



# SWIMMING POOLS AND SPAS

# FACT SHEET

## Do I need Development Approval to install a pool or spa?

**Yes**, Development Approval is required for the installation of a swimming pool or spa if:

- The swimming pool or spa pool is located on an allotment identified as being within a designated overlay identified with Planning and Design Code as:
  - **Coastal Areas Overlay**
  - **Hazards (Flooding) Overlay**
  - **State Heritage Place Overlay** (except where an exemption applies)
  - **Local Heritage Place Overlay**

Please check with Council's Development and Regulation Department as to whether these overlays apply to your property or alternatively you can use the following links:-

[www.sappa.sa.gov.au](http://www.sappa.sa.gov.au) (to identify overlays and policies at your address)

<https://plan.sa.gov.au/development/applications/before-you-lodge/find-out-if-you-need-approval> (to determine whether approval is needed at your address)

and

- If the **swimming pool and spa** is not in association with a dwelling or intended for use of the occupant of the dwelling; **and**
- If the swimming pool or spa is capable of being filled to a **depth exceeding 300 mm** (including wading, paddling, inflatable, or above ground pools).
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- If it is an **aboveground or inflatable swimming pool or spa pool** which incorporates a filtration system.

## Can a hard cover on a pool or spa be used as a safety barrier?

**No**. A safety fence or barrier must be constructed in accordance with the Australian Standard AS 1926.1 as described above. Child-resistant hard covers cannot be used as safety barriers in place of a fence for above-ground spa pools because:

- there are no current regulatory standards for spa pool covers; and
- when the cover is off the spa pool there is no barrier.

## What criteria does the safety fence or barrier need to meet?

A safety fence or barrier must be constructed in accordance with the Australian Standard AS 1926.1 which states:

- The height is not less than 1.2 metres;
- The clearance between the ground and the bottom of the fence does not exceed 100 mm;
- The gap between vertical fence rails does not exceed 100 mm;
- Any horizontal fencing components are spaced a minimum of 900 mm apart;
- Any boundary fences used as part of the safety fence or barrier must be at least 1.8 metres high on the pool side with a 900 mm non-climbable zone at the top on the pool side of the fencing; and
- **Fencing must be installed before a new pool is filled with water.**

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**\*Note: In certain circumstances, pool sides may be used as a barrier, providing they are at least 1.2m high and the ladder/entry point is fenced.**

## **Gates to the pool/spa area must:**

- Swing outward from the pool area;
- Be self-closing and self-latching from any position; and
- Be fitted with a latching device that is out of reach of small children (minimum 1.5 metres above ground level).

**\*Note: In South Australia doors must not provide direct access from the house, garage or outbuilding to a new pool or spa area even if fitted with child resistant door sets.**

## **What if I have an existing pool that does not have a safety fence or barrier?**

If the pool or spa was approved after 1 July 1993, it must be maintained to the pool safety requirements that were current when the application was lodged.

If the pool or spa was approved before 1 July 1993, as a minimum it must continue to be maintained to comply with the Swimming Pools Safety Act 1972

If you intend to sell your property the pool safety barrier must then be upgraded/installed to the current standards before settlement of the property (as per Minister's Specification SA MBS 004). All new safety fence and barriers require Development Approval.

## **CPR SIGN**

Resuscitation skills are crucial because they can save lives. New pools must display prominent signage to assist when providing first aid and to perform cardiopulmonary resuscitation (CPR). It is recommended that someone on the property has resuscitation skills.

## **What do I need to provide in my application?**

Further information about what is required in your development application can be found within Council's Development Application Checklist, available at our Head Office, 115 Ellen Street, Port Pirie; at our Rural Office at 21 Bowman Street, Crystal Brook or on our website at <http://www.pirie.sa.gov.au/> by following the links to 'Services' and 'Development, Services.'

The information provided is intended as a general guide only and you are encouraged to contact one of our friendly Development & Regulation team members on 8633 9720 for further assistance



## **CONTACT US**

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