

Swimming pools and spas (including wading pools)



Pool safety laws

Before purchasing a swimming pool, including a portable pool or spa, you should ensure that you are aware of the pool fencing requirements.

Regulated pools



A spa, swimming or wading pool (inflatable/portable) is generally classified as a 'regulated' swimming pool if;

- it can be filled with water to a depth of 300mm (30cm) or more
- it holds more than 2000 litres of water
- it has an installed pool filter
- it is solely or principally used

for swimming, bathing, wading, paddling or some other human aquatic activity.

Regulated pools are applicable to the pool fence laws across all council regions in Queensland.

The State Government's pool safety laws have been implemented to reduce drownings and immersion injuries in swimming pools, spas and wading pools (inflatable/portable). These laws affect new and existing regulated pools, spas and wading pools.

Wading pools

Inflatable wading pools are a great way to have fun and keep cool in the hotter months and are a popular purchase among local homes. However, you may have obligations to consider prior to purchasing a wading pool under tough State Government laws regarding pool compliance and safety.

Non-regulated pools



Your spa, swimming or wading pool (inflatable/portable) is classified as a 'non-regulated' swimming pool/spa if it meets all three of the following criteria requirements;

- Your swimming pool cannot be filled to a depth of 300mm (30cm) of water; or
- If it can hold less than 2000 litres in volume
- Has no filtration system

Swimming pools and spas

Your obligations

If your pool meets any of the regulated pools criteria, you will be required to comply with state legislation, which includes the installation of a compliant pool fence after obtaining a building development approval (building permit) for both the pool and fence.

New swimming pools and spas

All new swimming pools and spas require a building permit from a private (building) certifier. The certifier who issues the building permit must inspect and certify the pool safety barrier and the pool to ensure they comply. The pool or spa must not be filled to a depth of 300mm (30cm) or more until a satisfactory inspection is carried out and a final inspection certificate (Form 17) has been issued by the certifier.

Existing regulated swimming pools and spas

For an existing regulated pool you must register your pool with [Queensland Building & Construction Commission \(QBCC\)](#).

Selling or leasing with existing regulated swimming pools and spas

When selling or leasing a property that contains a pool, a pool safety certificate (Form 23) is required from a licensed pool safety inspector (fees apply). A list of pool safety inspectors is provided on the [QBCC website](#).

All existing 'regulated' pools and spas are to comply with the current pool fencing laws.

Pool owners' responsibilities

- Ensure that the regulated pool/spa is registered with QBCC.
- Have a pool fence that meets the pool barriers safety standard around the pool at all times.
- Maintain the pool fence to meet the safety standards.

FAQs

Do the pool safety laws apply to spas and portable pools?

Yes, the pool safety laws under Section 231A of the Building Act 1975 (QLD) and Swimming Pool Safety Standards, state that if the pool or spa is capable of being filled with water to a depth of 300mm (30cm) pool fencing requirements apply. This includes an empty pool/spa that could be filled with rain water after a rain event. It is irrelevant whether the pool or spa is going to remain where it is on a permanent or temporary basis.

Do I need a pool safety certificate?

You only need to have your pool inspected and receive a pool safety certificate when selling or leasing your property. But, even if you are not selling or leasing the property, you still need to ensure that your pool or spa is compliant with the current Swimming Pool Safety Standards.

How do I know if my pool is compliant?

Step 1: Contact council to check records for any existing development approval permits by phoning 1300 622 529.

Step 2: Refer to guidelines for [Pool Owners and Property Agents QDC MP 3.4](#).

Step 3: Complete a free self-assessment using the [QBCC's simple checklist](#).

Step 4: Engage the services of a suitably qualified pool safety inspector to advise you on pool compliance.

How do I register my pool or spa?

You can check to see if your pool or spa is registered via the [QBCC website](#). For assistance with registering your pool, call QBCC on 139 333.

Pool fencing requirements in Queensland?

The requirements are detailed in the [Queensland Development Code](#) and further fencing requirements can be found on the [QBCC website](#) - [qbcc.qld.gov.au](#)

For more information
phone 1300 MACKAY
(622 529) or visit
[mackay.qld.gov.au](#)