

**Orākei Local Board Swimming Pool Fencing
Exemptions Committee**

OPEN MINUTES

Minutes of a meeting of the Orākei Local Board Swimming Pool Fencing Exemptions Committee held in the Orakei Local Board Office, Shop 25 Meadowbank Shopping Centre, 35 St Johns Road, Meadowbank on Monday, 17 February 2014 at 4.00pm.

PRESENT

Chairperson	Colin Davis, JP
Deputy Chairperson	Troy Churton
Members	Kate Cooke Kit Parkinson

Adam Milina, Relationship Manager Albert-Eden and Orakei Local Boards, chaired the meeting for items 1 to 12. From item 13 onwards, the newly elected Chairperson chaired the meeting.

1 Welcome

2 Apologies

There were no apologies.

3 Declaration of Interest

There were no declarations of interest.

4 Confirmation of Minutes

The minutes of the Orākei Local Board Swimming Pool Fencing Exemptions Committee meeting, held on Thursday, 12 September 2013, were noted as a true and correct record.

5 Leave of Absence

There were no leaves of absence.

6 Acknowledgements

There were no acknowledgements.

7 Petitions

There were no petitions.

8 Deputations

There were no deputations.

9 Public Forum

There was no public forum.

10 Extraordinary Business

There was no extraordinary business.

11 Notices of Motion

There were no notices of motion.

12 Election of Chairperson

Adam Milina, Relationship Manager Albert-Eden and Orakei Local Boards, advised the Committee that they must resolve which voting system they wished to apply for the election of the Chairperson. He then gave an explanation of the nomination process.

Resolution number ORSP/2014/1

MOVED by Member CC Parkinson, seconded by Member CRJ Davis:

That the Orākei Local Board Swimming Pool Fencing Exemptions Committee:

- a) **elects a Chairperson for the Swimming Pool Fencing Exemptions Committee 2013-2016 political term, utilising System B of Schedule 7, Part 1, Clause 25 of the Local Government Act 2002.**

CARRIED

The Relationship Manager called for nominations for the position of Chairperson.

Member Kit Parkinson nominated Member Colin Davis as Chairperson. Member Kate Cooke seconded the nomination.

ORSP/2014/2

Member Colin Davis was declared elected the Chairperson of the Orākei Local Board Swimming Pool Fencing Exemptions Committee for the 2013-2016 political term.

13 Election of Deputy Chairperson

The Chairperson advised the Committee that they must resolve which voting system they wished to apply for the election of the Deputy Chairperson.

Resolution number ORSP/2014/3

MOVED by Member CRJ Davis, seconded by Member CH Cooke:

That the Orākei Local Board Swimming Pool Fencing Exemptions Committee:

- a) **elects a Deputy Chairperson for the Swimming Pool Fencing Exemptions Committee 2013-2016 political term, utilising System B of Schedule 7, Part 1, Clause 25 of the Local Government Act 2002.**

CARRIED

The Chairperson called for nominations for the position of Deputy Chairperson.

Member Colin Davis nominated Member Troy Churton as Deputy Chairperson. Member Kate Cooke seconded the nomination.

ORSP/2014/4

Member Troy Churton was declared the Deputy Chairperson of the Orākei Local Board Swimming Pool Fencing Exemptions Committee for the 2013-2016 political term.

14 Swimming Pool Fencing Exemption – Special Exemption (Section 6) Fencing of Swimming Pools Act 1987

Jan Barnard, Team Leader Compliance and Enforcement was in attendance to speak to this report.

Resolution number ORSP/2014/5

MOVED by Member CRJ Davis, seconded by Member TG Churton:

- a) **That the Orākei Local Board Swimming Pool Fencing Exemptions Committee receives the Swimming Pool Fencing Exemption – Special Exemption (Section 6) Fencing of Swimming Pools Act 1987 report.**

CARRIED

Each application was discussed and received separately.

