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Swimming Pool Safety Barrier Inspection Report

(In accordance with AS1926)

Report Commissioned By:

Sample

Property Address:

Sample



SWIMMING POOL SAFETY BARRIER INSPECTION

Client & Site Information:

COMMISSIONED BY:

Sample.

INSPECTED BY:

Brendan T Sykes phone 0447 234 400.

PROPERTY ADDRESS:

Sample.

PROPERTY OWNER:

Sample.

DATE OF INSPECTION:

13/4/2023.

TIME OF INSPECTION:

10.00AM.

PERSONS PRESENT AT INSPECTION:

Property owner or Representative:

LOCAL GOVERNMENT AREA

Blacktown City Council.

Type of Pool:

Above ground.

Type of swimming pool safety barrier:

Metal balustrade fencing.

Approximate Date Build of Swimming Pool:

The approximate year the swimming pool was built is 2000-2010.

Reason for Inspection

To obtain Certificate of Compliance to accompany Contract of Sale Documents.

Orientation:

For the purpose of identification south is assumed to be approximately at the main street frontage of the property.

In accordance with the Swimming Pools Amendment Act 2012, all swimming pools should be registered on a new state-wide online register provided by the NSW State Government . Failure to register a swimming pool may be exposed to a \$220 penalty notice. Swimming Pool owners will be required to self-assess, and state in the register that, to the best of their knowledge, their swimming pool complies with the applicable standard when registering their pool.

This Swimming Pool Safety Barrier Inspection will be conducted pursuant to and accordance with: Swimming Pools Regulations 1998, 2008 and 2018 under The Swimming Pools Act 1992 Australian Standards AS 1926.1. 2012, Swimming pool safety, and AS 1926.2. 2012 Part 2: Location of safety barriers for swimming pools, It should be noted that the provisions of this Standard relate to barriers that are intended to be child resistant but not childproof, as effectiveness of the barrier is very much dependent on its location, installation and maintenance.

The Swimming Pools Act

In NSW, private swimming pool safety is legislated by the Swimming Pools Act 1992 (Swimming Pools Amendment Act 2012) the Act and the Swimming Pools Regulation 2018 (the Regulation). The legislation also applies to movable dwellings, hotels and motels, shared and non-shared swimming pools.

The Swimming Pools Amendment Act 2012 prescribes the fencing requirements of backyard swimming pools in NSW. Some other safety requirements are prescribed including the requirement for a CPR sign to be displayed near the pool.

The Swimming Pools Regulation

The *Swimming Pools Regulation 2018* was re-made on 1st September, 2018. It calls up *AS1926.1-2012 Swimming Pool Safety, Part 1: Safety barriers for swimming pools*, which includes new requirements for non-climbable zones, mesh sizes for fences, retaining walls that form part of a barrier and balconies that project into the pool area.

On 1 May 2011 the *Swimming Pools Regulation* was amended to replace certain references to the Australian Standard 1926.1-2012 Part 1: Safety barriers for swimming pools (the standard) with references to the Building Code of Australia (BCA). The BCA in turn will refer to the Standard.

The Regulation also requires that councils and the Division have the following documentation available for public inspection at no cost:

- **Guideline 8 Cardiopulmonary Resuscitation** - This Guideline is available at the Australian Resuscitation Council website at www.resus.org.au <<http://www.resus.org.au>>. By registering at the website visitors can access and print the guideline free of charge. Councils and others should consider subscribing as this will allow them to access an extensive range of related material.
- **AS1926.1-2012, Australian Standard Swimming Pool Safety Part 1: Safety barriers for swimming pools** - This Standard (as amended 5 May 2008) is available for purchase at www.saiglobal.com <<http://www.saiglobal.com>>.
- **Building Code of Australia** - the Division and councils are required to make available a copy of the BCA for free public inspection.

The Australian Standard

For copyright reasons, the Division cannot make copies of the Australian Standard, AS1926.1-2012 Swimming Pool Safety, Part 1: Safety barriers for swimming pools, available to councils or other persons or bodies.

