

Home Swimming Pools

POOL OWNER'S POOL SAFETY AND LEGAL RESPONSIBILITIES

Do you have a swimming pool at your residence, including a portable pool or an inflatable kiddies pool?

Is it more than 300 millimetres deep?

Does it have a volume of more than 2000 litres?

If you answered yes to any of the above, then you need to make sure that you are complying with the pool safety responsibilities under Chapter 8 of the Building Act 1974 (BA).

Pool safety laws

Queensland's pool safety laws apply to all new and existing pools.

The pool safety laws require pool owners to construct and maintain a compliant fence around their swimming pool regardless of when the pool was installed. The pool safety standard is the minimum requirements that a swimming pool barrier must meet to comply with Queensland's pool safety laws.

Different rules apply depending whether you own a property or you're buying, selling or renting a property with a pool. Read the [Guidelines for pool owners and property agents](#).

For further information check the Queensland website at <https://www.qld.gov.au/housing/buying-owning-home/pool-safety/pool-laws-and-standards>

Swimming pools covered by the legislation

Generally a swimming pool is an excavation or structure that is:

- capable of being filled with water to a depth of 300 millimetres or more
- solely or principally used for swimming, bathing, wading, paddling or some other human aquatic activity despite its current use.

Swimming pools include spa pools, spa baths continually filled with a water depth of more than 300 millimetres and wading pools (other than a portable wading pool).

The laws do not apply to portable pools if they:

- are incapable of being filled with water to a depth of more than 300 millimetres
- have a volume of less than 2000 litres
- have no filtration system.

If a pool **meets all three** of the above criteria it is a portable wading pool (not a swimming pool) and does not need to comply with the pool safety laws. However, owners should be mindful of the risks associated with leaving young children unsupervised around water.

If a pool **does not meet one or more** of the above criteria, it is a swimming pool and you will need to:

- obtain a building approval before erecting or installing the pool
- obtain a certificate from a licensed building certifier stating that the pool and the pool barrier comply with the pool safety standard before filling the pool with more than 300 millimetres of water
- ensure the pool is included on the pool safety register.



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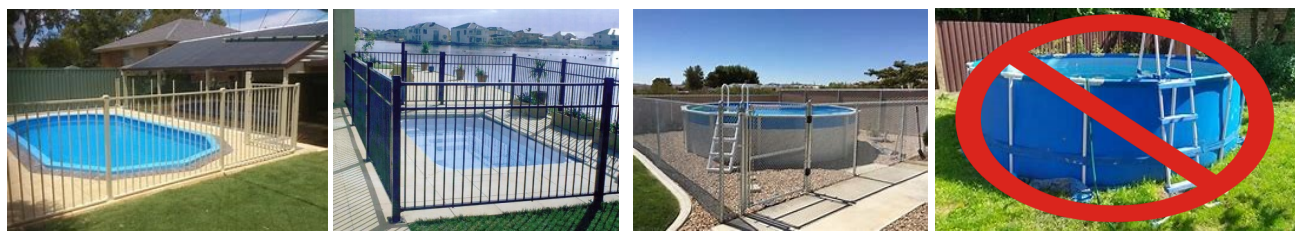
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Legal obligations of pool owners

The pool safety laws require pool owners to construct and maintain a compliant fence around their swimming pool regardless of when the pool was installed.

All pool fences and barriers must comply with Queensland Development Code [MP 3.4—Swimming pool barriers](#)

It is the responsibility of the occupiers and pool owners to ensure that gates and doors giving access to a pool area are kept securely closed at all times when they are not in use



Registering a pool or spa

All residential pools and outdoor spas in Queensland must be registered with the Queensland Building and Construction Commission (QBCC).

Pool owners can check if their pool is registered by simply conducting a property search on the pool register: [Register a pool or spa or check registration details](#) (or www.qbcc.qld.gov.au/home-building-owners/poolsafety/registering-your-pool).

Penalties for unregistered pool or spa:

An on-the-spot fine of \$235.60 or a maximum court penalty of \$2356 may apply to owners with unregistered pools.

CPR and warning signs

If you have a pool, you must display a CPR (cardiopulmonary resuscitation) sign prominently.

The role of Local Government

Local governments play an important role with regards to pool safety. They can:

- enter properties to inspect pools
- prosecute owners of non-compliant pools
- decide impracticality exemptions and existing disability exemptions
- cancel pool safety certificates for noncompliant pools
- declare areas as 'remote' to help minimise inspection costs for pools in remote areas

They are also required to:

- inspect pools if asked by a pool owner
- provide records of existing pools to help establish the state-wide swimming pool safety register
- undertake enforcement action following an immersion notice from Queensland Health, a complaint notice or a notice from the QBCC

For further information or to organise a pool inspection contact the Bulloo Shire Council on 07 4621 8000 or via email at Council@bulloo.qld.gov.au

You can also view Council's [Pool Regulations](#) on the website at <https://www.bulloo.qld.gov.au/planning-development/pool-regulations>.