



yours locally

Sydney South West

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web [www.localgroup.com.au](http://www.localgroup.com.au)

Local Certification Services is one of the leading certification companies in New South Wales. Since 2006 we have established a proven track record for delivering services in a timely, efficient and effective manner, making us the logical choice for all your building certification needs.

Recent changes to the *Swimming Pools Act 1992* impact anyone who is selling, buying or leasing a property with a pool. If a property is being sold it must have a Certificate of Compliance, a Certificate of Non-Compliance or a relevant Occupation Certificate. If a property is being leased it must have either a Certificate of Compliance or a relevant Occupation Certificate.

The Local team comprises over 20 A-level Accredited Certifiers who have a great deal of experience in all facets of the building industry. We have been certifying swimming pools since the beginning and are well equipped to issue Swimming Pool Compliance Certificates. We know the legislation and have maintained an accurate and up-to-date knowledge of the relevant Australian Standards as they have changed over time.

With seven Local offices located throughout New South Wales we have a greater presence than that of any other certification company. The Local guarantee is an efficient turnaround each and every time you deal with us.

There should be no compromise when it comes to swimming pool safety, so do not compromise when it comes to selecting a quality inspector to certify your swimming pool fence. Contact Local today on 1300 368 534

A handwritten signature in black ink, appearing to read "A. Dean".

Andrew Dean  
Director

A handwritten signature in black ink, appearing to read "C. Hardy".

Craig Hardy  
Director

A handwritten signature in black ink, appearing to read "P. Gearin".

Paul Gearin  
Director

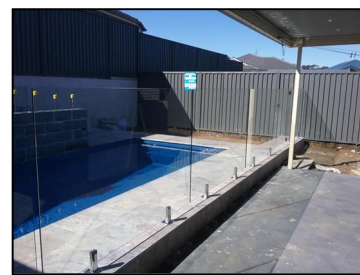


# SWIMMING POOL FENCE COMPLIANCE CERTIFICATES

Are you selling a house with a swimming pool?  
Or leasing a house with a swimming pool?  
You now require a Swimming Pool Certificate of Compliance

From 29 April 2016, new swimming pool laws came into effect in New South Wales. This intention of this new legislation is to increase swimming pool safety for young children. If you are selling or leasing a property in New South Wales that has a swimming pool you require one of the following:

- Certificate of Compliance, or
- Relevant Occupation Certificate and Registration Certificate, or
- Certificate of Non-Compliance (*available for properties for sale only*)



As one of NSW's leading certification companies, Local Certification Services is now offering Swimming Pool Compliance Certificates. With seven offices throughout the state and over 20 experienced Accredited Certifiers, Local is the logical choice for Swimming Pool Compliance.

Central Coast | Norwest | Northern Beaches | Sydney | Macarthur

Southern Highlands | South Coast

Quick Turnaround

Competitive Prices

Experienced & Qualified Accredited Certifiers

Contact 1300 368 534 or email [poolfences@localgroup.com.au](mailto:poolfences@localgroup.com.au)



## FEE STRUCTURE

### OPTION 1:

If you believe your swimming pool fence is compliant, Option 1 is for you.

Total: \$200 plus GST

This fee includes:

- The completion of one (1) inspection of the swimming pool.
- The issue of one (1) compliance or non-compliance certificate following the inspection.

*Additional inspections of non-compliant fences will be charged at \$200 plus GST per inspection.*

### OPTION 2:

Our previous experience indicates that the large majority of pool fences fail the first inspection. Option 2 is the cost-effective choice if your pool is not up to scratch.

Total: \$350 plus GST

This fee includes:

- Unlimited inspections, as required to ensure the pool fence is compliant.
- The issue of one compliance/non-compliance certificate per inspection.

*No additional fees to pay.*

*Please note that we are legally obliged to notify your Local Council of any defective pool fence that is considered to have a significant risk to public safety. In this situation, it is possible that Council may take over the inspection process of the pool and carry out any additional inspections.*



## THE PROCESS

We have established a straight-forward procedure to ensure that we can issue your Compliance Certificate as soon as possible.

Ensure the swimming pool is registered at:  
[www.swimmingpoolregister.nsw.gov.au](http://www.swimmingpoolregister.nsw.gov.au)



Complete our Application Form. Available for download at:  
[www.localgroup.com.au/pool-fence](http://www.localgroup.com.au/pool-fence)



Submit the completed Application Form and Purchase Order to [poolfences@localgroup.com.au](mailto:poolfences@localgroup.com.au)



One of our Accredited Certifiers will contact you the next business day to arrange a suitable time for inspection.



