



# Decommissioning of swimming pools and spas

## DECOMMISSIONING SWIMMING POOLS AND SPAS

Council needs to be satisfied that swimming pools and spas are not capable of holding 300mm of water before removing them from the Swimming pool and spa register.

Where a pool or spa is to be decommissioned, an owner must take the following steps:

1. Decommission the pool or spa in accordance with **one** of the **acceptable methods** outlined below, and
2. Contact Building Services on 03 9278 4999 or by email to arrange for an inspection of the property to confirm that the pool and/or spa has been suitably decommissioned or removed from the property. This is only applicable for a pool and/or spa which does not require a Building Permit for its removal. Please note that a fee of \$170.00 is applicable to this application.

### Note:

If a Building Permit has/or will be issued for the demolition of the pool and/or spa, please contact Council by phone or email to confirm once the Relevant Building Surveyor has carried out the final inspection and has issued a *Certificate of Final Inspection*. The *Certificate of Final Inspection* is sufficient evidence to allow Council to remove a swimming pool and/or spa from its register and does not require an owner to complete the above-mentioned Step 2.

## ACCEPTABLE METHODS FOR THE DECOMMISSIONING OF POOLS AND SPAS:

### Removal of relocatable and above-ground swimming pools and spas

- The complete dismantling or removal of a swimming pool or spa if above-ground

or

- The removal of the swimming pool liner, access ladder and filtration system and ensuring the remaining components cannot hold water to a depth of more than 300mm to the satisfaction of the Municipal Building Surveyor.

### Complete removal of an in-ground swimming pool

A Building Permit may be required for the demolition of a pool or spa if the exemption criteria pursuant to *item 2, Schedule 3* of the *Building Regulations 2018* is not achieved (see excerpt on page 2). Consideration needs to be given to:

- the setback of the pool/spa from adjoining property boundaries and/or buildings.
- whether the demolition will adversely affect the adjoining property and safety of the public.
- the excavation will need to be filled with appropriate fill material for the site and compacted in layers with a maximum depth of 300mm (or as determined by an engineer taking site conditions into account).

### Note:

It is recommended owners seek advice from an Engineer prior to removing an inground pool or spa and seek advice from Council's Building Department about whether a Building Permit is required.

## Excerpt from Building Regulations 2018, S.R. No. 38/2018

### Schedule 3 – Exemptions for building work and buildings

Item	Description of building or building work exempted from building permit and occupancy permit	Building regulations that building or building work exempted from
2	<p>Demolition of a freestanding Class 10 building that:</p> <ul style="list-style-type: none"> <li>(a) is not constructed of masonry and</li> <li>(b) does not exceed 40 metres square in floor area and</li> <li>(c) will not adversely affect the safety of the public or occupiers of the building and</li> <li>(d) is not work carried out on, or in connection with, a building included on the Heritage Register within the meaning of the Heritage Act 2017.</li> </ul> <p>Note: This building work may require approval from the Executive Director within the meaning of the Heritage Act 2017 under that Act. Certain building work that does not require a building permit may require a planning permit under the Planning and Environment Act 1987.</p>	All parts

Building Regulations 2018  
S.R. No. 38/2018  
Schedule 3—Exemptions for building work and buildings

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Item</i>	<i>Description of building or building work exempted from building permit and occupancy permit</i>	<i>Building regulations that building or building work exempted from</i>
2	<p>Demolition of a freestanding Class 10 building that—</p> <ul style="list-style-type: none"> <li>(a) is not constructed of masonry; and</li> <li>(b) does not exceed 40 m<sup>2</sup> in floor area; and</li> <li>(c) will not adversely affect the safety of the public or occupiers of the building; and</li> <li>(d) is not work carried out on, or in connection with, a building included on the Heritage Register within the meaning of the <b>Heritage Act 2017</b>.</li> </ul> <p><b>Note</b> This building work may require approval from the Executive Director within the meaning of the <b>Heritage Act 2017</b> under that Act. Certain building work that does not require a building permit may require a planning permit under the <b>Planning and Environment Act 1987</b>.</p>	All Parts

## **In-ground pools or spas left in situ and buried**

In- ground swimming pools can either be left in-situ and buried or made incapable of holding water to a depth of more than 300mm. The process can include the following steps:

1. Cut at least two holes at least 500mm x 500mm in the deep end of the swimming pool (or as determined by an engineer taking site conditions into account); **and**
2. Remove debris from cut outs; **and**
3. Remove filtration system and access ladder; **and**
4. Council is to conduct an inspection of the holes to ensure they are of adequate size (inspection fee applies); **and**
5. Fill the pool excavation with appropriate back-fill material compacted in layers with a maximum depth of 300 mm (or as determined by an engineer taking site conditions into account); **and**
6. Consideration can also be given to cutting down the side walls so long as there will be no adverse effect to the adjoining properties and/or any buildings (angle of response from boundaries and buildings).

### **Notes:**

- It is strongly recommended written advice is obtained from an engineer prior to undertaking the decommissioning of the pool/spa to determine which fill material should be used based on the site and soil conditions of the property.
- Decommissioning in-ground or permanent swimming pools/spas that remain in situ can be problematic if any future construction and/or re-development is proposed on the site in the future.

## **Recommissioning Pools and Spas**

A building permit is required to recommission a swimming pool and install the required safety barrier and filtration system.