

Swimming Pool Policy

Purpose

This document defines Homes North's approach to swimming pools in Homes North premises.

1. Scope

This policy acknowledges Homes North's legal responsibilities as a landlord and outlines requirements governing tenant's responsibilities in regard to installation and ongoing maintenance of swimming pools.

2. Definition of a Swimming Pool

A 'swimming pool' under the *Swimming Pools Act* is defined to be 'an excavation, structure or vessel with a depth of 300mm or more.

3. Policy Statement

Homes North tenants are able to install a permanent above ground pool, or an inflatable pool only if they comply with the strict conditions of this policy.

Homes North will not approve any type of swimming pool structure inside a building or in common areas.

4. Procedure

4.1 Conditions for installation of a permanent above ground pool

To install a permanent above ground pool tenants must:

- write to Homes North to request approval to install a pool. Homes North will then inspect the property to check for any impacts to the property and your neighbours.
- If Homes North has no objection the tenant needs to seek Council approval for the proposed structure.
- If Council approves the pool, they will issue a Development Consent and Construction certificate which will set out other conditions that need to be met, such as compulsory child resistant fencing.
- The tenant then needs to provide a copy of the Development Consent and Construction Certificate to Homes North and we will issue you with a letter approving the installation of the pool.
- Once the pool is installed, the tenant will be required to provide a copy of the registration certificate and compliance/occupation certificate to Homes North.

4.2 Conditions for installation of an inflatable or portable swimming pool

To install an inflatable or portable swimming pool tenants must:

- write to Homes North to advise that you intend to installing a pool, explaining what type of pool will be installed, where it will be located, and what fencing will be erected around it to comply with the Swimming Pools Act
- apply to Council for a registration certificate
- provide Homes North with a copy of the registration certificate and compliance/occupation certificate

Homes North will then provide a letter advising the tenant of their responsibilities as a swimming pool owner (see item 6).

4.3 Procedural action on a non-compliant swimming pool

Homes North has the authority, under the Residential Tenancies Act, to enter tenanted land without notice to remove the risk posed to residents and or visitors by a non-compliant swimming pool.

Upon learning of the existence of a non-compliant pool, Homes North officers or contractors will act to ensure the pool is emptied with 24 hours.

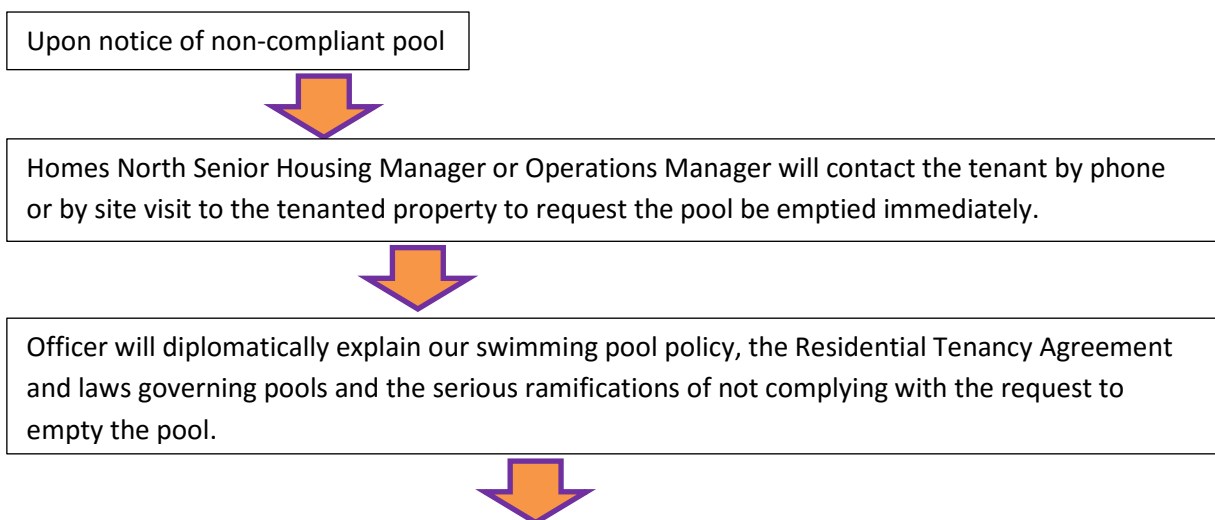
Homes North will:

- request the offending pool be emptied immediately

If the request to empty the pool is not complied with within 12 hours, officers or contractors will:

- take immediate action to empty the pool (to ensure the pool is empty within 24 hours of coming to Homes North attention)
- issue a written notice to the tenants outlining:
 - Homes North's policy
 - the dangers of non-compliant pools
 - that if the pool is refilled Homes North will re-enter tenanted land to empty the pool
 - that after repeated non-compliance Homes North may take action to remove the pool

Procedural Action on a Non-Compliant Swimming Pool Flow Chart



If no action is taken within 12 hours the officer will take immediate action to enter the tenanted property to empty the pool.



The officer will then issue a written notice informing the tenant of:

- Homes North's policy
- the dangers of non-compliant pools
- that if the pool is refilled Homes North will re-enter tenanted land to empty the pool
- that after repeated non-compliance Homes North may take action to remove the pool

5. Responsibilities as a pool owner

Homes North has an overall obligation to ensure that any pools on its properties comply with swimming pool legislation and local council regulations. Therefore Homes North requires that, as a condition of a tenant installing a pool, the tenant agrees to:

- ensuring the pool is compliant with swimming pool legislation and local council regulations such as installation and maintenance of a safety fence
- ensuring that movable items, such as furniture or pot plants, are not placed in close proximity to a pool fence, such that they may be used to enable a child to climb the pool fence
- making sure the pool is registered
- the ongoing maintenance and costs of the pool, safety fences, signage, drainage, inspections and fines
- compliance with any local water authority water restrictions
- bearing the cost of removing the pool, safety fences and drains upon vacating the property, as well as restoring the property to its original condition.

6. Existing in-ground pools

Homes North have a small number of properties which have in-ground swimming pools. These pools are registered and comply with all relevant legislation and are equipped with compliant pool fences. Homes North will ensure the compliance of these pools is maintained.

Tenants must ensure that;

- Safety fence gates and latches are not adapted or tampered with to impede their function in securing access to the pool area.
- Tenants must ensure that climbable objects such as pot plants and outdoor furniture etc. are **not** placed near pool fences that could enable children or persons to climb over the fence.
- Tenants must inform Homes North immediately if any part of the pool fence or gate is not functioning as intended and a safety issue is identified.

7. Responsibility

It is the responsibility of the:

- **Chief Executive Officer** to ensure this policy and associated procedures are applied and committed to by the Senior Management Team.

- **Senior Housing Managers, Operations Manager & Asset Manager** to provide the team with timely policy-related support and guidance, to ensure familiarity with this policy and related procedures, to commit to following them accordingly and where relevant promote the policy to their team.
- **Asset Team** to ensure that swimming pool compliance certificates are kept up to date on owned pools. (required to be recertified every three years by the local council authority)
- **Employees** to ensure they comply with this policy, be responsible for their own behaviour and if required, attend relevant training as provided by the company from time to time.

8. Where to get more information

Contact Homes North on 67725133 or armidale@homesnorth.org.au

Relevant legislation

- Residential Tenancy Act 2010
- Swimming Pools Act 1992

Related documents/resources

- Swimming Pool Factsheet

National Community Housing Standards

Standard 1.2 – Establishing and Maintaining Tenancies

Policy Information

Policy no: 1.2.2\3

Adopted: 13.10.17