

**Application for Certificate of
Compliance Section 22D
Swimming Pools Act 1992**



Please **complete** form and **deliver** or **fax** to Lithgow Council

Please ensure that your pool fence/ barrier is satisfactory. If not reinspection fees will need to be paid.

APPLICANT DETAILS

Applicant's name/s (in full):

Applicant's address:

Applicant telephone: Phone: Mobile:

Email:

Signature of Applicant: Date:

Indicate preferred method of receiving completed compliance certificate: Post
 Email

Is your pool registered on the NSW Government Swimming Pool Register? Yes No

If Yes, Registration Cert. No:

ACCESS FOR INSPECTION

Access to the swimming pool (external or internal pool) for inspection must be made available.

Access details:

Contact name: Phone:

I give permission to Council's Officer to enter the property for purpose of inspection of the swimming pool.

Signature of owner(s): Date:

OWNER DETAILS

Registered Owner name:

Signature: Date:

Registered Owner name:

Signature: Date:

Telephone:

Type of pool:

Location of pool:

House number:

Street name:

Lot number: DP:

Suburb:

Date of Construction: DA Ref No:

Fee Applicable: **\$150.00 (Nil GST)**

\$100.00 Re-inspection Fee (Nil GST)

Please refer to Council's Fees & Charges on Council's Website - www.council.lithgow.com

OFFICE USE ONLY

DATE RECEIVED: ____/____/____ RECEIPT NO: _____

RECEIPTED BY: _____ AMOUNT PAID: \$ _____

PROPERTY NO: _____ DATE PAID: ____/____/____

SIGNATURE: _____ DATE POSTED: ____/____/____

NOTES: _____

PRIVACY & PERSONAL INFORMATION PROTECTION NOTICE

By completion of this form you may be providing Council with personal information. Council will collect the information only for a lawful purpose directly related to the function of Council. Information provided to Council may be used in conjunction with any of Council's business operations. We will take reasonable care not to disclose personal information. Exempt documents may come under the Government Information (Public Access) Act 2009.

Maintained by Dept:	Env & Dev	Effective Date: February 2014	Review Date: February 2015
Version: 1			

T:Forms/Env & Dev/Application for Certificate of Compliance Section 22D Swimming Pools Act 1992/Version1

NOTES

FEES

The application fee for this certificate is \$150 (or \$100 re-inspection fee) as outlined in clause 17 of the Swimming Pool Regulation 2008.

PRIVACY

The information provided in this application and supporting documentation is required to enable it to be assessed by Council and relevant State agencies. The information may be advertised to the public for comment and the public may be entitled to inspect the application and any associated documents under Section 12 of the Local Government Act 1993. Additionally, an image of the application and any associated documents may be placed on Council's website for public access. In collecting, using and disclosing the information on this form, Council is bound by the obligations of the Privacy & Personal Information Protection Act 1998.

RIGHTS OF APPEAL

1. You are entitled to appeal to the Land & Environment Court should Council determine to refuse the application.
2. For the purpose of the appeal proceedings arising in connection with an application under Section 22D 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 of the application being made.
3. Section 22D of the Swimming Pools Act and Clause 18 of the Swimming Pools Regulation 2008 are outlined below.

SWIMMING POOLS ACT 1992 SECTION 22D

Local Authority must grant certificate of compliance if swimming pool complies with part

1. The owner of any premises on which a swimming pool is situated may apply to the local authority for a certificate of compliance with respect to the swimming pool.
2. If satisfied that the swimming pool complies with the requirements of this Part, the local authority must issue to the applicant a certificate to the effect that, as at the date on which it is issued, the swimming pool complies with those requirements.
3. The issue of a certificate under this section does not prevent the local authority from later giving a direction under section 23 in respect of the swimming pool concerned.
4. For the purposes only of any appeal proceedings arising in connection with an application under this section, the local authority is taken to have refused the application if it has not finally determined the application within 6 weeks after the application was made.

SWIMMING POOL REGULATIONS 2008 CLAUSE 16, 17 AND 18

Certificate of Compliance: Section 22D

1. A local authority may impose a fee on an application for a certificate of compliance under section 22D of the Act.
2. An application made to a local authority under section 22D of the Act is to be in the form approved by that authority.
3. The form must contain a statement to the effect that: (a) the applicant is entitled to appeal to the Land and Environment Court against the local authority's refusal of the application, and (b) the local authority's failure to determine the application within 6 weeks after it is made is taken, for the purposes of any such appeal, to be a refusal of the application.
4. A local authority that refuses to issue a certificate under section 22D of the Act in respect of a swimming pool must cause notice of its decision to be served on the owner of the premises in or on which the swimming pool is situated.
5. Such a notice: (a) must give reasons for the decision, and (b) must state that the owner of the premises is entitled to appeal to the Land and Environment Court from the decision.