It is important to note that the maximum requirement of the clause as it relates to the Standard is that the Division and councils allow members of the public to attend any of their respective offices, libraries or outlets to look at (but not print or take any copy away of) the Standard during ordinary business hours. If any body or agency exceeds this maximum standard, this may raise serious copyright implications for that agency or body.

If councils or others wish to allow public inspection of the Standard in any way other than by personal inspection at offices, branches or outlets, they must first contact SAI Global copyright section for further information to ensure that copyright of the Standard is not breached. SAI Global may be contacted on (02) 82066355.

The Regulation refers to AS1926.1-2012 as published on 6 November 2012 as the relevant Standard. The 5 May 2008 version may be used for reference purposes as it corrects typographical errors and makes minor clarification to the 12 July 2007 version of the Standard.

Conveyancing (Sale of Land) Regulation 2017

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."

Residential Tenancies Act 2010 (NSW)

Section 52 of the Residential Tenancies Act provides that a landlord must comply with a landlords statutory obligations relating to the health or safety of the residential premises. Section 52 includes the following note:

"**Note.** Such obligations include obligations relating to swimming pools under the *Swimming Pools Act 1992*."

This note makes it explicit that, in accordance with the Swimming Pools Act, a landlord must ensure that a swimming pool situated on a tenanted premises must be at all times surrounded by a child-resistant barrier that separates it from any residential building on the premises and from any public or private place adjoining the premises. The barrier must be designed, constructed, installed and

maintained to the standards prescribed in the swimming pools legislation applicable at the time the pool was constructed or installed, unless it has been substantially altered. In this case, the standard applicable at the time the barrier was altered applies. Landlords should contact their local council in relation to the appropriate barrier standard that applies to their rental property pool.

Tenants are urged to notify landlords immediately of any damage they detect to any barrier surrounding a pool on a residential property that they are renting. Tenants are also reminded that section 64 of the Act enables tenants to carry out urgent repairs and be reimbursed up to \$1,000 for any fault or damage that causes the premises to be unsafe under certain circumstances, including if the landlord or agent cannot be contacted or does not carry out urgent repairs within a reasonable time.

Drowning is the equal leading cause of accidental death in very young children to five years of age who lack the cognitive and water skills to deal with the danger.

With over 300,000 backyard swimming pools in NSW, swimming pool safety is a vital issue that affects the whole community.

In 2012, a comprehensive review of the Swimming Pools Act 1992 was finalised (Swimming Pools Amendment Act 2012). This review identified a number of amendments designed to enhance the safety of children under the age of five years around private (backyard) swimming pools in NSW.

The Swimming Pools (Amendment) Act 2012

- **NSW Swimming Pools Register available for use by 29 April 2013**
- **NSW Swimming pools to be registered by owners by 29 October 2013**
- **Pool owners require a compliance certificate before sale or lease of their property from 29 April 2016**

The Swimming Pools Amendment Act 2012 commenced on 29 October 2012 and makes a number of amendments to the Swimming Pools Act 1992: Information is provided below regarding the impact of these legislative amendments for pool owners and councils. Additional information about the staged implementation provisions is also provided below.

Pool Owners:

- Swimming pool owners are required to register their swimming pools on an online register to be provided by the NSW State Government.
- Swimming Pool owners will be required to self-assess, and state in the register that, to the best of their knowledge, their swimming pool complies with the applicable standard when registering their pool.
- There is a penalty for owners who fail to register a swimming pool (penalty notice amount of \$220).
- Swimming pool owners will be required to provide a valid swimming pool compliance certificate before being able to sell or lease a property with a pool.
- Accredited certifiers under the Building Professional Act 2005 may conduct swimming pool inspections initiated by the pool owner.
- Certificate of Compliances are valid for 3 years for a Non-shared pool and 1 year for a shared pool provided there are no changes to the pool barrier during that time.

