

Building and Plumbing Newsflash 629

Updated guidelines for regulated pools

Purpose

To inform industry and the community that three guidelines for regulated pools have been updated and republished.

Background

The guidelines, made under section 258 of the Building Act 1975 (BA), provide pool owners, pool safety inspectors, building certifiers, property agents and councils with valuable information about:

- the inspection process and what needs to be checked
- undertaking repairs or alterations to pool barriers
- the requirements if selling or leasing a property with a pool
- registering pools.

The guidelines form part of a large suite of guidelines produced by the Department of Housing, Local Government, Planning and Public Works.

When performing building certifying functions under the BA, a building certifier must have regard to the guidelines.

When performing a pool safety function, a pool safety inspector must have regard to the guidelines.

Updated guidelines

The following guidelines have been updated to address common enquiries received from building certifiers, incorporate feedback from peak industry bodies, and reflect the Building Regulation 2021 (BR):

- Guideline for pool safety inspectors
- Guideline for pool owners and property agents
- Local government swimming pool safety guideline.

What has changed?

The updates include:

- restructuring the guidelines so information is grouped in a logical, consistent manner across all three guidelines
- removing historical information about the development of current pool safety laws as these laws have been in place for over 10 years
- removing the reference to the advisory function of pool safety inspectors as this is not reflected in the legislation
- adding an explanation of what a 'regulated pool' is
- clarifying and correcting information regarding:
 - the role of pool safety inspectors
 - the role of local government in supporting regulated pool safety, including the requirement to inspect pools, the types of inspections they may conduct, and their role in cancelling a pool safety certificate

- the role of building certifiers in assessing compliance with the pool safety standard
- the role of property agents in attending to pool safety matters on behalf of property owners
- the difference between the regulated pools register and the pool safety inspectors register
- the inspection process, including when a pool owner may change pool safety inspectors, and what happens when a nonconformity notice, or pool safety certificate, is issued
- the use of temporary fencing
- dividing fences, including the rights and responsibilities of owners, how to apportion costs, and how to address disputes
- minor repairs, maintenance and non-climbable zone works, and other work on a pool barrier
- the sale and lease compliance system for non-shared pools.

All three updated guidelines also contain updated legislative references to match the BR.

The updated guidelines take effect from 10 June 2024.

More information

To view the guidelines, please visit the [Pool safety guidelines](#) webpage on the Business Queensland website.

The [Building Act 1975](#) and the [Building Regulation 2021](#) are available on the Queensland Government legislation website.

For more information please visit the [Pool safety laws](#) webpage on the Business Queensland website.

Contact us

Building Policy

Department of Housing, Local Government, Planning and Public Works

Email: buildingpolicy@epw.qld.gov.au

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