

Ministerial Building Standard MBS 004

Swimming pool safety - designated safety features for pools built before 1 July 1993

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**Government of
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1. SCOPE AND APPLICATION

- 1.1 This standard is published as a Ministerial Building Standard that forms part of the Building Rules under the *Planning, Development and Infrastructure Act 2016* (the Act) and must be read in conjunction with section 156 of the Act and the Planning, Development and Infrastructure (Swimming Pool Safety) Regulations 2019.
- 1.2 This standard sets out the swimming pool safety features that a swimming pool constructed or approved before 1 July 1993 must have when a prescribed event occurs that triggers compliance with this Standard.
- 1.3 The provisions in this Standard are to safeguard young children from drowning or injury in an existing *swimming pool* by ensuring that when a prescribed event occurs, the *swimming pool* has safety features that restrict access to the pool by young children and protect them from drowning.
- 1.4 A reference to an Australian Standard in this section is to the edition that is current for the purposes of the *Building Code* at the time of application.

2. PERFORMANCE REQUIREMENTS

- 2.1 For the purposes of sub-regulations 6(1)(a) and 6(2) of the *Planning, Development and Infrastructure (Swimming Pool Safety) Regulations 2019*, the requirements for designated safety features that an existing swimming pool constructed or approved before 1 July 1993 must have before a prescribed event occurs are-
 - (a) the swimming pool must have a barrier that-
 - (i) is continuous for the full extent of the hazard; and
 - (ii) is of a strength and rigidity to withstand the foreseeable impact of people; and
 - (iii) restricts access by young children to the pool and the immediate pool surrounds; and
 - (iv) has any gates and doors fitted with latching devices not readily operated by young children, and constructed to automatically close and latch; and
 - (b) the swimming pool must have a prominent and visible sign, visible from within the pool area, displaying information about first aid and cardiopulmonary resuscitation, to assist persons who may need to apply first aid and perform cardiopulmonary resuscitation on young children.

3. DEEMED TO SATISFY PROVISIONS

3.1 Swimming pool safety features

- 3.1.1 Subject to 3.1.2 and 3.1.3, an existing swimming pool constructed or approved before 1 July 1993 complies with performance requirement 2.1 if it has the following safety features-
 - (a) the swimming pool has safety barriers that comply with-
 - (i) *AS 1926 Part 1 - Safety barriers for swimming pools*; and
 - (ii) *AS 1926 Part 2 - Location of safety barriers for swimming pools*; and

- (b) there is a first aid and cardiopulmonary resuscitation sign-
 - (i) attached to the safety barrier of the swimming pool, or displayed near the swimming pool; and
 - (ii) is at least 300mm by 300mm in size; and
 - (iii) is made of durable and weatherproof material; and
 - (iv) displays information about the procedures for providing first aid, including performing cardiopulmonary resuscitation.

3.1.2 A *child-resistant doorset* must not be used in a barrier for an outdoor *swimming pool*, except in the situations specified in **3.1.3**.

3.1.3 A *child-resistant doorset* may only be used in a barrier for an existing outdoor *swimming pool* in the following situations-

- (a) for an in-ground *swimming pool* - if the distance from the nearest part of the *swimming pool* to the door is less than 1.8 metres (**Figure 3.1.3a**); and
- (b) for an above ground *swimming pool* - if the distance from the nearest part of the *swimming pool* to the door, after the *swimming pool* has been re-positioned as far as possible away from the door, is less than 1.8 metres (**Figure 3.1.3b**).