Councils:

Councils are required to:

- develop and implement a swimming pool barrier inspection program in consultation with their communities
- report annually on the number of pool inspections undertaken and the level of compliance with the requirements
- inspect pools associated with tourist and visitor accommodation and multi-occupancy developments at three year intervals
- at the request of a pool owner, inspect pools prior to sale or lease
- issue compliance certificates after an inspection which finds a pool barrier compliant with the requirements of the legislation. Compliance certificates are valid for three years.
- A swimming pool subject to an occupation certificate is exempt from an inspection program for three years from the date of issue of the occupation certificate.
- Councils may inspect any swimming pool that is the subject of a complaint to the council.
- Council powers of entry will be consistent with the Local Government Act 1993.
- Councils may charge a fee for each inspection undertaken (up to a maximum of \$150 for the first inspection and \$100 for one re-inspection resulting from the first inspection).

Staged implementation provisions:

The Act includes a staged implementation process to facilitate:

- the development and implementation of the Swimming Pools Register (to commence by no later than 29 April 2013)

- registration by pool owners of pools (after the register commences and by no later than 29 October 2013)
- councils inspection programs (to be developed in consultation with the community, adopted and commenced by no later than 29 October 2013)
- mandatory inspections by councils of tourist, visitor and multi-occupancy developments, and pools associated with property sale and lease (to commence by no later than 29 April 2016).

Further information will be available as the legislative amendments are implemented.

A barrier shall be designed and constructed so that it will restrict access by young children. The barrier shall be a permanent structure. The height of a barrier within the property shall be not less than 1200 mm on the outside of the barrier. Barriers may be constructed from any durable material, provided the barrier complies with the requirements of the Standard. A barrier other than a retaining wall, shall be vertical or lean away from the pool by not more than 15°. NOTE: A barrier should be free of sharp edges, sharp projections, and similar hazards.

GENERAL REQUIREMENTS

Risk:

Is the swimming pool considered to be high risk? **No.**

Is the swimming pool surrounded by a child resistant barrier that separates the swimming pool from any residential building present? **Yes.**

Are there buildings that are not associated with the function of the pool, such as a garage, carport, garden shed, pergola, clothes hoist or the like **inside** the swimming pool area? **No.**

All non compliances are considered to be safety hazards.

Scope of this Swimming Pool Safety Barrier Inspection Report:

Scope:

The scope of this Swimming Pool Safety Barrier Inspection Report is to identify any non-compliant items regarding the swimming pool barrier and surrounds and make recommendations if any remedial or rectification work is required which was identified at the time of the Inspection. If there is anything contained within this report that is not clear or you have difficulty understanding, please contact the inspector prior to acting on this report.

The Swimming Pool Safety Barrier Inspection are to be inspected and certified pursuant to The Swimming Pools Act 1992, Regulation 1992, Regulation 1998, Regulation 2008, Regulation 2018, AS1926-1986, AS1926-2007 and AS1926.1-2012. The implementation of Regulation and Australian Standard will be dependent on the commencement or installation date of the swimming pool and the compliance, maintenance and if alterations have been made to the pool since the completion of the swimming pool.

It is important to ascertain the commencement date of the installation or construction of the swimming pool. All care and diligence will be taken to investigate the commencement or installation date of the swimming pool.

The inspection and certification to the Swimming Pool Safety Barrier will be carried out in accordance with AS1926-2012 due to the commencement date of the installation or construction of the swimming pool.

NON-COMPLIANT ITEMS

Items of Non Compliance:

All items listed under 'Non-Compliant Items' should be rectified as soon as possible and within forty two days (42) days of the date of this Swimming Pool Safety Barrier Inspection Report. A re-attendance to inspect should ordered at the completion of the non-compliant items rectification before a Certificate of Compliance can be issued. If the swimming pool barrier has been deemed 'Significant Public Risk', all 'Non-Compliant Items' should rectified urgently and immediate. If it is considered that the mentioned non-compliances pose a significant risk to public safety and as such the rectification works must be completed immediately.

