

Application for a Certificate of Compliance for a Swimming Pool

Section 22C and 22D of Swimming Pools Act 1992



APPLICATION/REFERENCE NUMBER:

Effective 1 July 2023 to 30 June 2024

ABOUT THIS FORM

This form relates to an application to Council for a Swimming Pool Certificate of Compliance under Section 22C and 22D of the *Swimming Pools Act 1992*.

SUBJECT PROPERTY

Unit/Street No: Street:

Suburb: Post Code:

APPLICANT DETAILS

Title: ☐ Mr ☐ Mrs ☐ Ms ☐ Other:

Applicant's Name:

Company Name:

Postal Address:

Suburb: Post Code:

Email:

Phone No(s): Mobile:

Applicant's signature: Date:

Please note: The applicant must be the owner of the land or the owners authorised agent

For access to the property we will need a Contact Person

Name/s:

Phone No(s): Email:

TYPE OF PREMISES

- | | |
|---|--|
| <input type="checkbox"/> Single Residential Dwelling | <input type="checkbox"/> More than two residential dwellings (e.g. multi-unit housing development) |
| <input type="checkbox"/> Tourist or Visitor accommodation | <input type="checkbox"/> Other (specify) |

GET IN CONTACT

Randwick City Council
30 Frances Street
Randwick NSW 2031
ABN: 77 362 844 121

Phone 1300 722 542
council@randwick.nsw.gov.au
www.randwick.nsw.gov.au

DETAILS OF POOL

(Please tick 1 box in each section)

Which of the following best describes when your pool was built?

- | | |
|---|---|
| <input type="checkbox"/> Before 1 August 1990 | <input type="checkbox"/> Between 1 August 1990 and 31 August 2008 |
| <input type="checkbox"/> Between 1 September 2008 and 29 April 2013 | <input type="checkbox"/> After 29 April 2013 |

Which of the following best describes your pool?

- | | | |
|---|---|--|
| <input type="checkbox"/> An In-ground pool outdoor pool | <input type="checkbox"/> Above-ground pool outdoor pool | |
| <input type="checkbox"/> An indoor pool | <input type="checkbox"/> A spa pool | <input type="checkbox"/> A portable or inflatable pool |

Reason for Application?

Sale of premises: ☐ Yes ☐ No

Lease of premises: ☐ Yes ☐ No

Other reasons:

Which of the following best describes when your pool barrier* or the means of access* to pool was substantially altered or rebuilt?

- | | |
|---|--|
| <input type="checkbox"/> Never substantially altered or rebuilt | <input type="checkbox"/> Before 1 September 2008 |
| <input type="checkbox"/> Between 1 September 2008 and 29 April 2013 | <input type="checkbox"/> After 29 April 2013 |

**a pool barrier and means of access includes a pool fence, child proof doors and windows, and the boundary fence*

POOL FENCING/BARRIERS

(Please tick all relevant boxes)

- | | |
|--|--|
| <input type="checkbox"/> Isolated pool safety fencing provided | <input type="checkbox"/> Perimeter/boundary fencing provided |
| <input type="checkbox"/> Lockable cover provided to Spa Pool | <input type="checkbox"/> Self-closing and latching gate/s provided |
| <input type="checkbox"/> Pool safety resuscitation sign provided | |
| <input type="checkbox"/> Other safety barriers provided (e.g. Fixed openings or door locks and latches above 1.5m etc – where permitted) | |

Additional details:

SWIMMING POOL REGISTER:

Has your pool been registered on the NSW Swimming Pool Register?

- ☐ Yes - Certificate No.
- ☐ No (Pool must be registered before issue of any compliance certificate)

NOTES

- The pool must be registered on the NSW Swimming Pools Register (www.swimmingpoolregister.nsw.gov.au) by the owner/agent prior to determination of this application.
- A Certificate of Compliance can only be issued if the pool satisfies the requirements of the *Swimming Pools Act 1992* (Act).
- If the pool does not meet the safety requirements specified in the Act and relevant Standards, Council will issue a certificate of non-compliance (except in relation to properties which are subject to a 'lease') via the NSW Swimming Pool Register. Council will also issue a notice which provides details of the non-compliances and works to be attended to in order for a certificate of compliance to be issued.