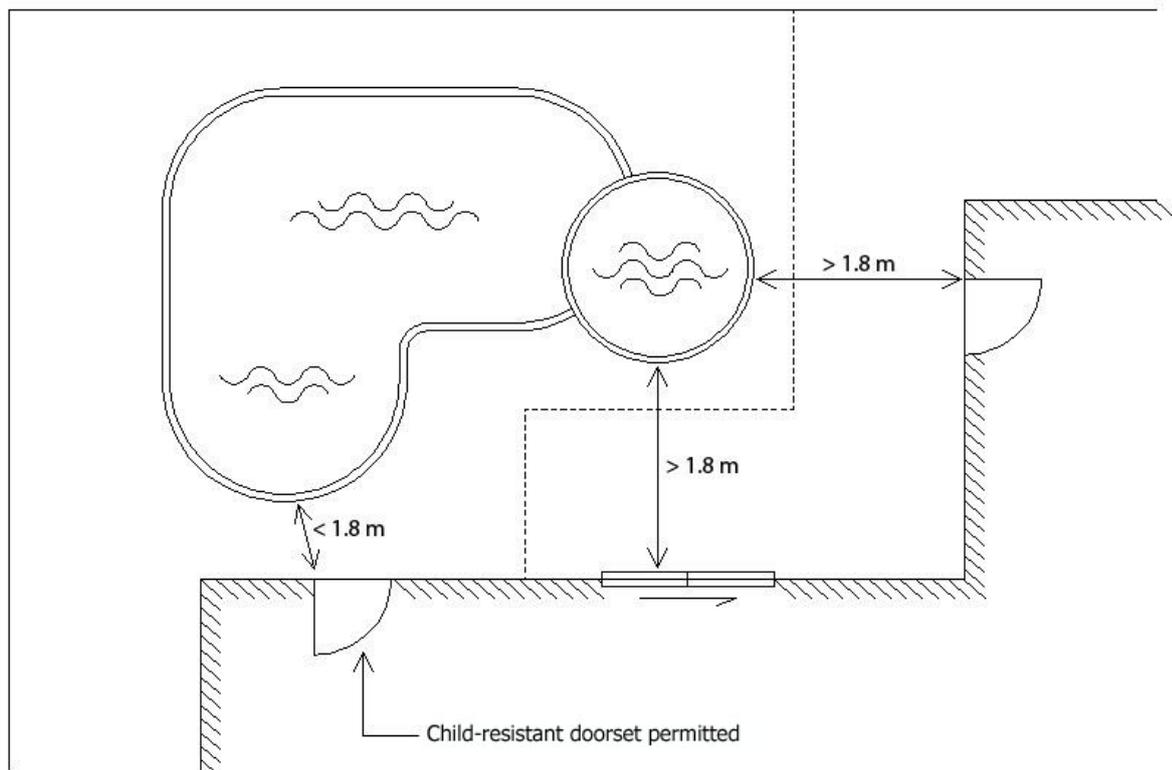


Figure 3.1.3a – In-ground swimming pools (including spa pools).

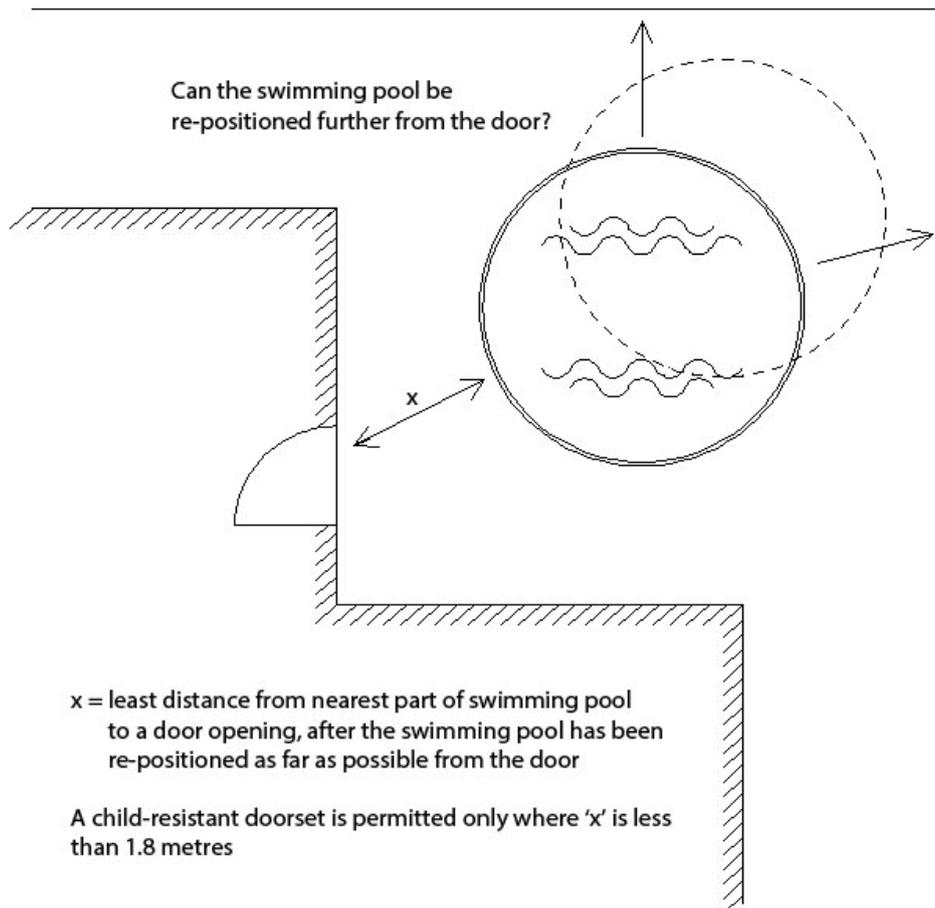


Figure 3.1.3b Above-ground swimming pool (including spa pools)

APPENDIX A - INTERPRETATION

Building Code has the same meaning as defined in the Act.

Child-resistant doorset has the same meaning as the definition in Australian Standard AS 1926 Part 1 - *Safety barriers for swimming pools*.

Swimming pool has the same meaning as defined in section 3 of the *Planning, Development and Infrastructure Act 2016*.