All non compliances are considered to be safety hazards.

Non-Climbable Zone (NCZ) In accordance with AS 1926 - 2012 Clause 2.2:

Non-Climbable Zone (NCZ):

The height and radius of the arc of all NCZs (other than NCZ 4) shall be not less than 900 mm. Within an NCZ there shall be no handholds or footholds, objects or plants that will facilitate climbing in accordance with Clause 2.2.2 AS1926 - 2012.

The Non-Climbable Zone (NCZ) has been breached by: plants and/or trees or climbable objects adjoining fence(s). Recommend installing 60 degree timber fillet to horizontal rails to deck handrail.

Recommend installing perspex shielding to metal posts to prevent breaching 900mm NCZ.

The Non-Climbable Zone (NCZ) has been breached by: fixtures to boundary barrier.





Barriers

Barriers in accordance with AS 1926 - 2012 Clause 2.3:

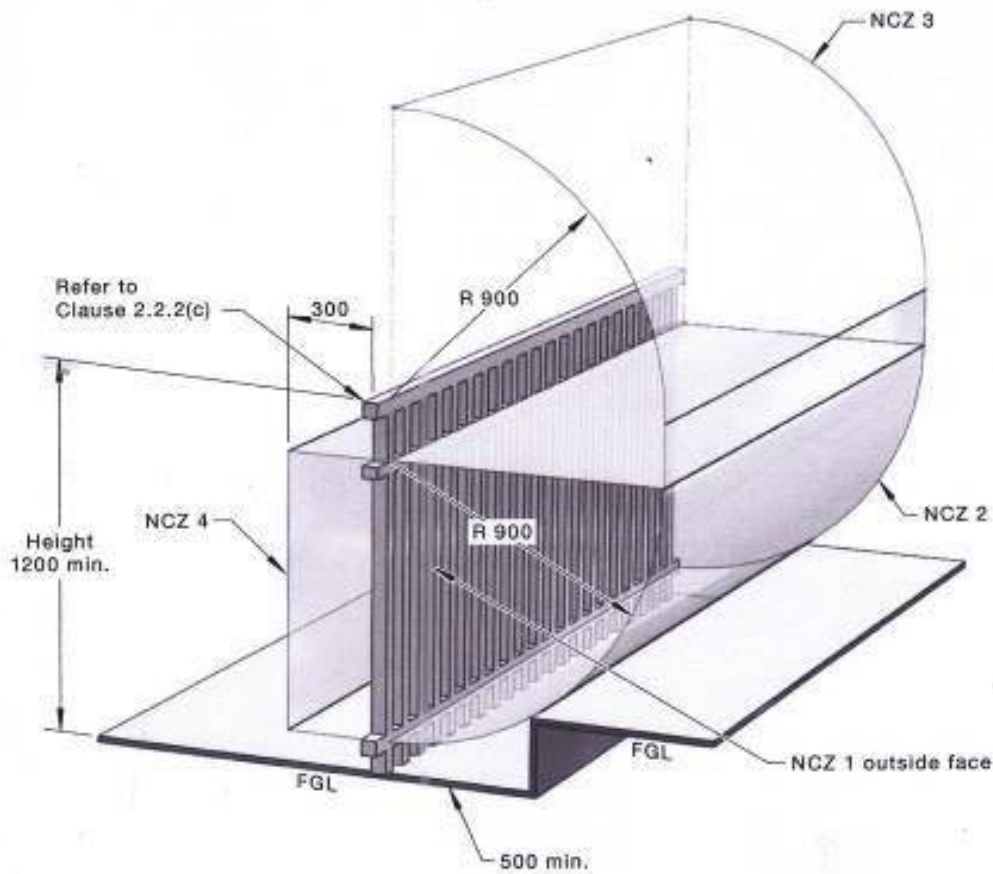
The Pool Safety Barrier does not comply with the AS1926-2012, rectification is required. Barriers within the property using materials with apertures not greater than 13 mm shall have a height not less than 1200 mm to comply.

