

Fencing of Swimming Pools Act 1937 (the Act)

Section 6:- Special Exemptions:-

- (1) A territorial authority, may by resolution, grant an exemption from some or all of the requirements of this Act in the case of any particular pool where the territorial authority is satisfied, having regard to the particular characteristics of the property and the pool, any other relevant circumstances, and any condition it imposes under subject (2) of this section, that such an exemption would not significantly increase danger to young children.
- (2) In granting an exemption under subsection (1) of this section, the territorial authority 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 a territorial authority, by resolution.

establishing compliance with the building code for the purposes of section 49 of that Act, and the requirements of this Act;

(b) Buildings and premises not subject to the Building Act 1991, be deemed to be a reasonable and adequate provision for the purposes of this Act;

[Hist. s13B inserted on 1 July 1992 by 1991 No 150, s92(1).

#### [13C. AMENDMENT AND REPLACEMENT OF SCHEDULE--

The Governor-General may from time to time, by Order in Council made on the advice of the Minister of Internal Affairs, amend the Schedule to this Act or repeal that Schedule and substitute a new Schedule.]

[Hist. s13C inserted on 1 July 1992 by 1991 No 150, s92(1).

#### 14 AMENDMENT TO FENCING ACT 1978--

The Fencing Act 1978 is hereby amended by inserting, after section 9, the following section:

"9A. CONTRIBUTIONS WHERE FENCE REQUIRED BY FENCING OF SWIMMING POOLS ACT 1987--

"Where any person is required to provide a fence in order to comply with the Fencing of Swimming Pools Act 1987--

"(a) All work on that fence that is required because of the application of that Act and would not otherwise be required shall be the responsibility of the owner of the swimming pool; and

"(b) No person, other than the owner of the swimming pool, shall be required to make any contribution under this Act to the work on a fence greater than the contribution that the person would be required to make to the work on a fence (whether of the same type or not) if the swimming pool did not exist."

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## SCHEDULE

[Sections 13B, 13C]

### [MEANS OF COMPLIANCE] FOR FENCES UNDER THIS ACT

#### HEIGHT

1. (1) The fence shall extend--

(a) At least 1.2 metres above the ground on the outside of the fence; and

Status Local Government Legislation  
Annotated to 2000, No. 7 - 3 April 2000

Query: Page 8

(b) At least 1.2 metres above any permanent projection from or object permanently placed on the ground outside and within 1.2 metres of the fence.

(2) Notwithstanding subclause (1) of this clause, where the fence is constructed of perforated material, netting, or mesh and any opening in the material, netting, or mesh has a dimension (other than the circumference or perimeter) greater than 10 mm, the fence shall extend at least 1.8 metres above the ground or the projection or object.

#### GROUND CLEARANCE

2. Any clearance between the bottom of the fence and ground level shall not exceed 100 mm.

#### MATERIALS

3. All materials and components shall be of a durable nature and shall be erected so as to inhibit [any child under the age of 6 years] from climbing over or crawling under the fence from the outside.

4. Except where the fence is horizontally close-boarded [or is made of perforated material, netting, or mesh], the spacing between adjacent vertical pales, panels, or other posts shall not exceed 100 mm at any point.

[5. All fencing supports, rails, rods, and wires, that are not vertical, and all bracing that is not vertical, shall be inaccessible for use for climbing from the outside.]

[5A. Notwithstanding clause 5 of this Schedule, a fence may have horizontal supports, rails, rods, or wires, that are accessible for use for climbing from the outside, and horizontal bracing that is accessible for such use, if--

(a) The distance between any 2 of them at any point is at least 900 mm; and

(b) There is no other support, rail, rod, wire, or bracing (other than a vertical rail) between the same 2 at any point.]

6. Where any perforated material, netting, or mesh is used, no opening in that material, netting, or mesh shall have any dimension (other than the circumference or perimeter) greater than 50 mm.

