

SWIMMING POOL CODE

1 Purpose of the Code

The purpose of this Code is to provide for the planning and management of swimming pools not used solely for domestic purposes, regardless of whether they are associated with other development or not, to ensure that:

- Safety measures are installed and incorporated into the design and construction of swimming pools; and
- Non domestic swimming pools comply with the same requirements as domestic swimming pools under the Building Code of Australia in respect to fencing; and
- they do not adversely impact on the amenity of the surrounding area;

2 Application of the Code

This code applies to all assessable development involving the installation of a swimming pool, regardless of whether the swimming pool itself is the only development proposed or whether it is part of a larger development. This code applies to any swimming pool used for display, public, semi-public or swimming instruction use however does not apply to a domestic swimming pool. To remove any doubt, this code applies to any indoor swimming pool or outdoor swimming pool as defined under the Building Act 1975 (as otherwise amended).

There are no Secondary Codes to this Code.

3 Definitions

Display Use: Any Swimming Pool stored or, used for the purposes of display, advertising, recreation or the like, as a part of a commercial business involved or associated with the sale of pre fabricated Swimming Pools or Swimming Pool associated items such as filters, toys, cleaning equipment, etc.

Public Use: Use of a Swimming Pool as a commercial enterprise, for the purposes of profit or gain, that is available for use by members of the general public.

Semi-Public Use: Use of a Swimming Pool by guests, customers or their respective invitees, of the owner, lessee or occupier of the premises, whether for payment of a fee or not. The term includes the use of Swimming Pools constructed incidental to any other use such as motels, hotels, schools, guesthouses, multi-unit dwellings, etc.

Swimming Instruction: Use of a Swimming Pool by a coach or swimming instructor, whether amateur or



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professional, either fully or part time for instruction, training, or coaching members of;

- the public, or
- an organisation, or
- a group of persons

in swimming, diving, or life-saving techniques.

Swimming Pool: As defined in the Building Act 1975 or as otherwise amended

4 Explanation

The Swimming Pool Code sets out development standards for non-domestic swimming pools to ensure that they are dealt with in the same manner as domestic swimming pools in respect to fencing. The Building Act 1975 controls domestic swimming pools. The requirements in this code are directed at obtaining a barrier that will make it difficult for a young child to gain access to a non-domestic swimming pool area. In addition to this, this code sets out the requirements for non-domestic swimming pools to ensure that they are consistent with the aesthetics and amenity of the area where they are proposed.

In addition to this Code, non domestic swimming pools are required to be licensed under the Rockhampton Regional Council's Local Law for Swimming Pools.

5 Performance Criteria and Acceptable Solutions

Performance Criteria		Acceptable Solutions	
Safety			
P1	Young children are prevented (as practicable as possible) from gaining access to a Swimming Pool used; (a) for a Public Use; or (b) for a Semi-Public Use; or (c) for Swimming Instruction, or (d) for a Display Use without adult supervision.	A1	The Swimming Pool incorporates a pool fence that complies with; (i) the standard for the design, building and performance of swimming pool fencing in AS 1926.1—1993, Swimming pool safety part 1: Fencing for swimming pools, other than clause 2.14 of the standard; and (ii) the standard for the location of fencing contained in AS 1926.2—1995, Swimming pool safety part 2: Location of fencing for private swimming pools, other than clause 1.4.4 of the standard. as it applies to domestic Swimming Pools disregarding statements in the standard that it only applies to residential, private or domestic Swimming Pools.
Amenity			
P2	The area around the Swimming Pool enclosed by pool fencing, walls and the like is screened from	A2	Areas inside of the enclosed area around the Swimming Pool are screened from the ground level of any public road, public open space, waterway or an adjoining property by; (i) use of a solid fence, wall or the like, or



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Performance Criteria	Acceptable Solutions
<p>public view or view from adjoining properties except for a Display Use which does not require any screening.</p> <p><i>Note 1: This does not apply to views from areas within the premises, for example the car parking area of the motel development to which the swimming pool is a part of.</i></p> <p><i>Note 2: A Display Use, used at any time for Public Use, Semi Public Use or Swimming Instruction as well as a Display Use, must be screened.</i></p>	<p>(ii) a 1.5 metre wide vegetated buffer that is densely planted with vegetation that grows to a minimum mature height of 2 metres that is a Type B as defined in Planning Scheme Policy No. 6 – Planting Species.</p>