Inspection completed and Accredited Certifier updates the NSW Swimming Pools Register



Swimming Pool Certificate of Compliance Issued



Swimming Pool Certificate of Non-Compliance Issued



Certificate emailed to Client and also available for download from the NSW Swimming Pools Register





# INSPECTION REQUEST FORM



Certificate of Compliance

## THE APPLICATION

DATE OF APPLICATION:

## THE LAND

Lot No.:	<input type="text"/>	Deposited Plan:	<input type="text"/>
House No.:	<input type="text"/>	Street Name	<input type="text"/>
Suburb:	<input type="text"/>	Post Code:	<input type="text"/>
Area (m <sup>2</sup> ):	<input type="text"/>	Section/Folio:	<input type="text"/>

## THE POOL

Use of Pool:	Residential <input type="checkbox"/>	Commercial <input type="checkbox"/>	Industrial <input type="checkbox"/>	
Type of Pool:	Indoor Pool <input type="checkbox"/>	Spa <input type="checkbox"/>	Outdoor Pool <input type="checkbox"/>	Portable <input type="checkbox"/>
Date of Completion:	<input type="text"/>			
Date of Modification (if any):	<input type="text"/>			
Has an Occupation Certificate been issued ?:	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Unsure <input type="checkbox"/>	

Have you previously discussed this application with anyone from Local?  If, yes please include staff members name :

Before we can process this application the Swimming Pool must be listed on the NSW Swimming Pools Register. Registration can be completed at [www.swimmingpoolregister.com.au](http://www.swimmingpoolregister.com.au)

## ACCESS

Contact Person:

Phone:

## THE APPLICANT/OWNERS

	Owner 1 / Applicant	Owner 2
First Name:	<input type="text"/>	<input type="text"/>
Surname:	<input type="text"/>	<input type="text"/>
Street:	<input type="text"/>	<input type="text"/>
Suburb:	<input type="text"/>	<input type="text"/>
Contact No.:	<input type="text"/>	<input type="text"/>
E-mail:	<input type="text"/>	<input type="text"/>

## PAYMENT DETAILS

Name on Card:

Card Number:

Expiry Date:

CCV Number:

Amount (\$):

## PRIVACY STATEMENT

By completing this form you are enabling Local Certification Services Pty Ltd to collect personal information that is required by the *Swimming Pools Act 1992* and the *Environmental Planning and Assessment Act 1979*. Failure to provide this information may lead to rejection or delays in the determination of your application or undertaking any inspections. At any time you have the right to access, view or correct the personal information that you have provided. This information will be stored in Local's records system and will be used only for the purposes for which it has been collected.

# OWNERS CONSENT

## OWNERS CONSENT

I/we the owners of the subject property hereby give consent for the lodgement of this application and associated documentation to Local Certification Services Unit Trust for consideration.

I/we also declare that all documentation presented as part of any application for a Certificate of Compliance is entirely accurate or that any changes have been documented and Local Certification Services Unit Trust have been advised accordingly in writing.

## PRINCIPAL CERTIFYING AUTHORITY

With reference to subject pool, I/we the owners of the subject property hereby advise of our decision to appoint:

- Local Certification Services Pty Ltd    OR
- |   |  |   |   |
|---|--|---|---|
| <input type="checkbox"/> Adam Small     | <input type="checkbox"/> Greg Towle      | <input type="checkbox"/> Michael Shanahan | <input type="checkbox"/> Rod Steet      |
| <input type="checkbox"/> Craig Hardy    | <input type="checkbox"/> John Soklaridis | <input type="checkbox"/> Paul Gearin      | <input type="checkbox"/> Stephen Toohey |
| <input type="checkbox"/> Chris Donovan  | <input type="checkbox"/> Michael Hardy   | <input type="checkbox"/> Paul Morgan      | <input type="checkbox"/> Warren Curtis  |
| <input type="checkbox"/> David Harrison | <input type="checkbox"/> Mitchell Hardy  |   |   |

to undertake the requested inspection in accordance with the requirements of the *Swimming Pools Act, 1992 (as amended) (the Act)*.

I/we understand that this engagement shall be subject to the Terms and Conditions outlined in this application and I/we further understand that we are giving permission to access the subject site at any reasonable hour of any day for the purposes of undertaking inspections required by the Act.

I/we also advise that I/we are aware of the conditions attached to all Development Consents applying to the subject pool and that we have provided copies of these Consents to the Accredited Certifier with this inspection request. Furthermore, I/we understand our responsibilities in relation to those conditions and agree to undertake any works that may be required or to provide any information requested by the Accredited Certifier in order that he/she may fulfil their statutory obligations under the *Swimming Pools Act, 1992 (as amended)*.

