



D16 Swimming Pools and Spas

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

Yes, Development Approval is required for the installation of any of the following:

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

Note: All new pools and spas also require a safety fence or barrier that complies with the Building Code of Australia (BCA)

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. Unless 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 76D).

All new safety fence and barriers require Development Approval.

What information do I need to provide as part of my Development Application?

A Development Application for a pool or spa must include the following:

- Development Application Form
- Powerline Declaration Form
- Current Certificate of Title
- A site plan (showing all property boundaries, existing structures, any easements and the location of the proposed pool or spa)
- The location and details of the pool safety fence or barrier (with evidence of compliance with AS 1926, which may include Codemark certification or Engineering calculations) including window treatments and latching details for the gate into the pool or spa area. Please note that if the existing boundary fence will act as a safety barrier it will have to meet these requirements also.
- Details of the pump and filtration equipment (including any acoustic treatment, second suction point and method of draining the pool) as per AS 1926.3

- Where the pool filter pump is to be located less than 12 metres away from an adjoining or neighbouring house it must be enclosed within an acoustically specified enclosure to comply with EPA guidelines.
- Manufacturer/Engineer's design details, including elevations and calculations for the proposed pool or spa.

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.

Gates to the pool/spa area must:

- Swing outward from the pool area
- Be self closing and self latching from any position
- 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.

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.

Will Council inspect my pool, spa or safety barrier?

Yes. As of 1 January 2014 amendments to the *Development Regulations 2008* will require councils to inspect **all new pools** for compliance. [Building Advisory Notice – Council inspections of new swimming pools](#) provides further information explaining the new requirements.