Internal barriers not less than 1800 mm in height shall not require an NCZ and may be climbable on either or both sides.

The height of an internal barrier within the property shall not be not less than 1200mm on the outside of the barrier in accordance with AS1926 - 2012 Clause 2.1. The pool barrier fence is less then 1200mm in some areas, rectification is required.

The 500mm exclusion zone as been breached. Recommend the removal of objects within the 500mm exclusion zone in accordance of AS 1926.1 - 2012 Clause 2.3.1. Recommend extending internal barrier to no less than 1200mm adjacent to timber retaining wall extending 900mm from junction. Material with apertures greater than 100 mm shall not be used. Apertures to the barrier are greater than 100mm, rectification is required.





(c) 3D view of NCZs

DIMENSIONS IN MILLIMETRES

FIGURE 2.1 (in part) EXAMPLES OF NON-CLIMBABLE ZONES (NCZs)

Boundary Barriers in accordance with AS 1926 - 2012 Clause 2.2.4:

We recommend extending the height of the existing boundary fence to a height of no less than 1800mm to finished ground level and maintaining a non-climbable zone of 900mm radius from the top horizontal from inside the pool area and a 500mm object and level change free zone to attain the integrity of barrier required height. Projections at the face of the boundary barrier shall not be greater than 10mm. The junctions of the boundary barrier and internal barrier must project 900mm to the boundary barrier beyond the junction. Please refer to diagram Clause 2.2.4 and 2.3.1.

Located to the northern side of the pool area. Located to the western side of the pool area. The Non-Climbable Zone (NCZ) has been breached by: Recommend installing 60 degree sloped timber to deck handrail to western side.

The Non-Climbable Zone (NCZ) has been breached by: Metal posts. Recommend fixing perspex shielding to both sides of posts to a height of no less than 1800mm from ground level.





The Non-Climbable Zone (NCZ) has been breached by: Decking handrail to western side. Recommend installing 60 degree sloped timber to the full width of deck handrail to western side, with no foot holds or hand holds.

AS 1926.1 – 2012

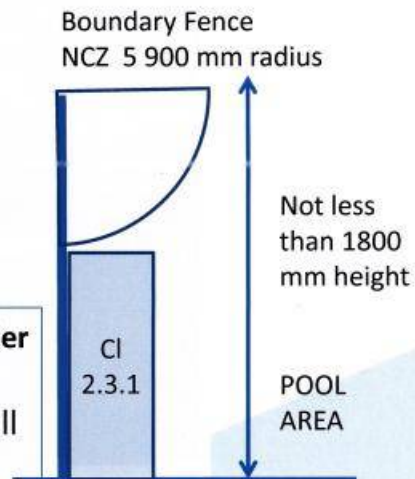
Clause 2.2.4

Boundary Barrier clause 2.2.4

- Height not less than 1800mm
- NCZ 5 is formed by a 900mm radius down from top, on the inside (pool side) of the barrier

Clause 2.3.1 Features and objects near a Barrier

In addition to clause 2.2 (NCZ) steps, retaining walls, objects or level changes shall be set 500mm to maintain the integrity of barrier required height.



Gates

Gates in accordance with AS 1926 - 2012 Clause 2.4:

Where the release point of the latch is located at a height less than 1500 mm above the finished ground level, the location of the latch shall-

- not be on the outside of the barrier;
- be in such a position that to release the latch from the outside it will be necessary to reach over or through the barrier at a height of not less than 1200 mm above the finished ground level or not less than 1000 mm above the highest lower horizontal

finished ground level or not less than 1000 mm above the highest lower horizontal member; and
(c) be at least 150 mm below the top of the barrier if a hand-hole is not provided, or at least 150 mm below the edge of any hand-hole if provided.

The latch is non-compliant with AS 1926, rectification is required. Recommend that the release point of the latch be no less than 1500mm from adjoining pool deck. Alternatively, shielding may fixed to gate and adjoining panel to prevent a foot hold from pool decking.

