

Pool safety nonconformity notice

Version 1 effective 15 October 2010.

This form is to be used for the purposes of section 246AB of the *Building Act 1975*.

1. Pool owner/s

For a shared pool the owner is usually the body corporate.

Owner/s name:

Test Job

2. Location of the swimming pool

Lot/s on plan details are usually shown on title documents and rates notices.

Street address: (include number, street, suburb/locality and postcode)

1234 Anywhere St
Anywhere, QLD, 4870

Lot/s on plan: (include all lots if the pool spans lot boundaries)

Lot 1234 on RP12334

Local Government Area:

Anywhere Regional Council

3. Shared pool or non-shared pool (please tick)

Shared pool

Non-shared pool

4. How the pool is not a complying pool, and actions required

Provide a brief description of how the pool does not comply with the pool safety standard—use attachments if required.

5. Are all gate latches more than 1500mm from the ground, or alternatively, if gate latches are less than 1500mm from ground, are they on the inside of the fence and comply with reaching/shielding (450mm from device) requirements (S2.5.4.2, S2.5.4.3; Diag 2.6)

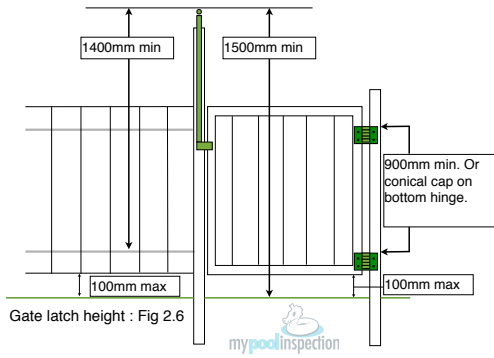
Explanation: Gate latch is less than 1500mm from finished ground level.

Solution: Raise gate latch 100mm

Photos:



Diagrams:



7. For latching devices less than 1500mm from the ground, is the gap between the gate (latch side) and the fence less than 10mm, is it shielded, and is the reach to the latch at least 150mm from the top of the gate (S2.5.4.1; Diag: 2.6)?

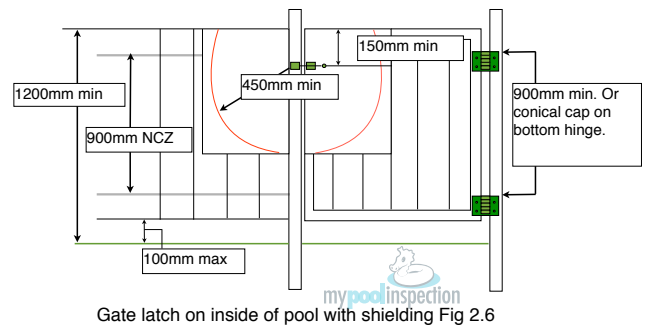
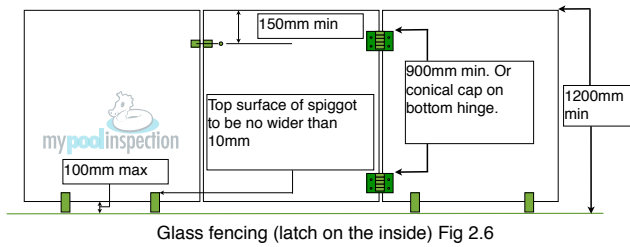
Explanation: Gap exceeds 10mm

Solution: In fill with solid denial material or move latching mechanism to reduce the gap.

Photos:



Diagrams:



15. Is the effective height of the barrier at least 1200mm from the finished ground level (as measured on the same side as the NCZ) (S2.1; QDC Diag 1)?

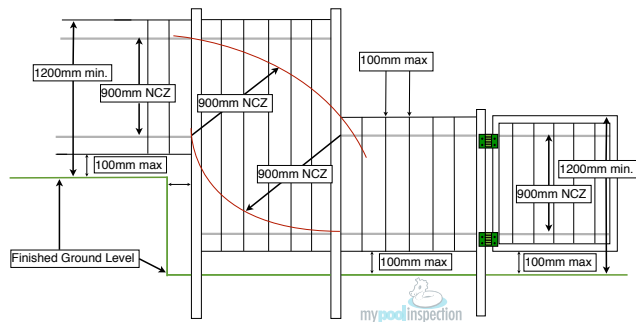
Explanation: Fence panel is less than 1200mm from finished ground level.