## SIGNATURES

### THE APPLICANT/OWNERS

Owner 1 / Applicant

Signed: \_\_\_\_\_

Name *(Please Print)*: \_\_\_\_\_ Date: \_\_\_\_\_

Owner 2

Signed: \_\_\_\_\_

Name *(Please Print)*: \_\_\_\_\_ Date: \_\_\_\_\_

Owner 3

Signed: \_\_\_\_\_

Name *(Please Print)*: \_\_\_\_\_ Date: \_\_\_\_\_

Owner 4

Signed: \_\_\_\_\_

Name *(Please Print)*: \_\_\_\_\_ Date: \_\_\_\_\_



# TERMS AND CONDITIONS

## EFFECT OF AGREEMENT

1. This agreement supersedes and overrides any other documents or oral representations upon which the parties may seek to rely to generate any legal effect or to imply any contractual obligation.

## OBLIGATIONS OF THE ACCREDITED CERTIFIER (AC)

2. Issuing of the Certificate of Compliance:
  - 2.1 The AC shall issue a Certificate of Compliance:-
    - once the AC is satisfied that the pool barrier has been constructed in accordance with the relevant Australian Standard;
    - once the AC is satisfied that the pool barrier has been constructed in accordance with the Act, and;
    - once the Owner pays the AC any money owed for work associated with the issuing of a Certificate of Compliance.
  - 2.2 The AC shall issue the Certificate of Compliance within three (3) days of the date of inspection, if the pool barrier is compliant.
  - 2.3 The AC will use the NSW Swimming Pools Register to issue any Certificate of Compliance.
  - 2.3 During the assessment of the application for a Certificate of Compliance, the AC may request any documentation or statements from the owners or any other party that the AC considers necessary.
  - 2.4 The inspection of the pool barrier and issue of the compliance certificate may be carried out by one of the following AC's. These AC's are all authorised to issue Certificate of Compliance:

Mr Craig Hardy	Mr Paul Gearin
Mr Chris Donovan	Mr Paul Morgan
Mr David Harrison	Mr Rod Steet
Mr John Soklaridis	Mr Stephen Toohey
Mr Michael Hardy	Mr Warren Curtis
Mr Michael Shanahan	Mr Adam Small
3. Inspections
  - 3.1 The AC shall carry out or arrange to be carried out an inspection of the subject pool barrier as requested.
  - 3.2 If the pool barrier is non-compliance, the AC shall issue a Certificate of Non-Compliance and notice under Section 22E of the Act within seven (7) days of the date of inspection.
  - 3.3 The AC will use the NSW Swimming Pools Register to issue any Certificate of Non-Compliance.
  - 3.4 If the AC shall notify the Local Council immediately if they are of the opinion that the swimming pool poses a significant risk to public safety.
  - 3.5 The AC shall provide a copy of the section 22E written notice to the Local Council
    - Immediately where the swimming pool poses a significant risk to public safety;
    - Within five (5) days of the expiry of the six (6) weeks from the date of inspection if the owner fails to rectify pool barrier non-compliance.
  - 3.6 Any inspections undertaken, and the notification of the result of any inspection that has been undertaken, in relation to the subject development are prepared and provided to the Owner/s solely for the purpose specified, for the Owner/s exclusive use in regard to the property identified only, and on the undertaking/condition that the Owner/s shall not communicate the contents of the notification of result to any third person who might act to his/her detriment on the basis of the notification. The Owner/s agrees to indemnify the accredited certifier and Local Certification Services Pty Ltd against any loss or damage suffered as a result of the Owner/s failure to observe this abovementioned clause. All inspections undertaken are based on a visual inspection and do not comment therefore on aspects, faults or otherwise, which are below ground level, covered up in any way, or which are not apparent at the time of inspection. No indication is given as to the adequate performance of any plumbing, hydraulic, gas or electrical appliance or fitting that may be installed or included in the building or on the site.
4. Insurance
  - 4.1 The AC shall maintain an insurance policy in accordance with the Act and shall provide a copy of that policy to the Owner upon request.
  - 4.2 The extent of any claim or otherwise against the policy held by the AC or against the AC in any way shall be limited to five times (5x) the value of the service fee paid to the AC for the services provided and no more.

