

# REQUEST FOR POOL BARRIER INSPECTION

Issued under Section 22C of Swimming Pools Act 1992  
FOR ISSUE OF A POOL BARRIER COMPLIANCE CERTIFICATE



## Applicant (Owner/s) Details

Name \_\_\_\_\_  
Postal Address \_\_\_\_\_  
\_\_\_\_\_  
Email Address \_\_\_\_\_  
Phone Number \_\_\_\_\_ Fax Number \_\_\_\_\_  
**Signature** \_\_\_\_\_  
Date \_\_\_\_\_

## Description of Land (Address of Swimming Pool)

Street Number \_\_\_\_\_ Property Name \_\_\_\_\_  
Street/Road \_\_\_\_\_ Town \_\_\_\_\_  
Lot No \_\_\_\_\_ Deposited Plan No \_\_\_\_\_  
Section \_\_\_\_\_ Strata Plan No \_\_\_\_\_

**Consent of Owner** (The consent in writing of the owner of the building or part of the owner's solicitor or agent is necessary unless the applicant is the owner of the abovementioned property)

Owner Name \_\_\_\_\_  
Solicitor/Agent Name \_\_\_\_\_  
Owner/s Address \_\_\_\_\_  
\_\_\_\_\_  
Authorisation Signature \_\_\_\_\_  
Date \_\_\_\_\_

I understand that it will be necessary for Council staff to inspect the property, the subject of this application, to check for compliance with the Swimming Pools Act, 1992. Therefore I give approval for Council staff/contractors to enter and inspect the property with respect to assessing the pool child-resistant barrier for the issue of a pool certificate of compliance.

Applicant (owner/s) are advised that:

1. Under the provisions of Section 26 of the Swimming Pools Act 1992 the applicant is entitled to appeal to the Land and Environment Court against Council's decision or failure to make a decision.
2. Such appeal must be made within 28 days of the decision being issued or within six (6) weeks from request lodgement where a decision has failed to be issued.
3. A local authority is taken to have refused to issue a certificate of compliance if it has not been issued, or alternatively a direction under Section 23 issued, within six (6) weeks after the request under 22C for an inspection carried out under Section 22B.

**Note:** Please provide all details required. Incomplete or illegible information may lead to delays. Fees must be paid at the time of lodgement.

## OFFICE USE ONLY

SPCC Inspection No \_\_\_\_\_ Property No \_\_\_\_\_  
NSW Pool Registration No \_\_\_\_\_ Cheque Drawer \_\_\_\_\_  
Fees (Quick Code: SPCC) \$ \_\_\_\_\_ Receipt No \_\_\_\_\_ Date \_\_\_\_\_





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(Please circle)

**Is Property for Sale** Yes / No

**Is Property for Rent / Lease** Yes / No

**Is Pool Registered in NSW Swimming Pools Register** Yes / No

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**Details for Access** (*Applicant / Owner / Other - please include details*)

Name \_\_\_\_\_

Contact Number \_\_\_\_\_

Access Instructions \_\_\_\_\_

(if required) \_\_\_\_\_

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**Pool Details**

(Please tick applicable boxes)

**Type of Property**      Waterfront       Area less than 230m<sup>2</sup>       Other

**Type of Pool**      Above Ground / Inflatable       Outdoor Inground   
Spa / Hot Tub       Indoor

**Year of Pool Construction / Alteration**      Pre 1 Aug 1990       1 Aug 1990 - 31 Aug 2008   
1 Sep 2008 - 31 Mar 2013       After 31 Mar 2013

**Does the pool come under any of the following categories** Yes / No

- Visitor or Tourist Accommodation, Hotel, Motel, Backpackers, Bed & Breakfast
- Pool used by more than two (2) dwellings / sole occupancies / apartments
- Serviced apartment or short term rental accommodation

**Exemption Certificate**      Has Parkes Shire Council previously issued an Exemption Certificate under Section 22 of the Swimming Pools Act.

Yes / No / Unknown

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**Property Sketch**

Required information shall include street name, north point, all existing buildings including their use, all existing fencing including height and type, any other child-resistant barriers to pool access and location of the pool. (*if insufficient space, please attach property sketch on a separate page*)

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## Notes

### 22A Effect of changes to prescribed standards for existing complying swimming pool barriers and means of access

- (1) In this clause, **relevant amendment** means:
  - (a) an amendment to this Regulation that amends or substitutes a standard prescribed for the purposes of a provision of Part 2 of the Act, or
  - (b) an amendment to a standard that is prescribed, as in force from time to time, for the purposes of a provision of Part 2 of the Act.
- (2) If a child-resistant barrier for a swimming pool is required to comply with a standard prescribed under a provision of Part 2 of the Act and the standard is amended or substituted by a relevant amendment, the barrier is taken to comply with the amended or substituted standard so long as:
  - (a) immediately before the relevant amendment took effect, the barrier complied with the standard that applied to the barrier at that time and the barrier continues to comply with that standard, or
  - (b) if the barrier has been substantially altered or rebuilt, the barrier complied with the standard that applied to the barrier when it was so altered or rebuilt and the barrier continues to comply with that standard.
- (3) If the means of access to a swimming pool are required to comply with a standard prescribed under a provision of Part 2 of the Act and the standard is amended or substituted by a relevant amendment, the means of access are taken to comply with the amended or substituted standard so long as:
  - (a) immediately before the relevant amendment took effect, the means of access complied with the standard that applied to the means of access at that time and the means of access continue to comply with that standard, or
  - (b) if the means of access have been substantially altered or rebuilt, the means of access complied with the standard that applied to the means of access when they were so altered or rebuilt and they continue to comply with that standard.

**Note** Subclause (3) applies to standards prescribed under provisions of Part 2 of the Act that relate to indoor swimming pools, outdoor swimming pools or both.

### 23 Existing complying swimming pools may continue to comply with earlier standards

- (1) This clause applies to a swimming pool the construction or installation of which was completed before 1 September 2008.
- (2) It is sufficient compliance with Part 2 of the Act for a swimming pool to comply with that Part on the basis of the requirements of Part 2 of the Swimming Pools Regulation 1998 (as an alternative to compliance on the basis of the requirements of Part 2 of this Regulation).
- (3) However, this clause does not apply:
  - (a) in relation to an outdoor swimming pool—if the child-resistant barrier by which access to the swimming pool is restricted is substantially altered or rebuilt, and
  - (b) in relation to an indoor swimming pool—if the premises in which the swimming pool is situated are substantially altered or rebuilt in a way that affects the means of access to the swimming pool.