Solution: Raise fence panel 100mm

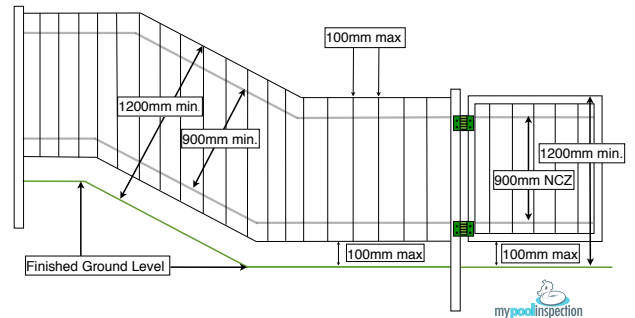
Photos:



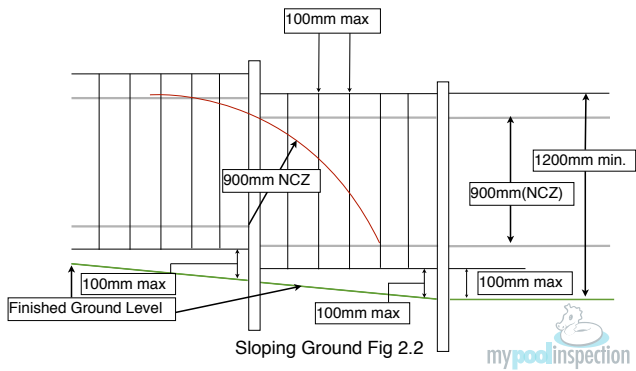
Diagrams:



Where ground is stepped ensure step in the fence is equal in height to the step in the ground. Fig 2.2



Where site is sloping, measure fence height perpendicular to the ground. Fig 2.2



Sloping Ground Fig 2.2

19. Where gaps between vertical members are greater than 10mm, is there a distance greater than 900mm between two horizontal rails (S2.3.4 and 2.3.5; Diag: 2.3, 2.4 and 18)?

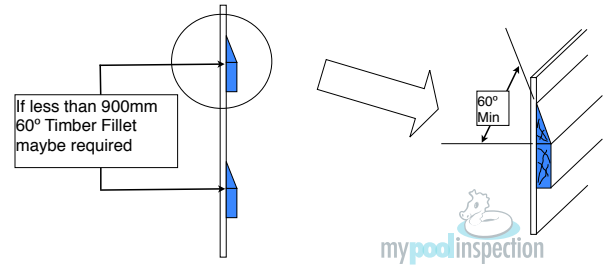
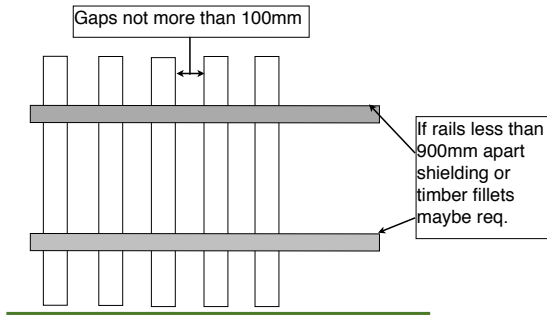
Explanation: Rails are less than 900mm apart.

Solution: Place 60 degree timber fillet on top rail.

Photos:



Diagrams:



60° Timber fillets

26. For intersecting pool barriers, is there a 900mm NCZ plus 300mm clear area, or is it shielded (QDC 10, Diag 15 and 16)?

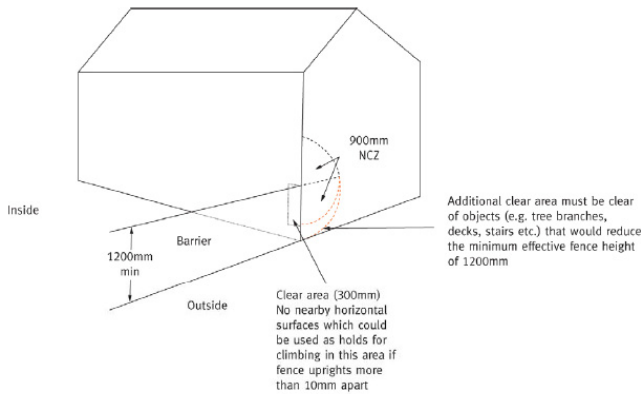
Explanation: Boundary fence rails are within the NCZ

Solution: Fit 60 degree timber fillets or double rail the inside of the boundary fence for 900mm on the outside and 300mm on the inside of the pool barrier.

