

The Hills Shire Council's Swimming Pool Inspection Program

Council staff will inspect properties with Swimming Pools under the following circumstances:

- i. Inspection as a result of a complaint (Section 29A)**
Section 29A of the Swimming Pools Act, 1992 requires the commencement of an investigation made to a local authority in writing within 72 hours after the complaint is received.
- ii. Inspection at the request of a pool owner - General (Section 22C (1))**
Section 22C (1) of the Swimming Pools Amendment Act 2012 requires that a Local Authority or an accredited certifier may carry out an inspection of a swimming pool upon request from a pool owner. The inspection must be carried out within a reasonable time.
- iii. Inspection at the request of a pool owner – sale or lease (Section 22C(3))**
Section 22C (3) of the Swimming Pools Amendment Act 2012 requires that a local authority must carry out an inspection within a reasonable time, if the request is in writing and states that the inspection is required to enable the sale or lease of a premises on which there is a pool.

Under the Conveyancing (Sale of Land) Regulation 2010 a warning notice is required within the contract of sale stating the owner of a property on which a swimming pool is situated must ensure that the pool complies with the requirements of the Swimming Pools Act 1992. Under the Residential Tenancies Regulation 2010 residential tenancies agreement the landlord must agree to ensure that the requirements of the [Swimming Pools Act 1992](#) have been complied with in respect of the swimming pool on the residential premises.
- iv. Inspection of a tourist, visitor, multi occupancy development (Section 22B(2))**
Section 22B(2) requires that Council must make provision for the inspection, at least once every three years, of a swimming pool situated on a premise on which there is a tourist and visitor accommodation or more that two dwellings.

Pools included within this section include, backpackers, bed and breakfast, hotel, motel, serviced apartments and residence of more than two occupancies.
- v. Inspection of Development Applications which have not been finalised**
The Development Monitoring Team currently inspects swimming pools where development consent has been granted but there is no record of an Occupation Certificate being issued.
- vi. Referral of complaints from Council's internal staff**
Council Officers, including Town Planner, Building Surveyors and Health Inspectors regularly attend properties that have swimming pools. If as a result of an inspection concerns are raised that the swimming pool barrier may not be compliant the property will be referred to the Development Monitoring Team for inspection.
- vii. Inspection of a child care centres / family day care premises**
Council staff will make the provision for the inspection, at least once every three years of a swimming pool situated on child care centres / family day care premises.
- viii. Referral of complaints from Private Certifiers**
Council officers' respond to complaints submitted by private certifiers relating to Significant Risk Pools and Overdue Non-Compliant Pools.