



HILLS POOL INSPECTIONS

Head Office – 86 Sydney Street Riverstone NSW

Mob: 0411 420 888

Web: www.hillspools.com.au

email : bob@hillspools.com.au

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CONTRACT FOR WORKS REF : HEA -01- 140922		Who Referred you to us ?	
Parties to the CONTRACT Bob Rona BDC2406 Hills Pool Inspections WEB : www.hillspools.com.au Specialist Accredited Inspector Part of Dept of Fair trading		Business / Postal Address 86 Sydney St Riverstone NSW Bob Rona on 0411 420 888 Email : bob@hillspools.com.au Insurance Solutions One Policy AD 453303736PIND Valid 28-5-16 TILL 28-5-2023	
		CONDITIONS – SYDNEY AREA Agreed Fee \$ 495 Inc GST Includes 1 st Inspection and if reqd. 2 nd Insp within 6 weeks of 1 st . <i>Additional fees (\$ 250 each) due if more than two inspections required or after the statutory 6 week period or outside Sydney Metro area or Cancelled Inspection.</i>	
Description of Services: The Inspector will perform all work necessary to comply with the relevant statutory requirements , including . Inspect the Swimming Pool <ul style="list-style-type: none"> ❖ Assessing whether the swimming pool complies with the requirements for the issue of a certificate under S.22D of the SP Act ❖ Issuing a Certificate of Compliance if the pool complies ❖ Issuing the following if the pool is Non-Compliant : <ul style="list-style-type: none"> ➤ Written Notice under section 22E of the SP Act ➤ A certificate of Non Compliance within seven days of the Inspection ❖ Provide a copy of the Section 22E written notice to the relevant local council: <ul style="list-style-type: none"> ➤ Immediately where , in the opinion of the Certifier , the pool poses a significant risk to public safety , or ➤ Within 5 days after the expiry of six weeks from the date of inspection unless a certificate of compliance has been issued before. ❖ If necessary, re-inspect the swimming pool, and issue certificates and/or written notices as appropriate (see above conditions) ❖ Updating the property records in the NSW Swimming Pool Register, as required 			
PLEASE PRINT SWIMMING POOL ADDRESS And details (Lot & DP numbers are on your Rates Notices)	NAME :		
	POOL ADDRESS		
	LOT :	DP :	COUNCIL :
	MOB:		
OFFICE USE ONLY	EMAIL: PRINT:		
PC – OL	Owner(s) / Agents Consent (Agents acknowledge they have written authority) As Owners / Applicant / Authorised Agents for the owners, of the land to which this application relates, I/We consent to this application. I/ We also consent for Authorised Inspector to enter the land to carry out inspections including taking photos and/or videos in related to this application. I/We accept that all communication regarding this application will be through the nominated applicant(s). includes this declaration by the applicant that he/she:) has freely chosen to engage the certifier, and ii) has read the contract and any accompanying document and understands his/her responsibilities and those of the Inspector.		
SPA only	Signed and executed by Owner/Agent _____ Date of Contract.:		
AS 1926.1-2012	SR	Inspectors Electronic Sig : <i>Bob Rona</i>	
	NCC		
	SPR 1 – SPR 2	PLEASE FILL OUT AND RETURN - please Initial each	
WE ACKNOWLEDGE RECEIPT OF ALL FAIR TRADING PAPERWORKS ATTACHED. 6 Pages			
			Initial Here



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TAX INVOICE

DATE 14 September-2022

Invoice HEA 01- 140922:

ILUVOZ Pty Ltd
ABN 94 003 683 289
Trading as
HILLS POOL INSPECTIONS

Sue Healy
36 Roseberry Road
KILLARA NSW

SPECIAL RATE \$ 495

Please make payment to

ILUVOZ / Hills Pools

BSB : 012 228

Acc: 9384 62441

Please use: REF No: HEA -01- 140922

We thank you for your business and prompt payment of this invoice.

NB: It is a requirement of the Act that Inspections are paid for in advance of reports or Certificates being issued which removes the possibility of a customer withholding a payment to induce a positive result.