7. All perforated material, netting, or mesh material shall be firmly attached at both top and bottom to a rail, pipe, or similar firm structure, or otherwise be of such a nature that the fence cannot readily be crossed by children under the age of 6 years.

#### GATES AND DOORS

8. Every gate or door shall be so constructed as to comply with the relevant requirements of clauses 1 to 7 of this Schedule, and shall be so mounted that--

(a) It cannot open inwards towards the immediate pool area;

(b) It is clear of any obstruction that could hold the gate or door open and no other means of holding the gate or door open is provided;

(c) When lifted up or pulled down the gate or door does not release the latching device, come off its hinges, or provide a ground clearance greater than 100 mm.

#### OPERATION OF GATES AND DOORS

9.

(1) Every gate or door shall be fitted with a latching device.

- (2) Where the latching device is accessible from the outside of the fence only by reaching over the fence, gate, or door or through a hole in the fence, gate, or door, the latching device and the lowest point of any hole giving access to it shall be at least 1.2 metres above the ground on the outside of the fence.
- (3) Where the latching device is otherwise accessible from the outside of the fence, gate, or door, the latching device shall be at least 1.5 metres above the ground on the outside of the fence.

10. Every gate or door shall be fitted with a device that will automatically return the gate or door to the closed position and operate the latching device when the gate or door is stationary and 150 mm from the closed and secured position.

#### DOORS IN WALLS OF BUILDINGS

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 of this Schedule to the extent (if any) that the territorial authority 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.

Hist. Schedule; omitted expression "Section 8" and substituted expression "Sections 13B, 13C", 1st July 1992 by s92(1) of 1991 No 150

Hist. Heading; omitted word "REQUIREMENTS" and substituted words "MEANS OF COMPLIANCE" on 1 July 1992 by 1991 No 150, s92(1).  
{ Editorial Note: 1991 No 150 substitutes for the word "REQUIREMENT" whereas the original schedule heading actually contained the word "REQUIREMENTS". }

Hist. Cl.3 omitted words "any person" and substituted words "any child under the age of 6 years" on 20 November 1989 by 1989 No 117, s2(1).

Hist. Cl.4 inserted words "or is made of perforated material, netting, or mesh" on 20 November 1989 by 1989 No 117, s2(2).

Hist. Cl.5 repealed and Cl.5 & Cl.5A substituted on 20 November 1989 by 1989 No 117, s2(3). The repealed CL.5 is listed below for reference.

"5. All fencing supports, rails, rods, wires, bracing, or other similar posts shall be on the inside of the fencing and shall be inaccessible for use for climbing from the outside."

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## FENCING OF SWIMMING POOLS AMENDMENT ACT 1989

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CONTENTS

	Title
1	Short Title
2	Schedule amended

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FENCING OF SWIMMING POOLS AMENDMENT ACT 1989

Public Act 1989 No 117

An Act to amend the Fencing of Swimming Pools Act 1987

[20 November 1989

BE IT ENACTED by the Parliament of New Zealand as follows:

1 SHORT TITLE -

This Act may be cited as the Fencing of Swimming Pools Amendment Act 1989, and shall be read together with and deemed part of the Fencing of Swimming Pools Act 1987 (hereinafter referred to as the principal Act).

2 SCHEDULE AMENDED -

(1) The Schedule to the principal Act is hereby amended by omitting from clause 3 the words "any person", and substituting the words "any child under the age of 6 years".

(2) The Schedule to the principal Act is hereby further amended by inserting in clause 4, after the words "close-boarded", the words "or is made of perforated material, netting, or mesh".

(3) The Schedule to the principal Act is hereby further amended by repealing clause 5, and substituting the following clauses.

"5. All fencing supports, rails, rods, and wires, that are not vertical, and all bracing that is not vertical, shall be inaccessible for use for climbing from the outside.

