

# Exemption Application Form for Spa & Swimming Pools



Send to: Chief Executive  
 Waitakere City Council  
 Private Bag 93109  
 Henderson  
 WAITAKERE CITY 1231

For more information:  
 Civic Centre, Waipareira Avenue,  
 Henderson  
 Telephone (09) 839 0400  
 Facsimile (09) 836 8001

Owners Name: Christopher Murray & Dae Delevy  
 Address of pool: 29 Realm Place, Massey East, Auckland 0614

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:

Fench Doors of Bedroom swing out instead of inwards, we cannot afford to replace these doors and require an Exemption for these doors.

Reasons why proposal should be granted: (See reverse) We cannot afford to replace these Doors.  
We cannot afford the application fee and would like to Apply for an exeption for this fee as well.

Address for Correspondence: \_\_\_\_\_

Application fee: \$250 (one off)

Signature: D. Delevy

Telephone Number: 0274 345 664

Date: 25-5-06

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

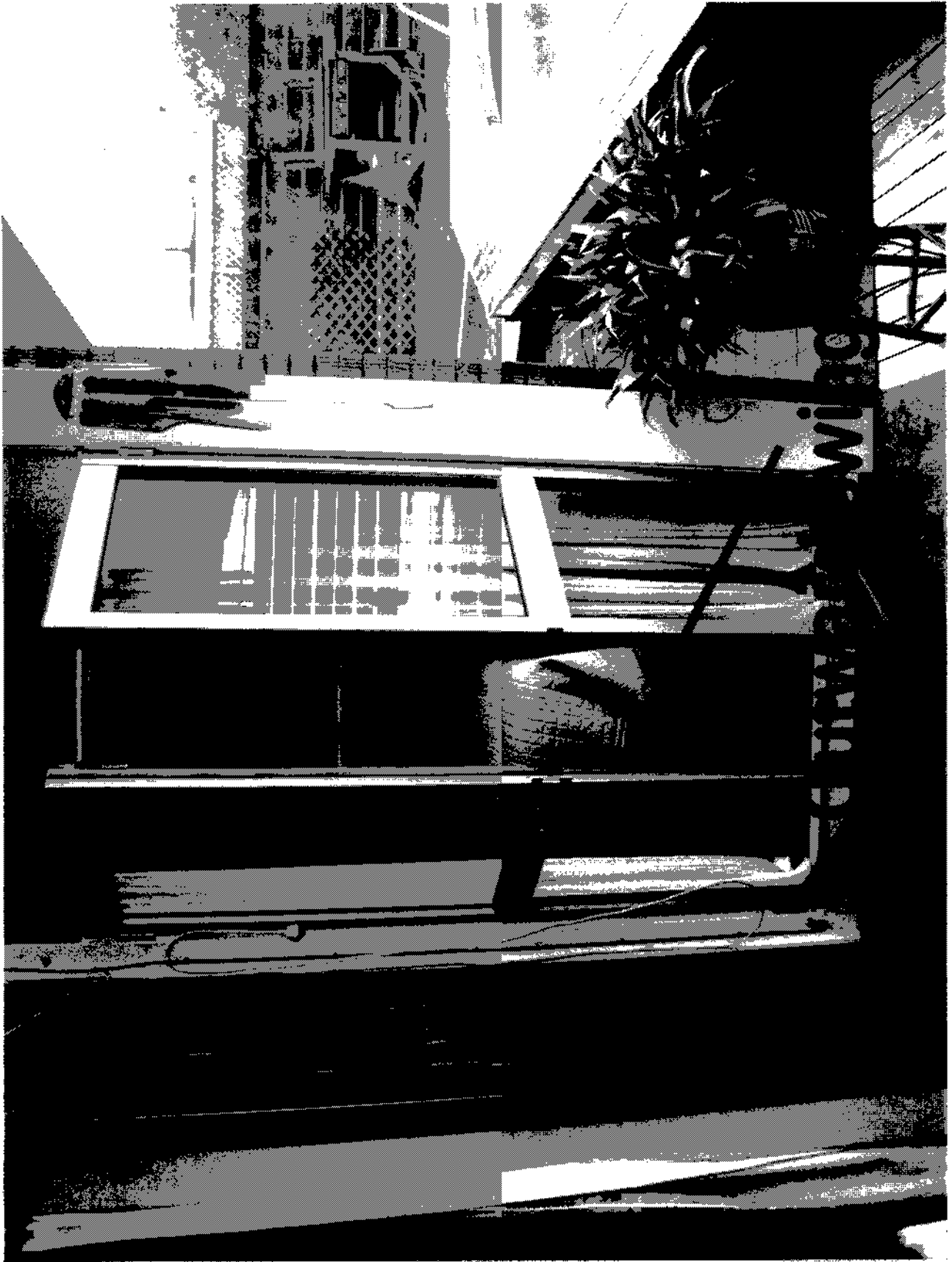
Chief Executive	
Corporate Services	
City Services	
Moselle	
Consultancy Services	
ECO - WATER	
Strategic Group	
Consent Services	
Field Services	<input checked="" type="checkbox"/>

