

Section 6: another option for you to consider

You could apply for a Section 6 exemption to the Fencing of Swimming Pools Act 1987. Please note that this will require you to apply for an exemption using the form attached.

When discussing why the committee should accept your proposal to exempt you, the pivotal considerations are that your application meets the requirements for granting a Section 6 exemption. In support of your position you may seek a Building Industry Authority decision; their contact details are 0800 242 243 39 or bia@bia.govt.nz.

Section 6, an excerpt from the Fencing of Swimming Pools Act 1987

“6. Special exemptions—

6. (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 conditions it imposes under subsection (2) of this section, that such an exemption would not significantly increase danger to young children

6. (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.

6. (3) Any exemption granted or condition imposed under this section may be amended or revoked by a territorial authority, by resolution.”

**Application for Exemption under the
Fencing of Swimming Pools Act 1987, s.6**

The Manager, Consents and Compliance
Kapiti Coast District Council
Private Bag 601
PARAPARAUMU

Dear Sir

I hereby apply to have my spa/swimming pool exempted from the following requirements of the Fencing of Swimming Pools Act 1987, for the stated reasons.

EXEMPTION REQUESTED: (cite sections of the Act)

REASON: * Hint* *Provide supporting statements which establishes that any exemption to any requirement of the Act will not significantly increase danger to young children; be sure to discuss specific property characteristics or relevant circumstances that the Committee should consider.*

- **Please attach plans (or use the back of this page to draw a diagram) showing features of the fencing and/or pool area that relate to this application.**

- **If you would like information to help you complete this application, please phone the Administration Officer, Environmental Protection, Ph (04) 904-5878.**

SIGNED _____

DATE

Please PRINT your name and address:

NAME: _____

ADDRESS: _____

POOL ADDRESS (if different): _____