



24 May 2023

I Ventsov and S Ventsov and V Ventsov
9 Mundara Pl
NARRAWEENA NSW 2099

Dear Sir/Madam

Swimming Pool Safety Barrier

Property address 19 Summit Road, TERRIGAL NSW 2260
Property description Lot 92 DP 200508

Council has received notification from a Private Certifying Authority, which states a pool safety barrier situated at the abovementioned property does not comply with the *NSW Swimming Pools Act 1992*. This could present a potential life safety risk to young children and your cooperation is requested to address this matter.

To ensure compliance with the *Act*, you are required to obtain a Swimming Pool Barrier Compliance Certificate, as defined under the provisions of the *NSW Swimming Pools Act 1992* and the *Swimming Pools Regulation 2018*, including the applicable Australian Standards that certifies the barrier as compliant.

Please provide this certification to Council by **5 July 2023** as the failure to provide this information may result in Council commencing more formal action to ensure the pool safety barrier is compliant.

If you require additional time, please put in writing and send to ask@centralcoast.nsw.gov.au

Please also ensure the pool is registered on NSW Swimming Pool Register
<https://www.swimmingpoolregister.nsw.gov.au/>

Should you require any further information please contact me on 4306 7900.

Yours faithfully

A handwritten signature in black ink that reads "N. Skeates".

Neil Skeates
Senior Building Surveyor





1point2 Pool Inspection Report

19 Summit RD Terrigal

Complete

Actions	7
Audit Title	19 Summit RD Terrigal
Client / Customer	I. Ventsov, S. Ventsov & V. Ventsov
Conducted on	02.06.2023 15:00 AEST
Document No.	3740
Prepared by	Tony Jardak
Select if a re-inspection is conducted	<input checked="" type="checkbox"/>
Re-inspection date	23.06.2023 14:30 AEST
Select if property has a new owner?	<input type="checkbox"/>

Actions

7 actions

Audit | Resuscitation sign

Is the sign in a prominent position in the immediate vicinity of the swimming pool?



Complete | Created by Tony Jardak

Part 1.4, sign is partially covered.

Solution: install sign in another position, where is it facing towards the pool, and the entire sign is clearly visible from the pool.

Audit | Boundary fence

2.1 Is the boundary fence, where it forms part of the pool barrier, a min. height of 1800mm measured from a 500mm clear ground level on the inside of the pool area?

Yes



Photo 11

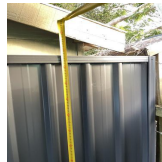


Photo 12



Photo 13



Photo 14



Photo 15



Photo 16

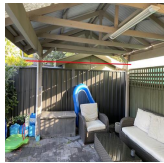


Photo 17



Photo 18



Photo 19



Photo 20

Complete | Created by Tony Jardak

Part 2.1, boundary fence height less than 1800mm.

- Colorbond fence, 2 panels, height reduced by approx. 50mm due to raised ground area.
- Timber fence, climbable lattice being used to form the height.
- Timber fence, at each end the height drops further below 1800mm high, the 1800mm height must continue 900mm outside of pool fence.
- Solution: achieve required height by installing a rigid non-climbable fence extension panels, i.e. no holes, indents, protrusions, etc., 10mm or greater.

Audit | Boundary fence

2.2 Is the boundary fence clear of any plants and/or objects within NCZ 5?

Yes



Photo 21



Photo 22

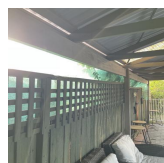


Photo 23

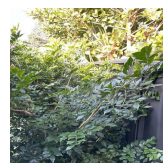


Photo 24

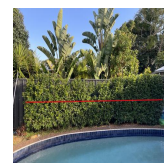


Photo 25

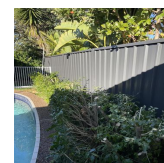


Photo 26



Photo 27

Complete | Created by Tony Jardak

Part 2.2, hedges/vegetation within NCZ 5 along boundary fence where it forms part of the pool barrier.

