



# Basic Swimming Pool Barrier Requirements for NSW

## Introduction

A swimming pool is defined as a structure that is capable of being filled with 300mm of water or more and is used for swimming and other water activities.

This includes: Concrete Swimming Pools, Fibreglass Swimming Pools, Inflatable Swimming Pools, Temporary or Wading Pools, Above Ground Pools and Spas

According to the Swimming Pools Act 1992, swimming pools must be surrounded by a Child-Resistant Barrier. It is the pool owner's responsibility to ensure your swimming pool barrier is in good repair and good working condition.

The Swimming Pool Act 1992 and Swimming Pools Regulation 2008 apply to all swimming pools on premises where there is a residential building, a movable dwelling (eg caravan), a hotel or a motel.

## References

The references used in compiling this information sheet are:

- |                                   |                                    |
|-----------------------------------|------------------------------------|
| a) The Swimming Pool Act 1992     |                                    |
| b) Swimming Pools Regulation 2008 |                                    |
| c) Australian Standard AS 1926.1  | Safety Barriers for Swimming Pools |
| d) Australian Standard AS 2610.1  | Public Spas                        |
| e) Australian Standard AS 2610.2  | Private Spas                       |

### NOTE:

This information sheet has been provided as only a summary and users of this information sheet should obtain copies of the above references to be able to review the Legislative Requirements in their entirety.

Standards can be obtained from SAI Global or may be viewed at your Local Council and NSW Acts and Regulations can be downloaded from the NSW Government website:

[www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)



1/33 Daking Street, Nth Parramatta NSW 2151  
Tel: 61+2 9630 6300 Fax: 61+2 9630 6355

Extracts are from the relevant Standard, or based on it, and acknowledges permission to reprint has been given by SAI Global Ltd

**“Reproduced with permission from SAI Global Ltd under Licence 1206-c028”**

Referenced Australian Standards may be purchased directly from SAI Global at: [www.saiglobal.com](http://www.saiglobal.com)

## Swimming Pool Laws (Important Dates)

The requirements for child-resistant barriers on premises where there is a residential building vary according to when the pool was constructed. See the below important dates to determine what Legislative Requirements apply to each circumstance.

### **For pools built before 1 August 1990**

The means of access from the residential building to the pool must be restricted at all times. The standard for restriction, eg, by complying windows and doors, is set out in the Regulation.

### **For pools built after 1 August 1990 but before 1 July 2010**

The pool must be surrounded by a child-resistant barrier that separates the pool from any residential building situated on the premises and from any place adjoining the premises.

Automatic exemptions apply from the four-sided barrier for pools on very small properties (less than 230 square metres), large properties (2 hectares or over) and waterfront properties.

### **For pools built after 1 July 2010**

The amended swimming Pools Act 1992 removes automatic exemptions from the four-sided barrier requirement for new pools on very small properties (less than 230 square metres), large properties (2 hectares or over) and waterfront properties.

All new pools must be separated by a complying barrier from the house and adjoining properties. The general requirement for child-resistant barriers on residential properties is for the pool to be separated by a complying barrier from the house, adjoining properties and public spaces at all times. Direct access from the house to the outdoor pool area is not permitted unless an exemption applies.

## Exemptions

Local councils may grant exemptions from barrier requirements that are impracticable or unreasonable in particular cases, eg, to provide access for people with disabilities.



1/33 Daking Street, Nth Parramatta NSW 2151  
Tel: 61+2 9630 6300 Fax: 61+2 9630 6355

Extracts are from the relevant Standard, or based on it, and acknowledges permission to reprint has been given by SAI Global Ltd

**“Reproduced with permission from SAI Global Ltd under Licence 1206-c028”**

Referenced Australian Standards may be purchased directly from SAI Global at: [www.saiglobal.com](http://www.saiglobal.com)

## Pool Fence & Gate – Maintenance

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

### NOTE:

Maintenance of the Pool Barrier includes but is not limited to the following:

- a) Regularly check Gate operates as intended.
- b) Regularly check and adjust Latching Device as needed.
- c) Regularly check fencing panels for correct gaps, rust and wear and tear.
- d) Regularly check all fence bolts are tight and in good order.

Consumers should be encouraged to seek the advice and/or services of a Licensed Pool Technician, Builder or Fencing Contractor.

