



**KEMPSEY**  
Shire Council

# FACT SHEET

## Swimming Pool Fencing & Other Requirements

### Guide to Swimming Pool Fencing and Other Requirements

The Swimming Pool Act and Regulations outline various matters relating to fencing and safety with regards to Swimming Pools.

Whilst fencing is a safety barrier, SUPERVISION is a major means of providing safety.

#### Definitions

"Swimming Pool" means an excavation, structure or vessel:

- Capable of being filled with water to a depth of 300mm or more; and
- That is used, designed, or adapted to be used for the purpose of swimming, wading, and paddling or of some other human aquatic activity.

It includes a spa, pool, tub or the like, but does not include a spa bath or anything that is situated within a bathroom.

A building and development application for consent should be lodged with Council, accompanied by plans and specifications prepared by a practising Consulting Structural Engineer, before commencement of construction of a private swimming pool, either in-ground or above ground. Such application shall be signed by the owner or a person authorised in writing by the owner.

Details of the following shall be submitted with the application:

- External and/or flood lighting.
- Water heating equipment.
- Sound proofing of all mechanical equipment.
- Installation and sound amplifying equipment.
- Filtration and chlorination equipment and its location on the site.

#### Location of Site

- Council may take into consideration the views of other persons likely to be affected by the siting of a swimming pool.
- Swimming pools, concourses and the like are not to encroach upon the minimum, unpaved grassed areas where fixed by resolution.



#### Drainage

All overflow and drainage is to be connected to the appropriate stormwater disposal system.

#### Fencing

##### Indoor Swimming Pools – General Requirements

The owner of any premises in or on which a new indoor swimming pool is situated, must ensure that the means of access to the swimming pool are restricted in accordance with the standards prescribed by the regulations.

##### Outdoor Swimming Pools – General Requirements

The swimming pool must at all times be surrounded by a child resistant barrier. The barrier must:

- Separate the swimming pool from any residential building situated on the premises and from any place (public or private) adjoining the premises.
- Be designed, constructed installed and maintained in accordance with the standards set out by the *Swimming Pools Act 1992* and the regulations.

#### How may the barrier be formed?

A barrier may be formed using a fence (including gates) or a wall or walls of the dwelling.

#### Fences – How must the fence be constructed?

The fence must be constructed in accordance with Australian Standard 1926-1986 called "*Fences and Gates for Private Swimming Pools*". This document is subject to copyright, however can be examined at Council's Customer First Centre.

## How high must the fence be?

Fences and gates shall be at least 1.2 metres in height at any point along their length, on the outside of the fencing.

## Should the fence go down to the ground?

The height of any opening between the bottom of the fence and the ground shall not exceed 100mm.

## What is the maximum opening between vertical components?

The spacing between any adjacent vertical members shall not exceed 100mm at any point.

## Where may horizontal components be constructed?

Horizontal members which are located on the outside of the fencing or when on the inside, the gap between the uprights is more than 10mm, shall be at least 900mm apart and the top surface of the lowest horizontal member shall be at least 1.1 metres below the top of the fence or gate.

## Gates

### Which way must the gate swing?

The gate must open towards the person seeking entry into the pool area.

### What kind of latch is required?

Gates shall be fitted with a self latching device that will automatically operate on the closing of the gate and will prevent the gate from being re-opened without manually releasing the mechanism.

### Where must the latch be located?

Where the release of the latching device is located at a height less than 1.5 metres above finished ground level, or where the latch itself located at a height less than 1.5 metres above finished ground level, the latch shall:

- Not be on the outside of the fencing.
- Be in such a position that to release the latching mechanism from the outside, it will be necessary to reach over or through the fencing at a height greater than 1.2 metres above finished ground level.



- Be at least 150mm below the top of the fencing where a hand-hold is not provided, or at least 150mm away from the edge of any hand-hold opening where a hand-hold is provided.
- It may be necessary to provide suitable screening of the latch for a radius of 450mm from the latch.

## Walls

Walls are to be of substantial construction, have vertical sides and have a height of at least 1.2m.

Windows in the wall must be of substantial construction and be fixed so that it has no opening through which a 105mm diameter bar will pass through.

## Warning Signs

You must display a warning notice which contains resuscitation information. The notice is to be displayed in a prominent position and meet specific requirements.

## Noise

At any time the noise emanating from the swimming pool pump is not to create offensive noise.

## DISCLAIMER

***This information is only a guide and should be read in conjunction with the Swimming Pools Act 1992 and Australian Standard 1926-1986 "Fences and Gates for Private Swimming Pools".***

**For further information and advice on Swimming Pool Fencing and Other Requirements Contact:**

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