Recommend installing Perspex shield or aluminum angle to gate posts so that the gap between gate and gate post does not exceed 10mm.



Warning Notices

Contents of Warning Notices:

There is no warning sign present, a current compliant warning sign should be installed. The warning sign should comply with Swimming Pool Regulation 2018 Part 3 Clause 10 and 11.



(1) For the purposes of section 17 (1) of the Swimming Pools Act 1992, the sign referred must display a notice that contains all of the following:

(a) the words:

- "Young children should be supervised when using this swimming pool", and
 - "Pool gates must be kept closed at all times", and
 - "Keep articles, objects and structures at least 900mm clear of the pool safety barrier at all times",
- (b) a simple flow sequence (which may be the flow sequence depicted in the Cardiopulmonary Resuscitation Guideline)

containing details of resuscitation techniques (for infants, children and adults):

- that are set out in accordance with the relevant provisions of that Guideline, and
 - that comply with the other relevant guidelines of the Australian Resuscitation Council, and
 - that are illustrated by drawings with key words only in bold print,
- (c) a statement to the effect that formal instruction in resuscitation is essential,
- (d) the name of the teaching organisation or other body that published the sign and the date of its publication.

(2) However, any sign erected between 1st September, 1995 and 31st August, 2008 that bears notice in accordance with clause 9 (a) and (b) of the Swimming Pools Regulation 1998 (as in force before its repeal) is taken to comply with this clause.

(3) The sign must be legible from a distance of at least 3 metres, and must be maintained in a clearly legible condition.

INSPECTION CONCLUSION

General:

It is considered that the above mentioned non-compliances do not pose a significant risk to public safety and as such the rectification works must be completed within forty two (42) days of the date of the inspection. A warning that a copy of the Section 22 E Notice to Comply will be forwarded to the Local Authority for the area in which the swimming pool is located forty two (42) days after the date of inspection if a Certificate of Compliance is not issued before that time.

If you have any further enquires, please do not hesitate to contact the inspector by phoning during business hours on 0447 234 400.

BTS Building & Consulting Pty Limited

Per:

Brendan T Sykes

E1 Certifier - BPB 2427

DEFINITIONS:

For the purpose of this Inspection Report, the definitions below apply.

1. Barrier

The assembly of components, natural or otherwise, that restricts access to the pool. The barrier includes items such as fences, posts and panels, gate units, gates and doorsets, constructed or natural walls retaining or otherwise, sides of buildings, and balustrades on a balcony, where they form part of the intended barrier.

2. Barrier height

The height of the barrier perpendicular to the finished ground level.

3. Boundary barrier

A dividing barrier between two adjoining properties

4. Child-resistant doorset

A barrier installed in a residential building that comprises a door, door frame, self-closing device and latch.

5. Child-resistant windows

The opening part of a window that is protected by a window opens directly into the pool area.

6. Finished ground level (FGL)

Ground level or other permanent stable surface.

7. Flexible components

Flexible components are those parts of a barrier or materials used in a barrier made with chain link wire mesh, perforated materials, fabric, brushwood and the like.

8. Foothold

A component of, or feature in, an NCZ that can be used by a young child as an aid to climbing a barrier.

9. Gate

A portion of a barrier, other than a child-resistant doorset that is designed to provide access climbing a barrier.

10. Gate unit

An assembly comprising a gate, a hinge post, a latch post, a latching device, hinges and a self-closing device.

11. Handhold

A component of, or feature in, an NCZ that can be used by a young child as an aid to climbing a barrier.

12. Indoor pool

A pool that is fully enclosed within a residential building or by a separate building.

13. Indoor/outdoor pool

A pool that is partly enclosed by a building and partly an outdoor pool.

14. Latch

A self-latching mechanism that prevents the opening of a closed gate or door without activation of its release device.

15. Non-climbable

A part of a barrier in which there are no handholds or footholds or other aids for climbing.

16. Non-climbable zone (NCZ)

A zone on a barrier and in the space adjacent to a barrier, running the full length of a barrier including a gate, that is intended to restrict climbing of the barrier by young children.

