

## POOL BARRIER LOCATION (as of 1 May 2013)

### OUTDOOR POOL BARRIER LOCATION - RESIDENTIAL BUILDING

The *Swimming Pools Act 1992* requires the owner of the premises on which a swimming pool is situated to ensure that the swimming pool is surrounded at all times by a child-resistant barrier:

- That separates the swimming pool from any residential building situated on the premises and from any place (whether public or private) adjoining the premise, and
- That is designed, constructed, installed and maintained in accordance with the Standards prescribed by the regulations.

A barrier shall be designed and constructed so that it will restrict access by young children.

The barrier shall be a permanent structure.

The height of a barrier within the property shall be not less than 1200mm on the outside of the barrier.

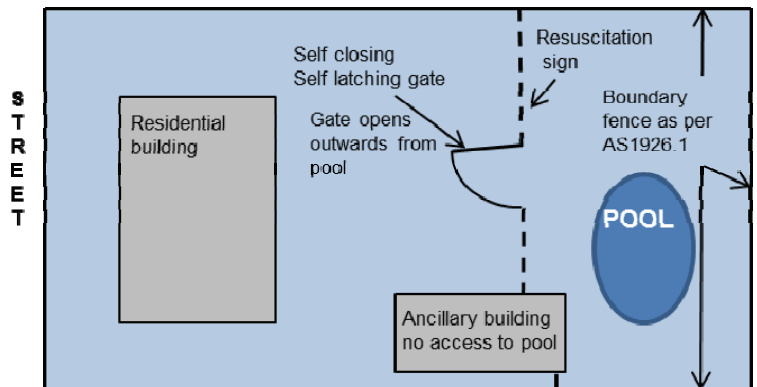
A barrier other than a retaining wall, shall be vertical or lean away from the pool by not more than 15°.

Where a boundary fence acts as a barrier to a pool, it shall have a height not less than 1800mm on the inside.

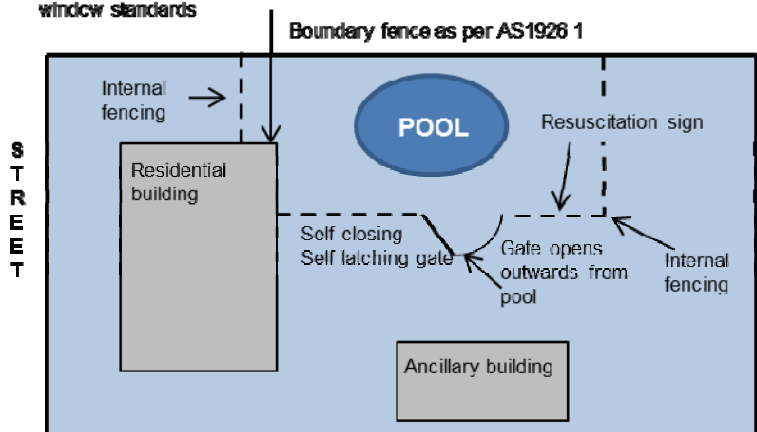
Note: a barrier should be free of sharp edges, sharp projections, and similar hazards.

**“Residential building”** means a building (such as a dwelling house, residential flat building or boarding house) that is solely or principally used for residential purposes and includes any structures (such as a garage or shed) that is ancillary to any such building, but does not include;

- a building that merely forms part of a complex of buildings (such as a school or recreational centre) that is principally used for non-residential purposes; or
- A moveable dwelling; or
- A shed that is ancillary to a swimming pool and the primary purpose of which is to store equipment that is used in conjunction with the swimming pool (but not a shed of a kind prescribed by the regulations), or
- A building or structure of a kind prescribed by the regulations.