"5A. Notwithstanding clause 5 of this Schedule, a fence may have horizontal supports, rails, rods, or wires, that are accessible for use for climbing from the outside, and

horizontal bracing that is accessible for such use, if--

"(a) The distance between any 2 of them at any point is at least 900 mm; and

"(b) There is no other support, rail, rod, wire, or bracing (other than a vertical rail) between the same 2 at any point."

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The Fencing of Swimming Pools Act 1987 is administered in the Department of Internal Affairs.

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Waitakere City Council  
Te Tūia o Waitakere

EXEMPTION APPLICATION FORM FOR SPA & SWIMMING POOLS

The Operational Compliance Manager  
Waitakere City Council  
Private Bag 93109  
Henderson

WAITAKERE CITY

OWNERS NAME:

Mr/Mrs/Miss/Ms

DG, ML + WB MAINGAY

OFFICE USE ONLY

SITE ADDRESS:

.....  
.....

SWP NO:

198045 500

ABA NO:

(IF APPLICABLE)

Hereby make application for an exemption from the standard fencing controls relating to pools.

I propose to make or have already made the following arrangements for the security of my pool:

Requested that doors have an auto closer which was operable from 6 inches. with the doors closing from the pool surround.

Reasons why proposal should be granted: (See reverse):

Council had accepted that the doors could close from the pool surround (rather than closing back from inside the house) and had given specific requirements for this. The work was done but the tension on the closing mechanism needed tightening & I understand this is not effective.

ADDRESS FOR CORRESPONDENCE:

MILNE, MAINGAY & CO.  
CHARTERED ACCOUNTANTS  
BOX 22040  
OTAHUHU

APPLICATION FEE: \$250.00 (one off)

Signature:

*DG Maingay*

Telephone No:

09 573 5535

Date:

11/3/05

Note the explanation and requirements on the reverse of this form.

Chief Executive	
Corporate Services	
City Services	
Mosaic	
Consultancy Services	
ECD - WATER	
Strategic Group	
Contract Services	
Asset Services	<input checked="" type="checkbox"/>

Note also the room in question is under the house and not in general use. The owners are away for approx. another 12 months and will be reviewing the maintenance on the whole house on their return. Children

**A7**

it is currently located L L D I

627389

FAXED

# Milne Maingay

CHARTERED ACCOUNTANTS LTD

2<sup>nd</sup> Floor, 15b Vestey Drive, Mt Wellington, Auckland 6  
P.O. Box 22040, Otahuhu  
Telephone: (09) 573-5535  
Fax No: (09) 573-5585

WAITAKERE CITY COUNCIL

**COMPANY:** WAITAKERE CITY COUNCIL  
**FAX NUMBER:** 836 8064  
**ATTENTION:** John Koolen  
**DATE:** 11 March, 2005  
**FROM:** Brett Maingay  
**NO OF PAGES:** 2

14 MAR 2005

CHEQUE FOR  
\$ ~~25000~~  
TO CASHIERS

**IMPORTANT NOTICE:** This facsimile is **CONFIDENTIAL**. If you are not the addressee any use, disclosure or copying of this document is strictly prohibited. If you are not the addressee, please notify us by telephone and destroy this document immediately. Thank you.

John,

Not sure if it is you that I am meant to be addressing this to. If not please pass on to the correct person.

Thanks for sorting out the call over hearing. I trust this happened okay and we have not caused any problems in this regard. My understanding was that you were going to notify the court that you had given us further time to correct the problem and apply for "special exemption".

I am told that the closing mechanism has been tightened and now closes as required. I would be grateful if Council could check this and satisfy themselves that this is the case. Tracy Keatley is the tenant and her phone number is 817 8746.

