

# NT POOL BARRIER INFORMATION.

If you own a residential property in the Northern Territory (NT) that is less than 1.8 hectares and has a pool or spa, you may need a pool fence or a pool safety barrier that meets certain safety standards.

This includes in ground, above ground, inflatable and portable pools and spas at houses, units, townhouses and caravans and mobile homes in a caravan park.

Different standards and certification requirements apply depending if your pool was installed before or after 1 January 2003 and if the property has previously been sold, transferred or leased.

These rules and standards do not apply to hotels, motels, serviced apartments or communal facilities at a caravan park.

If you are buying or selling property with a swimming pool or spa you have certain obligations.

You also have responsibilities if you own a rental property with a pool or spa.

The rules and standards are not compulsory for residential properties 1.8 hectares and larger but you can choose to get certification for a pool safety barrier. You should fence your pool or spa even if you choose not to get it certified.

For information about opting-in to pool barrier certification read about requirements for pool safety barriers for properties 1.8 hectares or larger.

The laws and regulations for pool safety barriers in the NT are in the Swimming Pool Safety Act. Read the law.

The pool safety barrier requirements are based on Australian Standards modified to accommodate NT conditions.

Pool safety barriers are just one strategy to protect children under the age of five years from the dangers of swimming pools. Supervision is also a key strategy along with teaching children to swim.

## **Standards:**

There are two pool safety barrier standards in the Northern Territory (NT):

- Modified Australian Standard
- Community Safety Standard.

The Modified Australian Standard is the higher standard.

There are also situations where compliance with the two standards may not be possible and Non-Standard Safety Provisions may be able to be applied.

## **Modified Australian Standard**

The NT swimming pool safety laws and regulations reference the following Australian Standards:

- AS 1926.1 - 1993 Swimming Pool Safety Part 1: Fencing for swimming pools
- AS 1926.2 - 1995 Swimming Pool Safety Part 2: Location of fencing for private swimming pools.

The Modified Australian Standard is a modification of these standards.

The modifications relate to:

- Requirements if chain mesh fencing is used
- And measuring the height of the fence from inside your property, instead of from your neighbour's property, if a common fence is part of the pool safety barrier.

The Modified Australian Standard sets out detailed specifications and measurements about how pool safety barriers must be installed and maintained to restrict access to the pool area by unsupervised children under five years of age.

## **Pools and spas installed after 1 January 2003,**

If you own a residential property less than 1.8 hectares with a pool or spa installed after 1 January 2003 you must:

- Have a pool safety barrier that meets the Modified Australian Standard.
- Have a compliance certificate issued in your name.
- Comply with all the conditions on the compliance certificate.

You can get the pool fencing notes (723.2 kb) to find out how to meet the Modified Australian Standard.

You can also contact the Pool Fencing Unit to get a free advice inspection by a pool safety adviser.

You will be issued with a compliance certificate when your pool safety barrier has been inspected by a pool safety adviser and is confirmed to meet the Modified Australian Standard.

Read about how to apply for a compliance certificate.

## **Pool installed but no compliance certificate,**

If your pool was installed after 1 January 2003 and you do not have a compliance certificate you must apply for a compliance certificate immediately.

## **Pools and spas installed before 1 January 2003,**

If you own a residential property less than 1.8 hectares with a pool or spa installed before 1 January 2003, and the property has been sold or leased by any owner since 1 January 2003, you must have either:

- A compliance certificate.
- Or acknowledgement notice issued in your name.

You must maintain compliance with the standard already in place or upgrade the pool safety barrier from the community safety standard to the modified Australian Standard.

If the property has not had a compliance certificate or acknowledgment notice issued previously and you want to sell, transfer or lease the property, or you just want to get the pool safety barrier certified you can choose which standard you want your pool safety barrier to meet.

The pool safety barrier must meet either the:

- Modified Australian Standard.
- Or Community Safety Standard.

If your pool safety barrier has ever been certified as complying with the Modified Australian Standard (including a Non Standard Safety Provision) you can't choose the Community Safety Standard.

### **Pool safety barrier**

A pool safety barrier is a fence, wall or similar structure that is intended to form a barrier around a pool or spa to restrict a child under five years of age getting into the pool area.

The barrier can include a gate or door set into the fence, wall or structure.

It can also be a wall of a building that has a window, door or gate set into it or the lid of a spa pool.

A pool safety barrier can't include a hedge or vegetation.

Specific compliance requirements are detailed in the relevant standards.