



Warringah Council

Application for Exemption of Swimming Pool Barrier Requirements

Issued under the Swimming Pools Act 1992(Section 22))



Address the application to:

- The General Manager
Warringah Council
DX 9118 Dee Why
- Or**
- Customer Service Centre
Warringah Council
Civic Centre, 25 Pittwater Road
Dee Why NSW 2099

If you need help lodging your application:

- Phone our Customer Service Centre on (02) 9942 2111
- Or**
- Come in and talk to us

Office Use Only

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July 09

For applicable fees and charges, please refer to Council's website: www.warringah.nsw.gov.au or contact our Customer Service Centre.

Privacy and Personal Information Protection Notice

The personal information requested in this form is required by or under the Swimming Pool Act 1992 and will only be used by Warringah Council in connection with the requirements of that Act and any other relevantly applicable legislation relating to the subject-matter of this application. The information is being collected for the following purposes, namely, to enable us to (1) process and determine your application; (2) contact you in relation to your application should that be necessary; and (3) keep the public informed by making the application publicly accessible. If you do not provide the information, Council will not be able to process your application, and Council may even have the right to reject your application.

Your application will be available to Councillors and Council Officers. Members of the public have certain rights of access to information and documents held by Council under the Freedom of Information Act 1989 (NSW), s.12 of the Local Government Act 1993 (NSW), and under the Privacy and Personal Information Protection Act 1998 (NSW) to the extent permitted by those Acts.

Warringah Council is to be regarded as the agency that holds the information, which will be stored on Council's records management system or in archives and may be displayed on DAs Online (except as regards to personal particulars). You have a right to access information within the meaning of the Privacy and Personal Information Protection Act 1998 (NSW) on application to Council, and to have that information updated or corrected as necessary. Please contact Warringah Council if the information you have provided is incorrect or changes or if access is otherwise sought to the information. In addition, a person may request that any material that is available (or is to be made available) for public inspection by or under the Local Government Act 1993 (NSW) be prepared or amended so as to omit or remove any matter that would disclose or discloses the person's place of living if the person considers that the disclosure would place or places the personal safety of the person or of members of the person's family at risk. Any such request must be made to Council's General Manager: see s.739 of the Local Government Act 1993 (NSW).

PART 1 Applicant(s) Details

Applicant(s) Details

It is important that we are able to contact you if we need more information during business hours.

Please give us as much detail as possible.

Mr Mrs Ms Other

Full family name (no initials)

Full given names (no initials)

or

Company name

ACN

Postal address
We will post all correspondence to this address. Postcode

Private phone Business phone

Mobile phone Facsimile

Contact person
Person who may be contacted to discuss the application during business hours

Email

PART 2 Site Details

Swimming Pool Address

Unit no. House no. Street

Suburb

Legal property description Lot: Sect: DP/SP:
This information must be supplied.

PART 3 Applicant(s) Declaration

Applicant(s) Declaration

I/We hereby make application to Warringah Council for the issue of a Certificate of Compliance in response to the Swimming Pool at the address nominated above.

Signature(s)

Date:

PART 3 Conditions

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, in the particular circumstances of the case that:

- a) it is impracticable or unreasonable (because of the physical nature of the premises, because of the design or construction of the swimming pool or because of special circumstances of a kind recognised by the regulations as justifying the granting of an exemption) for the swimming pool to comply with those requirements, or
- b) alternative provision, no less effective than those requirements, exists for restricting access to the swimming pool.

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.

For the purposes only of any appeal proceedings arising in connection with an application under Section 22 of the Swimming Pools Act 1992, Council is taken to have refused the application if it has not finally determined the application within 6 weeks after the application was made.

If Council refuses the application for an exemption, 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 Council's decision.

Section 22 of the Swimming Pools Act 1992 and Part 4 of the Swimming Pools Regulation 2008 provides further information if required.

Council impose a fee of \$70 for an application for an exemption under section 22 of the Swimming Pools Act 1992. Applications provided without payment of the fee will not be considered.

PART 4 Reasons for Exemption Application (to be attached)

Submit with this application:

- i) detailed reasons explaining why an exemption should be considered; and
- ii) what measures will be taken to provide suitable alternative safety provisions.

Plans and diagrams may be used to assist the application.

Council may need to discuss the proposal with you and undertake a site inspection in order to provide an adequate assessment

Credit Card Details - Council Payment Fax No: 9942 2606

Please charge my: American Express Master Card Visa

Card number: Expiry date /

Card holder's name Amount \$

Signature Phone () daytime

Please note that all Credit Card payments are subject to a 1% service fee.