## OBLIGATIONS OF THE OWNER

5. The Owner shall:-
  - Ensure that the site is available for the AC to carry out its obligations under this agreement.
  - Provide accurate details of the date of completion of the swimming pool and pool fence barrier.
  - Provide accurate details of the date of any modification to the pool fence barrier from the original construction.
  - Provide all relevant drawings, plans, statutory plans and documentation associated with but not limited to any Development Consent, Complying Development Consent and/or any Certificate issued under Part 4A of the *Environmental Planning and Assessment Act 1979* at the request of the AC.
  - Comply with any Certificate of Non-Compliance and Section 22E notice that the AC issues.
  - Rectify any non-compliances identified by the AC as soon as practicable and contact the AC to arrange a further inspection.
  - Provide all information that the Owner reasonably can obtain to enable the PCA to fulfil its obligations under this agreement.
  - Act in good faith, in accordance with the Act and in a cooperative fashion.

## VARIATIONS TO THIS AGREEMENT

6. If:-
  - Additional Certificates of Compliance and/or Certificate of Non-Compliance are required to be issued by an Accredited Certifier; or
  - An amendment to the Act, the BCA or any other law that requires any aspect of the AC's work to be varied; or
  - The Owner does anything that causes a delay to the the ability of the AC to carry out its obligations under this agreement; or
  - A Section 23 Order is issued by the Local Council on the subject swimming pool; or
  - The AC is notified of a complaint to the Building Professionals Board or a representative from the Local Council with jurisdiction over the subject site, then:the AC may:-
  - vary this agreement to the extent that the AC will be able to carry out its obligations under this agreement; and
  - increase the agreement price, such increase to be made by way of Notice to the Owner stating the reason/s for the increase and the amount of the increase.
  - 6.1 The variation will permit the AC to claim all costs associated with that delay as reasonably determined by the PCA.
  - 6.2 Notice must be given to the Owner within seven (7) days from the date on which the AC becomes aware that a variation will be necessary.

## TERMINATION OF AGREEMENT

7. If:-
  - It becomes evident that the Owner has provided incorrect or false information in relation to the date of construction of the swimming pool; or
  - It becomes evident that modifications have been made to the original pool barrier and the date of these modifications has not been documented/is unknown; or
  - The person/s or Company responsible for making payment for this service fails to pay any money owing to the AC after seven (7) days of that money becoming payable; or
  - The Owner or the person/s or Company responsible for making payment for this service breaches the agreement in any respect; or
  - The failure of the Owner to complete any rectification works and as a result does not permit the Accredited Certifier to issue the Certificate of Compliance within six (6) weeks from the date of inspection; or
  - The Owner or Occupier, for any other reason, does not permit the AC to access the subject property to carry out the necessary inspection; or
  - 7.1 The AC may terminate this agreement by sending a written Notice of Termination, stating the breach/s, to the Owner. Termination will take effect as soon as the Owner receives the Notice of Termination.

## MISCELLANEOUS

8. A copy of any Certificate of Compliance or Non-Compliance will be available for download from the NSW Swimming Pools Register.

9. All Swimming Pools must be registered by the Owner on the NSW Swimming Pools Register before any Certificate of Compliance or Non-Compliance can be issued.

## ADDRESS FOR NOTICES

13. Where any Notice is to be forwarded to the Owner the address for such Notice shall be the address stated in the Application Form or to any other address that is notified in writing by the Owner to the AC.

## DEFINITIONS

The Act means the *Swimming Pools Act 1992*. All amendments and references to the Act also mean amendments and references to the Regulations.  
BCA means the Building Code of Australia 1996 including all applicable amendments.  
Building means that which is the subject of the Building Works.  
Owner means the owner or the owner's agent.  
Certificate of Compliance means a Swimming Pool Certificate of Compliance within the meaning of the Act.  
Certificate of Non-Compliance means a Swimming Pool Certificate of Non-Compliance within the meaning of the Act.  
Notice includes any notice issued under the Act or this agreement and in respect of notices in this agreement must be made by pre-paid ordinary mail, electronic transmission or notice by hand delivery to the Address for Notices in this agreement.  
Order means an Order issued by the Local Authority within the meaning of the Act.  
Accredited Certifier means an A1, A2, A3 and E1 accredited certifier registered with the NSW Building Professionals Board and authorised to inspect and certify pools in NSW.  
Statutory Notices means those notices that are issued by the PCA in accordance with the Act.  
Local Council means the relevant Local Council in respect to the property where the swimming pool is located.  
Australian Standard means the version of AS1926.1 that was applicable at the time the swimming pool barrier was constructed or modified.  
Modification means any changes to the original configuration of the swimming pool barrier.

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End of Terms and Conditions