

## you could face an on-the-spot fine

### Why should swimming pools be fenced?

The State Government has strengthened the swimming pool fencing legislation to reduce the incidence of toddlers drowning in outdoor swimming pools on residential land.

Pool fencing has saved the lives of more than 70 toddlers in Queensland in the last 10 years.

### Who is responsible?

The owner of the swimming pool is responsible for installing and maintaining a pool fence and gates for a swimming pool.

However, if a tenant buys a portable pool that requires pool fencing, the owner of the portable pool is the pool owner and they must ensure the pool is fenced.



For information on swimming pool fencing, visit [www.poolfencing.qld.gov.au](http://www.poolfencing.qld.gov.au)

For information on State pool fencing legislation, contact the Department of Local Government and Planning by:

Email: [enquiries@poolfencing.qld.gov.au](mailto:enquiries@poolfencing.qld.gov.au)  
Phone: 07 3234 1870

For information and advice on pool fencing standards in your area or to arrange an inspection, contact your local council.

The information contained in this brochure 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. This publication is not intended as a substitute for consulting the relevant legislation or for obtaining appropriate professional advice relevant to your particular circumstance. The State of Queensland does not accept responsibility or liability for any loss, damage, cost or expense incurred as a result of the use of, or reliance on, information contained in this brochure. The brochure is not intended to be, and should not be relied upon as, the ultimate and complete source of information on swimming pool fencing or safety.



## Poor pool fencing can cost you dearly



## Pool fencing checklist – does your fence comply?

# Does your pool fence comply?

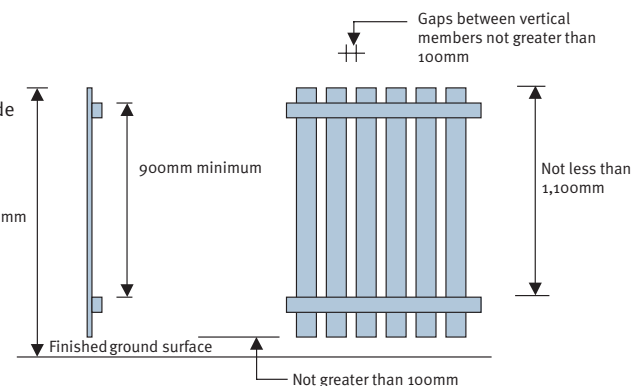
## Checklist for pool fences

Check the safety of your pool fence before contacting your local council for an inspection. This checklist applies to pools constructed after February 1991. For more detailed information and for pools constructed before February 1991, please visit [www.poolfencing.qld.gov.au](http://www.poolfencing.qld.gov.au) or contact your local council.

Tick the box if you answer yes.

### Does your pool fence measure up?

- Is there a pool fence separating your pool from your neighbour?
- Is there a pool fence preventing access from your house to your pool?
- Is the outside of your pool fence at least 1.2 metres high all the way around?
- Is the bottom of your pool fence less than 10 centimetres off the ground all the way around?
- Are all vertical or near vertical members less than 10 centimetres apart?
- Are all horizontal or near horizontal fence rails at least 90 centimetres apart?
- Is the top of the pool fence at least 1.1 metres above the highest lower horizontal fence rail?
- Is your pool fence well maintained (ie. no holes, broken members, etc.)?
- Is your pool fence at least 1.2 metres away from any object that would enable a small child to climb over the fence (eg. BBQs, trees, rocks, shrubs, deckchairs)?



### Check the doors and windows

Check any doors and windows that could allow a child to go from your house directly to the pool area. If the pool was built after 1991, there should be no such doors, unless your local council has granted an exemption.

Are all windows:

- Child resistant (so a small child cannot get through)? Child resistant means windows are at least 1.2 metres above the floor or do not open wider than 10 centimetres or have security screens.

### Check the pool gate

Does your pool gate:

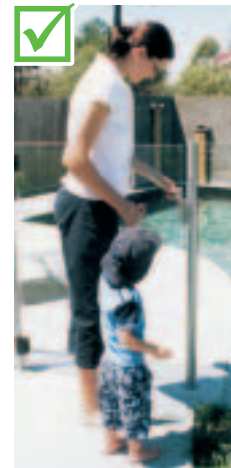
- Close by itself from any open position?
- Latch by itself when it closes?
- Open outwards, away from the pool?
- Never get propped open/tied back or otherwise be obstructed from automatically closing?
- Have a latch release which is at least 1.5 metres above the ground or covered (so a small child cannot open the gate)?

### What about above ground pools?

- Are the walls of your pool at least 1.2 metres high all the way around?
- Is the side of the pool free of bracing, indents, projections, filtration equipment, etc?
- Is any ladder and filtration equipment enclosed by a fence with a self-closing gate?

### CPR sign

- For pools constructed on or after 1 October 2003, do you have a sign detailing instructions on CPR (Cardiopulmonary Resuscitation) clearly displayed near the pool? Contact the Queensland Ambulance Service on 1300 650 377 or your local pool supply store to purchase a CPR sign.



### Building a new pool

- Do you have a sign warning people that a pool is under construction clearly displayed on the road frontage of your property?
- Have you obtained certification for the fence around your new pool prior to filling it with water?

### Oops! I'd better get it fixed

If you **did not** answer 'yes' for every question, your pool fence may be unsafe and you could be issued with an on-the-spot fine (from your local council) or a penalty (imposed by the Court). On-the-spot fines and penalties for non-compliant fences range from \$75 to \$525. The maximum penalty a court can impose is \$12,375.

### Young children should not be able to:

- >> get over or under the pool fence,
- >> get through the pool fence,
- >> get through the pool gate, or
- >> get through any doors or windows opening onto the pool.

Contact your local council if you are unsure as to whether your pool fence complies or to arrange an inspection (see the back of this brochure for contact details for your local council).

### Local laws

Your local council may have local laws with additional requirements. If the local laws are stronger than the requirements set by the State legislation, you must also abide by the local laws.

