

Gloucester Shire Council

89 King Street (PO Box 11) Gloucester NSW 2422

Phone: (02) 6538 5250 Facsimile: (02) 6558 2343 Email: council@gloucester.nsw.gov.au

Website: www.gloucester.nsw.gov.au



Swimming Pool Exemption Application <i>Swimming Pools Act 1992</i>		Office use
		Our Ref:
		Amount:
		Rec No:
		Date:
<u>APPLICANT DETAILS</u>		
Applicant:		
Postal Address:		
Email:		
Daytime Phone:	Fax:	Mobile:
<u>PROPERTY DETAILS</u>		
Lot:	DP:	
No:	Street:	
Suburb:	State:	Postcode:
<u>OWNER DETAILS</u>		
<input type="checkbox"/> <i>Please tick if same as applicant</i>		
Applicant:		
Postal Address:		
Email:		
Daytime Phone:	Fax:	Mobile:
<u>OWNERS CONSENT</u>		
As the owner(s) of the land to which this application relates, I/We consent to this application. I/We also Consent for authorised Council Officers to enter the land to carry out inspections and take any photographs of the pool area.		
Signature(s):		Date:
<small><i>Please note: If more than one owner each owner must sign this application. If the owner is a company, the form must be signed by an authorised director and the common seal must be stamped on this application. If the property has been recently purchased, written confirmation from the purchaser's Solicitor must be provided. If the contracts have been exchanged for the purchase of the land, the current owner is to sign the application.</i></small>		
An Application Fee of \$70 is payable at the time of lodging this application. Council will not process an application where the fee has not been paid.		

FEES AND PAYMENT

Payment may be made by cash, cheque or credit card (Master Card & Visa accepted).

Where payment is to be made by credit card the following details are to be provided.

Card Number:	Amount:
Cardholder Name:	Expiry Date:
Signature:	Daytime Phone:

LODGEMENT OF INFORMATION

Method of Lodgement

It is recommended that applications be submitted in person to avoid lost time in the event of incomplete Applications and the need to return the Application. Applications can be submitted to the Cashier area at the Council's Administration Office at 89 King Street, Gloucester.

Applications that are lodged by post should be addressed to the General Manager at the following address:

**PO Box 11
GLOUCESTER NSW 2422**

Further information: If you require further information on completing this form, Council may be contacted on (02) 6538 5250 between the hours of 9:00am and 4:00pm weekdays.

PRIVACY NOTICE

Council is bound by the provisions of the Privacy and Personal Information Protection Act 1998, in the collection, storage and utilisation of personal information provided in this form. Accordingly, the personal information will only be utilised for the purposes for which it has been obtained.

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.

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.