Office Use Only

Site Address: \_\_\_\_\_

SWP No: \_\_\_\_\_

ABA No: \_\_\_\_\_  
 (If applicable)



# 29 Realm Place

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SWP 9900084

Owners Name: MR E.W and MRS K. WILSON

Address of pool: 31 KOHEKOHE ST. NEW LYNN

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:

ACCESS TO THE SECTION IS CONTROLLED BY HIGH FENCES, GATES MEETING COMPLIANCE REQUIREMENTS, AND LOCKING DOORS

Reasons why proposal should be granted: (See reverse) SEE ATTACHED SHEET

Address for Correspondence: 31 KOHEKOHE ST. NEW LYNN 0600

Application fee: \$250 (one off)

Signature: Edward Wilson

Telephone Number: 09 827 5684 Mob 0275 522 378

Date: 3 July 2006

3/7/06  
P.S. ✓  
03/11/06

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

AWAY BETWEEN 16-21 July 06.

Office Use Only
Site Address: _____
SWP No: _____
ABA No: _____ (if applicable)

## **Reasons why Exemption Proposal should be granted:**

1. Compliance has already been given in 2001. The current problem arises from a recent court clarification of the immediate swimming pool environment. Despite the fact that the pool no longer complies, because the fencing is also boundary fencing, *the pool environment remains safe*. There are boundary fences on three sides, to a minimum of 1.69m. The boundary fence on one side is less than 1metre from the pool deck, and it would not only be unsightly but totally impracticable to have to erect a 1.2m fence less than 1metre from a 1.7metre fence. On the fourth side is the house wall, with access to the pool via a ranchslider, which has a bolt in the top right hand corner(1.96m). There is also a garage rolling door, at the rear end of the garage. This door is not the normal access door to the garage, it is only for emergency access to the rear section, and is permanently bolted and padlocked.

2. The swimming pool, of vinyl-lined construction, is twenty-four years old. The vinyl lining, the original, is now brittle with age and UV damage above the water line, and susceptible to tearing below the water line. The filter and motor, also original, are also worn.

When either the filter system or the lining ceases to function, it is my intention to remove the pool. This will probably occur within the next two years. The costs of replacing either of these are not justified by the small amount of use the pool has. My two grandchildren are now 16 and 12 years of age. They are reaching the age when their use of the pool is declining, and the rest of my family, my two daughters, my wife and I, hardly use it at all. There are no young children playing in the rear section area on a casual basis. Any children of friends or neighbours, who use the pool rarely, are always supervised.

If exemption is declined, then I will reluctantly be obliged to remove the pool before natural wear and tear dictate, because, as with the filter system and lining, the cost of fencing the pool deck area is simply not justifiable. I have been informed that exemption may be granted to the owner, rather than to the property. Such a decision would be acceptable.

### **Request for Remission or Part Remission of Fees.**

I have been informed that the Council has the discretion to waive the application fee for this application for exemption.