## Pool Fence - Location

*The Swimming Pool Act 1992 stipulates* that an owner may decide where the required child – resistance Barrier is to be located, however, the fence must separate the pool from any residential building on the premises.

### NOTE:

Before owners choose the location of their pool fence they should first check with their local Council to discuss their desired location with them in order to avoid conflicting legislation or additional Local Council Guidelines.

## Pool Fence – Height

*Australian Standard AS 1926.1 stipulates* that a pool fence shall be not less than 1.2m high all the way around.

### NOTE:

If the pool fence is not 1.2m high all the way around or only in some sections then the home owner should seek immediate advice from a Licensed Builder, Pool Technician or Fencing Contractor.



1/33 Daking Street, Nth Parramatta NSW 2151  
Tel: 61+2 9630 6300 Fax: 61+2 9630 6355

Extracts are from the relevant Standard, or based on it, and acknowledges permission to reprint has been given by SAI Global Ltd

**“Reproduced with permission from SAI Global Ltd under Licence 1206-c028”**

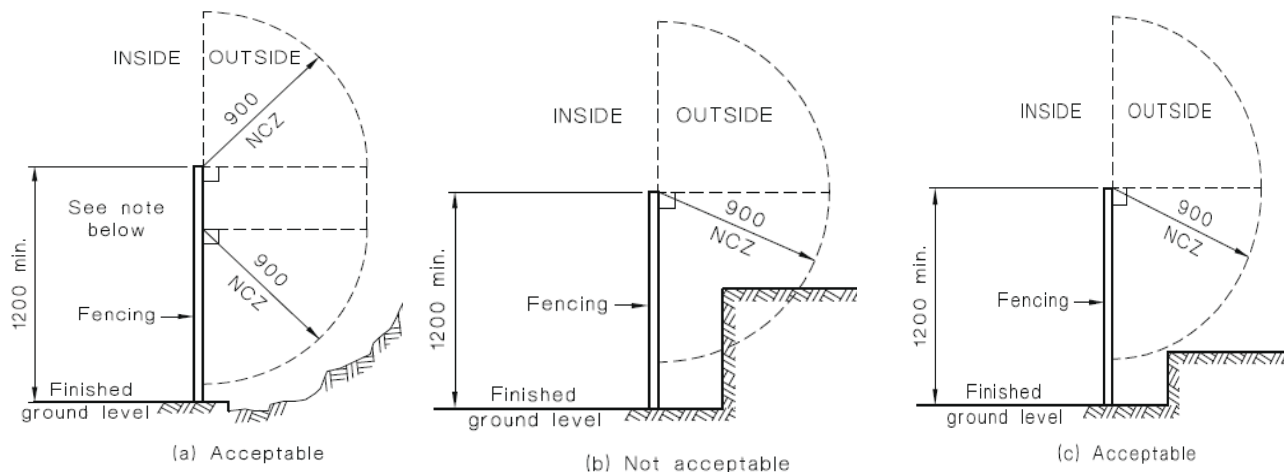
Referenced Australian Standards may be purchased directly from SAI Global at: [www.saiglobal.com](http://www.saiglobal.com)

## Pool Fence - Non Climable Zone (NCZ)

*Australian Standard AS 1926.1* stipulates that a fence must have a Non Climable Zone (NCZ) of 900mm on the outside of the pool fence all the way around.

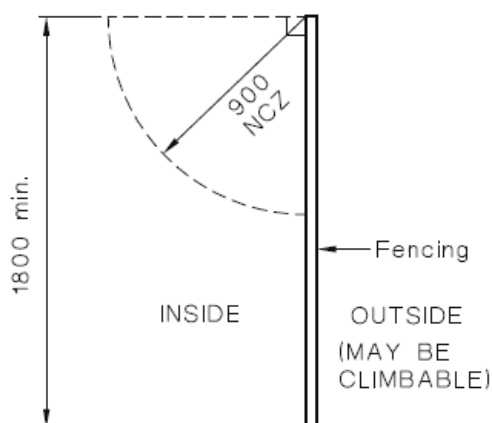
### NOTE:

Trim trees or shrubs near the pool fence and other objects such as BBQ, pot plants, toys, ladders and chairs should not encroach within the NCZ area.