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Fair Trading CHECK LIST FOR AS1926.1-2012

Does your pool meet the safety standards?		
The pool fence must be at least 1200mm high all the way around measured from the outside of the pool	<input type="radio"/> Yes	<input type="radio"/> No
If a boundary fence forms part of the pool fence, it must be at least 1800mm high measured from the inside of the pool area	<input type="radio"/> Yes	<input type="radio"/> No
The gap between the bottom of the fence and the ground is no more than 100mm.	<input type="radio"/> Yes	<input type="radio"/> No
The gap between all vertical or near vertical rails on the fence is less than 100mm.	<input type="radio"/> Yes	<input type="radio"/> No
There are no potential hand holds or foot holds within 900mm of the top of the pool fence in any direction.	<input type="radio"/> Yes	<input type="radio"/> No
There must be a 300mm clearance from the barrier inside the pool area	<input type="radio"/> Yes	<input type="radio"/> No
If perforated or mesh fencing is used, the holes must be 13mm or less	<input type="radio"/> Yes	<input type="radio"/> No
Your pool fence must be well maintained and in a good state of repair (eg no holes, broken rails or palings)	<input type="radio"/> Yes	<input type="radio"/> No
The gate must be self closing and latch by itself from any position	<input type="radio"/> Yes	<input type="radio"/> No
The gate latch must be working well so that the gate is secure and, once closed, can't be pulled open	<input type="radio"/> Yes	<input type="radio"/> No
The gate must open outwards, away from the pool.	<input type="radio"/> Yes	<input type="radio"/> No
The gap between vertical barriers of a gate must be no less than 100mm	<input type="radio"/> Yes	<input type="radio"/> No
The gate latch must be 1500mm above ground level, or if located inside the gate, 1200mm above ground level and at least 150mm below the top of the gate	<input type="radio"/> Yes	<input type="radio"/> No
Are you aware that it is dangerous and against the law to prop the gate open.	<input type="radio"/> Yes	<input type="radio"/> No
If a wall forms part of the barrier, there are no openings greater than 100mm	<input type="radio"/> Yes	<input type="radio"/> No
All windows can only open to a maximum of 100mm or the windows must be totally covered by bars or a mesh screen	<input type="radio"/> Yes	<input type="radio"/> No
The height from the sill of the lowest opening panel of a window (to the pool area) has to be 1800mm from the floor	<input type="radio"/> Yes	<input type="radio"/> No
There must be an appropriate warning sign, including details of resuscitation (CPR) techniques, in the immediate vicinity of the pool area and which can be easily read from a distance of 3 metres	<input type="radio"/> Yes	<input type="radio"/> No
Your pool fence must be clear of any objects such as BBQs, trees, rocks, shrubs and deckchairs that could help a small child climb over the fence	<input type="radio"/> Yes	<input type="radio"/> No

IMPORTANT INFORMATION

NB this is not a complete list of items , but a general guide for owners to use. Refer AS 1926.1 Schedule 4 (which standard is applicable) NB Clause 30 and or Clause 31 cannot be approved or relied upon.NB Any Glass barriers must adhere to AS 2188 as required in the Building Code of Australia Additional Information or Notices may be accessed under BCA 3.10.1.0 – Swimming Pools - Also known as 'The Act'

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Tel: 02 9895 0111 TTY: 1300 723 404
ABN 81 913 830 179
www.fairtrading.nsw.gov.au

Information about registered certifiers – swimming pool inspectors

Important: this is a summary document only.

Before signing any contract for certification work, make sure you understand your obligations and what you are agreeing to. The Fair Trading website has more information about certifiers.

Under section 31(2) of the *Building and Development Certifiers Act 2018* and clause 31 of the *Building and Development Certifiers Regulation 2020*, a contract to carry out certification work must be accompanied by an applicable document made available on the website of the Department of Customer Service (which includes NSW Fair Trading)¹. This is the applicable document for certification work involving a certifier registered in the class of **swimming pool inspector**. It does not apply to swimming pool inspections by a local council².

This document summarises the statutory obligations of the registered certifier who will assess your swimming pool or spa pool barrier and your obligations as the pool owner. It also sets out the types of information that can be found on Fair Trading's online register of registrations and approvals.

