

Certificates Application Swimming Pools

About this form

You can use this form if you wish to either:

1. Obtain a certificate from Council which confirms that the swimming pool complies with the requirements of Part 2 Swimming Pools Act 1992; or
2. Seek an exemption from Council for all or any of the requirements of Part 2 of the Swimming Pools Act 1992.

NOTE - Only the owner of the premises on which the swimming pool is located, or is proposed to be located may submit this application.

REGISTRATION - Swimming Pools must be registered at swimmingpoolregister.nsw.gov.au before an application for exemption or compliance certificate can be made.

☐ I have registered my swimming pool on the swimmingpoolregister.nsw.gov.au website.

Swimming Pool registration number:

How to complete this form

- 1: Ensure that all fields have been filled out correctly.
- 2: Once completed you can submit this form by email, mail or in person with payment of relevant fee.
Please refer to the Lodgement details section for further information.

Part 1: Type of Certificate(s)

- ☐ 1. Application for Certificate of Compliance (Swimming Pools Barrier Initial Inspection) under section 22 of the Swimming Pools Act 1992.

a. Is this certificate required due to the future lease or sale of the property shown in Part 2? Yes ☐ No ☐

- ☐ 2. Application for Exemption under section 22 of the Swimming Pools Act 1992

NOTE:

a. Additional information which may assist in the determination of your request for exemption may include but not be limited to site plans, specific details and consultant's reports. <https://www.fairtrading.nsw.gov.au/trades-and-businesses/business-essentials/building-certifiers-archived/practice-advice2/swimming-pool-certification/clarifying-compliance-with-the-building-code-of-australia>

b. Any requirement by Council to seek further information or clarity of this request may result in the delay of the assessment.

c. Please note that Exemptions are considered to be applicable only in the extreme of circumstances and are not typically issued when compliance with the current Standard can be met.

d. Application fees are to accompany this application and must be paid prior to inspections taking place. \$250 ☐

Please advise the reason for the exemption request, and what evidence you will provide to support it:

NOTE: Certificates will be mailed to you.

Part 2: Property Identification Details

Property Owner Name

Property Address

Property Lot Number

Strata Plan Number

Deposited Plan Number

Part 3: Owner's Details

Note: Your certificate will be sent to the postal address below. Your postal address and at least one telephone number must be supplied before this application can be lodged.

Owner's Name

Owner's Address

Postal Address (if different from above)

Business Number

Mobile Number

Email Address

Company reference

Part 4a: Applicant details and registered owner's consent and declaration

I confirm I am the owner/s of the property and I/we give consent to this application.

In submitting this application I acknowledge that:

- > Council responds to applications for property related certificates based on the information provided.
- > Applicants are responsible for providing correct and complete information and instructions to council in order for certificates to be issued.
- > Applications and payments, once received by council, will be acted upon and as such the applicant is responsible for ensuring that the correct type of certificate has been selected in part 1 of this form. It is acknowledged that Council does not accept any responsibility for errors.
- > I declare that all the information I have provided is true and correct.

Given name/s

Family name

Organisation / Company name

ABN / ACN (if applicable)

Address

Type of property: Single residential ☐ Multi-residential ☐ Tourist/Visitor Accommodation ☐ Other ☐ ►

Please specify -
other

Contact phone number

Alternative contact phone number

Email address

Part 4b: Registered Owner/s Signature/s - see Part 7

Registered Owner (please print)

Position

Signature

Date

Part 4b: Registered Owner/s Signature/s - see Part 7 (continued...)

Registered Owner (please print)

Position

Signature

Date

Registered Owner (please print)

Position

Signature

Date

Registered Strata Owner Name (please print)

Signature

Date

IMPORTANT NOTE:

Every owner must sign this form (or attach separate letter signed by each owner if more space is required).

Please read Part 7 at the back of this form carefully.

Incomplete or inaccurate information on this section may result in rejection of the application.

Company or
Strata Stamp
or Seal to be
affixed if
applicable

Part 5: Lodgement Details

You can lodge the completed application by:

EMAIL: council@cityofsydney.nsw.gov.au

MAIL: City of Sydney, GPO Box 1591 Sydney NSW 2001

IN PERSON: Town Hall House - Level 2, 456 Kent Street, Sydney
See our website for details of all customer service centres and opening hours:
cityofsydney.nsw.gov.au/customer-service-centres

WHAT NOW: After your application has been lodged, a request for payment will be forwarded to you. The application will be assessed on receipt of the payment of fee.

FEES: Fee is payable for the new registration in accordance to Council's Fees & Charges. See our website for details

For further information regarding your application please contact us by visiting cityofsydney.nsw.gov.au/contact-us

Part 6: Privacy & Personal Information Protection Notice

Purpose of collection: This information is being collected for the purpose of assessing a swimming pool certificate application.

Intended recipients: City of Sydney employees. Any approved contractors required to provide this service.

Supply: The supply of this information is required by law. If you are unwilling to provide this information, the City of Sydney may be unable to provide access to City of Sydney services.

Access/Correction: Please contact Customer Service on 02 9265 9333 or at council@cityofsydney.nsw.gov.au to access or correct your personal information.

Storage: The City Planning Development and Transport Unit at the City of Sydney, 456 Kent Street, Sydney NSW 2000, is collecting this information and the City of Sydney will store it securely.

Other uses: The City of Sydney will use your personal information for the purpose for which it was collected and may use it as is necessary for the exercise of other functions.

For further details on how the City of Sydney manages personal information, please refer to our Privacy Management Plan cityofsydney.nsw.gov.au/policies/privacy-management-plan.

Part 7: Additional Information

Applicants are advised that:

1. If the local authority fails to finally determine the application within 6 weeks after it is made, then the local authority is taken, for the purposes of any appeal proceedings, to have refused the application and
2. If the local authority refuses the application for an exemption and/or compliance certificate or is taken to have refused the application, or imposes a condition on an exemption, the owner of the premises on which the relevant swimming pool is situated is entitled to appeal to the Land and Environment Court against the local authority's refusal or against the condition.
3. Individual owners must print and sign their names. Where there is more than one owner, all owners must print and sign their names on this application.
4. Consent and seal of the Owners Corporation is required if the swimming pool is located on common property. The Strata Managing Agent or two (2) members of the Owners Corporation must sign.
5. Owners who are companies can indicate consent by signing under seal or as otherwise authorised under Corporations Law. Alternatively owners who are companies can indicate consent by meeting the following criteria:
 - (a) ABN or ACN number must be provided and;
 - (b) Name, position and signature of:
 - one company director and company secretary; or
 - two company directors; or
 - if a sole director company, only one signature is required.

Part 8: Notes for completing this application

To assist in the assessment of this application it is recommended that:

1. If applying for a Swimming Pool Compliance Certificate, a site plan (to scale) is provided to show the location of the pool and fencing in relation to any surrounding structures and buildings;
2. If applying for an exemption, a detailed submission is provided with the application which describes the circumstances for which exemption is being sought.
3. Refer to the Department of Fair Trading for more information
<https://www.fairtrading.nsw.gov.au/trades-and-businesses/business-essentials/building-certifiers-archived/practice-advice2/swimming-pool-certification/clarifying-compliance-with-the-building-code-of-australia>

Office Use Only

Date submitted

Email: healthbuildinginfo@cityofsydney.nsw.gov.au