



Building newsflash number 391

Swimming pool safety improvement strategy and draft new code for pool safety barriers

Purpose

To advise of the Queensland Government's two staged swimming pool safety improvement strategy and seek feedback on the draft new code for swimming pool safety barriers.

Background

Last year eight children drowned in Queensland's swimming pools—more than in any other state in Australia—and around 50 more children will present to emergency departments this year following a life-threatening immersion.

New pool safety laws are now proposed following the most comprehensive review of Queensland's swimming pool safety laws in nearly 20 years. The purpose of introducing the new laws is to further reduce the incidence of drowning and serious immersion injuries of young children. The improvement strategy will be implemented in two stages to allow industry and pool owners time to adjust to the changes.

Legislation

Building Act 1975, Section 233
Building Regulation 2006, Section 14

Issues

Queensland Government's staged pool safety improvement strategy

Stage one is proposed to take effect on 1 December 2009 and apply to new building work and new residential swimming pools and includes:

- simplification of pool fencing laws to the latest pool fencing standards
- provisions to allow temporary fencing for pools under construction
- ensuring all new swimming pools undergo mandatory final inspections
- CPR signage that meets current best practice
- development of an electronic model swimming pool register
- better reporting of immersion incidents from Queensland police
- more than tripling the spend on the Queensland Government's pool safety campaign.

Stage two will take effect on 1 December 2010 and includes the following:

- rationalisation of 11 current pool fencing standards to just one standard for all pools, both new and existing
- a mandatory point of sale and lease inspection system
- phase-out of child-resistant doors used as pool barriers for existing pools
- wider application of state laws to include indoor pools and pools associated with hotels, motels, caretaker residences and caravan parks
- a swimming pool register
- fencing for all portable pools deeper than 300 millimetres
- narrowing the ability for councils to create local pool laws where state laws apply



- councils to gain greater powers of entry for safety inspections
- model local law for councils who wish to cover pools outside state laws.

A five-year phase-in period will apply unless the property is sold or leased first. Further information and implementation details on these important reforms will be made available over the coming weeks and months. To keep up to date with the latest developments, or if you wish to view the committee's report, public feedback report or the latest media statements, please visit www.dip.qld.gov.au/poolfencing

Draft new code for pool safety barriers

A draft new code for pool safety barriers has been developed for Queensland. It adopts the latest Australian Standard (AS 1926:2007 parts 1 and 2) with modifications to reflect a small number of settled practices specific to Queensland and several points of additional clarification of the latest standards provisions to improve its application.

The revised Australian Standard was developed to reflect the latest research and experience in swimming pool safety. The revised standard increases the stringency of some requirements, clarifies areas of uncertainty and removes minor anomalous requirements in the previous standard that did not enhance safety. Some of the changes reflect settled provisions that already apply in Queensland, such as changes to the non-climbable zone and fence heights.

A copy of the [draft code](#) is attached, available at www.dip.qld.gov.au or requested by email at buildingcodes@dip.qld.gov.au

Have your say

Interested stakeholders are encouraged to provide feedback on the draft code. All feedback must be received by 5pm Friday 2 October 2009 by:

email: buildingcodes@dip.qld.gov.au

fax: (07) 3237 1248

post: Swimming Pool Safety Barriers Code, Building Codes Queensland, PO Box 15009, City East Qld 4002.

Contact for further information

Department of Infrastructure and Planning
Building Codes Queensland Division

tel +61 7 3239 6369

buildingcodes@dip.qld.gov.au

DISCLAIMER: The information contained in this Newsflash is provided by the State of Queensland in good faith. The material is general in nature and before relying on the material in any important matter, users should carefully evaluate its accuracy, currency, completeness and relevance for their purpose. It is not intended as a substitute for consulting the relevant legislation or for obtaining appropriate professional advice relevant to your particular circumstances. The State of Queensland cannot accept responsibility or liability for any loss, damage, cost or expense you might incur as a result of the use of or reliance on information contained in this Newsflash. It is not intended to be, and should not be relied upon as the ultimate and/or complete source of information.