Solution: trim back foliage to provide a clear NCZ 5, and a clear 500mm ground area at base of fence; refer to diagram in segment below.

Complete | Created by Tony Jardak

Part 2.2, climbable lattice and horizontal members, breaching NCZ 5.

- AS1926.1-2012, 2.3.3 Surface projections and indentations, or any combination thereof, within the NCZ, shall not form a substantially horizontal surface with a depth greater than 10mm.

- Solution options:

(a) cover the lattice to eliminate the openings, e.g. using perspex sheets or timber boards, ensuring 1800mm maintained where it forms part of the pool barrier,

(b) corner fence section has exposed horizontal rails, cover area with 1800mm high timber palings/boards.

Audit | Pool fence / 2. Fence / Barrier continued

2.3(b) Is the gap between the bottom of the fence and the ground less than 100mm?

Yes



Photo 32



Photo 33



Photo 34

Complete | Created by Tony Jardak

Part 2.3(b), one section of the pool barrier has a gap greater than 100mm at the ground level to bottom of lowest horizontal bar.

Solution: close the gaps, e.g. using timber sleepers or metal bar on the inside, or flush with the pool fence exterior; hence not affecting the height of the pool fence by creating a ledge/step on the outside.

Audit | Windows, doors & other structures

**2.6 No structures or objects inside the pool area classified as 'non-ancillary to the pool'?
E.g. shed, BBQ area, clothesline e.t.c.**

Pass



Photo 35

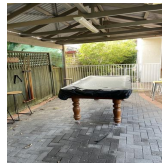


Photo 36

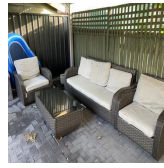


Photo 37

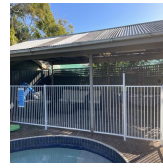


Photo 38

Complete | Created by Tony Jardak

Part 2.6, pool table is a non-ancillary structure to the pool area and must be separated from the pool.

- Non-ancillary structures, in this case a pool table, can be a distraction from actively supervising children in the pool and must be separated from the pool area.
- Refer to statement from Swimming Pools Act 1992 in segment below, non-ancillary structures.
- Solution: remove pool table from the pool area.
- The coaches are acceptable, but ensure they are a min. 500mm distance from fence.

Audit | Gate/s / 3. Gate

3.2(d) Does the gate swing freely, close and latch by itself if; weight is applied and/or closure interrupted then released?

Yes

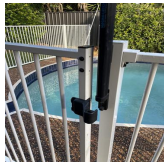


Photo 41

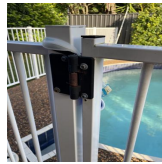


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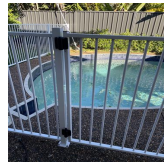


Photo 43

Complete | Created by Tony Jardak

Part 3.2, gate does not close and self-latch when held open at certain positions and released.

- Solution: install new pool gate hinges which have an adjustable internal spring, install min. 1M apart.
- The gate when held open from any position, even close to rest position, then released, the gate must close and lock without assistance or extra force applied.

Audit - Synopsis

Standard being applied

Standard being applied to this inspection: AS1926.1-2012

Reason this standard is being applied:

NSW Swimming Pool Regulations
2018:

In accordance with NSW Swimming Pool Regulations 2018, Part 2, cl.30(2)(a) & cl.31(1), pool must comply with current standards, AS1926.1-2012.

Outcome

Inspection results

Compliant

Section 22D - Compliant Pool

Property & Pool Details

Street image:



Photo 1

Mapping location:

19 Summit Rd, Terrigal NSW
2260, Australia
(-33.4349444, 151.4349064)

Lot/DP number:

92/200508

Council:

Central Coast

Pool Registration number:

aed687ef

Site Details

Site picture:



Photo 2

Pool area image:

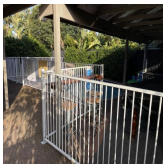


Photo 3

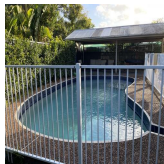


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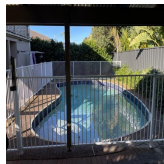


