

SWIMMING/SPA POOL BARRIER EXEMPTION APPLICATION

Issued under Section 22 of the Swimming Pools Act 1992

Privacy and personal information protection Notice: The personal information provided is collected for the purpose of processing this application. The Development Application lodged by you or information contained therein may be provided to members of the public in accordance with the provisions of the Government Information (Public Access) Act 2009. Supply of personal information is legally required and failure to supply could cause delay in your application.

Note 1: The applicant is entitled to appeal to the Land and Environment Court against Councils:

- i) Refusal to issue a certificate.
- ii) Failure to determine the application within six (6) weeks after receipt of an application, can be deemed a refusal of the application, for the purposes of such appeal.

Note 2: Council may exempt the swimming pool from all or any of the requirements of Part 2 of the Swimming Pools Act 1992 if Council is satisfied:

- i) It is impractical or unreasonable (because of the physical nature of the premises, because of the design or construction, or because of special circumstances of a kind recognised by the regulation as justifying the granting of an exemption) for the swimming pool to comply with those requirements, or
- ii) Alternative provision, no less effective than those requirements, exists for restricting access to the swimming pool.

Note 3: Council may grant an exemption unconditionally or subject to conditions as considered appropriate to ensure that effective provision is made for restricting access to the swimming pool concerned or the water contained in it.

ONE COPY OF A SCALED SITE PLAN AND ELEVATIONS OF THE POOL FENCING MUST BE ATTACHED. THE SITE PLAN TO SHOW LOCATION OF THE POOL, FENCING AND ANY STRUCTURE WITHIN THE POOL AREA OR WITHIN 3 METRES OF THE POOL FENCE

Section 1 Applicant details	
Contact Name:	
Postal address:	
Suburb	State P/Code
Email address:	
Contact Nos:	Mobile: Work: Home:
Do you consent to Council emailing you all documentation relating to the subject application(s) including all other related correspondence? By ticking yes, you consent to no hard copy paper-based documentation being provided to you. <input type="checkbox"/> Yes <input type="checkbox"/> No	
Signature:	Date:
Applicant Details: <input type="checkbox"/> Owner <input type="checkbox"/> Owner's Agent <input type="checkbox"/> Purchaser's Agent <input type="checkbox"/> Other _____	
Section 2 Property details	
Lot:	Deposited Plan/Strata Plan:
No:	Street
Suburb:	
Section 3 Swimming/Spa pool details	
Type of pool (s):	<input type="checkbox"/> Inground concrete <input type="checkbox"/> Inground fiberglass <input type="checkbox"/> Inground other
	<input type="checkbox"/> Above ground <input type="checkbox"/> Inground spa <input type="checkbox"/> Above ground spa
Type of fence:	
Year of Installation:	<input type="checkbox"/> Pre August 1990 <input type="checkbox"/> 1 August 1990 to 31 August 2008 <input type="checkbox"/> 1 September 2008 to 31 March 2013 <input type="checkbox"/> After 31 March 2013

Section 1 Exemption reasons

NOTE: For an exemption to be granted Council must be satisfied that:

- a) it is impractical or unreasonable for the swimming pool to comply with Part 2 of the Act; and
- b) alternative provision, no less effective than these requirements, exist for restricting access to the swimming pool.

Section 5 Access arrangements**FAILURE TO PROVIDE THIS INFORMATION MAY RESULT IN DELAYS IN INSPECTING THE SWIMMING POOL OR SPA AND PROCESSING THE APPLICATION**

You are advised that access to your property may be required by Authorised Officers of Council in order for them to process your application and determine compliance with any consent that may be issued. By the submission of this application or by authorising its submission by another person/s it is understood you are giving approval of entry to your premises to Council staff. Access may be made in your absence. Should internal access be required, staff may make contact with you beforehand to make the necessary arrangements.

Name of contact person for access:

Contact No:

Section 6 Advice to applicant

Note 1: There is provision under Section 26 of the Swimming Pools Act 1992 for the applicant to appeal to the Land and Environment Court against the Council's refusal of or the imposition of a condition upon this application.

Note 2: The Council's failure to determine the application within six weeks after it is made is taken, for the purposes of any such appeal, to be a refusal of the application.

The information on this form is being collected to allow Council to process your application and/or carry out its statutory obligations. All information collected will be held by Council and will only be used for the purpose for which it was collected. An individual may view their personal information and may correct any errors.

Fees OFFICE USE ONLY

Fee	\$250.00	Receipt No:	Date:
Allocation:		Receipt Type:	