



New pool safety laws



Child drownings halved after Queensland introduced swimming pool safety laws in 1991, but we can do better.

The latest data¹ shows that:

- drowning is the leading cause of accidental death for children under five years of age
- the average age for childhood drownings in a pool is two years of age
- between 1 January 2004 and 18 May 2010, 35 children under five years of age drowned in Queensland's residential swimming pools, as well as two drownings in wading pools and one in a home-made pool.

1 Commission for Children and Young People and Child Guardian, Queensland Child Death Register 2004-2010

The Queensland Government has introduced Australia's toughest new pool safety laws as a result of the most comprehensive review of Queensland's swimming pool safety laws in nearly 20 years.

The new pool safety laws aim to further reduce the incidences of drowning and serious immersion injuries of young children in swimming pools.

What is covered by the new laws?

Queensland's swimming pool safety improvement strategy has two stages.

Stage one

Stage one started on 1 December 2009 and applies to new residential outdoor swimming pools. It included:

- introducing the latest swimming pool safety standards
- regulating of temporary fencing for pools
- mandatory follow-up final inspections
- introducing the latest CPR signage standards.

Stage two

Stage two is expected to start this summer and mostly affects existing swimming pools. It includes:

- replacing 11 different pool safety standards with one pool safety standard for all pools, the Queensland Development Code, Mandatory Part 3.4 (both new and existing pools must be upgraded to comply with the standard within five years unless sold or leased first)
- a five-year phase out of child-resistant doors used as pool barriers for existing pools (self-closing and self-latching doors), unless the property is sold or leased first
- wider application of pool safety laws to include indoor pools and pools associated with hotels, motels, caretaker residences, caravan parks, backpackers, hostels, mobile home parks and homestays
- a sale and lease compliance system requiring pool safety certificates to be obtained from a licensed pool safety inspector (pool safety certificates are valid for one year for a shared pool and two years for a non-shared pool)



- requiring all swimming pools to be included in a pool register managed by the state government within six months from the commencement of the legislation
- fencing for all portable pools and spas deeper than 300 millimetres
- mandatory inspections by local government for immersion incidents of children under five in swimming pools. These incidents will be reported by hospitals and the Queensland Ambulance Service, including voluntary reporting by doctors and nurses.

Commencement of the new point of sale and lease inspection system

For non-shared pools, such as pools for houses or townhouses or units with their own pool or spa, the laws requiring a pool safety certificate are expected to commence this summer.

For shared pools associated with short term accommodation, such as hotels, motels, backpackers or hostels, a six month phase-in period applies to obtain a pool safety certificate.

A two year phase-in period to obtain a pool safety certificate applies to other shared pools, such as common pools in a block of units.

Pool safety inspectors

The Pool Safety Council is an independent body that oversees the pool safety inspector licensing system. Swimming pool safety inspector course guidelines will soon be available to assist training organisations in developing inspector courses. These guidelines and the availability of pool safety inspector courses will soon be available at

www.dip.qld.gov.au/poolfencing

More than 300 licensed building certifiers in Queensland will be automatically licensed for a period of one year as pool safety inspectors from the commencement of the new laws

Pool safety tips

- close the pool gate and keep your pool safety barrier maintained
- supervise young children around pools at all times
- begin swimming lessons for your children
- keep outdoor furniture away from the pool safety barrier
- move pot plants and other climbable objects away from the pool safety barrier.

Why pool safety barriers fail—common problems

- 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.

Ensure your pool safety barrier 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 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 area.

Stage 2 key changes

- pool safety certificates will be required when selling or leasing a property with a pool
- both new and existing pools must be upgraded to comply with the standards within five years unless sold or leased first
- all swimming pools will need to be registered within six months of the commencement of the legislation.

For more information visit
www.dip.qld.gov.au/poolfencing or
phone 1800 153 262 free-call.