



Shire of Derby / West Kimberley

Swimming Pool Safety and Inspections

Swimming Pool Safety

With over 100 private residential swimming pools in the Shire of Derby/West Kimberley it is paramount that the safety is in line with the relevant legislation. Many Australian families have backyard pools, it is always important to remember that drowning is the biggest cause of accidental death from zero to five-year-olds.

The Shire is currently carrying out its round of required inspections for pools that are due to be re-inspected or inspected for the first time this year. Swimming pool barriers have to be inspected for safety and compliance and assessed against the *Australian Standard AS 1926.1*. The Shire is bound by legislation that requires every swimming pool in the Shire to be inspected by an authorised person, once every 4 years, to ensure safety is maintained to the currently adopted Australian Standard.

Building or Constructing a Swimming Pool

If you are installing a new pool please contact the Shire on how to apply for a building permit for the pool and the pool fence. Please note if the company installing the pool is not the same as the one installing the fence, then a separate application needs to be submitted.

Common problems encountered during the Shire's inspection program

Below is a quick snapshot of some of the main points of the Swimming Pool Regulations looked at by inspectors:

- Gates have to be self-closing and latch from all positions including when tested from resting on the latch with no momentum used to aid the closure.
- Fence height at a minimum height of 1200mm
- Pool gate to swing away from pool area
- Gate latch to be at, at least 1500 mm high from finished ground level or shielded on the inside of gate, at least 300mm down.
- No gaps greater than 100mm
- Windows which open onto pool area can only open a maximum of 100mm or have a protective screen in place. Note, key lock mechanism and fly screen is not enough (Restriction should require the use of a tool to take it off).
- No climbable objects, handholds or footholds can be located within the 'non-climbable zones' (NCZ1-4) located on the pool barrier. Climbable objects include anything with a horizontal

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surface depth greater than 10mm, including (but not limited to) barbecues, pot plants, taps and window sills.

- There can be no climbable objects, steps, retaining walls or ground level changes within 500mm of the barrier.
- There can be no climbable objects or components located within the 900mm 'non-climbable zone' (NCZ5) on the boundary fence. Items that may cause compliance issues include (but are not limited to) lattice, fence infill panels, thick plant or tree branches.
- Where a boundary fence forms part of the pool barrier, there must be at least an 1800mm drop from the top of the fence to the finished ground level on the pool side of the barrier. Finished ground level applies to any permanent stable surface and can include raised garden beds, pool equipment enclosures and the like.

The Shire's Pool Round

As part of this year's mandatory pool inspection program you will receive a letter to let you know what week our inspector is coming. It is important that you ensure there is access to your pool barrier or that you make a suitable appointment. We encourage you to check over your pool barrier to ensure everything is working correctly and has been installed to comply with the Australian Standard. If you find something is not quite up to scratch you may be able to hold off the appointment for a short time until the work is done. This should mean you are compliant first time.

The three most common reasons pool barriers fail inspections are highlighted below:

- The pool gate and/or house door does not self-close from all positions. (This includes when it is tested from up close, with no momentum being used).
- All gates and allowable doors must be fitted with a device that will return the gate or door to the closed position without the use of manual force.
- The self-closing function must operate from any position and the gate or door is capable of opening.

Our inspector usually tests the gate or door from as far back as it will go, from half way and from up-close, (resting on the latch). No force is exerted, they will just slowly remove their hand and let the door or gate go. This may not be how you would normally test your gate or door so please check this before the inspection and ensure the self-closing device is adjusted so it is good enough to meet this test.

Windows forming part of the barrier are not adequately screened or restricted to 100mm max opening. If you have windows opening out into a pool area your windows WILL be inspected. If you have a sill height of less than 1200mm – when measured from inside the building the window must have the following modifications:

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- They must be covered by bars or mesh screens that are permanently fixed into position (Security type screens not fly mesh).
- They must be fixed with something that requires a tool to remove it for example – Allen Key, spanner or screwdriver. **KEY LOCKING DEVICES ARE NOT ACCEPTABLE.** (If you only have a key lock as your restriction you will need to add a further restriction like a screw or a chain for example to stop the window from opening more than 100mm.)
- They must be fixed in such a way that the window is not capable of opening more than 100mm. This 100mm clearance applies to windows that open in either a horizontal or vertical plane
- Remember key locking devices are not acceptable and the stopping device must be permanently fixed. A permanent fixture is something that requires a **TOOL** to take it off **NOT** a **KEY!** A key is not a tool.

Note: something as simple as a screw in the siding mechanism of a window to stop it from opening more than 100mm is good enough to meet the pool regulations.

Climbable objects existing within 1.2m of the pool fence

Your Fence/barrier will be assessed based upon the effective height of 1200mm, not the overall height. This means that if there is a climbable object, such as a plant pot, near the fence, the effective height of the fence will be reduced by the height of the climbable object.

A climbable object is anything with a horizontal surface greater than 10mm in depth which is considered a toe hold and is less than 1200mm away from the pool barrier, when measured from the top of the fence/barrier. Commonly encountered climbable objects are BBQs, taps, window sills, planter boxes and pots, trees and shrubs, (Don't forget branches etc. Even the floppiest of plants can have parts strong enough for a young child to climb. Where the branch meets the stem and makes "V" shape for example.) Water features, pool pump equipment, retaining walls and garden furniture are other common examples.

Other things to bear in mind are as follows:

- Double gates and doors are not easily made self-closing and latching. One leaf will almost certainly need to be permanently secured in place to allow the other leaf to be self-closing and latching. Remember on leaf being key locked shut is not good enough. It needs to be secured with something that requires a tool to take it off. It is no good having a self-closing and latching door or gate if the other gate is open and there is nothing for it to self-close and latch into.
- Gates intended for vehicular access may breach the performance requirement of the standard if the gate is held open by a fitted device. In that event it is no longer self-closing in that position and will not comply.

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- There can be no gaps in the pool barrier greater than 100mm. Things like pet flaps will usually have an opening of more than 100mm and so would not comply if they opened out directly onto your pool area. The opening would have to be reduced to 100mm or less. Alternatively the pet flap would have to be permanently fixed or be behind a compliant pool fence.
- Gates or roller-doors with electrical self-closing devices do not comply unless fail safe or back-up devices are provided to ensure the performance of the gate in the event of a power failure. Even with these back-up devices, the gate will not comply if it includes hold open mechanism.
- Manually operated garage or car park doors including roller-doors, sliding doors or tilt-a door types do not constitute an acceptable pool barrier.
- Security style keyed window locks are not acceptable on their own as a means to make windows on to pool areas comply.
- The use of lockable covers on spas or other alternative devices do not remove the requirement to install and maintain a barrier.

If, even after all your checks, our inspector finds something that does not comply, the Inspector will give you time, (depending on the severity of the problem) to put it right. The inspector may also offer you advice and assistance with possible easy solutions to your issues.

If you would like to speak to our inspector or make an appointment etc. please call the Shire on 9191 0999 and ask for the Pool Inspector.

For a more comprehensive look at the pool regulations please visit the State Government Building Commission website at: <http://www.commerce.wa.gov.au/publications/rules-pools-and-spas>

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