A certificate of non-compliance is valid for a period of up to one-year. However, the works which are required to be carried out to achieve compliance with the Act and standards must be carried out within a period of 90 days from the date of settlement, otherwise it is an offence under the Act, which may result in penalties or regulatory action.
- Council may issue a Notice of Intention and/or Direction requiring compliance with the relevant requirements and standards within a specified time frame. Council may also issue a Penalty Infringement Notice for any breach of the Act or Regulations.
- A certificate of compliance if issued, is valid for a period of 3 years from the date of issue, subject to there being no changes to the barriers or access to the pool.
- You are entitled to appeal to the Land and Environment of New South Wales if Council refuses this application or, if Council fails to determine this application within 6 weeks after the application is made.
- This application incorporates a request and contract for certification work in accordance with section 73A of the *Building Professionals Act 2005*. These inspections and functions will be carried out by a Council Compliance Officer or Building Surveyor on behalf of Randwick City Council.
- The \$250 application fee includes payment of the initial inspection fee (\$150) and a reinspection fee (\$100). Should it not be necessary to undertake any reinspection, Council will provide a refund of the \$100 reinspection fee, upon written request.
- If the Regulations provided for a greater fee than specified on this form, the maximum fee specified in the Regulation applies.

ATTACHMENTS:

This application is to be accompanied by the relevant fee (\$250.00), together with a plan or sketch which shows the location of the swimming pool and any swimming pool fences and other barriers (i.e. boundary fences, gates, doors / window locks etc).

HOW TO LODGE THIS APPLICATION

BY MAIL with a cheque attached **OR**

OVER THE COUNTER at Council with payment made via cash, cheque, credit card or EFTPOS.

Address the Application to: Randwick City Council

Post: 30 Frances Street
Randwick NSW 2031

Courier or Personal Delivery to our Customer Service Centre:

Randwick City Council

30 Frances Street

Open 8:30am – 5:00pm, Monday – Friday

FEES

Application fees are in accordance with Council's Fees and Charges Policy. To avoid delays at lodgement, please contact us to obtain a fee quote prior to lodging your application.

Fees may be paid by cash, cheque, MasterCard, Visa, American Express & EFTPOS. Do not send cash in the mail.

Make cheques payable to Randwick City Council.

If lodging multiple applications, a separate payment must be made for each application.

FEE TYPE	RECEIPT CODE	FEE	GST
Swimming Pool Certificate of Compliance	AP	\$250	N/A

PRIVACY NOTIFICATION

The personal details requested on this form are required under the *Swimming Pools Act 1992* and will only be used in connection with the requirements of this legislation. Access to this information is restricted to Randwick City Council officers and other people authorised under the Act. Council is to be regarded as the agency that holds the information. You may make application for access or amendment to information held by Council. You may also request Council to suppress your personal information from a public register.

COPYRIGHT DISCLAIMER

The *Government Information (Public Access) Act 2009* (GIPA Act) provides that anyone may inspect, free of charge, certain documents held by a council, including (among others) development applications and associated documents. GIPA provides that a right to inspect a document under the Act includes a right to take away a copy of the document, whether free of charge or subject to reasonable copying charges.

It follows that anyone has a statutory right to inspect development application and associated documents, subject to GIPA, and to take away copies. A council complying with its obligation under the GIPA Act does not breach copyright law. However, a person who through this process obtains a copy of survey or other plans subject to copyright would be in breach of copyright law if those plans were later used in a way adverse to the interest of the holder of the copyright.

If you do copy, reproduce, republish, upload to a third party, transmit or distribute in any way plans, building specifications or other documents subject to copyright, contrary to the provisions of the *Copyright Act 1968* (Cth) you will be taken to have indemnified Randwick City Council against any claim or action in respect to breach of copyright.

OFFICE USE ONLY

Application/Request received by:	Date:
Referred to:	Date:
Receipt No:	Date:
Fee: \$	