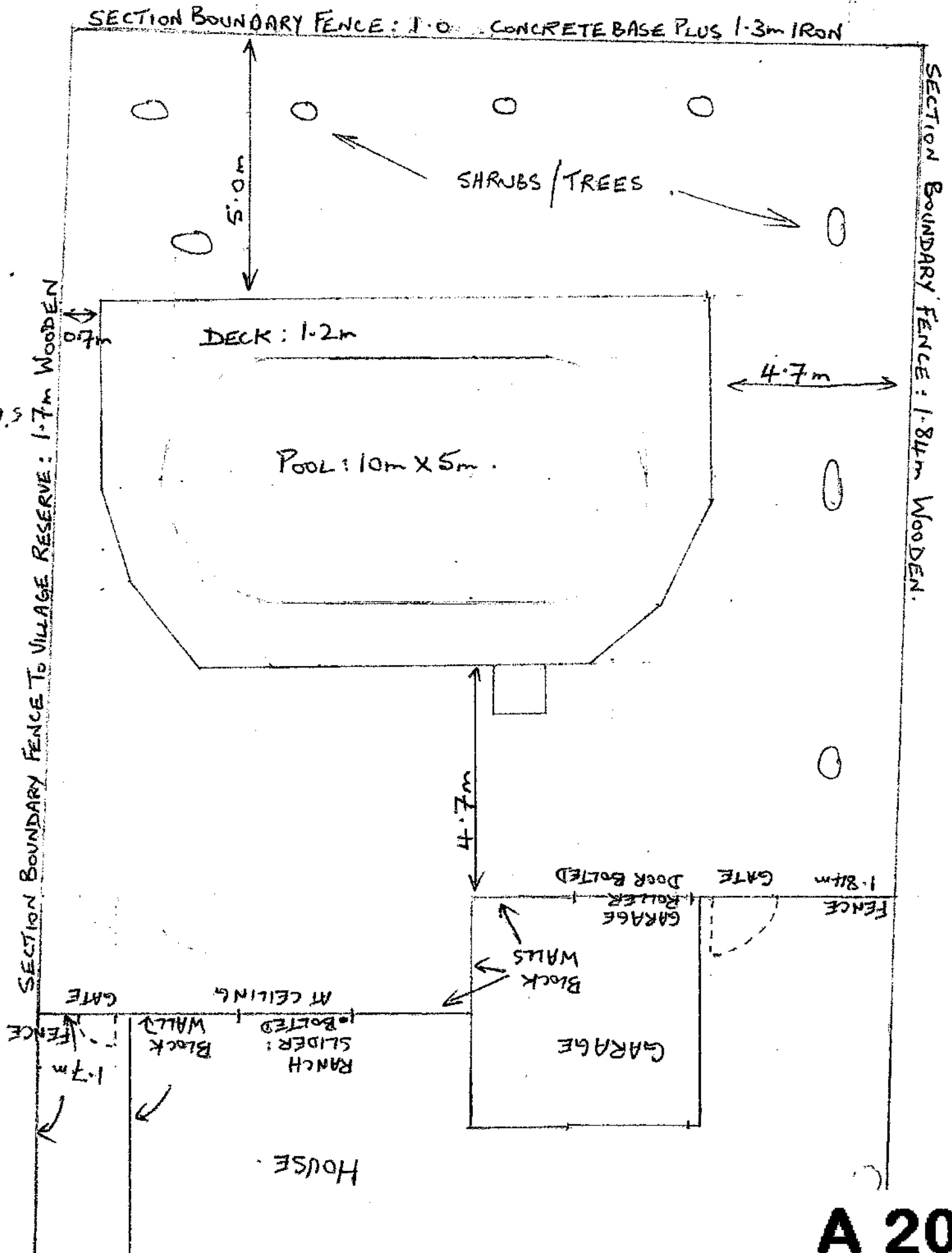
I request that the committee considers waiving all or part of the fees for this application.

My wife and I are both superannuitants. The sum of \$250 is a considerable outlay for a retired couple, especially if this application is declined. Even if it is successful, the small amount of use does not justify the cost from our point of view, and the future life of the pool is limited.

We have been obliged to make this application through no fault of our own. When the pool was first installed, there was not even a fencing requirement, though we fenced it anyway upon installation. We have been obliged to make this application through changes in legal requirements, rather than changes in the pool's environment.

A favourable decision with regard to the waiving of fees would be greatly appreciated.

REAR SECTION AT 31 KOHEKOHE ST.



# Exemption Application Form for Spa & Swimming Pools

19/6/06



Waitakere City Council  
Te Taiwhiri o Waitakere

Send to: Chief Executive  
Waitakere City Council  
Private Bag 93109  
Henderson  
WAITAKERE CITY 1231

For more information:  
Civic Centre, Waipareira Avenue,  
Henderson  
Telephone (09) 839 0400  
Facsimile (09) 836 8001

Ref- CT 9150  
21/6/06

Owners Name: ROSS ALEXANDER & GLENIS JOYCE GALLOWAY  
Address of pool: 4A PARK RD TITIRANGI

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 LETTER

Reasons why proposal should be granted: (See reverse) Unable to swing doors  
away from the pool area  
Doors are self closing bolts are at 115 or  
greater  
Doors have always been there since house built

Address for Correspondence: 4A PARK RD TITIRANGI

Application fee: \$250 (one off)

Signature: [Signature]

Telephone Number: 8175404

Date: 19/6/06

3 months 21/09/06  
PDK + PDD

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

Office Use Only
Site Address: _____
SWP No: _____
ABA No: _____ (If applicable)

RAG4462

Park Road,  
Titirangi,  
Waitakere City.