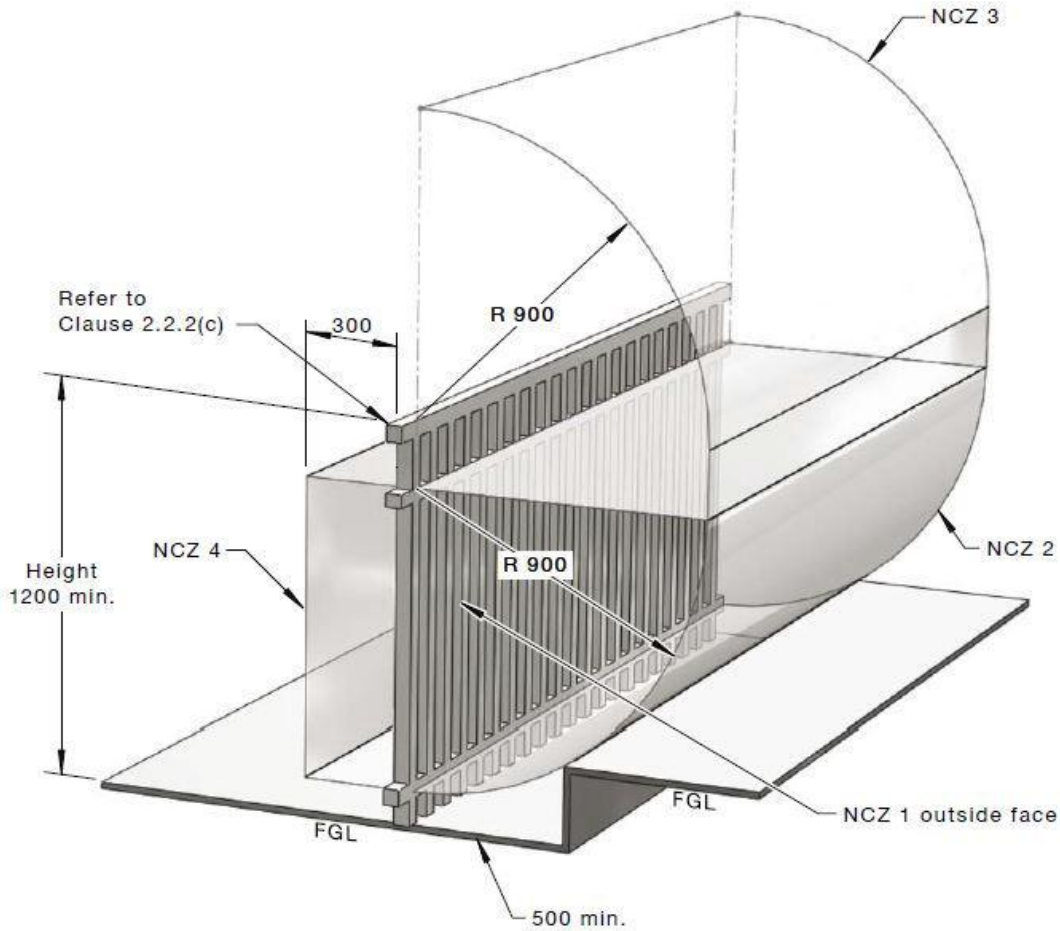
Photo 5

Audit | Pool fence non-climbable zones

1.1 Outside of pool fence ,900mm non-climbable zones are clear of plants/trees/furniture/objects e.t.c?

Yes

AS1926.1-2012 2.2.1:
The height and radius of the arc of all NCZs (other than NCZ 4) shall be not less than 900mm. Within an NCZ there shall be no handholds or footholds, objects or plants that will facilitate climbing.
Where NCZs are required they shall apply to the entire length of a barrier.



1.2 Is the distance between any potential handholds and footholds, e.g. horizontal members, on the pool fence and its associated space, at least 900mm apart to inhibit a young child from climbing over it?