## Boundary Fence used as part of Pool Fence

*Australian Standard 1926.1* stipulates that when a Boundary Fence (min 1.8m) is used as part of the child-resistant barrier then the Non Climable Zone (NCZ) of 900mm will be measured from the inside (pool side) of the fence.



### NOTE:

Any Climbable Horizontal surface on the inside of Boundary Fences (1.8m) shall not be within the Non Climable Zone (NCZ).

If a Horizontal Surface is located within the NCZ then a fillet is an acceptable solution which would rectify the problem.



1/33 Daking Street, Nth Parramatta NSW 2151  
Tel: 61+2 9630 6300 Fax: 61+2 9630 6355

Extracts are from the relevant Standard, or based on it, and acknowledges permission to reprint has been given by SAI Global Ltd

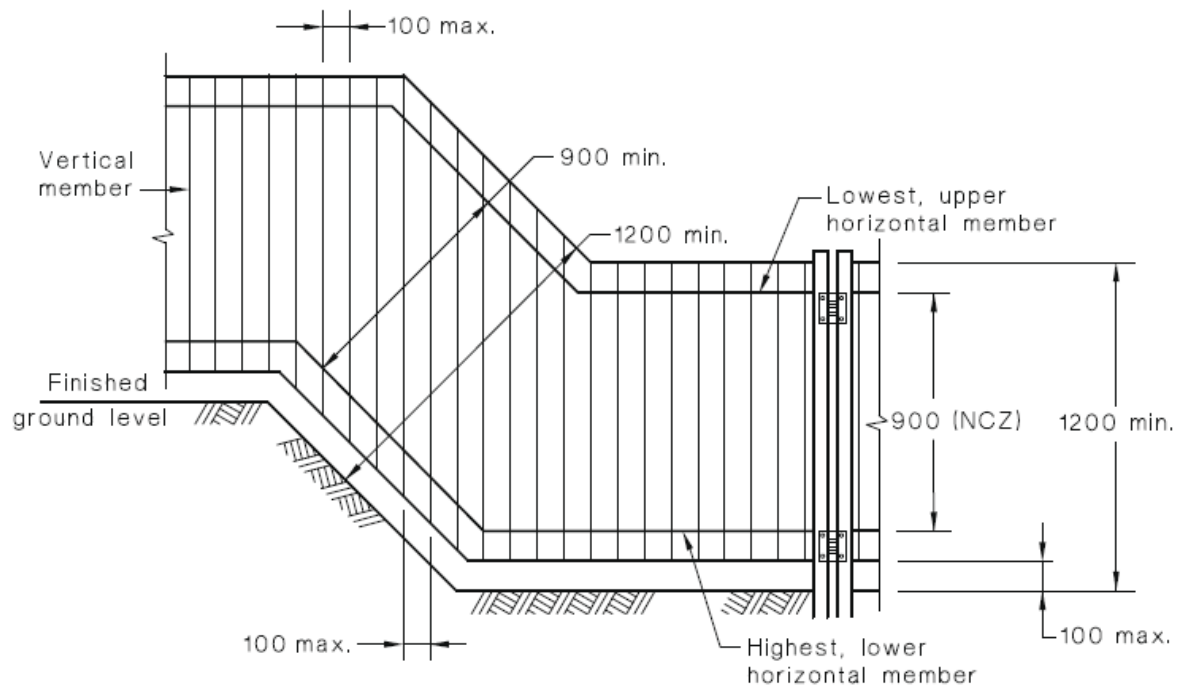
**"Reproduced with permission from SAI Global Ltd under Licence 1206-c028"**

Referenced Australian Standards may be purchased directly from SAI Global at: [www.saiglobal.com](http://www.saiglobal.com)

## Pool Fence - Vertical Gaps

*Australian Standard AS 1926.1* stipulates that gaps between vertical members of the fence shall not be greater than 100mm,

Vertical Gaps in the fence must not be more than 100mm



### NOTE:

If the Vertical Gaps in the fence are greater than 100mm all the way around or only in some sections then the home owner should seek immediate advice from a Licensed Builder, Pool Technician or Fencing Contractor.

## Pool Fence - Gap at Bottom

*Australian Standard AS 1926.1* stipulates that the Gap at the bottom of the fence must be a maximum of 100mm.

The Gap at the bottom of the fence must be a maximum of 100mm.