19<sup>th</sup> June 2006

Waitakere City Council,  
Private Bag 93109,  
Henderson,  
Waitakere City

Attention: Neville Exler - Field Services

WAITAKERE CITY COUNCIL

20 JUN 2006

667811

CHEQUE FOR  
\$ 250.00 Attached  
~~TO CASHIERS~~

Dear Sir,

RE: 4A PARK ROAD, TITIRANGI, WAITAKERE CITY  
SWP: SWP89000212 LOT 2 DP 134836

I am 65 years of age and wife is approaching 64 years of age. I have lived at 4A Park Road for more than 18 years. The house was two years old when we bought it and the swimming pool was built at the same time as the house.

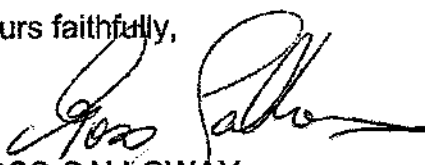
We have had the swimming pool inspected twice by different Inspectors (about 5 years ago) and on each occasion we complied with Council regulations. We recently were visited by an Inspector again, who advised us that we need to apply for an exemption for the doors that lead from the house to the swimming pool area because they open "outwards". These are the original doors, and each has two locks on them – one at 1.04m from the floor, and one at 1.85m from the floor.

We also wish to apply for an exemption for our clothes line. Where the clothes line is currently sited is only accessible from the house, and as outlined above the doors to the area all have double locks at heights inaccessible to children. We have no lawn area and the only other deck area available is down a number of stairs, which would make it very dangerous for my wife to access.

Please find attached the exemption application form, which the Inspector very kindly partially filled out for us. I have also enclosed a cheque for \$250.

Your assistance in this matter would be very much appreciated.

Yours faithfully,

  
ROSS GALLOWAY

Chief Executive	
Corporate Services	
City Services	
Moselle	
Consultancy Services	
ECO WATER	
Strategic Group	
Consent Services	
Prstn. Services	<input checked="" type="checkbox"/>



**Outward  
swinging  
doors**



**4a Park Road**

**A 23**

# Exemption Application Form for Spa & Swimming Pools

07 FEB 2006



Waitakere City Council  
 CHEQUE FOR  
 \$ 250.00  
 TO CASHIERS

Send to: Chief Executive  
 Waitakere City Council  
 Private Bag 93109  
 Henderson  
 WAITAKERE CITY 1231

For more information:  
 Civic Centre, Waipareira Avenue,  
 Henderson  
 Telephone (09) 839 0400  
 Facsimile (09) 836 8001

655574

Owners Name: MR & SA NOSQUEIRA

Address of pool: 26 Wallace Rd, Ramui, Auckland

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:

THE ONLY ACCESS TO THE POOL FROM THE HOUSE IS BY RIFOLD DOORS WHICH ARE KEPT LOCKED TOP & BOTTOM. THE POOL AREA IS ENCLOSED BY A 1.8M WOODEN FENCE, THE ONLY EXTERNAL ENTRY TO THE POOL AREA IS THRU A 1.8m WOODEN GATE W/ LOCK ON THE INSIDE.

Reasons why proposal should be granted: (See reverse) I HAVE ARRANGED FOR AN ADDITIONAL APPROVED POOL GATE TO BE INSTALLED BETWEEN THE CORNER OF THE HOUSE & THE WOODEN FENCE WHICH IS SELF CLOSING & LOCKING. I HAVE ALSO ATTACHED ALARM WIRE TO THE PUMP HOUSING AS REQUESTED.

Address for Correspondence: P.O. Box 21135, HENDERSON.

Application fee: \$250 (one off)

Signature: [Signature]

Telephone Number: 8336058 OR 021 7555 92

Date: 8/1/06.

