

# Building and Plumbing Newsflash 512

## New pool safety inspector guidelines and the *Housing and Other Legislation Amendment Bill 2012*

### Purpose

To advise that:

- new pool safety inspector guidelines have been published
- the *Housing and Other Legislation Amendment Bill 2012* which proposes to make minor amendments to the *Building Act 1975* and the *Plumbing and Drainage Act 2002* has been introduced into the Legislative Assembly.

### Background

#### Pool safety inspector guidelines

The pool safety inspector guidelines aim to help pool safety inspectors understand and perform their pool safety inspection functions under the *Building Act 1975*. A pool safety inspector must have regard for any relevant guidelines made under the *Building Act 1975* when performing their pool safety inspection functions. The [guidelines](#) are now available on the [Department of Housing and Public Works' website](#).

The guidelines were developed in consultation with the Pool Safety Council and cover topics such as how to use the pool safety register, administrative and legal requirements (for example, acting on an advisory basis and the reinspection period) and technical requirements of the pool safety standard (for example, the additional clear area, entrapping spaces and cardiopulmonary resuscitation sign compliance). The guidelines have also been updated to reflect the recent expansion of the scope of work that a pool safety inspector can inspect.

#### Proposed changes to building and plumbing legislation

##### ***Building Act 1975***

Proposed amendments to the *Building Act 1975* will extend the time to complete building work for relocations, demolitions and removals. Currently, a new building approval is needed when building work for a relocated home takes longer than six months. The amendments will extend the time frame for the completion of the work to one year and also provide local governments with the ability to grant a further six month extension.

The proposed amendments will also clarify that building certifiers can be satisfied that a building is substantially complete for the purposes of issuing a Certificate of Classification if the Plumbing Industry Council has received a Form 4—Notifiable Work for the plumbing work. This circumstance will apply for additions and alterations for attached class 1a and class 1b buildings and for renovations of class 2–9 buildings as local governments are no longer required to issue compliance certificates for most plumbing work where these additions and renovations are undertaken. The amendments provide for retrospective validation of any certificate issued before the change takes effect.

Minor amendments to the *Building Act 1975* are also proposed to facilitate licence renewals for pool safety inspectors and building certifiers who have previously held a licence at an equivalent level. The amendments provide for retrospective validation of any certificate issued before the change takes effect

### ***Plumbing and Drainage Act 2002***

A number of amendments to the *Plumbing and Drainage Act 2002* are proposed to support the introduction of the notifiable work plumbing approval scheme which started on 1 November 2012. This includes further clarification of when licensees must lodge a notice of work and, for situations where more than one licensee is involved in performing the work, who should lodge the notice. Currently, under the *Standard Plumbing and Drainage Regulations 2003*, work that involves both compliance assessable and notifiable work can be assessed as compliance assessable work. Under the proposed changes, this will be extended to include cases where only notifiable work is involved.

To support the enforcement of the notifiable work reforms, the proposed amendments make it clear that the Plumbing Industry Council may collect and store personal information contained in notifiable work notices. The changes clarify that this information can be provided to local governments to facilitate audits of notifiable work. The time frames to commence proceedings for an offence will also be extended. Under the notifiable work scheme, it is possible that defective work will not be discovered until more than two years after the work has been completed. For example, defective drainage work that has been covered may only be discovered after a fault, such as subsidence, becomes apparent. The amendments provide that a proceeding must start within the later of either two years after the alleged date of the commission of the offence or one year after the offence comes to the complainant's knowledge, whichever is the later.

The definition of drainage work will be amended to include 'on-site sewerage work' and redundant references to this will be removed. References to on-site sewerage work will be retained in provisions that impose specific requirements of work.

### **Contact for further information**

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