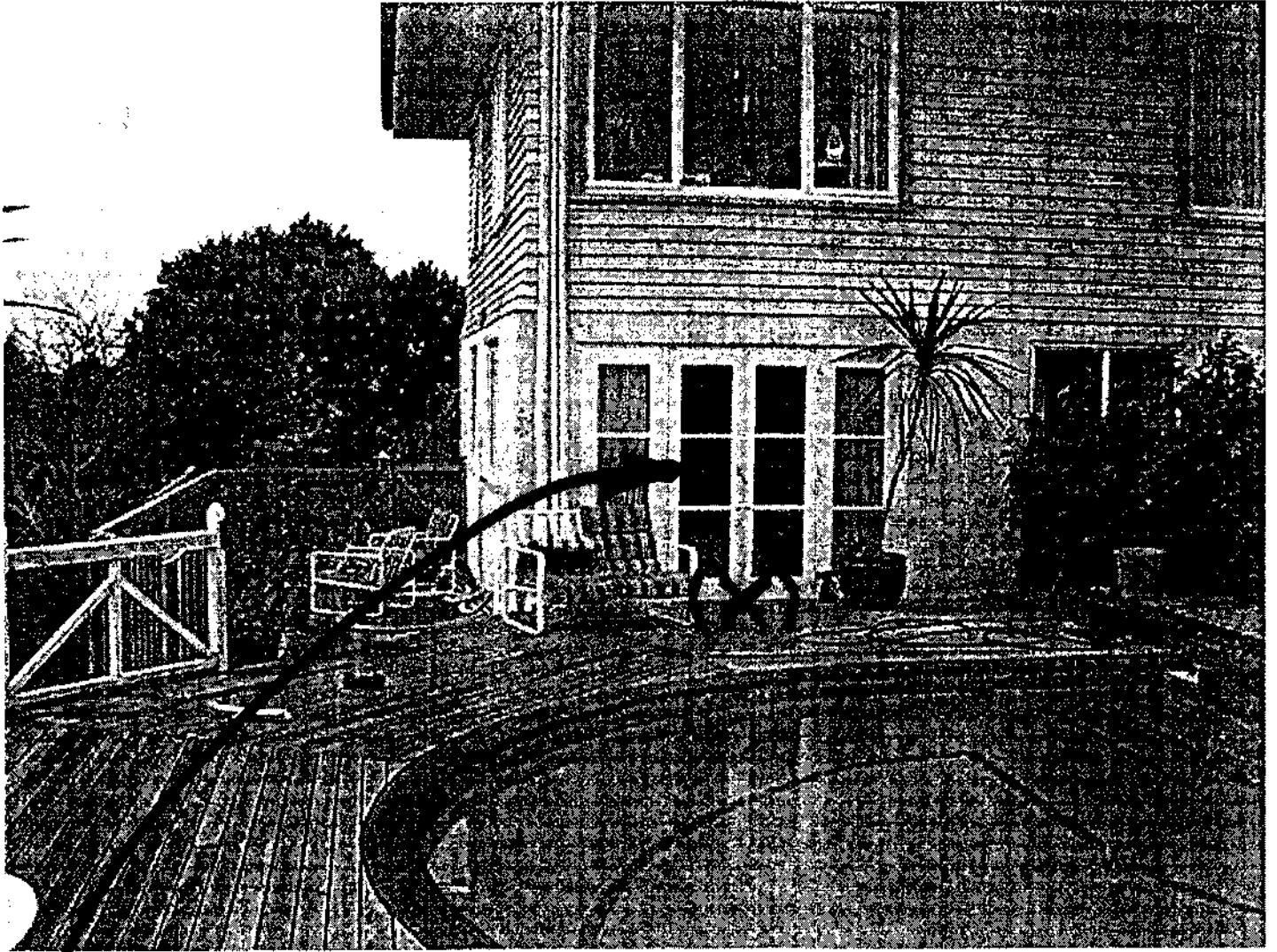
In addition I attach the completed Application for Exemption form and a cheque covering the \$250 fee. (Posted with the original in the mail).

I am hopeful this will now see this matter at an end. Please advise if any problems remain.

