



Building newsflash number 464

- **Legislative changes on pool safety**
- **Amendments to *Building Act 1975* for Building surveying technicians**

Purpose

To advise of temporary changes to pool safety laws in response to Queensland's flooding events and Cyclone Yasi; amendments to scope of pool safety management plans and changes to the scope of work able to be performed by certain building survey technicians employed by Local Governments.

Pool safety laws

Rental properties

The *Queensland Reconstruction Authority Act 2011* (QRAA) which received Royal Assent on Monday 21 February 2011, has introduced a six month delay to the requirement for pool safety certificates for rental properties with non-shared pools, such as houses. This applies from 8 January to 8 July 2011 (inclusive) and allows these properties to be leased without a pool safety certificate.

The exemption **ONLY APPLIES** to rental properties with non-shared pools. All other aspects of the new pool safety laws still apply, and are not affected by this temporary exemption.

Pool owners affected by the exemption are required to give an approved notice (Form 37) to the tenant before entering the lease if a pool safety certificate is not in effect. This exemption applies statewide and is intended to allow homes to be more easily rented to evacuees, or people who are assisting with recovery efforts.

Pool owners still need to ensure their pool complies with the pool safety laws applicable when the pool was built.

Pool safety management plans

The QRAA has also introduced the ability for owners of pools on common property in a class 3 building, for example a hotel, motel or backpackers accommodation etc., to apply to the Department for approval of a pool safety management plan, instead of complying with the pool safety standard. Processes, guidelines, forms and fees are currently being established to support these amendments.

For more information on these pool safety changes, please visit www.dip.qld.gov.au/poolsafety, telephone 1800 340 634 or email psc@dip.qld.gov.au



Building surveying technicians

Prior to 1 January 2010, licensed building surveying technicians were able to perform building certifying functions on all classes of buildings up to 500 square metres in area and no more than two storeys in height if employed by a Local Government.

However, to help address shortages in the residential sector, the *Building Act 1975* (BA) was amended to allow building surveying technicians to practise in both the private and Local Government sectors from 1 January 2010 for class 1 and class 10 buildings of any size.

Following feedback from Local Governments and building certifiers, the QRAA has now introduced a transitional provision to allow individuals who were licensed as building surveying technicians immediately before 1 January 2010 to continue carrying out building certifying functions on all classes of buildings up to 500 square metres in area and no more than two storeys in height, if they are employed by a Local Government. These changes also ratify work completed by Local Government building surveying technicians from 1 January 2010.

These changes only affect building surveying technicians who were licensed immediately before 1 January 2010, or who were issued with a licence or renewed licence under section 287(1) of the BA. All other building surveying technicians continue to be restricted to class 1 and 10 buildings.

Contact for further information

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