

■ YOUR RESPONSIBILITY

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.

The requirements for child-resistant barriers on premises where there is a residential building vary according to when the pool was constructed and where the pool is located:

■ 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 pool area is not permitted unless an exemption applies.

Owners of swimming pools must ensure that the pool is at all times surrounded by a child-resistant barrier consisting of fencing of a height no less than 1.2 metres. Owners must always keep barrier, gates and doors in good working condition. Doors and gates providing access to the pool area must be kept securely closed at all times when not in actual use.

All pool owners must display the prescribed warning sign in a prominent position in the immediate vicinity of the swimming pool. The sign gives a supervision warning and the details of resuscitation techniques.

■ Warning Signs must be displayed where they can easily be seen.

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COUNCIL 'S RESPONSIBILITY

Council has the responsibility for administering the Swimming Pools Act and Regulation in its locality. Under the Act, the council must ensure it is notified of all swimming pools in its local area, which are covered by the Act. Your council also has a responsibility to promote awareness of the requirements of the legislation in relation to swimming pools.

Your council is required to investigate complaints about non-compliance with the Act. It must, as far as is practicable, commence its investigation into a written complaint within 72 hours of receipt of the complaint.



IMPORTANT REFERENCES

- Swimming Pools Act 1992
- Swimming Pools Regulation 2008
- Australian Standards AS 1926.1- 2007
Safety barriers for swimming pools