

Fact Sheet

Swimming Pools and Spas

The Development Act 1993 and associated Development Regulations set the swimming pool safety provisions for swimming pools built since 1993.

Is Council approval required?

Development approval is required for:

- A **swimming pool** which is capable of being filled to a depth exceeding 300mm, or any above ground or inflatable swimming pool that incorporates a filtration system and is capable of being filled to a depth exceeding 300mm.
- A **spa pool** which has a maximum capacity exceeding 680 litres.

Consideration should be given to the setback of the pool and filtration system from property boundaries as the setback will determine what assessment process and public notification procedures apply – check with Council for details. It is the owner's responsibility to ensure the necessary approvals have been granted from Council and/or SA Water.

Pool safety barriers

All pools are required to have safety barriers or fencing constructed in accordance with Australian Standard AS 1926.1 to restrict access by young children to the immediate pool surrounds as follows:

- for internal safety barriers the effective height is not less than 1.2m with horizontal fencing components spaced a minimum of 900mm apart
- a boundary fence forming part of the safety barrier shall be not be less than 1800mm high, measured from the pool side and must be non-climbable from the top of the fence to 900mm down on the inside face
- the clearance between the ground and the bottom of the fence and gap between vertical members of the fence rails does not exceed 100mm

Gates to the pool area must:

- swing outward from the pool area
- be self closing and self latching
- be fitted with a latching device that is out of reach of small children (a minimum 1.5m above ground level)
- where the latching device is less than 1.5m above finished ground level a shielding device shall be fitted.

Doors are not permitted to provide direct access from the house or shed to the pool area.

Windows opening directly into the pool area, which the openable portion of the window is less than 1800mm from ground level are required to be fitted with one of the following:

- bars (maximum 100mm apart) or mesh screen (to withstand a minimum of 300N or 30kg).
- fasteners that can only be removed by the use of a tool so that the window will remain closed or open to a maximum of 100mm



An above ground pool also requires fencing if the walls are less than 1.2m high all the way around the pool. If the pool walls are 1.2m high and non-climbable with no indents or projections, then the access steps are to be enclosed by a fence with a self closing gate. There must be no climbable objects within a 1.2m radius of the wall.

Pump and filtration equipment

The pump and filtration systems for pools must comply with the requirements of AS 1926.3. The following information is required for Building Rules Consent:

- Manufacturer and model of skimmer box certifying compliance with the above mentioned standard.
- Details of the skimmer box confirming a solid member no less than 100mm wide separates the pool from the leaf basket, the skimmer box has a vented lid, and the basket dimensions comply with the standard.
- Each pool pump must be connected to at least two outlets (an outlet also being the skimmer box) which must remain operative at all times and be separated a minimum of 600mm apart.

Managing waste water

Backwash water from all swimming pools can be directed to a sewerage drainage point. Should the property be connected to a sewerage system, approval is required from SA Water (telephone 1300 650 950). Where a property is served by a community wastewater management scheme (CWMS), backwash water is to bypass the septic tank and be discharged to the drain between the septic tank and the common effluent drain. **Under no circumstances should backwash be discharged into the septic tank or soakage trench.** In un-sewered regions, backwash water is to be discharged to a grassed, vegetated or garden area, or a stone-filled trench either open to the surface or underground (similar to a septic tank absorption field). Any surface run-off resulting from the discharge should be contained within the property boundaries.

Maintenance

It is the owner's responsibility to maintain the pool safety barriers and features, maintain safe water quality and filtration system, and maintain the pool's structural integrity. Once the outdoor pool and fence have been constructed, pool fences need to be kept compliant by:

- Ensuring that gates self-close and self-latch without the need to slam the gate shut
- Keeping gates securely closed at all times
- Not propping the gate open for any reason
- Never placing climbable objects near the pool fence
- Checking the pool fence regularly for wear and tear.

If a pool is not properly maintained, it can be a breeding ground for harmful bacteria, which may cause serious illness. The pool supplier should provide a water testing kit and instruct in its use, as the correct use of appropriate chemicals and good management of the disinfection, filtration and recirculation system will keep the pool water in a clean, safe and healthy condition.

Swimming pools built prior to 1 July 1993

As of 1 October 2008, all homes with existing pools are required to have child safety barriers in accordance with relevant Australian Standards prior to the property being sold. The owner shall be responsible for ensuring the latest pool safety requirements are met prior to the settlement date when selling a property with a swimming pool. For an independent pool inspection to ensure the pool meets compliance with the necessary Australian Standards, the Department of Planning and Local Government has a list of swimming pool safety consultants available via its website or alternatively contact the Swimming Pool and Spa Association of South Australia (see details below).

Further information

Further information can be obtained from Council's website www.barossa.sa.gov.au or by contacting the Council's Development Environmental Services Section on (08) 8563 8483.

South Australian Government

<https://www.sa.gov.au/topics/planning-and-property/owning-a-property/pool-and-spa-safety>

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Department of Planning and Local Government:

Phone: (08) 8303 0602. Web: <https://www.sa.gov.au/topics/planning-and-property/land-and-property-development/engaging-building-industry-professionals/private-certifiers>

Swimming Pool and Spa Association of South Australia

<https://www.spasa.com.au>

