

## POOL CONSTRUCTED UNDER SUPERSEDED AUSTRALIAN STANDARDS

A child-resistant barrier and the means of access for a swimming pool is required to comply with the Standard that was applicable at the time the pool was constructed or installed. The barrier and means of access remains compliant so long as:

- (a) immediately before the relevant amendment took effect, the barrier and means of access complied with the Standard that applied at the time and continues to comply with that Standard, or
- (b) If the barrier or means of access has been substantially altered or rebuilt, and complied with the Standard that applied when the barrier was so altered or rebuilt and continues to comply with that Standard.

Barriers not complying with (a) or (b) above are required to comply with the current standards.

Where the pool was constructed without approval, the barrier and means of access are to comply with the current Standard.

**The term “barrier” under the *Swimming Pools Act 1992* refers to the fence or a wall and includes any gate or door set in the fence or wall and any other structure or thing declared by the regulations to be a barrier.**

**The “means of access” should at all times be restricted in accordance with the applicable Standard.**

What is the applicable Standard?

This depends on the date the pool was constructed and completed.

- ⇒ For swimming pools constructed or completed before 1 September 2008, the barrier must comply with Australian Standard AS1926-1986: Fences and gates for private swimming pools.
- ⇒ Swimming pools that commenced construction from 1 September 2008 must have a barrier that complies with Australian Standard AS1926.1-2007 Part 1: Safety barriers for swimming pools.
- ⇒ Swimming pools that commenced construction from 1 May 2013 must have a barrier that complies with Australian Standard AS1926.1-2012 Part 1: Safety barriers for swimming pool and AS1926.2-2007 Part 2: Location of safety barriers for swimming pools.

The following Australian Standards are available for viewing at Council Administrative Offices at Nowra and Ulladulla:

AS1926-1986: Fences and gates for private swimming pools  
AS1926.1-2007 Part 1: Safety barriers for swimming pools  
AS1926.2-2007 Part 2: Location of safety barriers for swimming pools  
AS1926.1-2012 Part 1: Safety barriers for swimming pools

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## **Swimming pools located on properties which are waterfront, on land over 2 hectares or on very small properties (230m<sup>2</sup> or less)**

From 1 July 2010, swimming pools located on properties which are waterfront, on land over 2 hectares or on very small properties (230m<sup>2</sup> or less) can no longer use the automatic exemptions in the Swimming Pools Act 1992 (Act).

Previously, pools located on the above mentioned properties could use the dwelling as part of the swimming pool barrier. This required all doors and windows from the dwelling to be made child resistant in accordance with the Australian Standard.

Existing exempt properties may continue to use the exemption but only if the barrier is continually kept compliant with the Standard that applied at the time.

### 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.