Photos:

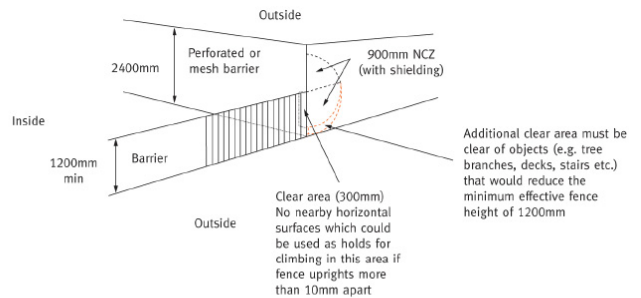


Diagrams:



Note: The non-climbable zone (NCZ) continues in spherical form at the intersection of the pool barrier with the structure to the wall of the structure. The additional clear area continues in an arc past the intersection to the wall of the structure.

Figure 15
Pool barriers intersecting with other structures
Acceptable



Note: The non-climbable zone (NCZ) continues in spherical form at the intersection of the pool barrier with the structure to the wall of the structure. The additional clear area continues in an arc past the intersection to the wall of the structure.

Figure 16
Pool barriers intersecting with perforated material or mesh barrier
Acceptable

39. If there is a balcony adjacent to the pool area, do the NCZ requirements comply and does the balustrade height and construction comply (QDC 19 and S2.9, Diag: 2.9, 22, 23)?

Explanation: Balcony is within the NCZ

Solution: Raise the height of the balcony balustrade to a pool barrier compliant height of greater than 1200mm

Photos:



Diagrams:

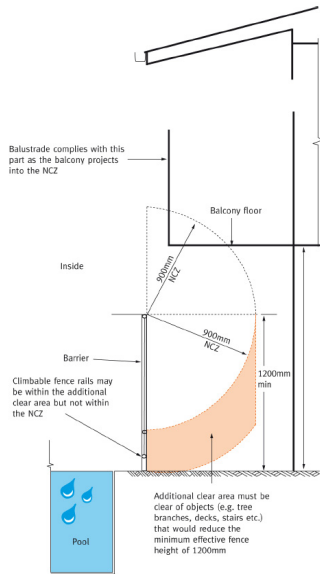


Figure 22
Balcony adjacent pool area
Acceptable

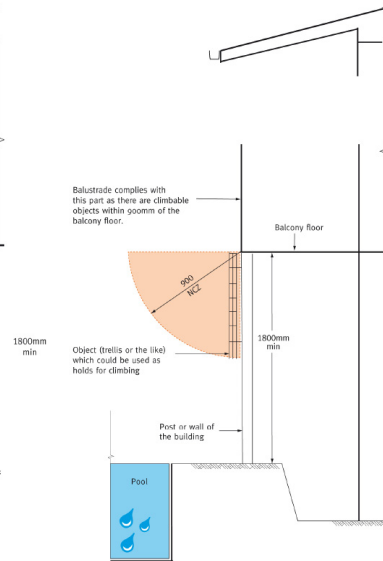


Figure 23
Balcony adjacent pool area
Acceptable

42. Is there a compliant CPR sign displayed prominently (Diag: n/a)?

Explanation: No sign sighted.

Solution: Supply and install compliant CPR sign

Photos: n/a

Diagrams:

Call triple zero (000) in an emergency
ask for ambulance, stay with the injured person and resuscitate

<p>1 Check for danger Ensure safety for yourself, bystanders and casualty. If safe, remove casualty from water as soon as possible.</p>	<p>6 Prepare for resuscitation Adults and children – tilt head backward. Place one hand on the forehead and use the other hand to lift the chin. Infants under 1 year – do not tilt head. Place one hand on the forehead and use the other hand to support the chin.</p>
<p>2 Check response Can you hear me? Open your eyes. What's your name? Squeeze my hand.</p>	<p>7 Start breaths Adults and children – seal nose and give 2 breaths into mouth. Infants under 1 year – give 2 breaths into mouth and nose. Watch for chest to rise.</p>
<p>3 Clear airway If water or vomit is present in mouth, tilt casualty on side, tilt face downwards and clear mouth with your fingers.</p>	<p>8 Start compressions Adults – place heel of hand in centre of chest. Place other hand on top of first. Children 5 – 8 years – place heel of hand in centre of chest. Infants under 1 year – place 2 fingers in centre of chest. Compress 1/3 depth of chest. Compress 30 times.</p>
<p>4 Call triple zero (000) Ask for an ambulance. Remain calm while answering the questions. Stay on phone until you are told to hang up.</p>	<p>9 Repeat breaths & compressions Repeat 2 breaths and 30 chest compressions. Continue until ambulance arrives or person regains consciousness or it becomes impossible for you to continue.</p>
<p>5 Check for normal breathing Look and feel for rising and falling chest. Listen and feel for breath sounds.</p>	<p>10 Recovery If injured person shows signs of recovery, roll onto side and check if they are breathing. Reassure the person and bystanders.</p>

