

Application for special exemption under section 6 of the Fencing of Swimming Pools Act 1987

GUIDANCE INFORMATION

Council may grant an exemption where the circumstances warrant a dispensation from the Fencing of Swimming Pools Act 1987. Your attention is drawn to the Fencing of Swimming Pools Act 1987, section 6 and clause 11 of the Schedule.

Special exemptions, s.6

1. Council may, by resolution, grant an exemption from some, or all of the requirements of this Act in the case of any particular pool where Council is satisfied, having regard to the particular characteristics of the property and the pool, any other relevant circumstances, and any conditions it imposes under subsection (2), that such an exemption would not significantly increase danger to young children
2. In granting an exemption under subsection (1), Council may impose such other conditions relating to the property or the pool as are reasonable in the circumstances.
3. Any exemption granted or condition imposed under this section may be amended or revoked by Council, by resolution

Schedule: Clause 11

Where any building forms part of a fence and the pool is not contained within the building, any door that gives access to the immediate pool area need not comply with the requirements for gates or doors set out in clauses 8 to 10 to the extent (if any) that the Council is satisfied that such compliance is impossible, unreasonable, or in breach of any other Act, Regulation, or Bylaw, and the door is fitted with a locking device that, when properly operated, prevents the door from being readily opened by children under the age of 6 years

A full copy of The Fencing of Swimming Pools Act 1987 is available on the following website link www.legislation.govt.nz

Documentation required to support application:

A site plan must be provided including all measurements of the immediate pool area, the pool size and location. The plan is to include all pool fencing details, including any wall of the dwelling used as part of the fencing, if this forms part of the fence. The plan must detail the materials of which the fences are constructed.

Important notes:

1. Failure to provide information on any material matters may result in a request for further information
2. Until an exemption is determined, the pool must be made compliant with the Act; one way of achieving compliance is to drain water from the pool to a maximum depth of 400mm. However, if you intend to drain the pool, we recommend that you consult a pool professional before draining water, to avoid damaging your pool.

OWNER

Name:	<input type="text"/>		
Mailing address:	<input type="text"/>	Postcode:	<input type="text"/>
Private:	<input type="text"/>	Business:	<input type="text"/>
Facsimile:	<input type="text"/>	Mobile:	<input type="text"/>
Email address:	<input type="text"/>		

POOL DETAILS

Property address:	<input type="text"/>	Postcode:	<input type="text"/>
		Type:	<input type="checkbox"/> Swimming pool <input type="checkbox"/> Spa pool

ITEMS OF NON COMPLIANCE

Note: If there is insufficient space on this form, please attach your reasons in a separate letter.
Please refer to information provided to you by the Council's Inspector and list non-compliance below:

REASONS FOR NON-COMPLIANCE:

I am unable to comply because:

REASONS WHY THE EXEMPTION SHOULD BE GRANTED:

My solution will not increase the danger to young children because: (Please see inappropriate grounds over page)

TO BE COMPLETED BY OWNER

I/We apply for an exemption from the requirements of the Fencing of Swimming Pools Act 1987, as set out above and certify that all other pool fencing requirements are in accordance with the Act.

I wish to be present at the hearing (*Please tick*) Yes No

* All applications must be accompanied by a deposit; please refer to Council's Fees and Charges Schedule on our website to determine the amount payable.

Deposit fee \$ _____ attached.

All the above information is, to the best of my knowledge, true and correct. I understand that all plans, documentation and reports submitted as part of this application are required to be kept as a matter of public record. Therefore, the public may view this application, once it has been submitted.

Signature:

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Print Name:

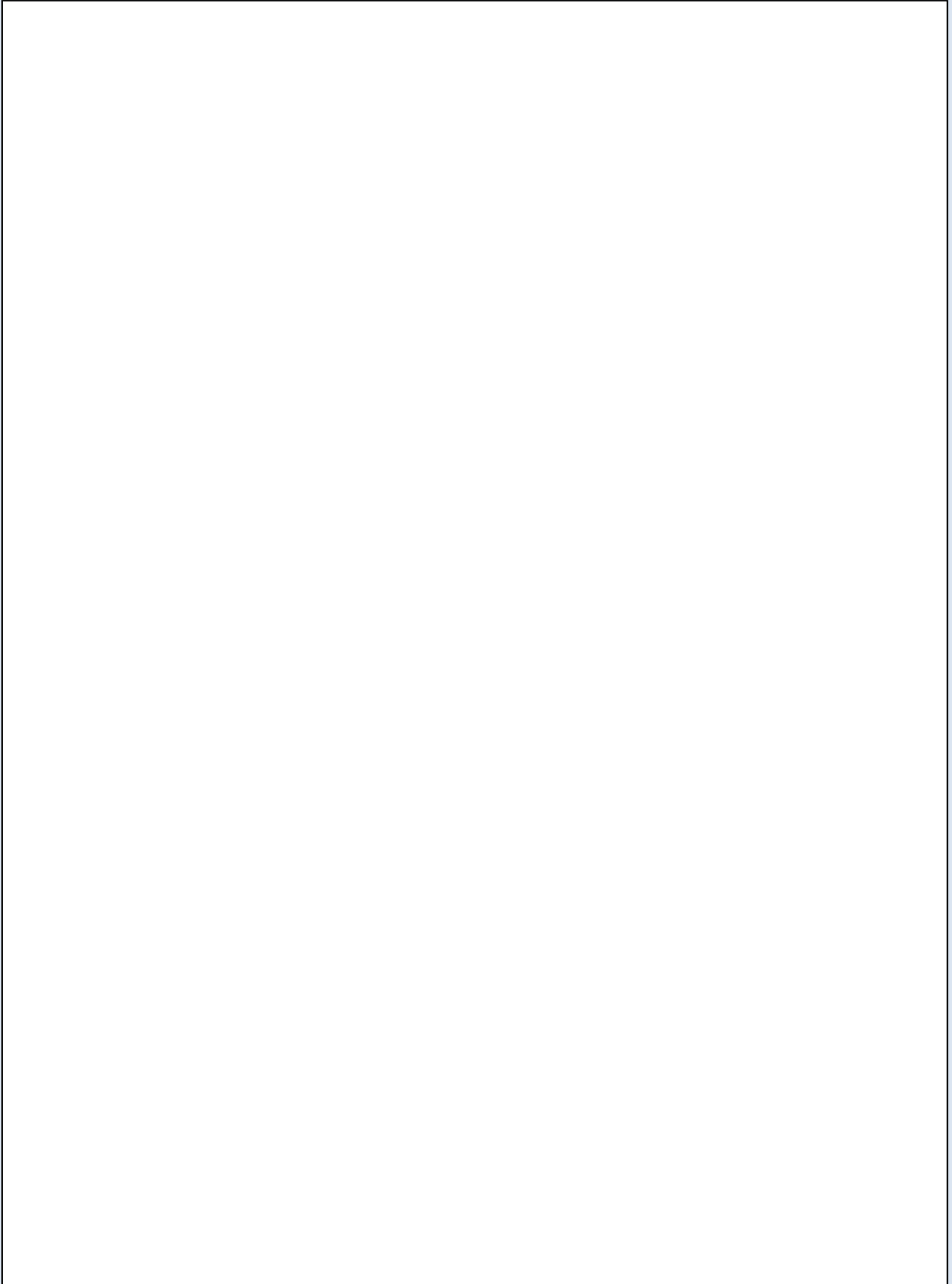
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Date:

SITE PLAN AND DETAILS

If completing this form electronically, attach a picture to the email along with this PDF form, that fits the criteria stated below.

Please draw whole site plan and show all buildings; the pool; the immediate pool area; details of the height, construction, position of rails, size of openings of all fences and gates and all doors, windows and gates giving access to the immediate pool area including type, details of hardware.

A large, empty rectangular box with a thin black border, intended for the user to draw a site plan. The box occupies most of the page below the instructions.

PLEASE SUBMIT COMPLETED APPLICATION TO:

Environmental Services
Hurunui District Council
PO Box 13
Amberley 7441

IMPORTANT NOTE:

Council can only grant an exemption when it is satisfied that the danger to young children will not be significantly increased

COUNCIL USE ONLY:

Receipt No:	
Deposit\$:	
Date received:	
Consent No:	
Pool No:	

INSPECTION UNDERTAKEN BY COUNCILLORS

INAPPROPRIATE GROUNDS FOR AN EXEMPTION:

The following are considered to be inappropriate grounds for an exemption:

- * Distance of the pool to other residences
- * Effects on the appearance of the property
- * Other means of protection (eg; pool covers, pool alarms)
- * Whether children are resident on the property