Obligations of registered certifiers

The general obligations of registered certifiers include compliance with their conditions of registration, to hold professional indemnity insurance, comply with a code of conduct and avoid conflicts of interest.

Who does a registered certifier work for?

A registered certifier is a public official and independent regulator, registered by the Commissioner for Fair Trading.

Certifiers must carry out work in a manner that is impartial and in the public interest, even if this is not in the interests of the pool owner. Receiving a certificate is not guaranteed – the applicant is paying for the certifier to assess the application and determine *whether or not* a certificate can be issued.

It is a serious offence to attempt to bribe or influence a certifier, attracting a maximum penalty of \$110,000 and/or two years imprisonment.

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¹ Visit www.fairtrading.nsw.gov.au and search 'certification contracts'.

² Council officers who inspect pools do not have to be registered as certifiers by Fair Trading.



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Obligations of the pool owner

As a pool owner, you have the following obligations:

- Visit the NSW Swimming Pool Register at www.swimmingpoolregister.nsw.gov.au to register your pool.
- Appoint, and enter into a contract with, your chosen certifier.
- Pay the certifier's fees before you receive a certificate. The certifier may refuse to issue a certificate of compliance until the fee is paid.
- Ensure your pool barrier continues to comply at all times. If needed, ask your council to see a copy of the Australian Standard that applies to your pool.

What does a registered certifier – swimming pool inspector do?

A registered swimming pool inspector is authorised to carry out all certification work under the *Swimming Pools Act 1992*, but not if the swimming pool achieves compliance with the performance requirements of the Building Code of Australia by means of a performance solution. They cannot issue certificates under the *Environmental Planning and Assessment Act 1979* for newly-constructed pools.

Registered building surveyors (a different type of certifier) also certify pool barriers. Only a building surveyor may certify a pool that has a performance solution under the Building Code of Australia.

A swimming pool inspector may issue a certificate of compliance if the pool barrier complies with requirements under the *Swimming Pools Act*. A certificate of compliance is valid for three years and may be required in order to sell or lease the property.

If the swimming pool is non-compliant, the certifier may issue a certificate of non-compliance and a notice of non-compliance setting out the defects.

Notes about swimming pool certificates of compliance

- A certificate of compliance is not an occupation certificate and does not certify that the pool meets all conditions of its original development consent
- A certificate of compliance becomes invalid if the council issues a direction requiring compliance with the *Swimming Pools Act*.

Non-compliant pool barrier

If a swimming pool is non-compliant, you will need to address the defects set out in the certifier's notice, then contact the certifier (or another certifier or the council) for a reinspection.

If you do not obtain a certificate of compliance within six weeks of the first inspection, the certifier must send the notice of non-compliance to the council, which may take enforcement action.

If the certifier deems the pool to be a significant risk to public safety they must notify the council immediately and the six-week period will not apply.

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Minor repairs to pool barriers

Some certifiers can do minor repairs to a non-compliant pool barrier that they have inspected, but only if:

- they are licensed or authorised under the *Home Building Act 1989* to construct a swimming pool or structural landscaping, and
- the repairs cost no more than \$1,000 including materials and labour, and
- the repairs are for the purpose of issuing a certificate of compliance.

You can check if a certifier is authorised to do minor repairs by checking their *Home Building Act* licence or certificate number at www.service.nsw.gov.au (search 'builder licence').

Finding more information on certifiers

Details of the class of registration each certifier holds, their period of registration, professional indemnity insurance and disciplinary history can be found at www.fairtrading.nsw.gov.au:

- [Details of registered certifiers](#) (or search 'appointing a certifier' from the homepage)
- [Disciplinary actions against certifiers](#) (or search 'certifier disciplinary register' from the homepage).

Questions?

Visit www.swimmingpoolregister.nsw.gov.au and follow the 'information' or 'inspections' tabs for more information and swimming pool safety and certification.

You can also visit www.fairtrading.nsw.gov.au and search '[concerns with development](#)' for information about how to resolve concerns about a certifier.

Note, although Fair Trading regulates certifiers, it does not mediate in contract disputes and does not regulate councils carrying out their functions under the *Swimming Pools Act*. Visit the Fair Trading website for more information.

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