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

PER  
 PDD

Office Use Only

Site Address: 26 WALLACE RD, SWANSON

SWP No: SWP 2004081

ABA No: \_\_\_\_\_  
 (if applicable)

Chief Executive	
Corporate Services	
City Services Moselle	
Consultancy Services	
ECO - WATER	
Strategic Group	

Cons  
 Field **A 24**

# Dispensation Application

## Introduction

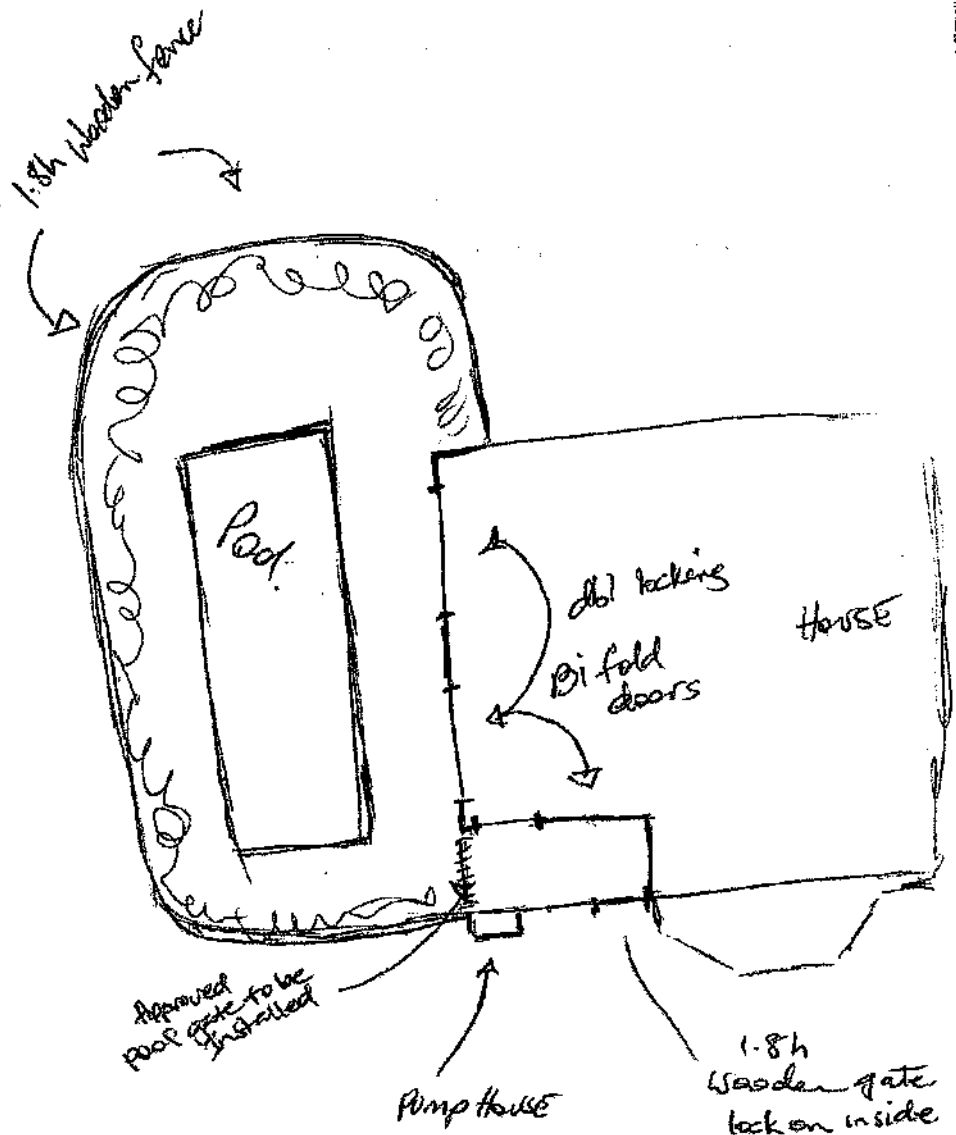
An exemption is a discretionary power conferred on Council by Section 6 of the Fencing of Swimming Pools Act 1987, to allow in certain circumstances exemptions from the requirements of the Schedule of the said Act.

## Information to be Provided

To avoid delay in the processing of your application the following information must be provided.

1. PLANS showing position of swimming pool in relation to house and boundaries, and position of existing and/or proposed fencing. Also the height of the fences, and material of which they are constructed must be stated. Photographs may be provided for clarification.
2. REASONS justifying the proposal. Council may only grant an application where there are circumstances warranting a dispensation from the standard requirements for fencing. The guidelines for fencing of pools are available at the Building counter. It must be shown that such an exemption would not significantly increase danger to young children.

The Council may impose other conditions relating to the property or the pool as are reasonable in the circumstances.





**26 Wallace Road**

**A 26**