N/A

1.3 Is the inside of the pool fence clear of any plants and/or objects such as BBQs, toys, rocks, deckchairs, e.t.c. that could help a small child climb over the fence?

Yes

1.4 Is there a current warning sign for CPR?

Yes

Sign image:



Photo 6

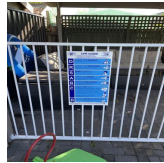


Photo 7

Is the sign in a prominent position in the immediate vicinity of the swimming pool?

Complete | Created by Tony Jardak

Part 1.4, sign is partially covered.

Solution: install sign in another position, where is it facing towards the pool, and the entire sign is clearly visible from the pool.

Is the sign (a) legible from a distance of at least 3 metres and (b) maintained in a clearly legible condition?

Includes the words:

"Young children should be actively supervised when using this swimming pool", and
 "Pool gates must be kept closed at all times", and
 "Keep articles, objects and structures clear of the pool fence at all times".

Details of resuscitation techniques for infants, children and adults?

A simple flow chart containing details of resuscitation techniques, notes DRSABCD; Danger, Response, Send for help, Airway Breathing, CPR & Defibrillation prompts.

The name of organisation that published the sign?

Audit | Pool barrier materials & condition

1.5 What type of fencing forms the pool barrier?

Metal
Colorbond
Timber

**1.6 Condition of; pool fence, gate & boundary fence (if applicable).
The pool barrier is well maintained and in a good state of repair as an effective and safe barrier? (e.g. no holes, broken rails, rusted panels)**

Pool fence posts and footings secure?

Yes

Pool fence horizontal and vertical bars (or panels) stable?

Yes

Pool gate/s secure/stable?

Yes

Pool fence and gate/s are free of rust and corrosion?

Yes

Boundary fence sturdy and not leaning?

Yes

Boundary fence is not missing paling/panels?

Yes

Does the boundary fence form part of the pool barrier?