Regards,

60 WEST LYNCH RD  
SUITE 98000366  
NEW LYNN

Brett Maingay



Exemption sought for outward  
swinging doors.

A9



Waitakere City Council  
Te Taiāo o Waitakere

Rec C18295

EXEMPTION APPLICATION FORM FOR SPA & SWIMMING POOLS

The Operational Compliance Manager  
Waitakere City Council  
Private Bag 93109  
Henderson

WAITAKERE CITY

OWNERS NAME:

Mr/Mrs/Miss/Ms ..... GRAHAM

**OFFICE USE ONLY**

SITE ADDRESS:

SWP NO: 99000970

ABA NO: .....  
(IF APPLICABLE)

Hereby make application for an exemption from the standard fencing controls relating to pools.  
I propose to make or have already made the following arrangements for the security of my pool:

see attached affidavit.

Reasons why proposal should be granted: (See reverse):

see attached affidavit

ADDRESS FOR

CORRESPONDENCE: 70 Manhattan Hgts, Glendene  
cc, 17 Foothills Lane, Oratia

APPLICATION FEE: \$250.00 (one off)

Signature: [Signature]

Telephone No: (09) 257 2044 (x2)

Date: 16/08

Note the explanation and requirements on the reverse of this form.

**A10**

AFFIDAVIT IN SUPPORT OF  
AN EXEMPTION PURSUANT  
TO SECTION 6 OF THE  
FENCING OF SWIMMING  
POOLS ACT 1987.

BETWEEN THE WAITAKERE CITY  
COUNCIL  
Plaintiff

AND PETER BRUCE GRAHAM and  
NICOLA JANE GRAHAM  
Defendants

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AFFIDAVIT OF PETER BRUCE  
GRAHAM AND NICOLA JANE  
GRAHAM

---

*All*

AFFIDAVIT IN SUPPORT OF AN EXEMPTION PURSUANT TO SECTION 6 OF THE FENCING OF SWIMMING POOLS ACT 1987.

1. Our full names are Peter Bruce GRAHAM and Nicola Jane GRAHAM. We are the legal owners of the address of 70 Manhattan Heights, Glendene, Waitakere City.
2. The purpose of this affidavit is to seek a special exemption for the swimming pool fencing at our home address of 70 Manhattan Heights, Glendene pursuant to Section 6 of the Fencing of Swimming Pools Act 1987.

**Background information**

3. As background information to this matter, we purchased this address from a Mr and Mrs SOWTER in the latter part of 2003. Prior to our purchase, on 12 May 2003, the Waitakere City Council had served notice on the SOWTER's of the Councils belief that the fencing of the swimming pool and spa pool at the address of 70 Manhattan Heights, Glendene, no longer complied with the regulations of the Fencing of Swimming Pools Act 1987. This culminated in the SOWTER's being prosecuted by the Council. An Information being laid as a result in the Waitakere District Court on 1 October 2003.
4. On 30 January 2004 this Information was withdrawn and later a new one laid in our names, as we were now the legal owners of the Manhattan Heights address.
5. From the sale agreement we had with Mr and Mrs SOWTER when purchasing the address at Manhattan Heights they undertook to resolve this issue with the Waitakere City Council by either receiving a favourable outcome from a District Court hearing on the matter or by paying for the installation of new swimming pool fencing at the address as outlined by the Council.
6. Correspondence between Mr SOWTER and the Waitakere City Council has continued over this issue throughout 2003 to the present time as we have supplied him with the authority to act on our behalf as the new owners. This was done considering that any pecuniary penalty would ultimately fall to him. In essence Mr SOWTER's belief, and subsequently ours also, was that the current swimming pool fencing at our address did in fact comply within the regulations of the Fencing of Swimming Pools Act 1987.
7. The swimming pool at our address was installed by the SOWTER's in 1996 and at the time of that installation a code of compliance certificate was granted by the Waitakere City Council pursuant to Section 43(3) of the Building Act 1991. We have attached to this affidavit and marked as **appendix A**, a copy of that code of compliance certificate dated 1 August 1996.

