

Pool information sheet for tenants in Queensland

To contact the Pool Safety Council who administer the pool laws visit the website www.hpw.qld.gov.au phone 1800 340 634 email psc@qld.gov.au

Portable pools and spas

Portable pools and spas can pose a serious safety risk to young children.

A number of child drownings in recent years have occurred in portable pools and spas so it is important to consider the safety of young children around these pools.

Portable pools and spas excluded from the new laws

Queensland's pool safety laws do not apply to portable pools or spas that:

- cannot be filled with more than 300 millimetres of water
- have a maximum volume of 2000 litres
- have no filtration system.

All three criteria above must be met to be excluded. Many models of portable pools sold at department stores and pool shops meet these criteria, but you should check before buying.

Portable pools and spas covered by the new laws

If your portable pool or spa can hold more than 300 millimetres of water, has a volume of more than 2000 litres or has a filtration system, the new laws apply to you. You will need to:

- obtain a certificate from a licensed building certifier stating that your pool complies with the pool safety standard, before filling the pool or spa with more than 300 millimetres of water
- obtain a building approval
- register your pool or spa.

If your portable pool is disassembled and does not hold more than 300 millimetres of water, it does not need to comply with the pool safety standard until it is assembled and filled with more than 300 millimetres of water.

Pool fences and safety barriers

Maintenance of pool fences and safety barriers is essential to reduce the number of drownings and serious immersion injuries of young children in swimming pools.

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Pool owners are responsible for ensuring pool barriers are maintained and damaged fencing or barriers are fixed immediately.

There is now one pool safety standard (Queensland Development Code Mandatory Part 3.4), that replaced 11 different standards on 5 December 2010.

Why do barriers fail?

Pool fences and safety barriers commonly fail because:

- the gates are not self-closing and self-latching from all points
- the height of the pool safety barrier is less than 1200 millimetres because ground levels and garden beds have increased or grown over time and have, therefore, reduced the height of the pool barrier
- the adjoining boundary fences have climbable rails
- the windows opening into the pool enclosure are openable with more than a 100 millimetre gap
- there are climbable objects near the pool safety barrier.

Make your pool barrier compliant

There are a number of easy fixes to help ensure your pool safety barrier or fence complies:

- replace, tighten or adjust the hinges on your gates
- make sure the pool safety barrier height is 1200 millimetres from bottom to top
- trim back any vegetation or branches that a child could use to climb over the pool safety barrier
- shield or remove climbable objects within 900 millimetres of the pool safety barrier
- install permanently fixed security screens on windows that open into the pool enclosure
- remove climbable objects from the pool safety barrier and surrounding areas.

Replacing damaged, demolished or removed portions of a fence or barrier

If a substantial portion of a pool fence or barrier is damaged, demolished or removed, it must be replaced with a new pool safety barrier.

The new safety barrier must comply with the current standard.

If a small part of the safety barrier has fallen into a state of disrepair, for example where palings, hinges or latches need to be replaced, the barrier may be repaired to the same standard that applies to the existing pool safety barrier up until the end of the five year phase-in to comply with the new pool safety standard, unless the property is sold or leased earlier.

The following information has been sourced from www.hpw.qld.gov.au January 2014

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Certain work for pool safety barriers, such as an entire new fence, requires a building development approval from either the local government or a private building certifier before the work can begin.

A building development approval is generally not required for minor work, such as adjusting a gate latch, however minor work must still comply with the pool safety standard.

Some pool safety inspectors are licensed to perform minor repair work.

Responsibilities

Owners of swimming pools

The pool owner is generally the owner of the land. The owner of the property is responsible for ensuring their pool safety barrier is compliant.

Tenant renting property with a swimming pool

Tenants are responsible for ensuring that the gate is kept closed and that there are not any objects that would allow children to access the pool.

If a person renting a property buys a pool that requires pool safety barriers, the owner of the pool must ensure the pool has a compliant pool safety barrier.