Glossary

NCZ	Non-climbable zone = This zone consists of a barrier as well as the associated space within 900mm of the barrier and is intended to restrict the climbing of the barrier by young children
FGL	Finished ground level = Compacted permanent surface, like dirt, concrete, pavers, but not mulch or loose soil
ACA	Additional Clear Area = An area generally below the NCZ that must be kept clear of objects that would reduce the minimum effective height of the barrier
EH	Effective Height = Generally, the height of the fence after taking into account objects, raised ground, parts of the fence and other items in the NCZ or ACA
CRDS	Child-resistant doorset = Only applying to indoor and roof top pools, the doorset comprises of door, frame, self-closing/self-latching device, which provides access from a building to the pool area
CPB	Compliant Pool Barrier = Must be at least 1200mm high and constructed to restrict access by young children to the pool area
AOO	Arc of Operation = The area determined by the swinging of the from fully closed to fully open
Young Child	Child who is 5 years or under
Class 1, 2, 3 or 4 building	Includes houses, units, high rise apartments buildings, short term accommodation buildings and other buildings that provide residential facilities
Climbable trees	Trees that have branch(es) with a substantial horizontal surface of 10mm or greater, that could support the weight of a 25kg child that is/are within the NCZ or ACA
Denial panel	A smooth-surfaced, non-climbable panel that restricts access to the pool area (commonly polycarbonate sheet)
Compliant CPR sign	Sign at least 300mm x 300mm, made of durable and weatherproof material, prominently displayed and stating emergency procedures (ie ringing 000), and describing how to perform expired air resuscitation or cardiopulmonary resuscitation including on an infant or young child

5. Date nonconformity notice given to pool owner

Date: 16 Aug 2011

6. Statement

Having inspected the swimming pool, I am not satisfied the pool is a complying pool under the *Building Act 1975* for the reasons stated in section 4 above.

Name: Darryl Posgate T/A Broken Compass Pty Ltd (ph: 1300866463)

Pool safety inspector licence number: 100023

Signature:  Date: 16 Aug 2011

Important information about this notice

1. To obtain a pool safety certificate, the action in section 5 must be completed in compliance with the pool safety standard and the owner must ask the pool safety inspector to reinspect the pool. A pool safety certificate must be obtained when selling, buying or leasing a property with a regulated pool. Penalties of up to \$16 500 apply for noncompliance.
2. Pool safety inspectors and pool owners can carry out certain minor repairs, without a building development approval, to make a regulated pool comply with the pool safety standard. A building development approval is required for more significant work (refer to schedule 2A and 2B of the Building Regulation 2006 or visit www.dip.qld.gov.au/poolsafety). Work valued at more than \$3300 can generally only be carried out by a person suitably licensed by the Queensland Building Services Authority.
3. The pool owner may ask the pool safety inspector named in this notice to reinspect the pool within three months after this notice is given.
4. The pool safety inspector must notify the Local Government if the owner does not ask the pool safety inspector to reinspect the pool within three months after this notice is given. The Local Government may take enforcement action, impose penalties or take other action.
5. It is an offence under the *Building Act 1975* for the owner to ask, within three months after this notice is given, a person other than the following to inspect the pool for the giving of a pool safety certificate:

- if the owner initially asked that inspector to inspect the pool—the pool safety inspector named in this notice; or
- if the owner initially asked the Local Government to inspect the pool—the Local Government.

Penalties of up to \$5000 apply for noncompliance. If the owner wishes to ask another person to inspect the pool within three months after this notice is given, they may make a written request to the Pool Safety Council. If the Pool Safety Council gives the owner a written notice agreeing to the request, the owner can then ask another person to reinspect the pool without committing an offence.

Written requests can be made to the Pool Safety Council at:
Post: GPO Box 907, Brisbane QLD 4001
Deliver: Ground floor, 63 George Street, Brisbane QLD 4000 (office hours: 8:30 am-4:30 pm Monday-Friday)
Email: psc@dip.qld.gov.au **Fax:** +61 7 3237 1248

6. The owner may appeal the pool safety inspector's decision in this notice to a building and development committee under the *Sustainable Planning Act 2009*. The appeal must be made 20 business days after this notice is given. For further information about how to appeal, please contact the Building and Development Dispute Resolution Committees at:
Website: www.dip.qld.gov.au/disputeresolutioncommittees
Phone: +61 7 3227 8548 **Fax:** +61 7 3224 4683
Email: info@dip.qld.gov.au
Post: PO Box 15009, City East QLD 4002

This is a public document and the information in this notice may be made available to the public.