



INFORMATION SHEET NO. 1A

SWIMMING POOL & SPA SAFETY BARRIERS

What is a swimming pool?

The Building Code of Australia defines a swimming pool as any excavation or structure that contains water and used principally for swimming, wading, paddling, or the like, including a bathing or wading pool, *or spa*.

The Development Regulations define a swimming pool as including a paddling pool and a spa pool, but not a spa bath.

A swimming pool requires Development Approval in most instances – this includes spas, above ground pools and inflatable pools if the pool or spa has a depth exceeding 300mm and a filtration system. In these instances, a safety barrier is required for the pool or spa.

People often ask if the requirements apply to a fish pond or landscaping water feature. The answer is that if it is used principally for swimming, wading, paddling, or the like, then it is a swimming pool and the requirements apply.

Above Ground or Inflatable Pools

If the pool has a depth exceeding 300mm and a filtration system, Development Approval is required for the pool and a safety barrier will be required to be installed prior to the pool being filled with water.



The sides of some above ground swimming pools can be acceptable as pool safety barriers, however in this case, the sides shall have no climbing features and the ladder must be fixed in location. A complying gate and fence must be installed around the ladder. Ensure the filtration system cannot be used to climb the walls of the pool in this case.

Safety Barrier Requirements

The Building Code of Australia (BCA) provides details and examples of safety barriers and also refers to Australian Standard AS1926.1 Swimming Pool Safety – Fencing for Swimming Pools.

There are many different ways to provide a complying safety barrier that do not involve the traditional 'pool fence', and many different styles and materials may be used. Regardless of what materials are used to provide a barrier, the fence, gate, latch, hinges etc – all components of the safety barrier must meet the strength requirements of AS1926.1.



For privacy or as a wind break, a fence constructed of a frame with a fibre cement sheet either painted or rendered may be used along with corrugated iron or similar materials.

Alternatively, a fence that can be seen through is preferable for adults to be able to adequately supervise children if they are not ideally located within the pool area.

Legislation introduced on 1 January 2014 now requires the following mandatory notifications.

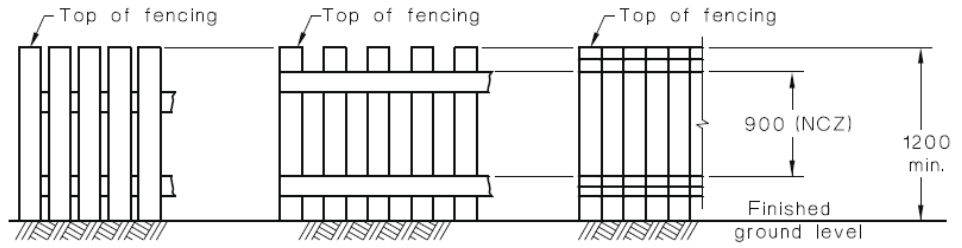
The Council must be given 1 business days' notice of the following:-

1. The completion of construction of a swimming pool (before the pool is filled with water);
2. The completion of construction of a safety fence or barrier for a swimming pool; and
3. In relation to some other form of building work where swimming pool safety features are relevant and the completion of that aspect or aspects of the building work relating to the swimming pool safety features.

Failure to comply with the above notifications is a criminal offence and liable to a fine of \$2,500 or expiation of \$210.00.

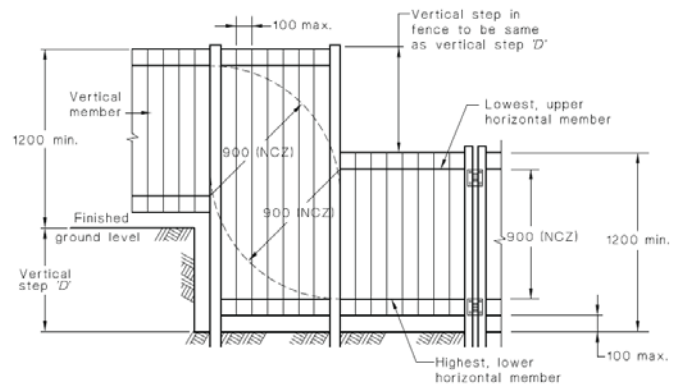
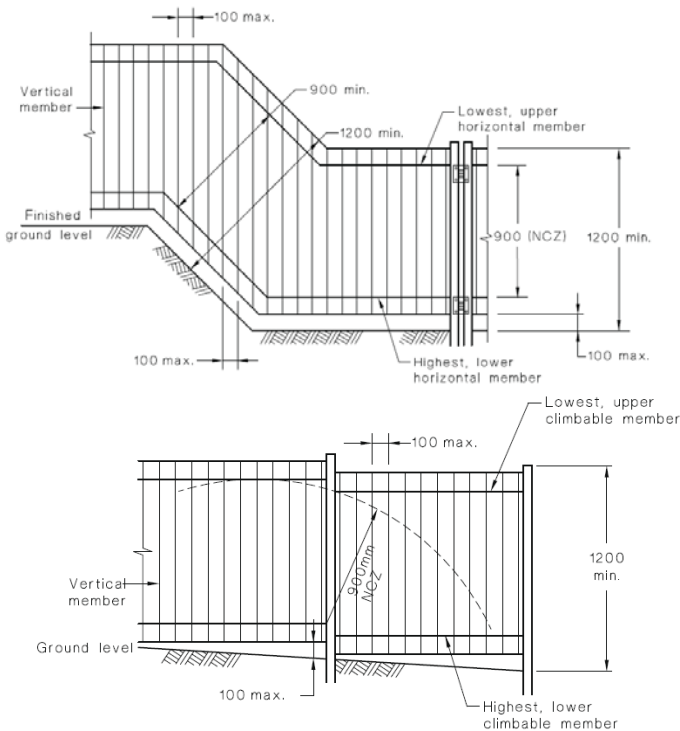
Fences

