

## 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](http://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, in person, or email ([council@shoalhaven.nsw.gov.au](mailto:council@shoalhaven.nsw.gov.au)).
3. Once submitted, a Swimming Pool Compliance Officer will be in contact to arrange a suitable inspection time.
4. An invoice will be issued, and must be paid prior to the issue of the Certificate of Compliance. Applicable fees are regulated under Sect. 22F (1) of the Swimming Pools Act 1992 and Swimming Pools Regulation 2018.
5. The invoice can be paid in person, by BPAY, by cheque or by credit card (Note. 1% surcharge applies – please call 1300 651 934 or [www.shoalhaven.nsw.gov.au](http://www.shoalhaven.nsw.gov.au)).
6. Read the Notes in Section 6 about the requirements of this Certificate of Compliance.

#### 1. Owners Details

Owners Name:							
Owners Name:							
Company Name (if applicable):				ACN:			
Email for service of invoice and documents:							
Phone:							
Unit / Street No:		Street Name:					
Suburb:		State:		Postcode:			


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

Unit / Street No:		Street Name:					
Suburb:		State:		Postcode:			
*Lot :		*DP:					

#### 3. Swimming Pool Details

NSW Swimming Pool registration No.:			*Approval (BA/DA/CDC):		
Type of pool:					
<input type="checkbox"/>	In-Ground	<input type="checkbox"/>	Semi In-Ground	<input type="checkbox"/>	Above Ground (including "swim spa')
<input type="checkbox"/>	Indoor	<input type="checkbox"/>	Spa Pool/Hot Tub	<input type="checkbox"/>	Inflatable/Portable

#### Office use only

Receipt No.:		Receipt Date:		 <small>F O R M 3 1 0 2</small>
Form No.: 3102	Issue Date: 1/6/2021	Version No. 2		
Review Date: 1/06/2023		Owned By City Development		

<b>4.</b>	<b>Application Type</b>
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Conveyancing Purposes / Sale of land	<input type="checkbox"/>	Other (Rental Premises, Multiple occupancy)	<input type="checkbox"/>
Tourist and Visitor Accommodation	<input type="checkbox"/>	Short-term rental accommodation (STRA)	<input type="checkbox"/>

<b>5.</b>	<b>Access Details for Inspection:</b>
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Contact Person:		*Email:	
Phone:		*Access Issues (if applicable):	

<b>6.</b>	<b>Owner's Declaration</b>
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*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.

I/We consent to receiving all correspondence electronically to the above email address:	<input type="checkbox"/>
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Name of Owner:		Signature:		Date:	
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Position if Company :

Name of Owner:		Signature:		Date:	
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<b>7. Information</b>
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**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

- The requirements for the issue of a certificate of compliance in respect of a swimming pool are that:
  - the swimming pool is registered under Part 3A, and
  - the swimming pool complies with the requirements of this Part.
- 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:
  - has inspected the swimming pool under this Division, and
  - is satisfied that the requirements for the issue of a certificate of compliance have been met.
- A local authority or an accredited certifier must not issue a certificate of compliance except as provided by subsection (2).
- 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.
- 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.
- 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.
- 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.
- 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