Government of **Western Australia**
Department of **Mines, Industry Regulation and Safety**
Building and Energy

Rules for Pools and Spas - a simple checklist

Owners and occupiers of premises on which there is a private swimming pool must ensure they have a compliant safety barrier in place at all times. This document can be used to check the basic elements of pool safety barriers. It is simplified, not exhaustive, and does not cover all aspects needed to fully verify compliance of a pool barrier. Only a local government can confirm whether or not a safety barrier is compliant.

This summarised checklist should be read in conjunction with the Rules for Pools and Spas.

1. Pool gates - the most important element of compliance - requiring the most attention	**Check List**
a) Does the gate close by itself from any open position, including from resting on the latch?	☐
b) Is the self-latching device working properly?	☐
c) Is the gate secure when closed?	☐
d) Does the gate open outwards, away from the pool area?	☐
e) Is the latch release mechanism, either: • at least 1.5 metres above the ground (see Figure 1); or • located on the inside of the gate, at least 15cm below the top of the gate and shielded so no opening greater than 1cm occurs between the top of the gate and a radius of 45cm from the latch. (see Figure 2)	☐
2. Pool fence	
a) Is the fence fixed securely in place?	☐
b) Is the outside of the fence at least 1.2 metres high?	☐
c) Are all vertical uprights in the fence spaced less than 10cm apart?	☐
d) Is there at least 90cm between handholds and footholds? (see Figure 1)	☐
e) Is the bottom of the fence 10cm or less from the ground?	☐
f) Is the surface directly beneath the fence stable and not easily eroded?	☐
g) Is the pool fence in good condition?	☐
h) Is the boundary fence in good condition?	☐
3. Climbable objects	
Barbecues, plant-pots, trees, retaining walls, plumbing, toys, furniture, pool pumps etc. may all help a young child to climb over the fence or reach the gate latch.	
a) Is the pool area clear of any items that would assist a child to climb over the fence or reach the gate latch?	☐
b) Are climbable surfaces, outside the pool area, located at least 90cm away from the top of the fence? (see Figure 3)	☐
c) Are climbable surfaces, inside the pool area, located at least 30cm away from the inside of the pool fence? (see Figure 4)	☐

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4. Child-resistant window

a) Is the openable portion of a window that forms part of a safety barrier:

- permanently restricted to open no more than 10cm by a device that requires the use of a tool to remove it; or
- covered by bars or a metal screen, fixed in place by a device that requires the use of a tool to remove it?

Please note that key locks are not considered to be a permanent restriction.

5. Child-resistant door (where permitted)

Doors are generally not permitted to form part of a pool barrier for post-November 2001 pools unless specific local government approval has been granted.

a) Does the door close by itself from any open position, including from resting on the latch?

b) Is the self-latching device working properly?

c) Is the door secure when closed?

d) Is the latch release mechanism at least 1.5 metres above the floor?

Please note that pet doors are not permitted to form part of a pool safety barrier.

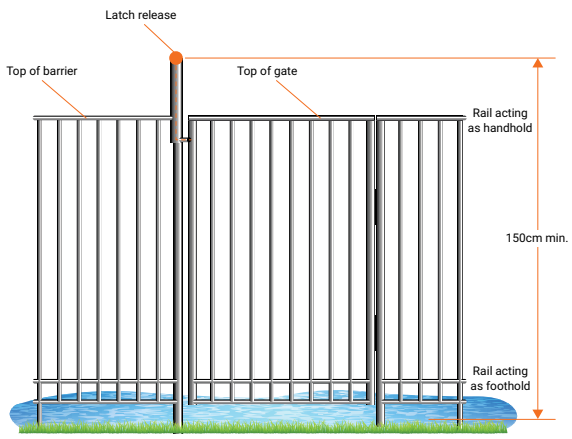

Figure 1 – Gate latch release mechanism at least 1.5 metres above the ground.

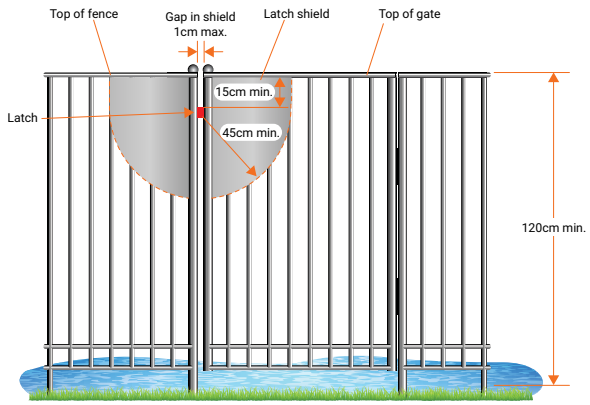

Figure 2 – Gate latch release mechanism located on the inside of the gate, at least 15cm below the top of the gate and shielded so no opening greater than 1cm occurs between the top of the gate and a radius of 45cm from the latch.