Yes

Boundary fence image

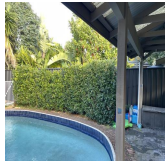


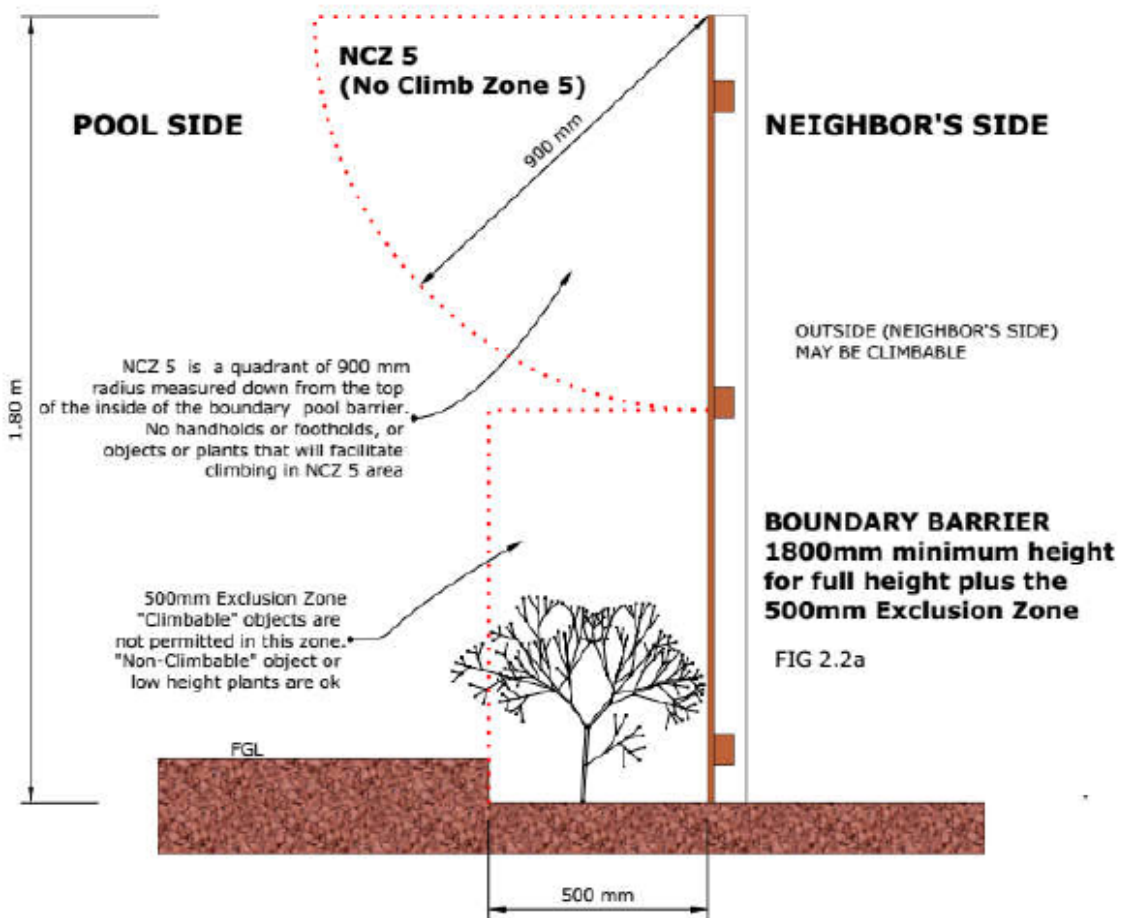
Photo 8



Photo 9



Photo 10



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Yes



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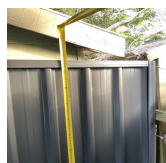


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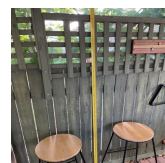


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2.2 Is the boundary fence clear of any plants and/or objects within NCZ 5?

Yes

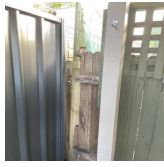


Photo 21



Photo 22

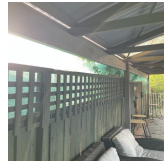


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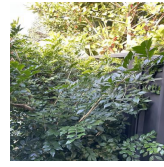


Photo 24

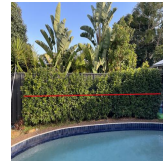


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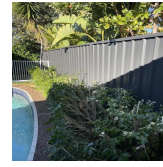


Photo 26



Photo 27

Complete | Created by Tony Jardak

Part 2.2, hedges/vegetation within NCZ 5 along boundary fence where it forms part of the pool barrier.

Solution: trim back foliage to provide a clear NCZ 5, and a clear 500mm ground area at base of fence; refer to diagram in segment below.

Complete | Created by Tony Jardak

Part 2.2, climbable lattice and horizontal members, breaching NCZ 5.

- AS1926.1-2012, 2.3.3 Surface projections and indentations, or any combination thereof, within the NCZ, shall not form a substantially horizontal surface with a depth greater than 10mm.
- Solution options:
 - (a) cover the lattice to eliminate the openings, e.g. using perspex sheets or timber boards, ensuring 1800mm maintained where it forms part of the pool barrier,
 - (b) corner fence section has exposed horizontal rails, cover area with 1800mm high timber palings/boards.

2. Fence / Barrier continued

1 action

2.3 Is there a pool fence or other child-resistant barrier separating the pool from your house and adjoining properties and public spaces at all times?

Yes

Pool fence image:

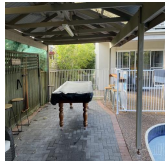


Photo 28

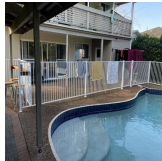


Photo 29

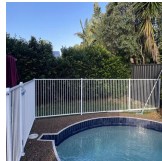


Photo 30

2.3(a) Is the outside to the pool fence at least 1200mm high all the way around?

Yes



Photo 31

2.3(b) Is the gap between the bottom of the fence and the ground less than 100mm?