17. Outdoor pool

A pool that is not fully or partly enclosed by a building.

18. Outside of the barrier

That side of a barrier facing away from the pool area.

19. Permanent structure

A barrier, or part of a barrier which cannot be removed without the use of tools.

20. Pool area

The area that contains the pool and is enclosed by a barrier.

21. Rigid components

Rigid components of a barrier are those made of steel, aluminum, wood, glass, acrylic, masonry and the like.

22. Swimming pool (referred to as pool in this Standard)

Any structure containing water to a depth greater than 300 mm and used primarily for swimming, wading, paddling or the like, including a bathing or wading pool, or spa pool.

swimming, wading, paddling or the like, including a bathing or wading pool, or spa pool.

23. Tool (tools)

Screwdriver, spanner, wrench, shovel, cutting implement or the like.

24. Within the property

On a property other than on a property boundary.

25. Young child

A child under the age of five years.

26. The Act

The Swimming Pools Act 1992

-END OF REPORT-

PHOTO ANNEXURE:

Additional Photos:





Information used in reference to this report:

- *The Swimming Pools Act, 1992*
- *Swimming Pools Regulations 1992, 1998, 2008*
- *Australian Standard 1926.1 and 2 - 2012*
- *Australian Standard 1926.1 and 2 - 2007*
- *Australian Standard 1926 - 1986*
- *Local Government supplied information regarding Swimming Pool Safety and Statistics and Advisory.*
- *Building Code of Australia*

PHOTO ANNEXURE

PHOTO ANNEXURE:

Additional Photos:







SWIMMING POOLS ACT 1992

SECTION 22 E NOTICE TO COMPLY

Property Owner: Sample

Property Address: Sample

Reference is made to the inspection carried out on the 13/4/2023 of the swimming pool safety barrier serving the swimming pool situated on the above mentioned property.

The inspection revealed the following non-compliances in relation to the requirements of the Swimming Pools Act 1992, and the Regulations there under.

ITEMS OF NON-COMPLIANCE:

SWIMMING POOL SAFETY BARRIER INSPECTION

GENERAL REQUIREMENTS

Risk:

Is the swimming pool considered to be high risk? **No.**

Is the swimming pool surrounded by a child resistant barrier that separates the swimming pool from any residential building present? **Yes.**

Are there buildings that are not associated with the function of the pool, such as a garage, carport, garden shed, pergola, clothes hoist or the like **inside** the swimming pool area? **No.**

All non compliances are considered to be safety hazards.

NON-COMPLIANT ITEMS

Items of Non Compliance:

All items listed under 'Non-Compliant Items' should be rectified as soon as possible and within forty two days (42) days of the date of this Swimming Pool Safety Barrier Inspection Report. A re-attendance to inspect should be ordered at the completion of the non-compliant items rectification before a Certificate of Compliance can be issued. If the swimming pool barrier has been deemed 'Significant Public Risk', all 'Non-Compliant Items' should be rectified urgently and immediately. If it is considered that the mentioned non-compliances pose a significant risk to public safety and as such the rectification works must be completed immediately.

All non compliances are considered to be safety hazards.

Non-Climbable Zone (NCZ) In accordance with AS 1926 - 2012 Clause 2.2:

Non-Climbable Zone (NCZ):

The height and radius of the arc of all NCZs (other than NCZ 4) shall be not less than 900 mm. Within an NCZ there shall be no handholds or footholds, objects or plants that will facilitate climbing in accordance with Clause 2.2.2 AS1926 - 2012.

The Non-Climbable Zone (NCZ) has been breached by: plants and/or trees or climbable objects adjoining fence(s). Recommend installing 60 degree timber fillet to horizontal rails to deck handrail.

Recommend installing perspex shielding to metal posts to prevent breaching 900mm NCZ.

The Non-Climbable Zone (NCZ) has been breached by: fixtures to boundary barrier.