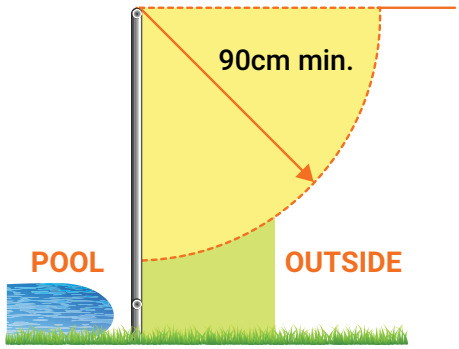

Figure 3 – climbable surfaces, outside the pool area, located at least 90cm away from the top of the fence.

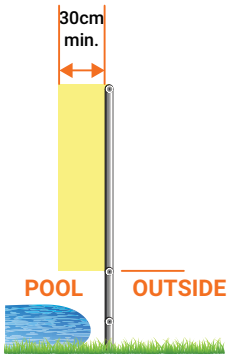

Figure 4 – climbable surfaces, inside the pool area, located at least 30cm away from the inside of the pool fence.

Help save young lives in and around water!

- Never prop a pool gate open.
- Keep the pool gate maintained and make sure it is self-closing and self-latching.
- Ensure you always actively supervise children within arm's reach whenever they are in, or around the water.
- Never rely on older children to supervise younger children.
- Ensure the barrier is clear of any climbable objects.
- Consider the merits of a pool gate alarm.

Frequently asked questions

What are owners and occupiers responsibilities?

Owners and occupiers of premises on which there is a private swimming pool must ensure that the safety barrier is compliant at all times. The barrier and the gate must be continually maintained with the gate self-closing and self-latching when released from any open position, even resting on the latch.

Safety barriers are intended to be child-resistant, not child proof, and as such adults must supervise young children and must never solely rely on the pool safety barriers.

What is my local government's role in relation to my swimming pool?

Your local government is responsible for monitoring the compliance of the safety barrier with the specified standards by arranging and conducting inspections of barriers at least once every four years.

Some local governments may provide additional services including pool safety barrier advice.

Who is most at risk of drowning?

Young children can drown in swimming pools in a matter of seconds if left unsupervised.

Safety barriers are designed to be effective against children under the age of five, however statistically most of the children that drown in private swimming pools are between the age of one and three.

The gate area is generally considered to be the most common area of access for young children and as such should be an area of extra attention.

Are there penalties for non-compliance?

Yes. Failure to have a compliant safety barrier around a private swimming pool can result in an infringement notice of $1,000. A magistrate's court may impose a penalty of up to $5,000, plus award costs.

Where can I find more information?

Visit www.dmirs.wa.gov.au/rules-for-pools to download the Rules for Pools and Spas, which provides further guidance on the pool safety barrier requirements in Western Australia.

A hard copy is available by calling the Department of Mines, Industry Regulation and Safety, Building and Energy Division on 1300 489 099 or email beinfo@dmirs.wa.gov.au

The material contained in the pamphlet provides general guidance and information only and is current at the time of printing. Readers should not act or omit to act solely on the basis of anything contained herein. In relation to this matter, you should seek appropriate professional advice. The State of Western Australia and its servants and its agents expressly disclaim liability, whether in negligence or otherwise, for any act or omission resulting from reliance on this document or for any consequence of such act or omission.

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Safety alert - swimming pool skimmer boxes

Pool skimmer boxes help to clean a pool by skimming water and capturing floating debris such as leaves before it sinks to the bottom of the pool. Older style skimmer boxes with removable covers and unprotected intake areas can pose a serious safety risk for young children as a child may lift the cover and sit inside them. Children in Western Australia have suffered serious injury, or died, as a result of sitting on open skimmer boxes.

If your skimmer box is unsafe, immediate action should be taken:

Buy and fit a low-cost conversion kit, available from local swimming pool suppliers; or
Place a bar or other fitting (safety skirt) across the opening of the skimmer box to prevent children from sitting in the box; or
Permanently fix the cover over the skimmer box so it can only be removed using a tool.
If you have any concerns about the safety of a skimmer box, please contact the Consumer Protection's product safety team on 1300 304 054, or email consumer@dmirs.wa.gov.au, or visit the ACCC product Safety Australia website or contact a local pool shop for expert advice.