- Must be a minimum height of 1200mm.
- Have no gaps greater than 100mm between any vertical pickets or below the fence.
- Have rails that are spaced such that the fence is not able to be climbed.
- The height of the fence is measured from any object that may be used to climb or gain access over the fence such as a retaining wall, landscaping rocks or similar.
- The fence must not provide access for young children to crawl under or to climb over by using foot and hand holds.
- The fence must be permanent.
- The Non Climbable Zone (NCZ) must be a minimum of 900mm.
- Boundary fences must be a minimum of 1.8 metres high with a no rails or footholds on the pool side. (This removes the onus on the pool owner to ensure their neighbour also complies with the safety barrier requirements).

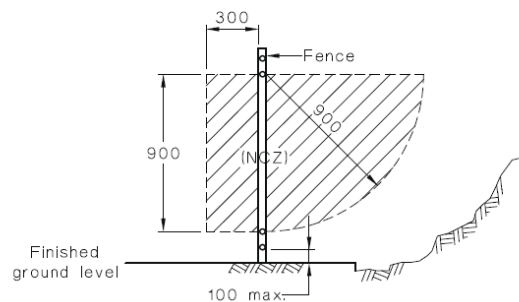


(a) Rails inside, but with uprights spaced not more than 10 mm apart
 (b) Rails with uprights spaced not more than 100 mm apart
 (c) Fencing with several horizontal members, such as welded steel construction

Sloping Site Examples

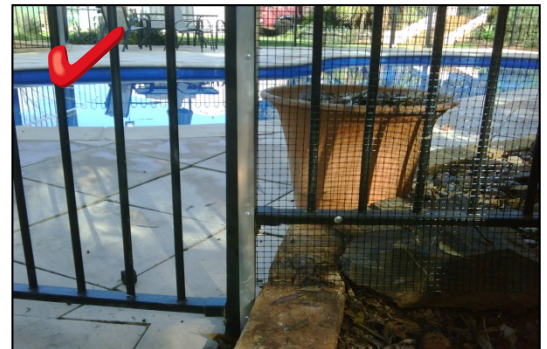


INSIDE OUTSIDE



Right: stepped panels infringe on the NCZ. The gap below the fence panel exceeds 100mm.

Far Right: a sturdy 10mm mesh is fixed securely in place to prevent footholds and enclose gaps greater than 100mm.

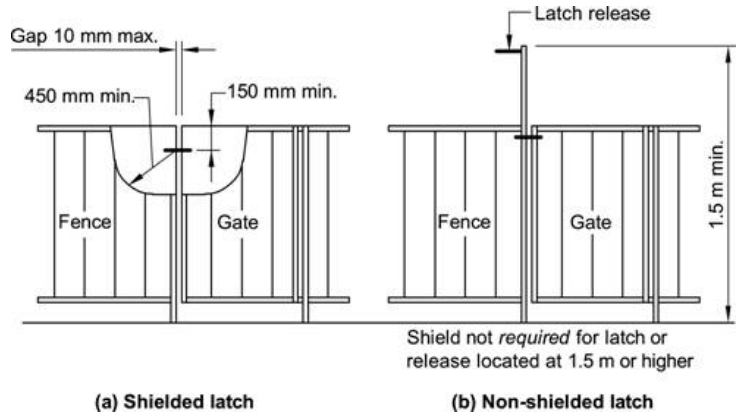


Gates

- Must be self closing from any position.
- Only swing outward from the pool area.
- Be fitted with a latching device that is out of reach of small children (i.e. a minimum height of 1500mm).