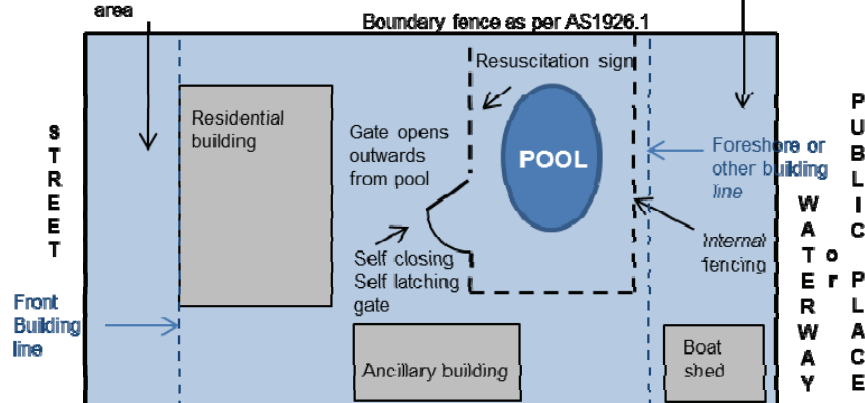


Windows that provide access to pool are to comply with child-resistant window standards



Check with Council – additional requirements may apply to pools in this area

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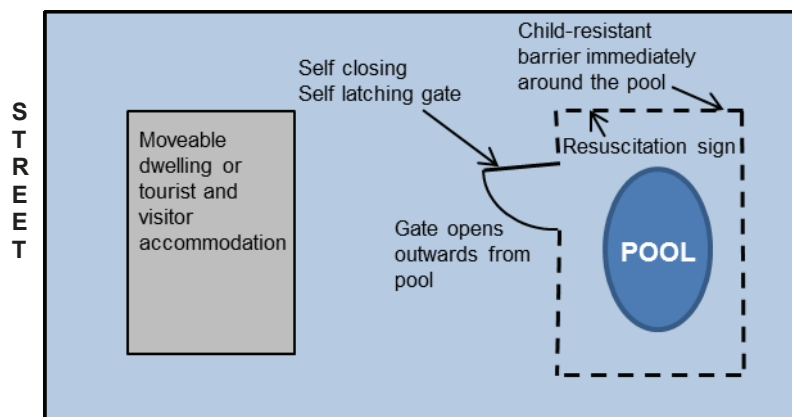


## OUTDOOR POOL BARRIER LOCATION - MOVEABLE DWELLING OR TOURIST AND VISITOR ACCOMMODATION

The owner of the premises on which a swimming pool is situated must ensure that the swimming pool is surrounded at all times by a child-resistant barrier:

- (a) That separates the swimming pool from any moveable dwelling or tourist and visitor accommodation situated on the premises and from any place (whether public or private) adjoining the premises, and
- (b) That is located immediately around the swimming pool, and
- (c) That contains within its bounds no structure apart from the swimming pool and such other structures (such as diving boards and filtration plants) as are wholly ancillary to the swimming pool, and
- (d) That is designed, constructed, installed and maintained in accordance with the Standards prescribed by the regulations.

*For the avoidance of doubt, a swimming pool is situated on premises on which another building is located if the swimming pool is ancillary to that other building, regardless of whether the swimming pool is on a separate lot, such as on common property under a strata scheme.*



**Tourist and visitor accommodation** means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes any of the following:

- (a) backpackers' accommodation,
  - (b) bed and breakfast accommodation,
  - (c) farm stay accommodation,
  - (d) hotel or motel accommodation,
  - (e) serviced apartments,
- but does not include:
- (f) camping grounds, or
  - (g) caravan parks, or
  - (h) eco-tourist facilities.

**moveable dwelling** has the same meaning as in the Local Government Act 1993.

Note. The term is defined as follows:

- (a) any tent, or any caravan or other van or other portable device (whether on wheels or not), used for human habitation, or
- (b) a manufactured home, or
- (c) any conveyance, structure or thing of a class or description prescribed by the regulations (under the Local Government Act 1993) for the purposes of this definition.

Note: The information in this Fact Sheet is for general guidance only and may not contain all requirements necessary to comply with mandatory provisions of the swimming pool legislation. Pool owners should refer to the Swimming Pools Act and AS1926.1-2012. Shoalhaven Libraries provide online access to the Australian Standard. Hard copies are available for viewing at Council Administrative Offices—Nowra and Ulladulla. **Please note due to copyright restrictions, copies of the documents are unable to be made.** Copies can be purchased from Standards Australia.