Yes



Photo 32



Photo 33



Photo 34

Complete | Created by Tony Jardak

Part 2.3(b), one section of the pool barrier has a gap greater than 100mm at the ground level to bottom of lowest horizontal bar.

Solution: close the gaps, e.g. using timber sleepers or metal bar on the inside, or flush with the pool fence exterior; hence not affecting the height of the pool fence by creating a ledge/step on the outside.

2.3(c) Are all vertical or near vertical rails on the fence less than 100mm apart?

Yes

Do any windows or doors of a building open into the pool area?

No

2.6 No structures or objects inside the pool area classified as 'non-ancillary to the pool'?
E.g. shed, BBQ area, clothesline e.t.c.

Pass



Photo 35



Photo 36

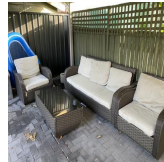


Photo 37

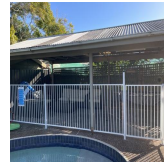


Photo 38

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Part 2.6, pool table is a non-ancillary structure to the pool area and must be separated from the pool.

- Non-ancillary structures, in this case a pool table, can be a distraction from actively supervising children in the pool and must be separated from the pool area.
- Refer to statement from Swimming Pools Act 1992 in segment below, non-ancillary structures.
- Solution: remove pool table from the pool area.
- The coaches are acceptable, but ensure they are a min. 500mm distance from fence.

3. Gate

Is entry into the pool area restricted by a compliant gate or gates?

Yes

Gate images:



Photo 39

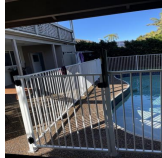


Photo 40

3.1(a) Does the gate open outwards, away from the pool?

Yes

3.1(b) The gate is closed and never propped open?

Yes

3.1(c) Is the gate latch working well so that the gate is secure and, once closed, can't be pulled open?

Yes

3.2(a) Does the gate swing freely, close and latch by itself at the rest position?

Yes

3.2(b) Does the gate swing freely, close and latch by itself from fully open position?

Yes

3.2(c) Does the gate swing freely, close and latch by itself from mid-position?

Yes

3.2(d) Does the gate swing freely, close and latch by itself if; weight is applied and/or closure interrupted then released?

Yes

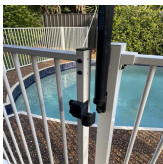


Photo 41

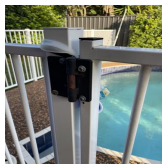


Photo 42

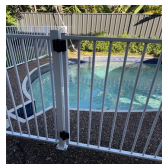


Photo 43

Complete | Created by Tony Jardak

Part 3.2, gate does not close and self-latch when held open at certain positions and released.

- Solution: install new pool gate hinges which have an adjustable internal spring, install min. 1M apart.
- The gate when held open from any position, even close to rest position, then released, the gate must close and lock without assistance or extra force applied.

3.3(a) Is the outside to the pool gate at least 1200mm high?

Yes

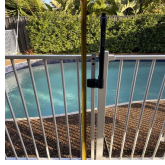


Photo 44

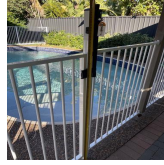


Photo 45

3.3(b) Gate latch, either; min. 1500mm above ground level OR; if located inside the gate, 1. glass gate (or covered with an approved shield), 2. no opening greater than 10mm within the 1200mm height from the ground, 3. latch must be a min. 150mm below the top of gate (or any hand-hole if provided).

Yes

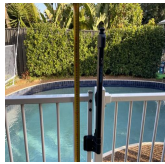


Photo 46



Photo 47

3.3(c) Is the gate latch 1400mm above the top of the lowest vertical bar?

Yes

3.4(a) Are all vertical or near vertical rails on the gate less than 100mm apart?

Yes

3.4(b) Is the gap between the bottom of the gate and the ground less than 100mm?

Yes

3.4(c) Gate hinge protrusion less than 10mm apart OR spaced 900mm apart from top-to-top OR 60D angle on-top of hinge.

