



Coorong District Council Information Guide 18

Planning & Development

Swimming Pools, Spas & Pool Fencing

Introduction

All swimming pools (including the inflatable pools that have a filtration system) require a compliant safety barrier to be erected around the pool. Both the pool and the barrier fence is classified as development under the Development Act and require a development application to be lodged and approval received. Any approval will require that the barrier fence (including compliant gates) be installed prior to the pool being filled.

The only exemptions to the above is for “wading pools” that cannot be filled deeper than 300mm in depth or for above-ground or inflatable pools that do not have a filtration system.

Current Regulations

New swimming pools

Swimming pools built after 1 July 1993 must comply with the Building Code of Australia (BCA). The BCA includes provisions which require child resistant doors and windows where they open directly into the pool enclosure.

Existing swimming pools

All private pools built before 1 July 1993 must comply with the Swimming Pools (Safety) Act 1972. The Act requires, as a minimum, fencing at least 1.2 metres high which restricts access from outside the property. Suitable barriers which restrict access from the house are a preferred option which also complies with the Act. A swimming pool includes a paddling pool and a spa pool, but not a spa bath.

What about spa pools?

Spa pools (not including spa baths) that exceed a capacity of 680 litres are also classified as development and require a compliant safety barrier to be erected.

Fencing requirements

All swimming pools must have a continuous safety barrier maintained by the pool owner that restricts access by young children to the pool. These must meet the Australian Standard in regards to compliance. Pool fencing is also classified as development and will be assessed in association with any pool or spa development application.

Essentially the following is required to be met:

- The fencing must be a permanent, non-climbable structure and be a minimum of 1.2 metres high, with young children not being able to crawl under or over it by using foot or hand holds.
- Any boundary fences used as part of the child-safety barrier are at least 1.8 metres high on the pool side with a 900mm non-climbable zone at the top on the pool side of the fencing. Alternatively, the non-climbable zone can be on the adjoining owner's side.

- If the pool wall is a minimum of 1.2 metres high above the surrounding ground/deck/paved area, and is non-climbable, then it can act as a barrier fence. The ladder/s entering the pool (whether permanent or moveable) must however be enclosed by a compliant fence/gate.
- Gates to the pool area must swing outward from the pool area, be self-closing from any position and be fitted with a latching device at least 1.5 metres above ground level. They should never be propped open.

Pool Filters

The water recirculation and filtration system must comply with Australian Standards. All pools with a filtration system must have at least two suction points that are a minimum 800mm apart. This will relieve the pressure and reduce the seriousness of injuries if a child blocks a suction point.

Selling a property with a pool/spa

A transfer of property cannot occur unless a compliant fence is in place. Council will inspect properties at this time to ensure compliance.

If no fence is in place, or any upgrades are required to meet compliance, then a development application will be required to be lodged and approved for these works.

Please note that the fence ceases to be compliant if does not meet the requirements of acting as a barrier. It is up to the owner to ensure that any repairs are undertaken immediately, with the area secured or pool emptied until such time as these works are completed.

Summary

Complacency is no excuse for risking the lives of young children who know no better in regard to the dangers of pools and spas. If you have any doubts about compliance (whether it be for your own pool or others in the community), please contact Council's Development and Environmental Services Team to discuss.

In addition, Council will also include random inspections of swimming pools in conjunction with its normal inspection duties to ensure your pool area continues to be secure.

Development Information Guides are intended to help applicants to submit applications which are complete, well prepared, and can be processed efficiently. The information provided is intended as a general guide only and applicants are encouraged to refer to Coorong District Council's Development Plan and to seek advice from our staff where necessary.