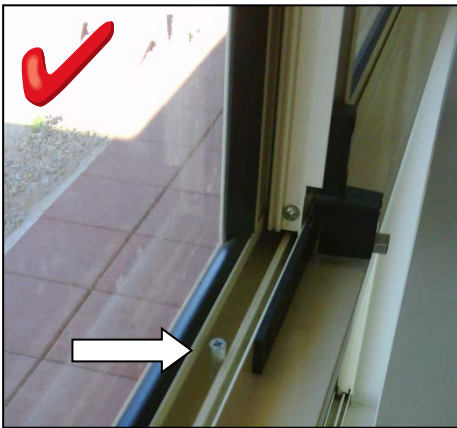
Doors

Doors from a dwelling into the pool area are no longer acceptable to form part of the safety barrier. A complying barrier / fence must separate a building and a swimming pool. (as of 2 December 2010).

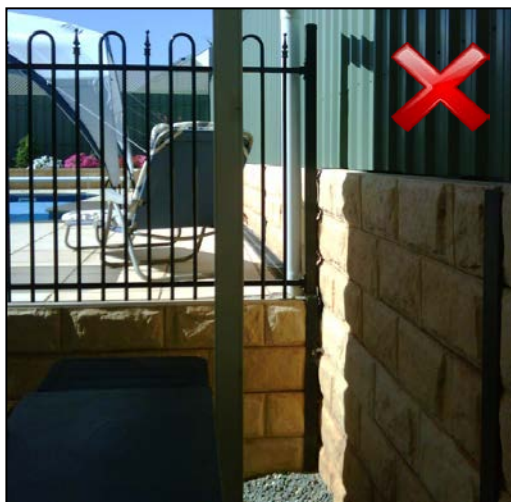
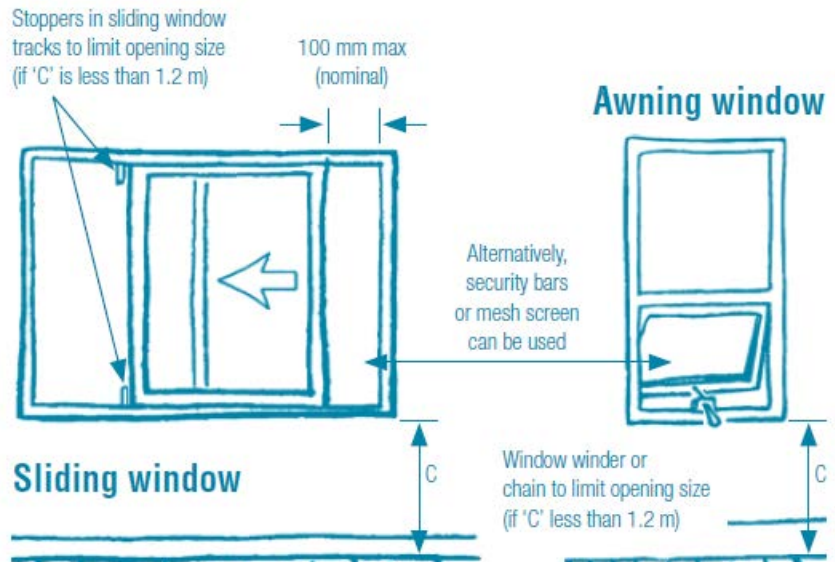


Windows

Where the openable part of any window is less than 1800mm from the floor and provides direct access to a pool area, it must be fitted with a mechanism limiting the size of the window opening to no more than 100mm or be provided with a secure screen such as a security screen or security mesh.



