

SWIMMING POOL BARRIER REQUIREMENTS FOR EXISTING & PROPOSED PRIVATE SWIMMING POOLS

A pool barrier is to be provided around a private swimming pool (including a spa) in accordance with Part 10 of the Building Regulations 1989. The Regulations specify different requirements for existing and proposed new private swimming pools and is dependent on when the application for the pool was submitted to the Local Government. The information below is a general guide as to what the fencing requirements are for existing and proposed new pools.

Private Swimming Pool:

For the purposes of this information means a place or premises provided for the purpose of swimming, wading or the like activities which the public are not entitled to use, and in which there is water that is more than 300mm deep.

Pre July 1992 pools:

From 18 March 2002, the safety barrier for pools installed prior to July 1992 are required to be upgraded to the standard that applies to pools built between July 1992 and November 2001.

This means that, as a minimum, self-closing and self-latching doors and protective windows must be installed where they provide access to the pool area. The legislation also requires that gates installed prior to 1989 and which opened towards the pool are to be altered so that the gates will have to open in a direction that is not towards the pool.

Owners of those properties with pools installed prior to 1992 will need to upgrade their safety barrier requirements within a 5 year period (ie by 17 December 2006). Where properties are sold, the owners of pre 1992 pools will have three months from the date of settlement to upgrade their safety barrier.

Pre November 2001:

Pools installed after July 1992 and before November 2001 have to be bound by fencing and gates complying with AS1926.1. Any doors and windows in any building that open directly into the pool area are to comply with AS1926.1.

Current requirements:

For pools that were submitted to and approved by the Local Government after 5 November 2001, the pool barrier must consist of walls, fences and gates that comply with AS1926.1. A door from a dwelling or outbuilding is not permitted to open into the pool area. *(NB: doors may open into the pool area with the specific approval of the Local Government in certain circumstances. Please contact the City's Building Section in respect to this issue before you commit to installing a pool to ensure your situation qualifies).* There is no requirement for openings in outbuildings that are contained within the pool barrier.

Boundary fencing:

A boundary fence of a property may be used as part of the pool enclosure as long as it satisfies the requirements of Australian Standard AS1926.1 **on both sides of the fence.**

General fencing:

Fences and gates forming part of the pool barrier are to comply with Australian Standard AS1926.1.

Refer to Part 10 of the Building Regulations – 1989 for specific details of the information contained above.

Information Required When Submitting a Building Application

If you wish to put a swimming pool or spa on your property, you must first obtain a building licence approval from the City of Mandurah. Application forms are available from the Administration Office and you will need to include the following information with your application (**All fees are payable upon lodgement of the application**):

- Two copies of a site plan, (approved and stamped by the Water Corporation if in a sewered area) to a scale of 1:200. The site plan must show the dimensions of the pool and the pool setbacks from the boundaries and existing structures on the property. Please note, the pool must generally be located at least the depth of the pool (at that point) away from any boundary or existing structure unless otherwise certified by a professional engineer that it will not compromise existing or future structures. **The proposed swimming pool safety barrier must also be indicated on the site plan.**
- If the pool is to be constructed in an unsewered area, the location of the septic tanks and leach drains/soakwells must be shown on the site plan. Please note that no portion of any construction is to be closer than 1200mm from the septic tanks and 1800mm from the leach drains/soakwells.
- Two copies of plans and specifications detailing construction materials. (Generally swimming pool companies will supply the required specifications when making application for approval).
- Two copies of a Professional Engineer's certification is required for any below ground swimming pool, (Including a second hand pool). This must include a minimum of one original copy signed by the Engineer in ink.

Building application fees are payable and are calculated according to the contract value of the construction.

DROWNING AND YOUNG CHILDREN

Drowning is the single most common cause of death for children under 5 years of age. The children most at risk are those aged one, two or three as they are mobile and inquisitive but have little ability to save themselves when they get into trouble.

The greatest danger to these children is the pool in their own home or that of relatives and friends. Studies have shown that only a very small percentage of children who drown in pools wander in from the outside of a property – nearly 60% of them drown in their own pools and 40% drown at the homes of relatives or friends.

Please treat and maintain your swimming pool barrier as a purpose-built safety device that forms a barrier that will consistently restrict the access of young children to the swimming pool. Children's safety will be compromised if the barrier is not maintained at all times, for example if gates are chocked open and self-closing, self-latching devices are not maintained in good working order.

It is stressed that an effective swimming pool safety barrier is no substitute for adult supervision. For more information about this refer to the "Keep Watch" pamphlet prepared by the Royal Life Saving Society Australia or call the society direct on telephone number (08) 9383 9988.

An inspection of the swimming pool safety barrier is required to be carried out by Council's Building Surveyor prior to the filling of the pool. Contact Council's Building Services section on telephone number (08) 9550 3749 to arrange the required inspection.