

**North Sydney Council
Swimming Pool Inspection Program**

1.0 Overview

Commencing on 29 October 2012, the Swimming Pools (Amendment) Act 2012 (the **Act**) was introduced with the aim of increasing safety for very young children around backyard swimming pools and reducing associated drowning and near drowning accidents. In particular, the Act has been strengthened to ensure a greater degree of compliance with the child-resistant barrier requirements of the Act.

The aim of this Swimming Pool Inspection Program is to assist pool owners within the North Sydney Local Government Area to ensure that they have a child-resistant barrier that is not only compliant with the Act but to also minimise any risks to young children at premises containing a swimming pool.

The Swimming Pools Act 1992 defines Swimming Pools as:

“swimming pool means an excavation, structure or vessel:

(a) that is capable of being filled with water to a depth greater than 300 millimetres, and

(b) that is solely or principally used, or that is designed, manufactured or adapted to be solely or principally used, for the purpose of swimming, wading, paddling or any other human aquatic activity,

and includes a spa pool, but does not include a spa bath, anything that is situated within a bathroom or anything declared by the regulations not to be a swimming pool for the purposes of this Act.”

This plan is based upon a three year cycle wherein each swimming pool within the local government area will be inspected at least once every three years. This is based upon the requirement that a Compliance Certificate is only valid for three years.

2.0 Application

This Swimming Pools Inspection program will be in effect as of 29 October 2013. The Swimming Pools Inspection program will include inspections of the following premises within the North Sydney Local Government Area with swimming/spa pools:

- Premises accommodating tourists and visitors, i.e. hotels, motels;
- Multiple occupancies, i.e. apartment building complex;
- Public swimming/spa pools;
- All residential premises containing a swimming/spa pool.

3.0 Inspection Program

The inspection program of the North Sydney Local Government will be based upon suburbs on a three (3) calendar year cycle, wherein all swimming pools within North Sydney Local Government Area would have been inspected at least once.

The inspection program will commence on 1 January 2014.

Year 1	Cremorne, Cremorne Point
Year 2	Cammeray, Crows Nest, Kirribilli, Kurraba Point, Lavender Bay, McMahons Point
Year 3	Milsons Point, Neutral Bay, North Sydney, Waverton, Wollstonecraft

3.1 Compliance Certificate

At the completion of each inspection, if the swimming pool complies with the Australian Standard 1926 (AS 1926) a Compliance Certificate will be issued to the pool owner. The Compliance Certificate is valid for 3 years.

A swimming pool subject to an Occupation Certificate is exempt from the inspection program for 3 years from the date of the issue of the Occupation Certificate.

If the inspected swimming pool does not comply with AS 1926, a letter will be sent outlining areas of deficiency to be rectified.

3.2 Voluntary Requested Inspections

In conjunction with the inspection program, owners may request staff to undertake an inspection at any time. Once the premises has been inspected, and a Compliance Certificate issued, it will be recorded as a completed inspection as part of the Swimming Pools Inspection Program.

Scenarios in which an owner may like to request an inspection may include, but not limited to:

1. Selling of a property and need a current Compliance Certificate.
2. Leasing their property and need a current Compliance Certificate.
3. Peace of mind.

3.3 Swimming Pools Complaints

Persons may submit a complaint regarding swimming pool safety to Council at any time. The investigation will be in accordance with the Swimming Pools Regulation 2008 and Council's Enforcement and Compliance Policy.

Once a swimming pool has been investigated and achieved compliance, a Compliance Certificate will be issued. This will then be recorded as a completed inspection as part of the Swimming Pool Inspection Program.

3.4 Fees and Charges

A fee of \$150 will be charged to pool owners for the initial inspection as part of the Swimming Pool Inspection program, which includes the Compliance Certificate if the inspected pool satisfies the Swimming Pools Act 1992. This fee is only applicable once every three years.

A fee of \$100 will be charged for a follow-up inspection should the initial inspection reveal non-compliance with AS 1926. No further fee may be charged regardless of the number of subsequent follow-up inspections.

4.0 Record Keeping

Council is to keep a database of all swimming pool inspections conducted and the information is to be included within the Council's annual report, under section 428 of Local Government Act 1993