

FACT SHEET 3

Barriers built before 1 September 2008

How to demonstrate compliance

Clauses 30 and 31 of the Swimming Pools Regulation 2018 allow some barriers built before 1 September 2008 to be assessed against the historical requirements of AS 1926 (1986) and Part 2 of the Swimming Pools Regulation 1998, provided the legislative requirements are satisfied.

Upon booking your inspection, if your pool is identified as existing prior to 1 September 2008, you will be asked for further information that you must provide prior to your inspection.

Before your inspection

You must be able to demonstrate, with documentary evidence, what barrier existed on 31 August 2008, and that it fully complied with AS 1926 (1986) and Part 2 of the Swimming Pools Regulation 1998 on that date.

Clauses 30(2)(a) and 31(1), Swimming Pools Regulation 2018

During the inspection

The barrier must be fully compliant with AS 1926 (1986) or Part 2 of the Swimming Pools Regulation 1998.

Clause 30(2)(a) Swimming Pools Regulation 2018

If evidence is missing: where you cannot provide sufficient documentary evidence, or the inspection finds the barrier did not comply with the historical requirements on 31 August 2008, a Certificate of Compliance cannot be issued. The barrier will then need to meet the current requirements of the Swimming Pools Regulation 2018 and AS 1926.1–2012 before a certificate can be issued.

Documentary Evidence Required

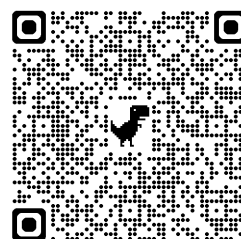
It is important to provide sufficient evidence that you have before the inspection to streamline the process. Sufficient evidence combines the following:

- dated photographs or video of the barrier before 1 September 2008;
- approved building plans showing the barrier configuration;
- Occupation Certificate for the pool and barrier;
- survey plans identifying the barrier location;
- historical aerial imagery;
- records of construction, repairs or maintenance;
- any other reliable evidence showing the barrier existed and complied with legislation on 31 August 2008.

Note: any previous Certificates of Compliance, including certificates issued after 31 August 2008, are not on their own sufficient evidence that a barrier qualifies for assessment under the historical provisions.

How to prepare for your inspection

Review the current requirements on the Building Commission NSW Swimming Pool Register and complete the relevant self-assessment checklist. For barriers built before 1 September 2008, use the pre-2008 checklist available by scanning the QR code.



Self Assessment pre-2008 Checklist