- 7.1 In 1999 / 2000 additions were made to the house, which resulted in a new bedroom protruding over into the swimming pool area. This alteration resulted in a slight change of the existing swimming pool fencing. A code of compliance certificate was obtained for this alteration. We have attached to this affidavit and marked as **appendix B**, a copy of that code of compliance certificate dated 21 January 2000.
- 7.2 Mr SOWTER has advised us that the Waitakere City building inspector that carried out the inspection of the final building alterations at that time also reviewed the new swimming pool fencing at the same time and assured him that it was within the regulations of the Fencing of Swimming Pools Act 1987.
8. As we understand, in 1999 a booklet of guidelines was designed by the Department of Internal Affairs for territorial authorities on the Fencing of Swimming Pools Act 1987. As a result of these new guidelines the Waitakere City Council then undertook to revisit all swimming pool owners to re-evaluate the previous code of compliance certificates that had been previously issued, as ours had been in 1996.
9. Whilst the fencing at our address had ultimately not changed significantly since 1996 the Waitakere City Council following their visit in 2003 now required new swimming pool fencing to be installed as we have outlined on the attached sketch plan attached to this affidavit and marked as **appendix C**.
10. As you will be aware, as a result of a large number of prosecutions laid by the Council against swimming pool owners in Waitakere City a hearing on this issue was conducted in the Auckland High Court on 2 August 2004. On 1 October 2004 a reserved decision was given by Justice RANDERSON as to what the Court believed was the guidelines that should be taken when considering whether a swimming pool was fenced pursuant to regulations in the Fencing of Swimming Pools Act 1987. We will detail parts of this judgment later in this affidavit.
11. What culminated from Justice RANDERSON's decision was that the Waitakere City Council once again reviewed the fencing at 70 Manhattan Heights, Glendene and then provided us with a further location where they considered that new swimming pool fencing should be located along with two other aspects to do with a gate and some fencing underneath the stairs that needed modifications before the fencing could comply with the Fencing of Swimming Pools Act 1987. We have attached with this affidavit and marked as **appendix D** a sketch plan outlining the new position that Council required a fence to be placed in order to satisfy the issuing of a code of compliance certificate.
- 11.1 We would like to add at this time that we fully intend to make modifications in respect of the two other aspects of this review by the Council, being the

removal of a wooden bracing on one of the swimming pool gates and the complying of a gap no greater than 100mm on some the under stairs fencing.

### Exemption sought

12. What we will highlight in the following paragraphs of this affidavit is our request for an exemption to the swimming pool fencing at our address pursuant to Section 6 of the Fencing of Swimming Pools Act 1987 and the reasons why this request is sought.
13. Section 6(1) of the Fencing of Swimming Pools Act 1987 states:

“Under section 6 territorial authorities may grant exemptions from the requirements in the Act for particular pools. Territorial authorities can also impose special conditions on a property and a pool. A council may only grant an exemption, or impose a special condition, if, after having regard to the characteristics of the pool and the property, it is satisfied that it **would not significantly increase danger to young children**. No exemption is required for a new pool fence, or an alteration to an existing fence, if the new or altered fence is at least as safe as one built in accordance with the standard in the schedule of the Act”.
14. Whilst the latter sentences of section 6(1) govern our existing pool fencing “as it is at least as safe as the one built in accordance with the standard in the schedule of the Act” when it was first approved in 1996, it is the portion of that subsection that we have highlighted in bold lettering that forms the basis of this request for the exemption.
15. To define this request accurately the Waitakere City Council have advised us that the only reason they will not supply our swimming pool area with a code of compliance certificate, aside from the gate and under stairs fencing gap, is because direct access is needed to be prevented to the *“immediate swimming pool area from the large lawn and garden area”*. We have been advised that the remainder of the fencing of our swimming pool area is within the regulations of the Fencing of Swimming Pools Act 1987 and therefore the sole question that arises is whether by not placing the new swimming pool fencing where the Council requires it (refer appendix D), would this significantly increase danger to young children.
  - 15.1 To reinforce this fact we quote from a letter provided by Waitakere City Contract Solicitor, Brigid McDONALD sent to Mr SOWTER and dated 23 March 2004;


