

Swimming Pool Registration Requirements

Who will maintain the register?

Each council in Victoria will maintain a register for pools and spas located within their municipality.

What happens after I register my pool or spa?

After registering your pool or spa, the relevant council is required to send you written notification confirming:

- > that your pool or spa has been registered
- > the date of construction of your pool or spa and the applicable barrier standard
- > your right to appeal to the Building Appeals Board (BAB) in relation to the council's determination of the date of construction of the pool or spa
- > the date by which the first or next certificate of barrier compliance must be lodged with the relevant council

What does "date of construction" refer to?

After you apply to register your pool or spa, the relevant council will determine the date of construction of your pool or spa and the applicable barrier standard.

The barrier standard that applied at the date your pool or spa was constructed is the applicable barrier standard for your pool or spa.

How does the council determine the date of construction of a swimming pool or spa?

To determine the date of construction, the council may consider any relevant information, such as the date of any building permit issued in relation to the swimming pool or spa.

This may include information provided in the registration application, the council's records (such as building permit data) or other relevant information obtained by the council, including real estate listings and aerial photography.

How does the council determine the date of construction of a relocatable pool or spa?

The date of construction of a relocatable pool or spa is the day it was most recently erected on your property.

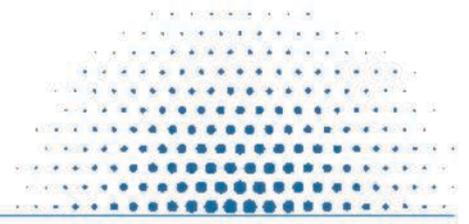
What if I don't agree with the council's determination of the date of construction?

If you disagree with the relevant council's determination about the date of construction of your pool or spa, you can appeal the decision to the Building Appeals Board (BAB). An appeal must be lodged within 30 days of receiving the council's determination.

You can contact the BAB on 1300 421 082, at www.buildingappeals.vic.gov.au or at registry@buildingappeals.vic.gov.au.

What happens if I don't register my pool or spa?

If you do not register your pool or spa within the required period you may face an on-the-spot fine of approximately \$330 or a penalty of up to \$1,652.20.



If the council becomes aware of the pool or spa on your property, they will send you a written notice requiring you to register the pool or spa. You will also be required to pay the registration fee and information search fee (if applicable).

How long is registration for?

A pool or spa remains registered until it is removed from the register.

I have removed my swimming pool or spa from my property. How do I have it removed from the register?

You must advise your council that the registered pool or spa no longer exists or is no longer capable of containing water to a depth of greater than 300 mm. Your council must be satisfied this is the case before removing the pool or spa from the register.

Your council will notify you when the pool or spa has been removed from the register.

I registered my pool or spa under the previous voluntary scheme. Am I required to re-register under the new scheme?

Yes – you are required to register your pool or spa under the new mandatory scheme.

I have recently purchased a property with a pool or spa. How can I check that it has been registered?

Please contact the relevant council to check if your pool or spa has been registered.

Do I have to register my relocatable pool?

Relocatable (moveable or portable) pools and spas on land that you own must be registered if they are erected for three or more consecutive days.

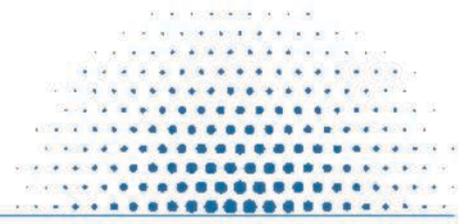
- > If it was erected before 1 June 2020 and remains erected for at least 3 consecutive days immediately before 1 June 2020, you must register by 4 June 2020.
- > If it was erected on or after 1 June 2020 and remains erected for three consecutive days, you must register the pool and spa on the fourth day after it was erected.

If your relocatable pool or spa is only in place for a period less than three consecutive days, there is no need to apply for registration.

I am erecting a small inflatable children's pool in my backyard. Do I have to register this pool?

All swimming pools and spas that fall within the requirements of the Building Act must have a compliant safety barrier in place. Broadly, these include all permanent pools and spas and most relocatable pools and relocatable spas that are capable of holding a depth of water greater than 30cm.

Small inflatable pools that do not contain multiple components and do not require any assembly are not subject to the barrier requirements. An example of such a product is a small inflatable pool that requires no assembly other than inflation.



We don't have any children and our backyard is secure. Do we have to register our pool and obtain a certificate of barrier compliance?

Yes – it is mandatory for all land owners in Victoria to apply to register any pool or spa on their property

Of the 27 drownings that have occurred in Victoria since 2000, 12 involved children who were not residents of the property. In one case, the child had entered the pool area without the knowledge of the property owner.

I am renting a property which has a pool or spa. As a tenant, do I have to register or notify the council?

No. The owner is responsible for registering the pool or spa with council and arranging for the inspection and certification of the barriers.

However, as an occupier you may inspect the council's register for information relating to the pool or spa on the property you are renting, including whether the pool or spa is registered, and whether the barrier has a current compliance certificate.

I am renting a property and will put up a relocatable pool in the backyard this summer. Do I have to notify the landlord or the council? What other obligations do I have?

If the pool you erect is capable of holding water to a depth of water greater than 300mm (30cm), it must have a pool barrier installed.

If you intend to keep your relocatable pool erected for three consecutive days or longer, you should notify your landlord (or their agent) of this. The landlord (owner of the land) is required to register the relocatable pool with the council on the fourth day.

A certificate of barrier compliance must also be lodged by the owner of the land with the relevant council within 30 days of the date of registration.

It should be noted that relocatable pools that do not consist of multiple components and do not require any assembly are not subject to the barrier requirements. An example of such a product is a small inflatable pool that requires no assembly other than inflation.