### NOTE:

If the Gap at the bottom of the fence is greater than 100mm all the way around or only in some sections then the home owner should seek immediate advice from a Licensed Builder, Pool Technician or Fencing Contractor.



1/33 Daking Street, Nth Parramatta NSW 2151  
Tel: 61+2 9630 6300 Fax: 61+2 9630 6355

Extracts are from the relevant Standard, or based on it, and acknowledges permission to reprint has been given by SAI Global Ltd

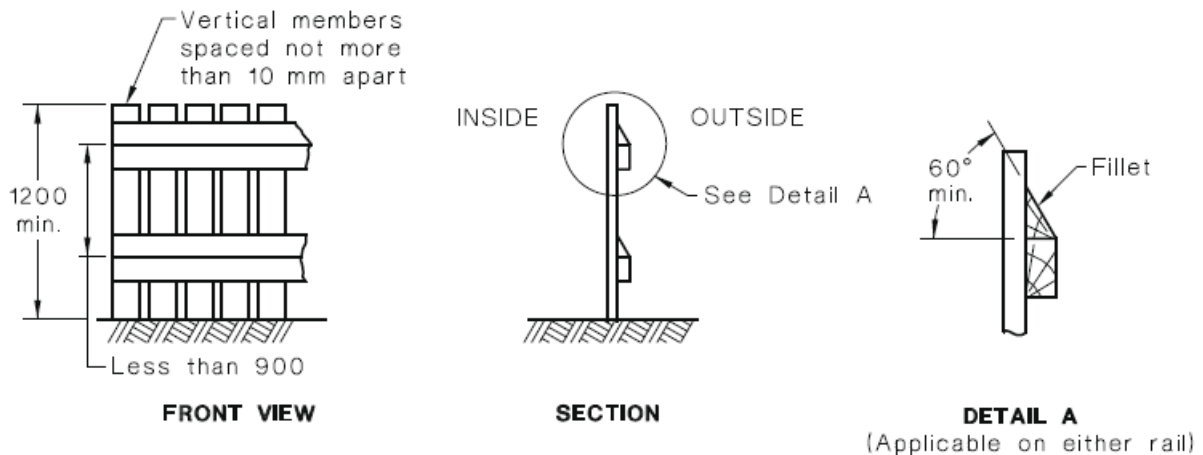
**“Reproduced with permission from SAI Global Ltd under Licence 1206-c028”**

Referenced Australian Standards may be purchased directly from SAI Global at: [www.saiglobal.com](http://www.saiglobal.com)

## Pool Fence - Horizontal Climable Members

*Australian Standard AS 1926.1* stipulates that Horizontal Members shall not be within the 900mm Non Climable Zone (NCZ) (on the outside of the pool fence).

If a pool fence does have Horizontal Members on the pool fence then they must be Non Climable.



### NOTE:

If the Horizontal Members which form part of the fence are in the Non Climable Zone (NCZ) all the way around or only in some sections then the home owner should seek immediate advice from a Licensed Builder, Pool Technician or Fencing Contractor.

## Pool – Gates, Self Closing & Latching Devices

*Australian Standard AS 1926.1* stipulates that Gates shall be hung so that they ONLY swing outwards. i.e. away from the pool area.

The gate must be able to swing freely through its arc of operation.

All gates must be fitted with a **Self Closing Device** that will return the gate to a closed position from any position without the use of manual force.

All Gates must be fitted with a **Latching Device** that will automatically operate on the closing of the gate and prevent the gate from being reopened without being manually released

### NOTE:

A Pool Gate that is not Self Closing or does not have a Latching Device should be permanently secured until such time as the device/s can be installed. Self Closing and Latching Devices can be purchased from most pool shops and hardware shops and are relatively easy to install.