*“In response to your first query, I can confirm that the Council is satisfied with the standard of the fencing provided on three of the sides pool (sic)*

*(aside from the gate). However, the Council considers that an additional fence is required between the decking that is level with the swimming pool and the two upper decks/lawn to ensure that the immediate pool area is fenced off."*

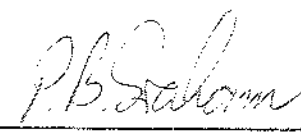
- 15.2 It is on that basis that we believe that the sole question to be considered is whether a fence, placed as per the diagram in appendix D, would significantly reduce danger to young children.
16. It is our opinion that by not placing an additional fence in the area, as shown in appendix D, this in fact would have no additional bearing on any safety issues for any children whatsoever let alone "significantly increase any danger to any children". It is our opinion that the existing swimming pool fencing does comply with the regulations of the Fencing of Swimming Pools Act 1987 or at the very least should be subject to a Special Exemption.
17. To provide you with additional material we have attached with this affidavit and marked as **appendix E** a set of colour photographs of our property showing not only the swimming pool area but also the other living areas within our boundaries.
18. As shown in the photographs the only access to this lawn and garden area, under question from the Council, is from within the inside the existing swimming pool area itself. Access to the lawn and garden area from the rear of the address, as shown in photographs 7 – 9, is not possible as swimming pool fencing has been installed thus not allowing any access. What can be seen in these photographs also is that the rear of our property is not an area that is easily accessible and one that young children would not play in, in any case.
19. Photographs 12 and 13 show that on this side of our address (opposite to the swimming pool) it houses the main children's play area and clothesline. Our address does not have a vegetable garden. The significance of this aspect is that the lawn and garden area within the existing swimming pool fencing does not have any other function other than being ornamental, therefore it is an area that would not detract our attention from children that may be in the swimming pool, as it serves no other functionality.
20. Should a fence be installed in the position the Council has requested, as shown in appendix D, a gate would also be needed to provide access to the lawn and garden area for the sole purpose of either mowing the lawn or tending the flower garden. This would mean that the only access available to that lawn and garden area would be by firstly accessing the swimming pool area itself.

Justice RANDERSON's decision

21. Attached with this affidavit and marked as **appendix F** is a copy of the judgment made by Justice RANDERSON on 1 October 2004.
22. In paragraph [36] of this judgment Justice RANDERSON clearly states and we quote;
- "There can be no question about the purpose of the Act because it is clearly stated in the long title. The statutory intention to promote the safety of young children is also emphasised in s6 which provides that exemptions from the Act's requirements may only be granted where danger to young children would not be significantly increased in doing so".*
23. We believe that the underlining focus of Justice RANDERSON's decision passed down in respect of the Fencing of Swimming Pools Act 1987 is that the safety of young children is paramount.
24. Further to that fundamental reason, as stated by Justice RANDERSON, is that a special exemption pursuant to Section 6 can only be granted as long as it is satisfied that it **would not significantly increase danger to young children**.
25. From the facts we have outlined in this affidavit we believe that the existing swimming pool fencing present at 70 Manhattan Heights, Glendene is such that by virtue of the provisions of the Fencing of Swimming Pools Act 1987 it clearly satisfies an exemption to be granted as set out. We believe that the placing of additional swimming pool fencing as shown on appendix D would provide no additional safety measures to young children and that the swimming pool fencing at our address is such that it is clearly the purpose for which this clause was designed.
26. We request that from the facts we have outlined in this affidavit that you please grant us a Section 6 exemption pursuant to the Fencing of Swimming Pools Act 1987 and therefore allow the Council to issue us with a code of compliance certificate.
27. We thank you for taking the time to consider this application and trust that you form the same view as us.

