# Application for Ministerial Exemption for Regulated Swimming Pools

*Building Act 2004*

This form is to be used by individuals seeking a Ministerial exemption from compliance with the prescribed safety standards under part 5A of the *Building Act 2004*.

An application for exemption must be accompanied by sufficient supportive information to enable a decision on the application. The information required is set out in the Guideline about Ministerial exemptions for regulated swimming pools.

This application will not be considered unless it is complete, and all supporting documentation is provided.

**GROUNDS FOR MINISTERIAL EXEMPTION**

Section 36F of the *Building (General) Regulation 2008* describes the circumstances where a Ministerial exemption can be sought. The Guideline about Ministerial exemptions for regulated swimming pools outlines the matters that will be considered when assessing an application for a Ministerial exemption.

**Privacy Notice**

The personal information on this form is provided to the City and Environment Directorate (CED) of the ACT Government to enable the processing of your application. If all or some of the personal information is not collected, CED cannot process your application. The information privacy policy and annex sets out how CED manages personal information when performing its functions and duties.

The specific legal obligations of CED when collecting, holding, using and disclosing personal information and individual's rights in relation to their personal information are outlined in the *Information Privacy Act 2014* (the Act) and in particular in the Territory Privacy Principles. The information privacy policy is made in accordance with Territory Privacy Principle 1.3 of the Act.

The current CED Information Privacy Policy is available at www.planning.act.gov.au/privacy.

## Section A Applicant Details

Title _____ Surname _____

Given Names _____ Date of Birth _____/_____/_____

Mobile Number _____ Email _____

Address of regulated swimming pool _____

Suburb _____ State _____ Postcode _____

*If applying on behalf of an owners corporation or entity please complete the following.*

Entity Name _____

Entity ACN/ABN _____

Entity Mobile Number* _____ Entity Email* _____
**If the same as mobile/email – mark 'As Above'*

## Section B Circumstances for exemption sought

The following are the grounds for exemption we will accept, and assess, to support an application. Check the box of the ground for exemption being sought for this application:

- ☐ Compliance is impracticable
- ☐ Protected tree
- ☐ Heritage Significance
- ☐ Accessibility
- ☐ Plans to demolish

**Summary of exemption sought**

*Provide a summary of the type of exemption you are seeking and why the circumstance is applicable.*

## Section C Guidance for supporting documentation

The Guideline about Ministerial exemptions for regulated swimming pools sets out the type of documentation required to be submitted with an application.

**Further supporting information**

*Provide any additional information that is not being submitted as an attachment to this application.*

## Section D Consent and Application Declarations

I, _____,

*Insert name, address and occupation of person making the declaration*

make the following declaration**:**

**1. I declare:**

a) that I make this application for a Ministerial Exemption for regulated swimming pools to the Environment, Planning and Sustainable Development Directorate under the *Building Act 2004* and that all statements, and the documents/information provided in support of the application, are accurate, true and correct.

**2. I authorise and consent:**

a) to the Environment, Planning and Sustainable Development Directorate to make enquiries of, and exchange information with, the relevant regulatory authorities of any Australian State or Territory, or other country, regarding my application or otherwise regarding matters relevant to this application.

**3. I acknowledge:**

a) that the Environment, Planning and Sustainable Development Directorate may validate documents provided in support of this application or wish to confirm my identity.

b) that failure to complete all relevant sections of this application and enclose all supporting documentation may result in this application not being accepted.

Signature of Applicant _____Date:_____

## Section E Payment Details

You will be required to pay a fee prior to assessment of your application. The fee associated with this application is dependent on the circumstance for which the exemption is sought.

| Exemption circumstance | Fee |
|---|---|
| **1. Compliance is impracticable** | $575.00 (GST free) |
| **2. Protected tree** | $325.00 (GST free) |
| **3. Heritage significance** | $325.00 (GST free) |
| **4. Accessibility** | $325.00 (GST free) |
| **5. Plans to demolish** | $225.00 (GST free) |

You will be sent a payment link after receipt of your application.

This fee is **non-refundable**.

## Section F Lodgement and Contact Information

Your completed application form and all accompanying documentation should be emailed to CEDBuildingReform@act.gov.au.

If you have any queries about your application, please email CEDBuildingReform@act.gov.au.