

LG301

LOCAL GOVERNMENT ACT 1960
BUILDING AMENDMENT REGULATIONS 1993

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Building Amendment Regulations 1993*.

Principal regulations

2. In these regulations the *Building Regulations 1989** are referred to as the principal regulations.

[* *Published in the Gazette of 28 July 1989 at pp.2261-92.*
For subsequent amendments see 1992 Index to Legislation of Western Australia, Table 4, p.162.]

Regulation 34 repealed

3. Regulation 34 of the principal regulations is repealed.

Regulation 38A amended

4. Regulation 38A of the principal regulations is amended by deleting the definition of "disabled person".

Regulation 38B amended**5. Regulation 38B of the principal regulations is amended —**

- (a) in subregulation (1), by deleting "it and its immediate surrounds." and substituting the following —

" the pool. ";

- (b) by repealing subregulations (2) and (3) and substituting the following subregulations —

"

(2) A person does not fail to comply with subregulation (1) only because the area enclosed includes, as well as the swimming pool, any other part of the premises.

(3) Except as otherwise provided by this Part, the enclosure is not suitable for the purposes of subregulation (1) unless —

- (a) it consists of a fence, wall, gate, window, door or other barrier, or a combination of them, which is in accordance with the requirements of Australian Standard AS 1926.1; or

- (b) where it consists of a barrier which does not comply with paragraph (a), it is approved by the council.

(3a) The council shall not approve a barrier under subregulation (3) (b) unless it is satisfied that the proposed barrier will restrict access by young children to the swimming pool as effectively as a barrier described in subregulation (3) (a).

”;

and

- (c) in subregulation (4), by deleting "2.5, and 2.6 (a) and (b) of Australian Standard AS 1926" and substituting the following —

" 2.6 and 2.7 of Australian Standard AS 1926.1 ”.

Regulation 38C amended**6. Regulation 38C of the principal regulations is amended —**

- (a) in subregulation (1), by deleting "only if the building is not a Class 10 building under the Building Code." and substituting the following —

"

where the building is a Class 10a building under the Building Code, only if that door or window satisfies the requirements of Australian Standard AS 1926.1.

”;

and

- (b) by repealing subregulations (2), (3) and (4) and substituting the following subregulation —

"

(2) If a swimming pool is not a pre-July 1992 pool —

- (a) its enclosure may include a wall that contains a door or window permitting access as described in subregulation (1) if

that door or window satisfies the requirements of Australian Standard AS 1926.1; or

- (b) the area enclosed may include a building, but where the building is not a Class 10a building under the Building Code, only if all external doors and windows in that building satisfy the requirements of Australian Standard AS 1926.1.

”

Regulations 38D and 38E repealed

7. Regulations 38D and 38E of the principal regulations are repealed.

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.
