Swimming Pool Barrier Exemption Application 2026/2027

Northern Beaches Council

Section 22 of the Swimming Pools Act 1992

If you need help lodging your form, contact us			
Email	council@northernbeaches.nsw.gov.au		
Phone	1300 434 434		
Customer Service Centres	**Manly** Town Hall, 1 Belgrave Street, Manly NSW 2095	**Dee Why** Civic Centre, 725 Pittwater Road, Dee Why NSW 2099	**Mona Vale** 1 Park Street, Mona Vale NSW 2103

Office use only	
Form ID	2021
TRIM Ref.	
Last updated	July 2026
Business unit	Environmental Compliance
Receipt No.	

Privacy Protection Notice	
Purpose of collection:	For Council to provide services to the community
Intended recipients:	Northern Beaches Council residents
Supply:	If you choose not to supply your personal information, it may result in Council being unable to provide the services you seek
Access/correction:	Please contact Customer Service on 1300 434 434 to access or correct your personal information

Payment options	
In person	Visit the Customer Service Centre (listed above) to apply with supporting documentation
Via post	Send the completed application form and cheque payment to: Northern Beaches Council, PO Box 82, Manly NSW 1655. Please allow extra time for this option.
Via email	Send the completed application form to council@northernbeaches.nsw.gov.au and we will call you for payment. Please allow extra time for this option and note the application is not assessed until payment is received.
Note: 0.5% payment card surcharge applies to both credit/debit card payments until 1 October 2026.	

This is an application to request an exemption from swimming pool barrier requirements of the Swimming Pools Act 1992 that are impracticable or unreasonable or alternative provision, no less effective than the requirements of the Act, exists for restricting access to the swimming pool.

Part 1: Property details

Address						
				Postcode		
Legal property description	Lot:		Section:		DP/SP:	

Part 2: Owner details

Owner(s) name			
Address of owner			
Owner's consent	As the owner(s) of the land to which this application relates, I/we consent to this application and consent for the authorised council officer to enter the land to carry out an inspection(s) of the safety barriers of my swimming pool/ spa pursuant to the Swimming Pools Act 1992. I/we declare that the information provided in this application is accurate and correct. All owners of the property must sign this application. If the property is a unit under strata title or community title, the common seal of the owner's corporation must be stamped on this application and signed by the chairman or secretary of the owner's corporation. 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.		
Signature		Date	

Part 3: Applicant's details

Title	◯ Mr ◯ Mrs ◯ Ms ◯ Other		
First name			
Last name			
Property owner	Yes ◯ No ◯	Managing agent	Yes ◯ No ◯
Address			
Phone		Alternate	
Mobile		Fax	
Email			
Is your swimming pool or spa registered in the NSW Swimming Pool Register?	Yes ◯ No ◯	If yes, registration no:	
Signature of applicant		Date	

Part 4: Swimming pool details

Type of swimming pool OR spa	In-ground pool ◯	Above ground pool ◯	Indoor pool ◯	In-ground spa ◯	Above ground spa ◯
Type of property	Waterfront ◯	Greater than 2 hectares ◯	Less than 320m^2 ◯		
Year of installation/construction	Prior to 1 August 1990 ◯	Between 1 August 1990 - 31 August 2008 ◯	Between 1 September 2008 - 29 April 2013 ◯	After April 2013 ◯	
Has there been any alteration or modification to the safety barriers of the Swimming Pool/Spa			Yes ◯	No ◯	

Part 5: Supporting documents

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.
iii) site plan and elevation plans with dimensions to support the application.
Council may need to discuss the proposal with you and undertake a site inspection in order to provide an adequate assessment

Part 6: Reasons for exemption

It is impracticable or unreasonable to comply with Part 2 of the Swimming Pools Act 1992, for the following reason/s (Please tick ONE)	
The physical nature of the premises or the design or construction of the swimming pool is impractical.	◯
The existence of special circumstances (Clause 14 of the Swimming Pools Regulation 2018)	◯
An 'alternative solution' is proposed to restrict access to the swimming pool, which is no less effective than the requirements of Part 2 of the Swimming Pools Act 1992.	◯

Part 7: Detailed plans/information

Detailed plans and supporting information must be provided with this application which demonstrates that the circumstances described in the section above Reasons For The Proposed Exemption and provisions of the Swimming Pools Act 1992 are satisfied.

Part 8: Application fees

An application fee of $250.00 applies for the issue of exemption from swimming pool barrier requirements.

Part 9: Exemption conditions

This is an application to request an exemption from swimming pool barrier requirements of the Swimming Pools Act 1992 that are impracticable or unreasonable or alternative provision, no less effective than the requirements of the Act, exists for restricting access to the swimming pool.

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 2018 provides further information if required.

Council impose a **fee of $250** for an application for an exemption under section 22 of the Swimming Pools Act 1992. Applications provided without payment of the fee will not be considered.

Part 10: Applicant(s) declaration

I/We hereby make application to Northern Beaches Council for the issue of a Certificate of Compliance in response to the Swimming Pool at the address nominated in Part 1 - Property Details.

Signature		Date	