

Swimming Pools Act 1992 – Section 22

Application for a Certificate of Compliance - Contract for Certification

Guidance

The swimming pool must be registered on NSW Swimming Pool Register prior to making an application. The registration is free and can be made at www.swimmingpoolregister.nsw.gov.au. Please contact Council should you have any difficulties registering the swimming pool.

1. Please note that all fields are mandatory and must be completed before submitting unless marked with an *
2. Once completed you can submit this form by mail, fax, in person, or email (council@shoalhaven.nsw.gov.au).
3. Once submitted, a Swimming Pool Compliance Officer will be in contact to arrange a suitable inspection time.
4. The City Development Administration Team will issue an invoice to be paid prior to the issue of the Certificate of Compliance. Applicable fees are regulated under Sect. 22F (1) of the Swimming Pool Act 1992 and Swimming Pool Regulations 2018.
5. The invoice can be paid in person, by BPAY, by cheque or by credit card (Note. 1% surcharge applies – please call 1300 004 431 or www.shoalhaven.nsw.gov.au).
6. Read the Notes in Section 6 about the requirements of this Certificate of Compliance.

1. Owners Details

Company Name (if applicable):			
ABN / ACN :		Position:	
<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Other (specify):			
First Name:		Last Name:	
Email:		Phone:	
*Lot:		*DP:	
Unit/Street No:			
Street Name:			
Suburb:		State:	
Postcode:			


2. Swimming Pool Location (write 'as above' if same location):

write "as above" if same location:			
*Lot:		*DP:	
Unit/Street No:			
Street Name:			
Suburb:		State:	
Postcode:			

3. Swimming Pool Details

*Year Pool Built (approx.):		*Approval (BA/DA/CDC):	
Type of pool:			
<input type="checkbox"/> In-Ground <input type="checkbox"/> Semi In-Ground <input type="checkbox"/> Above Ground <input type="checkbox"/> Indoor <input type="checkbox"/> Spa/Hot Tub <input type="checkbox"/> Inflatable/Portable			
NSW Swimming Pool Registration:			

Office use only

Receipt No.:	Receipt Date:	 F O R M 3 1 0 2
Form No.: 3102	Issue Date: 19/07/2021	
Version No. 2	Review Date: 1/07/2023	

3. Pool Use – please tick all applicable

Tourist or Tourist accommodation (i.e. hotel, motel, B&B) Yes No

Is the pool located on a property with more than two (2) dwellings? Yes No

Is the pool used by a serviced apartment or short-term rental accommodation Yes No

4. Access Details for Inspection:

Contact Person: _____ Email: _____

Phone: _____ Access Issues (if applicable): _____

5. Owner's Declaration

Note: If the land is owned by a company (P/L) the signature of at least one (1) director residing in Australia is required. If a company signatory, indicate position held.

As the owner(s) of the premises to which this Contract for Certification relates, I/we freely consent to this application for Certification Works and authorise Council officers to undertake all necessary inspections of the premises to properly assess this Certificate of Compliance application.

Name of Owner/ Director: _____ Position (if owner is a company) _____

Signature: _____ Date: _____

Name of Owner/ Director: _____ Position (if owner is a company) _____

Signature: _____ Date: _____

6. Information**Rights of appeal**

Under the provisions of Section 26 of the Swimming Pools Act 1992, the applicant is entitled to appeal to the Land and Environment Court should Council determine to refuse this application. Such an appeal must be made within twenty-eight (28) days from the date of the determination.

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 (or such other period as may be prescribed by the regulations) after:

a) An inspection of the swimming pool is carried out under section 22B

Swimming Pools Act 1992 – Section 22D

22D Certificates of compliance

1. The requirements for the issue of a certificate of compliance in respect of a swimming pool are that:

- (a) the swimming pool is registered under Part 3A, and
- (b) the swimming pool complies with the requirements of this Part.

2. A local authority or an accredited certifier must issue a certificate of compliance in respect of a swimming pool if the local authority or accredited certifier:

- (a) has inspected the swimming pool under this Division, and
- (b) is satisfied that the requirements for the issue of a certificate of compliance have been met.

3. A local authority or an accredited certifier must not issue a certificate of compliance except as provided by subsection (2).

4. A local authority or an accredited certifier may refuse to issue a certificate of compliance until any fee payable for the inspection has been paid.

5. A certificate of compliance in respect of a swimming pool is to be issued to the owner of the premises on which the pool is situated in a form approved by the Director-General.

6. A certificate of compliance remains valid for a period of 3 years from the date on which it is issued but ceases to be valid if a direction is issued under section 23 in respect of the swimming pool to which the certificate relates.

7. A local authority or accredited certifier that issues a certificate of compliance in respect of a swimming pool must ensure that details of the certificate are entered on the Register, by providing the details to the Director-General in a form approved by the Director-General.

8. The regulations may make provision for or with respect to the time and manner in which any such information is to be entered on the Register

Lodgement details

You can lodge the completed service report by

Email: council@shoalhaven.nsw.gov.au or

In person: Council offices at Bridge Rd, Nowra or Deering St, Ulladulla.

By post: PO Box 42, Nowra NSW 2541 Australia, PO Box 737 Ulladulla NSW 2539