

# POOL SAFETY COMPLIANCE

Pool safety laws are necessary to keep young children safe and save lives. There is now one pool safety standard in Queensland, designed to increase pool safety and simplify pool safety laws, which previously included 11 different safety standards.

It is mandatory that all regulated pools comply with the standard by 30 November 2015, or earlier if the property is sold or leased.

## What classes as a swimming pool?

A swimming pool is defined as an above or belowground structure principally used for swimming or bathing, and includes some models of portable pools and spas. If your portable pool or spa can hold more than 300mm of water, has a volume of more than 2000 litres or has a filtration system, then the new laws may apply to you.

The standard applies to new and existing pools in houses, unit complexes, hotels, motels, backpacker accommodation, caravan parks and mobile van parks.

## Does your pool comply?

The new standard covers such things as the height and strength of barriers, non-climbable zones, gates and their latching requirements and preventing direct access from a building into a pool area.

To assist in finding out if your pool meets the compliant pool safety standard, complete the below checklist.

### Pool Barriers

- minimum barrier height from finished ground level to the top of the barrier is 1200mm
  - maximum allowable gap from finished ground level to the bottom of any barrier is 100mm
  - gaps in vertical members with horizontals a minimum of 900mm apart, must not exceed 100mm
  - gaps in vertical members with horizontals less than of 900mm apart, must not exceed 10mm
- climbable objects must be at least 900mm away from the pool barrier on the outside and 300mm on the inside. In addition, no objects

(taps, door sills, branches, etc) can be so close as to reduce the minimum 1200mm fence height

### Pool Barrier Gates

- pool gates must not open toward the pool area and be self-closing and latching from all positions.
- latches on the outside of the gate must be at least 1500mm high from the ground and 1400mm from the top of the highest lower horizontal member
- pool gate hinges must be at least 900mm apart or the lower hinge must have a non-climbable (sixty degree) safety cap affixed to prevent climbing

### Door and Windows

- there is no direct access through a door from the house to the pool area
- generally, any windows opening onto the pool area must not open more than 100mm or must be security screened

### Signage

- a compliant CPR sign must be displayed either be attached to the barrier for the pool, or displayed near the pool, so that the sign is conspicuous and easily visible to anyone near the pool;

Local council authorities may undertake random compliance audits of swimming pools to ensure pool owners are complying with safety standards.

## Should my pool be registered?

All pools in Queensland must be registered with the QBCC. To list your pool on the pool safety register, visit [qbcc.qld.gov.au](http://qbcc.qld.gov.au).

## What if I am selling or leasing my property (non-shared pool)?

If you are selling or leasing your house with a pool, a pool safety certificate must be obtained from a licensed pool safety inspector. If selling your home, you must provide the buyer with the safety certificate prior to settlement.

Alternatively, you can provide the purchaser with a Form 36- notice of no pool safety certificate. The Purchaser then has the obligation to obtain a pool safety certificate within 90 days of settlement. If leasing your home, a pool safety certificate must be obtained before entering into the lease.

### What if I am selling or leasing my property (shared pool)?

If you are selling or leasing your unit or townhouse with a pool, a pool safety certificate should be in place. Alternatively, the lot owner may give the owner of the pool (usually bodies corporate) a Form 36. The pool owner then has 90 days to obtain a pool safety certificate.

### Helpful tips on making your pool safer

Below are some simple and cost-effective ways to make your pool safer and help you comply with the pool safety standard laws.

#### *Garden beds and ground levels*

- remove surrounding garden beds
- reduce the height of surrounding ground levels and garden beds
- raise the barrier height to at least 1200mm above the finished ground level.

#### *Gates*

- the gap between the gate post and the gate cannot exceed 10mm
- adjust the gate to make it swing outwards away from the pool area
- ensure the gate is self-closing and self-latching from any angle
- adjust the self-closing mechanism or replace the hinges to make the gate self-closing
- oil the hinges if the gate is not closing properly
- ensure the gate is regularly maintained

#### *Climbable objects*

- shield any climbable objects with a non-climbable material such as flat polycarbonate sheeting, vertical palings or a 'fillet' that has an angle of 60 degrees or more
- trim any tree branches that are within 900mm of the pool barrier - if there are branches overhanging from an adjacent property, you may need to negotiate with your neighbour to

remove them

- fix a wedge fillet (minimum 60 degree angle) along the horizontal rails of the barrier
- shield any lattice or other climbable material with a non-climbable material such as flat polycarbonate sheeting or vertical palings
- trim any climbable vegetation away from the barrier
- remove all climbable objects within 900mm of the pool barrier
- secure all moveable objects near the pool

### Windows that access the pool area

- windows that provide access to the pool area must be made permanently inoperable or made to open no more than 100mm
- install permanently fixed security screens on windows
- louvres with a gap of more than 100mm do not comply.
- installing window locks is not acceptable as they can be easily left unlocked.