Yes



Photo 48

Advisory Notes

The Certifier is accredited under the Building and Development Certifiers Regulation 2020 and is authorised to carry out inspections of swimming pools and to issue certificates of compliance under the Swimming Pools Act 1992.

The Certifier will perform all work necessary to comply statutory requirements including:

- inspecting the swimming pool and taking photos for report.
- updating the property record on the NSW Swimming Pool Register as required.
- assessing whether the swimming pool complies with the requirements for the issue of a certificate of compliance under s.22D Swimming Pools Act 1992.

Compliance & non-compliance under the ACT:

- if the swimming pool complies issuing a certificate of compliance.
- if the swimming pool does not comply issuing a certificate of non-compliance.
- if the swimming pool is non-compliance sending a s.22E notice to the council in accordance Swimming Pools Act 1992 indicating the items of non-compliance. (Normally 6 weeks or immediately if swimming pool deemed a 'risk to public safety')

Certifier Details

Tony (Baha) Jardak
Registration No.: BDC2963

6 Horton Place Winston Hills NSW
M: 0419 217 027
E: info@1point2.com.au
W: www.1point2.com.au

Certifier:

Customer:

Media summary



Photo 1



Photo 2



Photo 3



Photo 4



Photo 5



Photo 6

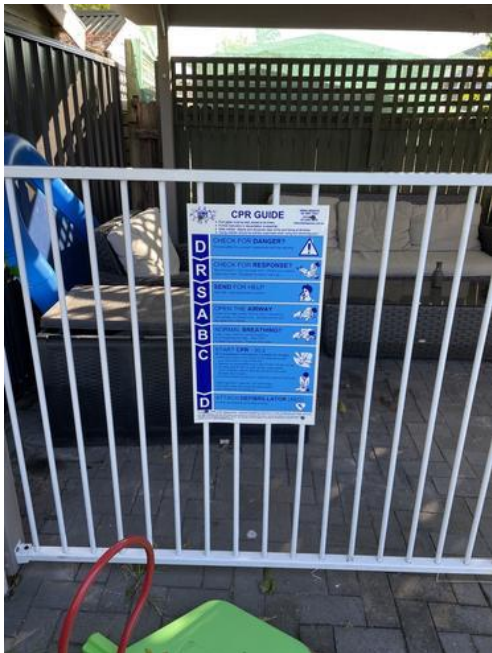


Photo 7



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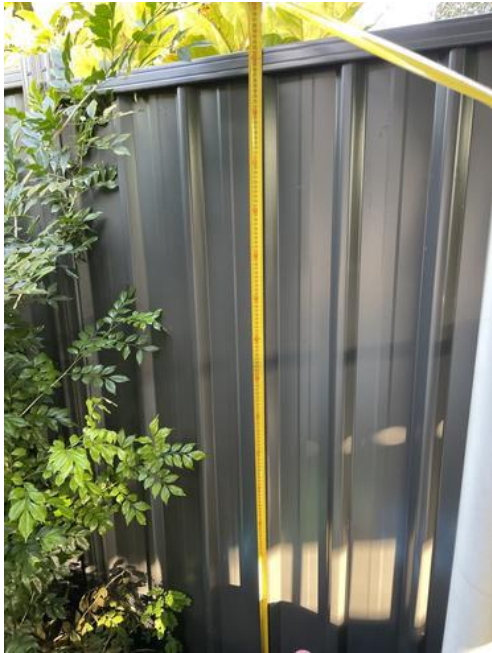


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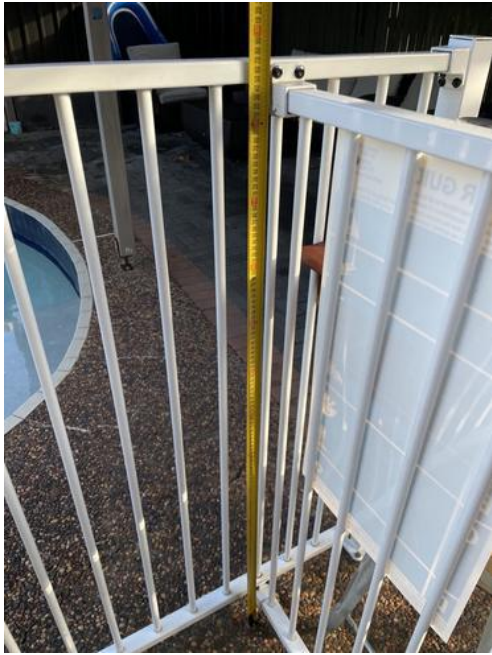


