

New Swimming Pools

From 1 January 2014 amendments to Regulation 74 (mandatory pool barrier inspections) of the Development Regulations 2008 will require:

- The builder or owner to notify Council when the construction of a new swimming pool is completed, before it is filled with water.
- The builder or owner to notify their Council when construction of the approved swimming pool child-safety barriers has been completed.

Expiation penalties apply for failing to give one or both of the above notifications.

Documentation submitted for approval of a new swimming pool, under Schedule 5, shall include details of its associated safety barriers and other safety features to ensure that building rules consents issued for new swimming pools include the assessment and approval of all required safety features and barriers.

Prescribed Swimming Pools (existing pools)

All swimming pools approved, constructed or installed before the 1 July 1993 and all swimming pools and spas located on properties SOLD on or after 1 October 2008 must comply with the *Development Act 1993*, the *Building Code of Australia* and the *Minister's Specification SA 76D*.

All pools and spas must have suitable barriers or safety fencing to restrict access by young children to the immediate pool / spa surrounds.

Safety fencing must be constructed so that:

- The outside of the fence is an effective barrier to young children
- It is permanent
- It does not provide access for young children to crawl under or to climb over by using foot and hand holds
- It is more than 1.2 metres high

Gates to the pool / spa area must:

- Only swing outward from the pool / spa area;
- Be self closing from any position; and
- Be fitted with a latching device that is out of reach of small children (generally 1.5 metres above ground level)

Where the opening of any window is less than 1.2 metres above floor level and provides direct access from the house into the pool / spa area, it must be fitted with:

- Bars (100mm apart) or safety screen (not fly screen); OR
- A mechanism which permanently limits the size of the window opening to less than 100mm.

If you have any questions about the safety barriers around a swimming pool or spa, please contact Council's Building Section on 8372 5111, the Department of Planning, Transport and Infrastructure or alternatively refer to the ['Is Your Swimming Pool Kid Safe?'](#) brochure.