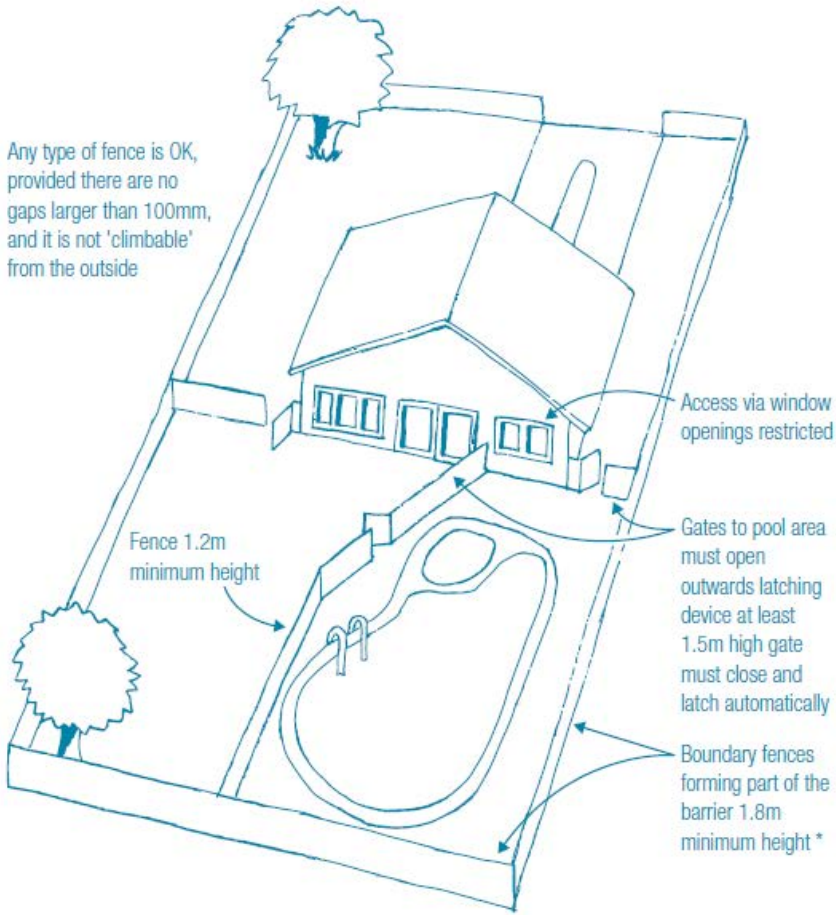
Above: note the window lock is not suitable. The screw in the track is compliant.



Left: the retaining walls create steps that allow access to the pool area.

Right: an example of a D-latch or 'Saddle Latch' which is suitable as a gate latch providing it is located higher than 1500mm, and the gate opens away from the pool area and is self closing and self latching.

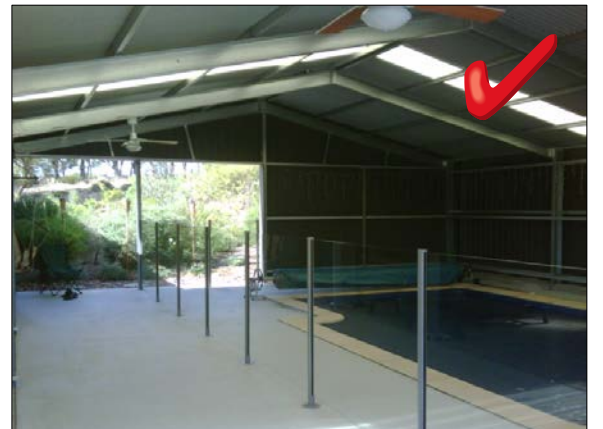




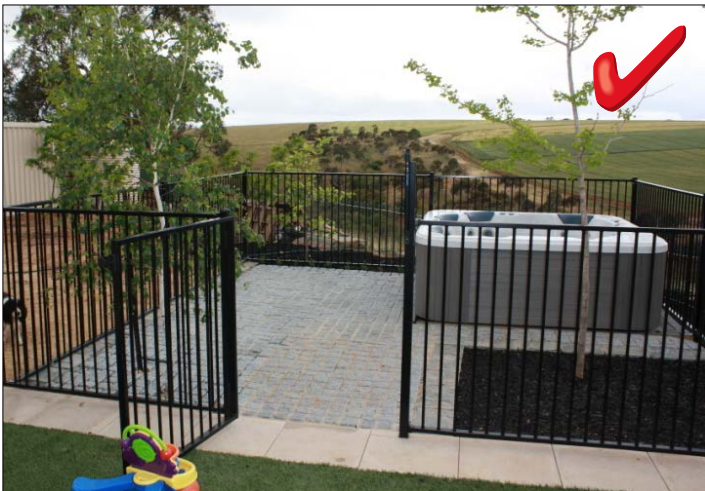
* Boundary fences forming part of the barrier must be 1.8m high on the pool side, with a 900mm non-climbable zone located at the top on the pool side of the fence



Above: example of fencing combination using blue board and tubular fencing styles. Note the fence over the retaining wall step to ensure the minimum height is maintained.



Above: walls of the building in conjunction with a glass balustrade complete the safety barrier.



Above: example of fence to surround spa area integrated with landscaping.

HANDY TIP – when setting the height of the safety fence, make sure to add extra for the height of any pavers or depth of top soil for grass. It is easier to fill in the bottom of the fence than it is to add to the top of the fence if it ends up being too short.



Above: example of fencing using timber, corrugated iron and traditional tubular pool fencing. Note, no gaps greater than 10mm between the sections of timber and no gap greater than 100mm below the fence.