

## NEW LEGISLATION

### Swimming Pool / Spa Register

The NSW swimming pool / spa register is now available for public use at [www.swimmingpoolregister.nsw.gov.au](http://www.swimmingpoolregister.nsw.gov.au). Pool owners are required to register their pool.

To register a pool, pool owners will need to know:

- Address of the pool / spa.
- The type of property such as a private residence, multi-occupancy (units etc) or tourist and visitor accommodation.
- If the property is on a waterfront, land greater than 2 hectares or less than 230 square metres.
- When the pool/spa was built (3 choices of date range apply).
- If the pool barrier has been substantially modified or rebuilt and when that work was carried out (3 choices of date range apply).

### General requirements for outdoor swimming pools

The owner of the premises on which a swimming pool is situated must ensure that the swimming pool is surrounded at all times by a child-resistant barrier:

- (a) that separates the swimming pool from any moveable dwelling or tourist and visitor accommodation situated on the premises and from any place (whether public or private) adjoining the premises, and
- (b) that is located immediately around the swimming pool, and
- (c) that contains within its bounds no structure apart from the swimming pool and such other structures (such as diving boards and pool filtration plants) as are wholly ancillary to the swimming pool, and
- (d) that is designed, constructed, installed and maintained in accordance with the standards prescribed by the regulations.

## FENCING REQUIREMENTS

### Is your pool deeper than 30cm?

Consumers are responsible for ensuring that the pools on their premises comply with the law in relation to fencing. Consumers should be aware that any pool capable of being filled with water to a depth of 300mm or more requires a child-resistant barrier. Make sure you consult with your local council.

### The Australian Standard

A copy of the Australian Standard, *AS1926.1-2012 Swimming Pool Safety, Part 1: Safety barriers for swimming pools* is available for viewing at any Council office located at Tamworth, Manilla, Barraba or Nundle.

## SAFETY GUIDELINES FOR CONSUMERS - Inflatable Pools

Inflatable pools for swimming or other aquatic activity are moveable, relatively cheap and hold a significant volume of water.

Although inflatable swimming pools can be a great source of fun, especially for small children, there are hazards associated with these products that you must be aware of.

### Read the Warning labels on the box

Owners and purchasers of inflatable swimming pools should observe any warning labels attached to the packaging and the product.

## HOW TO CHECK YOUR POOL

### Checklists for Home Owners

The following checklists can be used to assess the safety of a pool/spa and ensure it meets relevant requirements, as part of the registration process. These are also available to the public at: [www.swimmingpoolregister.nsw.gov.au](http://www.swimmingpoolregister.nsw.gov.au)

For a fee of \$10.00, Tamworth Regional Council can register a pool on behalf of a pool owner, using this [form](#) to then enter information onto [www.swimmingpoolregister.nsw.gov.au](http://www.swimmingpoolregister.nsw.gov.au)

#### POOL CHECKLISTS

- [Swimming Pool Register - Questions & Answers \(48 kb\)](#)
- [Sample pool registration form - for councils \(86 kb\)](#)
- [Self Assessment Checklist - 1. Indoor Pool \(36 kb\)](#)
- [Self Assessment Checklist - 2. Spas \(46 kb\)](#)
- [Self Assessment Checklist - 3. Property over 2 hectares \(77 kb\)](#)
- [Self Assessment Checklist - 4. Waterfront properties \(71 kb\)](#)
- [Self Assessment Checklist - 5. Small property 230sqm or less \(77 kb\)](#)
- [Self Assessment Checklist - 6. Portable Inflatable Pools \(68 kb\)](#)
- [Self Assessment Checklist - 7a. Pool built installed before 1-09-2008 \(69 kb\)](#)
- [Self Assessment Checklist - 7b. Pool built or installed between 1-09-2008 and 30-04-2013 \(69 kb\)](#)
- [Self Assessment Checklist - 7c. Pool built or installed after 1-05-2013 \(69 kb\)](#)

## LEASE OR PROPERTY FOR SALE?

### Conveyancing Regulation 2010 (Sale of Land)

Recent amendments made to the *Conveyancing (Sale of Land) Regulation 2010* mean that from 1 September 2010 contracts for the sale of land must include a warning in relation to a land owner's obligations under the Swimming Pools Act 1992 which states that:

*"An 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. Penalties apply. Before purchasing a property on which a swimming pool is situated, a purchaser is strongly advised to ensure that the swimming pool complies with the requirements of that Act."*

### Compliance Certificates and Occupation Certificates

The Swimming Pools (Amendment) Act 2012 requires Pool owners to acquire a compliance certificate or Occupation Certificate before sale or lease of their property from 29 April 2014.

A Certificate of Compliance or Occupation Certificate is valid for 3 years, unless it is found within that period to have a non-compliant issue.

Need more information on Swimming Pool Compliance Certificates or Occupation Certificates?

- [Compliance Certificate](#)
- [Occupation Certificate](#)

#### IMPORTANT SAFETY INFORMATION

It is important to remember that while fencing may assist in reducing drownings in backyard pools, the most effective way to prevent drownings is for children to be adequately supervised by a parent or another responsible adult.

Research conducted on child drownings in backyard swimming pools indicates that the most common contributing factors are inadequately fenced pools and human error (for example, people leaving the gate open, or fences and gates not being maintained in good condition).

People choosing to have a pool have a responsibility to ensure that pool safety barrier(s) and gate(s) are installed, operated and maintained to the Australian Standard referred to in the Regulation.

It is also important that parents and others responsible for supervising children know how to administer Cardiopulmonary Resuscitation (CPR). The Royal Life Saving Society of NSW and Surf Life Saving NSW conduct CPR courses. All supervising adults are encouraged to undertake CPR training.

#### RELATED DOCUMENTS AND LINKS

- [Child Safety on Rural Properties Checklist \(filesize: 488KB\)](#)
- [Swimming Pool Laws Brochure \(filesize: 89KB\)](#)
- [Home Swimming Pool Safety Checklist \(filesize: 99KB\)](#)
- [RLSSA Home Pool Safety Checklist and Resources](#)
- [Swimming pool safety information in 15 community languages](#)
- [Protect Your Pool, Protect Your Kids video - Children's Hospital, Westmead](#)
- [Swimming Pool Laws Brochure \(filesize: 89KB\)](#)