Signed  \_\_\_\_\_  
N.J. GRAHAM

Dated 16/3/05 \_\_\_\_\_

Signed  \_\_\_\_\_  
P B GRAHAM

Dated 16/3/05 \_\_\_\_\_

# **APPENDIX A**

CODE COMPLIANCE CERTIFICATE

Section 43(3), Building Act 1981

ISSUED BY: *WASTAYARA City Council*

BUILDING CONSENT NO: *6004*

*Mr J. G. Souter  
40 MANHATTAN HEIGHTS  
GLENSIDE, AUCKLAND.*

(Insert a cross in each applicable box)

(Numbered)

PROJECT		PROJECT LOCATION
AP	<input checked="" type="checkbox"/>	<i>40 MANHATTAN HEIGHTS GLENSIDE AUCKLAND.</i>
Stage No. of an intended stage		
Now or repaired building	<input checked="" type="checkbox"/>	
Alteration	<i>N/A</i>	
Intended use(s) (in detail)		
<i>Swimming Pool, Fencing, Decking.</i>		
Intended Life:		
Indefinite, but not less than 50 years	<input checked="" type="checkbox"/>	<i>H</i>
Specified as _____ years		EP: <i>102986</i>
Demolition	<i>N/A</i>	Code:

*33320 - 710 - 04*

- This is:
- A final code compliance certificate issued in respect of building work under the above building consent.
  - N/A* An interim code compliance certificate in respect of building work under the above building consent.
  - N/A* This certificate is issued subject to the conditions of Code Compliance Certificate No. \_\_\_\_\_ page(s) headed "Conditions".

The Council charges payable on the notifying of this certificate are: *N/A*

*190694*

Signed for and on behalf of the Council:  
Name: *P. Monaghan*  
Position: *Building Surveyor*

*01 08 96*

## **APPENDIX B**

CODE COMPLIANCE CERTIFICATE NO: ABA 99003065

Section 43(3), Building Act 1991

ISSUED BY: WAITAKERE CITY COUNCIL

BUILDING CONSENT NO: ABA 99003065

(Insert a cross in each applicable box. Attach relevant documents).

PROJECT	PROJECT LOCATION
<p>All <input checked="" type="checkbox"/></p> <p>Intended Use(s) in detail:</p> <p>Unknown</p> <p>Proposed Work:</p> <p>Bedroom and sunroom additions to existing house</p> <p>Intended Life:</p> <p>Indefinite, but not less than 50 years</p>	<p>Name: SOWTER, JOHN GRANT</p> <p>Street Address: 70 MANHATTAN HEIGHTS, GLENDENE, WAITAKERE CIT</p> <p>Mailing Address: C/- GEOFF BROWN DRAUGHTSMAN 12 RANGITATA PL LYNFIELD AUCKLAND 1007</p>
	<p style="text-align: center;"><b>LEGAL DESCRIPTION</b></p> <p>Property Number: 39788</p> <p>Valuation Roll No: 33320 71004</p> <p>Legal Description: LOT 4 DP 102986</p>

This is:

- A final code compliance issued in respect of all of the building work under the above building consent.
- An interim code compliance certificate in respect of part only, as specified in the attached particulars, of the building work under the above consent.
- This certificate is issued subject to the conditions specified in the attached ...page(s) headed "Scope and Conditions of Code Compliance Certificate No. ABA 99003065 (being this certificate)

Signed for and on behalf of the Council:

Name:

Position: ~~Building/Plumbing and Drainage Surveyor~~

Date: 21/01/2000

**A20**