1/33 Daking Street, Nth Parramatta NSW 2151  
Tel: 61+2 9630 6300 Fax: 61+2 9630 6355

Extracts are from the relevant Standard, or based on it, and acknowledges permission to reprint has been given by SAI Global Ltd

**"Reproduced with permission from SAI Global Ltd under Licence 1206-c028"**

Referenced Australian Standards may be purchased directly from SAI Global at: [www.saiglobal.com](http://www.saiglobal.com)

## Pool Fence - Latching Device Location

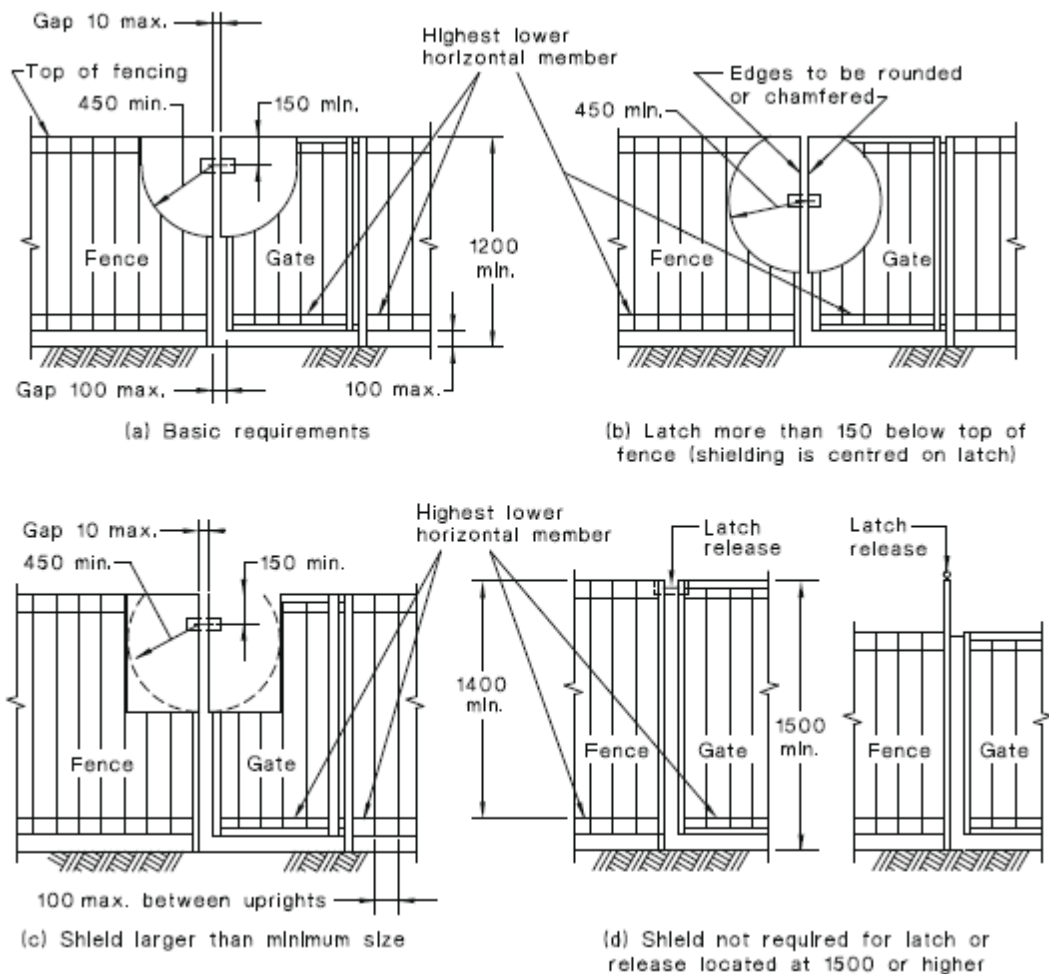
Australian Standard AS 1926.1 stipulates Latching Device Locations.

Acceptable basic Latching Device Locations are:

- Latching Device located at a min of 1500mm from adjacent ground level

Where a latching device is located less than 1500mm then the following applies:

- The Latching Device is not to be located on outside of the fence
- The latch and its release will be located at least 150mm below the top edge of the inside of the gate and have a shield fitted of at least 450mm radius centred around the Latch.



### NOTE:

A Pool Gate which has its Latching Device at the incorrect location can easily be relocated with the use of some very basic tools to the correct location. If in doubt, consumers should be encouraged to seek the advice and/or services of a Licensed Builder, Pool Technician or Fencing Contractor.



1/33 Daking Street, Nth Parramatta NSW 2151  
Tel: 61+2 9630 6300 Fax: 61+2 9630 6355

Extracts are from the relevant Standard, or based on it, and acknowledges permission to reprint has been given by SAI Global Ltd

**"Reproduced with permission from SAI Global Ltd under Licence 1206-c028"**

Referenced Australian Standards may be purchased directly from SAI Global at: [www.saiglobal.com](http://www.saiglobal.com)

## Wall of House used as a Barrier

*The Swimming Pool Act 1992* stipulates that the wall contains no opening through which access may at any time be gained to the swimming pool.