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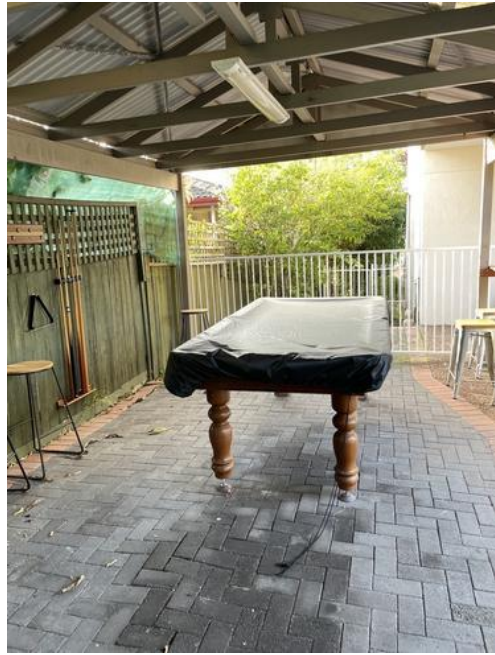


Photo 36



Photo 37



Photo 38



Photo 39



Photo 40



Photo 41



Photo 42

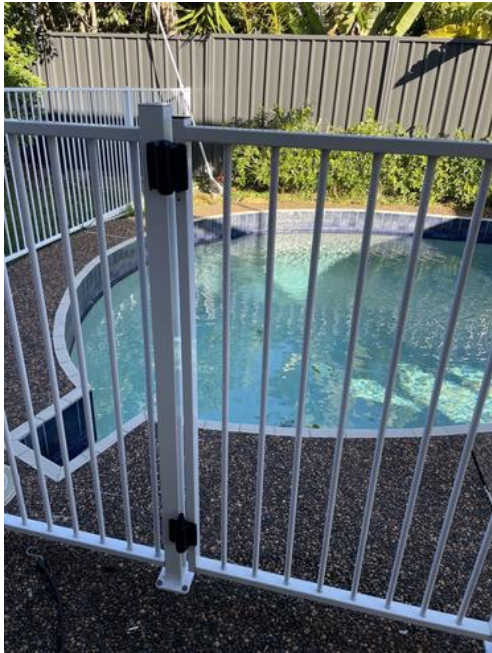


Photo 43



Photo 44



Photo 45



Photo 46



Photo 47



Photo 48



NSW SWIMMING POOL REGISTER

Certificate of Compliance

Section 22D – Swimming Pools Act 1992

Pool No:	aed687ef
Property Address:	19 SUMMIT ROAD TERRIGAL
Expiry Date:	23 June 2026
Issuing Authority:	Tony (Baha) Jardak - Registered Certifier - bdc2963

Complied with AS1926.1 (2012).

The swimming pool at the above property complies with Part 2 of the *Swimming Pools Act 1992*. The issue of this certificate does not negate the need for regular maintenance of the swimming pool barrier to ensure it is compliant with the *Swimming Pools Act 1992*.

This certificate ceases to be valid if a direction is issued pursuant to Section 23 of the *Swimming Pools Act 1992*.

The swimming pool at the above property is not required to be inspected under the inspection program of the local authority while this certificate of compliance remains valid pursuant to Section 22B(3) of the *Swimming Pools Act 1992*.

Please remember:

- Children should be supervised by an adult at all times when using your pool
- Regular pool barrier maintenance
- Pool gates must be closed at all times
- Don't place climbable articles against your pool barrier
- Remove toys from the pool area after use