Barriers

Barriers in accordance with AS 1926 - 2012 Clause 2.3:

The Pool Safety Barrier does not comply with the AS1926-2012, rectification is required. Barriers within the property using materials with apertures not greater than 13 mm shall have a height not less than 1200 mm to comply.

Internal barriers not less than 1800 mm in height shall not require an NCZ and may be climbable on either or both sides.

The height of an internal barrier within the property shall not be not less than 1200mm on the outside of the barrier in accordance with AS1926 - 2012 Clause 2.1. The pool barrier fence is less then 1200mm in some areas, rectification is required.

The 500mm exclusion zone as been breached. Recommend the removal of objects within the 500mm exclusion zone in accordance of AS 1926.1 - 2012 Clause 2.3.1. Recommend extending internal barrier to no less than 1200mm adjacent to timber retaining wall extending 900mm from junction. Material with apertures greater than 100 mm shall not be used. Apertures to the barrier are greater than 100mm, rectification is required.

Boundary Barriers in accordance with AS 1926 - 2012 Clause 2.2.4:

We recommend extending the height of the existing boundary fence to a height of no less than 1800mm to finished ground level and maintaining a non-climbable zone of 900mm radius from the top horizontal from inside the pool area and a 500mm object and level change free zone to attain the integrity of barrier required height. Projections at the face of the boundary barrier shall not be greater than 10mm. The junctions of the boundary barrier and internal barrier must project 900mm to the boundary barrier beyond the junction. Please refer to diagram Clause 2.2.4 and 2.3.1.

Located to the northern side of the pool area. Located to the western side of the pool area. The Non-Climbable Zone (NCZ) has been breached by: Recommend installing 60 degree sloped timber to deck handrail to western side.

The Non-Climbable Zone (NCZ) has been breached by: Metal posts. Recommend fixing perspex shielding to both sides of posts to a height of no less than 1800mm from ground level.

The Non-Climbable Zone (NCZ) has been breached by: Decking handrail to western side. Recommend installing 60 degree sloped timber to the full width of deck handrail to western side, with no foot holds or hand holds.

Gates

Gates in accordance with AS 1926 - 2012 Clause 2.4:

Where the release point of the latch is located at a height less than 1500 mm above the finished ground level, the location of the latch shall-

- (a) not be on the outside of the barrier;
- (b) be in such a position that to release the latch from the outside it will be necessary to reach over or through the barrier at a height of not less than 1200 mm above the finished ground level or not less than 1000 mm above the highest lower horizontal finished ground level or not less than 1000 mm above the highest lower horizontal member; and
- (c) be at least 150 mm below the top of the barrier if a hand-hole is not provided, or at least 150 mm below the edge of any hand-hole if provided.

The latch is non-compliant with AS 1926, rectification is required. Recommend that the release point of the latch be no less than 1500mm from adjoining pool deck. Alternatively, shielding may fixed to gate and adjoining panel to prevent a foot hold from pool decking.

Recommend installing Perspex shield or aluminum angle to gate posts so that the gap between gate and gate post does not exceed 10mm.

Warning Notices

Contents of Warning Notices:

There is no warning sign present, a current compliant warning sign should be installed. The warning sign should comply with Swimming Pool Regulation 2018 Part 3 Clause 10 and 11.

Please take Notice that as the owner of the subject property, you are required to carry out rectification works to the address the above non-compliances in accordance with the requirements of the Swimming Pools Act 1992, and the Regulations there under.

SWIMMING POOL SAFETY BARRIER INSPECTION

INSPECTION CONCLUSION

General:

It is considered that the above mentioned non-compliances do not pose a significant risk to public safety and as such the rectification works must be completed within forty two (42) days of the date of the inspection. A warning that a copy of the Section 22 E Notice to Comply will be forwarded to the Local Authority for the area in which the swimming pool is located forty two (42) days after the date of inspection if a Certificate of Compliance is not issued before that time.

Brendan T Sykes

Registered Pool Certifier - BDC 2427



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