The wall must contain no door, window or other opening through which access may at any time be gained to the swimming pool.

## Windows forming part of the Barrier

Windows which form part of the Child Resistant Barrier shall be fixed to the building with fasteners that can only be removed by the use of a tool. Eg a screwdriver or spanner, and will only open to a maximum of 100mm.

## Child Resistant Doorset

*Australian Standard 1926.1* stipulates Doorsets accessing indoor pools must comply with the following:

- a) Doors shall be fitted with a **self latching device** that will automatically operate on the closing of the door and will prevent the door from being reopened without manually releasing the device
- b) Doors shall be fitted with a self closing device that will activate immediately after use and will return the door to the closed position from any position without the application of manual force
- c) The release for the latching device on the internal (building) side of the door shall be located not less than 1500mm above the floor
- d) There should be no footholds wider than 10mm within 1m of the floor level, either in the door or in its frame.
- e) Pet doors shall not be placed in a child-resistant door

### NOTE:

Direct access from the house via a doorset to the outdoor pool area is not permitted unless an exemption applies.



1/33 Daking Street, Nth Parramatta NSW 2151  
Tel: 61+2 9630 6300 Fax: 61+2 9630 6355

Extracts are from the relevant Standard, or based on it, and acknowledges permission to reprint has been given by SAI Global Ltd

**“Reproduced with permission from SAI Global Ltd under Licence 1206-c028”**

Referenced Australian Standards may be purchased directly from SAI Global at: [www.saiglobal.com](http://www.saiglobal.com)



## Spa Pools

*The Swimming Pool Act 1992 stipulates that a Spa Pool is not required to be surrounded by a child resistant barrier so long as access to the spa pool is restricted as per the *Swimming Pools Regulation 2008*.*

*The Swimming Pools Regulation 2008 stipulates that a spa pool is not required to be surrounded by a child resistant barrier so long as access to the water contained in the spa pool is restricted, in accordance with the Swimming Pools regulation 2008*

Swimming Pools regulation 2008 states that Spa pools must be covered and secured by a lockable child-safe structure such as a door, lid, grill or mesh.

### NOTE:

For portable spas, consumers must ensure that all electrical components and pumps meet electrical safety requirements and are properly covered. This can be done by checking they are marked with a mandatory electrical safety approval number or a Regulatory Compliance Mark.

Australian Standards 2610.1 and 2610.2 stipulates:

- a) that all Spa Pools should have a **“SPA POOL SAFETY RULES”** Sign in close vicinity of the Spa Pool
- b) an emergency stop switch controlling all spa pool pumps, blowers and heaters shall be provided within 3m of the spa pool and shall be visible at all times

## Above Ground Pools

*The Swimming Pools Regulation 2008 stipulates that for Above Ground Pools, including Inflatable Pools, the walls of the pool shall **NOT** be considered an effective child-resistant barrier.*

### NOTE:

Consumers need to be aware that an Above Ground Pool requires a Licensed Builder to install the Above Ground Pool. In addition, Above Ground Pools are treated in the same way as any other Swimming Pool under the Swimming Pool Act 1992, Swimming Pools Regulations 2008 and Australian Standards AS 1926.1.

## CPR Sign

The Swimming Pools Regulation 2008 requires all pool owners to have a CPR Sign situated in a prominent position in the immediate vicinity of the pool. All signs need to be of a size which allows it to be read from a distance of 3 metres.

### NOTE:

If you do not have a CPR chart in the pool area then they can purchased from your local SPASA NSW Pool Shop, Council or Community Organisations such as The Royal Life Saving Society, St John's Ambulance and the Australian Red Cross.



1/33 Daking Street, Nth Parramatta NSW 2151  
Tel: 61+2 9630 6300 Fax: 61+2 9630 6355

Extracts are from the relevant Standard, or based on it, and acknowledges permission to reprint has been given by SAI Global Ltd

**“Reproduced with permission from SAI Global Ltd under Licence 1206-c028”**

Referenced Australian Standards may be purchased directly from SAI Global at: [www.saiglobal.com](http://www.saiglobal.com)