

Application for an Exemption

Swimming Pool Act 1992

Use this form to apply for an exemption under Section 22 of the *Swimming Pool Act 1992*. Exemptions are considered to be applicable only in the extreme of circumstance and are not typically issued when compliance with the current standard can be met.

A site plan indicating the property, location of the pool, any structures on the property and the proposed fencing should be included with your application. Incomplete applications may result in your application being returned or its assessment delayed.

All fees will be calculated in accordance with the City of Newcastle's (CN) [Fees and Charges](#).

Note: Please download this form to complete electronically.

Part 1: Applicant and Site Details

1. Applicant Details

Name or company	
ABN (required if company)	
Email	
Phone	
Postal address	
Contact person (if company)	
Will your correspondence be 'care of' another company? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Name or company	
ABN (required if company)	
Email	
Phone	
Postal address	
Contact person	

2. Location and Title Description of the Property

Property address

Lot(s)

Section

Deposited Plan(s)

Strata Plan

Other

3. Who Owns the Land?

Please use our [Owner's Consent](#) form if additional space is required.

Owner 1

Address

Email

Phone

Owner 2

Address

Email

Phone

Owner 3

Address

Email

Phone

4. Details of Previous Interactions with City of Newcastle (CN) Officers

Have you spoken about this application with a CN Officer?

No

Yes - CN Officer name is _____

Part 2: The Application and Swimming Pool Details

5. Details of the pool and exemptions sought

Exemption sought from the requirements of:

A proposed pool

An existing pool – provide both the:

• Approval no. for the erection of the pool _____

• Date erected _____

6. Exemption reasoning

Provide reasons for seeking an exemption

7. Alternative provision

Provide alternative provision

Part 3: Owner's Consent and Applicant's Declaration

8. Owner's Consent

Who signs the form?

- All owners of the subject property.
- If the owner is a company - a director, secretary or authorised delegate.
- If the property is strata titled and relates to the entire strata – the authorised delegate of the Owner's Corporation.
- If the property is strata titled and relates only to a single lot in the strata - all owner/s of the particular lot.
- If Crown land - an authorised officer of the relevant government authority must sign the application.

If signing on the owner's behalf as the owner's legal representative, you must state the nature of your legal authority and attach any available evidence (e.g. power of attorney, executor, trustee, company director).

Please use our [Owner's Consent](#) form if additional space is required.

As owner/s of the land to which this application relates, I/we consent to this application. I/we also give consent for authorised officers of the City of Newcastle (CN) to enter the land to carry out inspections.

Owner 1	
Company and legal authority (if applicable)	
Signature	
Owner 2	
Company and legal authority (if applicable)	
Signature	
Owner 3	
Company and legal authority (if applicable)	
Signature	

9. Probity

Parties include owners, applicants, developers and companies.

Are parties with pecuniary or non-pecuniary interest:

- a) a staff member, councillor, contractor or related to someone who is a staff member, councillor, contractor of CN? or,
 b) a State or Federal Member of Parliament?

No

Yes – state the relationship:

10. Applicant's Declaration

I declare that all the information given is true and correct.

I understand that if incomplete, the application may be delayed, rejected or returned.

I understand that the information supplied on this form and any related document may be made available to the public for inspection both at CN and on CN's website and will be available for copying at CN.

Applicant's name

Date

Signature

How to lodge this application

Lodgement Methods

Email

- Enter the address of the property and the type of application (i.e. Application for an Exemption – Swimming Pool Act) in the subject line of the email.
- Documents forming part of the application that exceed 10MB, are to be stored in a 'drop box' account and a 'public link' created to the documents. Copy the link and share that link in your email.
- Emails are to be sent to applications@ncc.nsw.gov.au

Mail

City of Newcastle
PO Box 489
Newcastle NSW 2300

In person

At our Customer Contact Centre, located at 12 Stewart Avenue Newcastle West NSW 2302.

Fees

Fees are charged as per CN's [Fees and Charges](#) document. Your application is not considered lodged until the required fees have been paid. You will be contacted for payment of the applicable fee. Failure to arrange payment will result in your application being returned.

Payments can be made via one of the following methods:

- Cash
- EFTPOS
- Cheque*
- Credit Card*

*Please note a merchant fee is payable on all credit card transactions.

*Cheques are to be made payable to City of Newcastle.

[City of Newcastle](#)

Phone: 02 4974 2000

In Person: 12 Stewart Avenue Newcastle West NSW 2302

Protecting your privacy

City of Newcastle (CN) is committed to protecting your privacy. We take reasonable steps to comply with relevant legislation and CN's Privacy Management Plan.

You are advised the information you provide in this application will enable your application to be assessed by CN and any relevant state agency.

The application and all plans and supporting documentation will be kept in a register by the council that can be viewed by the public at any time. Please contact CN if the information you have provided in your application is incorrect or changes.

Purpose of collection:	To enable CN as the consent authority to assess your proposal.
Intended recipients:	CN staff and other government agencies that may be required to assess the proposal.
Supply:	The information is a statutory requirement related to the assessment of the application.
Consequence of non-provision:	Your application may not be accepted or processed due to a lack of information.
Storage and security:	City of Newcastle, 12 Stewart Avenue Newcastle 2302 will store details of the application. Individuals can access the details of the application under the <i>Government Information (Public Access) Act 2009</i> .
Access:	Your information can be checked for accuracy by calling (02)4974 2000.