

Fact Sheet: Decommissioning/Removal of a Swimming Pool or Spa



Removing a swimming pool from the register

A property owner will need to satisfy Council that their pool/spa no longer exists or is no longer capable of holding 300mm of water.

This may be done by:

- Undertaking one of the decommissioning options detailed below to restrict the pool/spa from being capable of holding 300mm or more of water; AND
- Once Council receives this information, they will need to inspect to confirm that the pool/spa can be removed from the Council register.

Council will then remove the information about the pool/spa from the register and notify the owner that the information has been removed from the register and that there is no further obligation for the owner to lodge a Certificate of Pool and Spa Barrier Compliance.

Decommissioning swimming pools/spas

Relocatable pools, above ground pools and spas

To decommission a relocatable/above ground pool it must be completely dismantled and removed.

To decommission an above ground spa, it must be completely removed or have 4-6 x 50mm diameter holes drilled in the bottom of the spa.

Alternatively, you can write into Council's Statutory Building Department on pools@mornpen.vic.gov.au with a proposal on how you plan to decommission your above ground pool/spa prior to commencing its decommissioning.

Inground swimming pools/spas

Option 1 – Complete removal of inground pool/spa

- Where the pool/spa is located within 2m of the boundary, or another building
A demolition permit to demolish the pool/spa is required where the pool/spa is located within 2m of a boundary or another building as its demolition may have an adverse effect on adjoining properties and/or buildings.
- Where the pool/spa is located greater than 2m from the boundary, or another building
Once the pool/spa has been removed, the excavation will need to be back-filled with appropriate soil for the site (as determined by a geotechnical or structural engineer) and compacted in layers with a maximum depth of 300mm (or as determined by an engineer taking site conditions into account).

It is strongly recommended that owners obtain advice from an engineer prior to removing the pool.

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Option 2 – Inground pool/spa left in situ and buried

- Cut at least two holes at least 500 mm x 500 mm in the deep end of the pool/spa (or as determined by an engineer taking site conditions into account);
- Remove debris from cut outs;
- Remove filtration system and access ladders;
- 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).
- Consideration can also be given to cutting down the side walls.

It is strongly recommended you obtain written advice from an engineer prior to undertaking the decommissioning of the pool/spa in order to determine which fill material should be used based on the site and soil conditions on your property.

Note: 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.

Swimming pool/spas being used as pond

Swimming pools used as ponds may be allowed subject to the following, noting that it is always recommended to install a compliant swimming pool barrier first.

1. Owner needs to decommission the swimming pool by removing the filtration pipes and blocking all pipe inlets with concrete and injecting concrete in all internal water jets and skimmer boxes.
2. In addition to the above the owner will have to agree to allow a statement to be put on the Land Information Certificate (Section 229 of the Local Government Act). The statement will read the following or similar "The swimming pool/spa on the allotment is no longer a class 10b swimming pool/spa but has been adapted to a pond that is no longer used for swimming, wading, paddling or the like. An application for a building permit is required to recommission a pool/spa and install the required safety barriers and filtration systems.

Where a Council building notice/order has been issued to install a compliant swimming pool/spa barrier (around the non-compliant pond) and an owner disagrees they can apply to the Building Appeals Board for a modification under section 160 of the Building Act to modify or delete the requirement for Regulation 147A of the Building Regulations 2018.

Man-made natural style pools

A compliant pool barrier is required to be installed around this type of pool. Should an owner disagree they can apply for a modification to the Building Appeals Board under section 160 of the Building Act to modify or delete the requirement of Regulation 147A of the Building Regulations 2018

Recommissioning of pools/spas

A building permit is required to be obtained from a registered private building surveyor prior to the recommission of a pool/spa and installation of the required safety barriers and filtration systems.