

Safety Barriers – Swimming Pools and Spas

A safety barrier refers to an assembly of components natural or otherwise, which form the intended barrier to a pool, exclusive of gates or door sets. The safety barrier includes items such as posts and panels, constructed or natural walls, sides of buildings, child resistant windows, and balustrades on a balcony, where they form part of the intended barrier.

What can I build?

The design and construction of safety barriers must comply with requirements of the [Australian Standards AS1926.1-2012](#). Safety barriers can be constructed using any materials providing they are durable and they comply with the standards. The minimum requirements of a safety barrier and gate are:

- minimum height of 1200mm;
- maximum 100mm from ground level;
- maximum vertical gaps of 100mm;
- gate must open outward from pool and/or spa;
- gate must be self-closing; and
- latch must be at least 1500mm from ground level.

Do I need a Building Permit?

Under building legislation in WA, it is compulsory to obtain a Building Permit prior to the installation of any new swimming pool or spa safety barrier.

How long does it take to get a Building Permit?

The *Building Act 2011* sets time frames in which the Shire of Capel has to assess and determine an application for a Building Permit. The applicable timeframe depends on whether the building application is Uncertified or Certified.

It is important that you are aware of allowed time frames prior to lodging your application and that your application documentation is complete at the time of submission.

Should further information be required by the Shire of Capel in order to assess the building application, the applicant may be given up to 21 calendar days in which to provide the outstanding information. If the information is not received within the 21 days, the application may be refused unless mutual consent has been granted for a further 21 days.

Uncertified Building Applications

An Uncertified Building Application can be submitted for Class 10 structures such as swimming pool or spa safety barriers.

The Shire of Capel has up to 25 business days from the date of lodgement to assess the application and issue a Building Permit. The required Certificate of Design Compliance will be issued by the Shire of Capel as part of the application process.

Certified Building Applications

A Certified Building Application can be submitted for all Classes of structure.

Prior to lodging a Certified Building Application to the Shire of Capel, a private Building Surveying Practitioner would need to be engaged to issue a Certificate of Design Compliance.

The Shire of Capel has up to 10 business days from the date of lodgement to assess the application and issue a Building Permit.

How long until my permit expires?

A Building Permit is generally valid for two years from the date on which it was granted.

If more time is required to complete the building works, you can apply for an extension of time of up to a further six months by making a formal application and paying the prescribed fee.

What happens when I have completed my building works?

The nominated builder on the Building Permit must submit a Notice of Completion BA7 form to the Shire of Capel within seven days and an inspection must be conducted before swimming pool or spa can be filled with water.

Building Application Checklist – Safety Barrier

BA2 – Uncertified Application

		Attached	
Approvals & Forms	Further Information	Yes	N/A
Planning Approval	Prior planning approval may be required. Please contact Shire of Capel's Planning Department to ascertain if planning approval will be required for your application.		
Health Approval	Please contact Shire of Capel's Health Department to ascertain if there are any health requirements for your application.		
Uncertified Application Form	BA2 applications will be assessed within 25 working days of lodgment.		
Fees	Refer to Fee Schedule. http://capel.wa.gov.au/plan-build/building-services/forms-fees/		
Required Documents	One copy of all documents required	Yes	N/A
Site Plan (Scale 1:200)	Show contour survey and/or spot levels.		
	Proposed finished floor levels and finished ground levels.		
	The distance the proposed structure will be setback from the lot boundaries.		
	Septic systems (if applicable).		
	North Point.		
Construction Details (Scale 1:100)	Details of pool layout		
Sections	Cross sections through building showing all structural elements, wall/ceiling heights and showing construction details.		
Building Specifications			
Structural Engineers Detail			
Encroachments/work affecting other land			

Please ensure all required documents are submitted as incomplete applications will delay the issue of a Building Permit

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Building Application Checklist – Safety Barrier

BA1 – Certified Application

Approvals & Forms	Further Information	Attached	
		Yes	N/A
Planning Approval	Prior to lodging a certified building permit application, a development approval (DA) must be granted, <i>if applicable</i> .		
Health Approval	Prior to lodging a certified building permit application, please contact Shire of Capel's Health Department to ascertain if there are any health requirements for your application.		
Certified Application Form	BA1 applications will be assessed within 10 working days after lodgment.		
Fees	Refer to Fee Schedule. http://capel.wa.gov.au/plan-build/building-services/forms-fees/		
Required Documents	One copy of all documents required	Yes	N/A
Certificate of Design Compliance	BA3 Certificate of Design Compliance (CDC).		
Plans & Specifications	A copy of all plans & specifications listed in the CDC.		
Technical Certificate	A copy of each technical certificate relied on by the building surveyor.		

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