ NCC and Australian Standards. Structural engineers certification is also required to nominate the edition of the NCC and set of structural standards the drawings are designed to comply with including but not limited to AS1170 suite, soil classification, wind rating, earthquake hazard indicator.