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Swimming Pools Information Sheet

What classes as a swimming pool?

A swimming pool is defined as an above or below ground structure principally used for swimming or bathing, and includes some models of portable pools and spas. If your portable pool or spa can hold at least 300mm of water, then the pool safety laws apply to you.

The standard applies to new and existing pools in houses, unit complexes, hotels, motels, backpacker accommodation, caravan parks and mobile van parks.

Should my pool be registered?

All pools in Queensland must be registered with the QBCC. To list your pool on the pool safety register, visit www.qbcc.qld.gov.au

Selling or Leasing a Property with a Non-Shared Pool

A pool safety certificate issued by a licensed pool safety inspector is required when selling, buying or leasing a property with a pool (pool safety certificates are valid for one year for a shared pool and two years for a non-shared pool). A non-shared pool is only accessible to the residents of one dwelling and is typically associated with houses and units or townhouses with private spas or pools.

Selling

You can sell your property with or without a pool safety certificate.

If selling with a certificate, you must give the buyer a copy. If you are not providing a certificate, you must give the buyer a *Form 36 Notice of No Pool Safety Certificate* prior to entering a contract of sale and send a completed copy of the form to QBCC before settlement. It is important to note that even if you are giving a *Form 36*, your pool must be compliant.

The buyer must get a pool safety certificate within 90 days of settlement (if there was no certificate on the date of settlement).

Leasing

If leasing your home, a pool safety certificate must be obtained before entering into the accommodation agreement.

New Pools

All new swimming pools require a building approval. The building certifier must inspect and certify the pool safety barrier before the pool is filled to a depth of 300 millimeters or more.

For recently built pools, a Final Inspection Certificate or Certificate of Classification issued by the building certifier can be used as a pool safety certificate. The certificate must confirm that the pool meets the standard and be lodged by the building certifier with the QBCC at poolssafety@qbcc.qld.gov.au