

Authorised Version

**Building Amendment (Construction of Swimming
Pools and Spas) Regulations 2016**

S.R. No. 104/2016

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STATUTORY RULES 2016

S.R. No. 104/2016

Building Act 1993

Building Amendment (Construction of Swimming Pools and Spas) Regulations 2016

The Governor in Council makes the following Regulations:

Dated: 23 August 2016

Responsible Minister:

RICHARD WYNNE
Minister for Planning

ANDREW ROBINSON
Clerk of the Executive Council

1 Objective

The objective of these Regulations is to amend the Building Regulations 2006 to further provide for completion of building work relating to swimming pools and spas.

2 Authorising provisions

These Regulations are made under sections 7, 15A, 261 and 262 of, and Schedule 1 to, the **Building Act 1993**.

3 Commencement

These Regulations come into operation on 3 October 2016.

4 Principal Regulations

In these Regulations, the Building Regulations 2006¹ are called the Principal Regulations.

5 Regulation 315 substituted

For regulation 315 of the Principal Regulations
substitute—

"315 Commencement and completion of building work

- (1) If a building permit is issued, the building work must commence—
 - (a) in the case of the re-erection of a Class 1 or 10 building, within 6 months after the date of issue of the building permit; or
 - (b) in any other case, within 12 months after the date of issue of the building permit.
- (2) If a building permit is issued, the building work must be completed—
 - (a) in the case of a building permit to re-erect a building, within 12 months after the date of issue of the building permit; or
 - (b) in the case of a Class 1 or 10 building, within 24 months after the date of issue of the building permit; or
 - (c) in the case of a swimming pool or spa or any associated barrier or safety equipment—
 - (i) if the building work is being carried out on an allotment concurrently with other building work that is being carried out on the same allotment, within the period of completion for the other building work referred to in paragraph (a), (b) or (d) (as the case requires); or

- (ii) in any other case, within 6 months after the building work commences; or
 - (d) in any other case, within 36 months after the date of issue of the building permit.
- (3) If building work is to be completed in more than one stage and more than one building permit is issued in relation to that building work, a reference in subregulation (2) to the date of issue of a building permit is taken to be a reference to the date of issue of the first of those building permits.
- (4) A building permit lapses if the building work authorised by that permit has not—
 - (a) commenced within the period specified in subregulation (1); or
 - (b) been completed within the period specified in subregulation (2).
- (5) The relevant building surveyor may extend the period specified in subregulation (1) or (2) if—
 - (a) the building permit has not lapsed; and
 - (b) the relevant building surveyor considers that the extent of the building work warrants an extension.

Note

Regulation 604(3) requires all excavations to be fenced or otherwise guarded against being a danger to life or property before and during the carrying out of building work."

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Endnotes

Endnotes

- ¹ Reg. 4: S.R. No. 68/2006. Reprint No. 3 as at 11 December 2014.
Reprinted to S.R. No. 197/2014. Subsequently amended by
S.R. Nos 8/2015, 21/2015, 70/2015, 134/2015, 152/2015, 157/2015,
21/2016, 33/2016, 49/2016 and 63/2016 and extended in operation by
S.R. No. 4/2016.