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Related	

BCA 2010 Volume Two – Application of swimming pool barrier provisions

This circular is to advise councils, certifiers, relevant government agencies, industry groups and other stakeholders of an inconsistency in BCA 2010 regarding barriers to swimming pools associated with Class 1 buildings in NSW, and the intended application in NSW of the relevant BCA provisions.

In NSW, barriers to swimming pools are regulated under the swimming pools legislation and the BCA.

BCA 2010 (in effect from 1 May 2010), references the 2007 editions of AS 1926 Parts 1 and 2 (Swimming pool safety) and includes two new provisions to address safety issues identified with swimming pool barriers. The new provisions:

- exclude the use of child resistant doorsets in barriers to outdoor swimming pools; and
- require a door opening to an indoor swimming pool to swing away from the pool area.

In Volume One of the BCA, Clause G1.1(a) 'Application' indicates that in NSW the *Swimming Pools Act 1992* applies in lieu of the requirement for compliance with the AS 1926.1 and 2. The two new provisions are applicable in NSW as additional requirements via the BCA.

However, in Volume Two of the BCA, the NSW Variation references the *Swimming Pools Act 1992* in lieu of the whole of Part 3.9.3 'Swimming Pool Access'. The effect is that none of the provisions dealing with access to swimming pools, including the two new provisions, are applicable in NSW. This was not the intended outcome.

Intended application of BCA

When designing and assessing swimming pool barriers, the intent of the two new BCA provisions is to be applied consistently to all new swimming pools in NSW that are subject to the Swimming Pools legislation, so that the important safety issues are addressed.

Swimming Pools Regulation

The Swimming Pools Regulation 2008 currently excludes the use of child resistant doorsets, as does the BCA.

The Regulation is currently silent on the issue of the swing of a door opening to an indoor swimming pool. As an interim measure pending correction of the NSW Variation under BCA 2011, an amendment is proposed to the Swimming Pools Regulation to address this issue.

Further information

Further information will be provided when the Swimming Pools Regulation has been amended. If you have further enquiries about the BCA provisions, please call the NSW Department of Planning on 02 9228 6529.

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Important note

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