14.1 3 Hiriri Ave, Remuera

Resolution number ORSP/2014/6

MOVED by Member CC Parkinson, seconded by Member CH Cooke:

- a) **That the Orākei Local Board Swimming Pool Fencing Exemptions Committee receives the application from Vilas Patel, 3 Hiriri Ave, Remuera.**
- b) **That the Orākei Local Board Swimming Pool Fencing Exemptions Committee deems that this application for special exemption under section 6 of the Fencing of Swimming Pools Act 1987 be GRANTED conditional to the home owner proving to the Council Swimming Pools Inspector that the owner has a key in their possession in order to lock the spa pool lid and that this exemption is personal to the owner of the property (Vilas Patel), so that on a sale of the property a new owner will need to apply for a new exemption.**
- c) **That the Orākei Local Board Swimming Pool Fencing Exemptions Committee notes that with regard to the particular characteristics of the property and the pool, the granting of an exemption does not significantly increase the danger to young children.**
- d) **That the Orākei Local Board Swimming Pool Fencing Exemptions Committee notes that this exemption is subject to the spa being locked at all times when not in use.**

CARRIED

Members of the Orākei Local Board Swimming Pool Fencing Exemptions Committee completed a site visit at this property on Monday, 17 February 2014.

14.2 6 Allen Johnston Place, St Johns

Resolution number ORSP/2014/7

MOVED by Member TG Churton, seconded by Member CC Parkinson:

- a) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee receives the application from Fred and Sue de Jong, 6 Allen Johnston Place, St Johns.
- b) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee deems that this application for special exemption under section 6 of the Fencing of Swimming Pools Act 1987 be GRANTED and that this exemption is personal to the owner of the property (Fred and Sue de Jong), so that on a sale of the property a new owner will need to apply for a new exemption.
- c) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee notes that with regard to the particular characteristics of the property and the pool, the granting of an exemption does not significantly increase the danger to young children.
- d) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee notes that this exemption is subject to the spa being locked at all times when not in use.

CARRIED

Members of the Orākei Local Board Swimming Pool Fencing Exemptions Committee completed a site visit at this property on Monday, 17 February 2014.

14.3 8 Ngaio Street, Orakei

Resolution number ORSP/2014/8

MOVED by Member CH Cooke, seconded by Member CC Parkinson:

- a) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee receives the application from Andrew and Tracey Jones, 8 Ngaio Street, Orakei.
- b) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee deems that this application for special exemption under section 6 of the Fencing of Swimming Pools Act 1987 be GRANTED and that this exemption is personal to the owner of the property (Andrew and Tracey Jones), so that on a sale of the property a new owner will need to apply for a new exemption.
- c) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee notes that with regard to the particular characteristics of the property and the pool, the granting of an exemption does not significantly increase the danger to young children.
- d) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee notes that this exemption is subject to the spa being locked at all times when not in use.

CARRIED

Members of the Orākei Local Board Swimming Pool Fencing Exemptions Committee completed a site visit at this property on Monday, 17 February 2014.

14.4 10A Sprott Road, Kohimarama

Resolution number ORSP/2014/9

MOVED by Member TG Churton, seconded by Member CH Cooke:

- a) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee receives the application from Nigel Pearson and Jo Hollies, 10A Sprott Road, Kohimarama.
- b) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee deems that this application for special exemption under section 6 of the Fencing of Swimming Pools Act 1987 be **GRANTED** and that this exemption is personal to the owner of the property (Pearson Hollies Family Trust (Nigel Pearson and Jo Hollies)), so that on a sale of the property a new owner will need to apply for a new exemption.
- c) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee notes that with regard to the particular characteristics of the property and the pool, the granting of an exemption does not significantly increase the danger to young children.
- d) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee notes that this exemption is subject to the spa being locked at all times when not in use.

CARRIED

Members of the Orākei Local Board Swimming Pool Fencing Exemptions Committee completed a site visit at this property on Monday, 17 February 2014.

14.5 10c Wynsfield Garden, St Heliers

Resolution number ORSP/2014/10

MOVED by Member TG Churton, seconded by Member CC Parkinson:

- a) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee receives the application from Jackie and Todd Scott, 10c Wynsfield Garden, St Heliers.
- b) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee deems that this application for special exemption under section 6 of the Fencing of Swimming Pools Act 1987 be **GRANTED** and that this exemption is personal to the owner of the property (Jackie and Todd Scott), so that on a sale of the property a new owner will need to apply for a new exemption.
- c) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee notes that with regard to the particular characteristics of the property and the pool, the granting of an exemption does not significantly increase the danger to young children.
- d) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee notes that this exemption is subject to the spa being locked at all times when not in use.

CARRIED

Members of the Orākei Local Board Swimming Pool Fencing Exemptions Committee completed a site visit at this property on Monday, 17 February 2014.

14.6 16 Kitirawa Road, Remuera

Resolution number ORSP/2014/11

MOVED by Member CC Parkinson, seconded by Member CRJ Davis:

- a) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee receives the application from Murray Selby, 16 Kitirawa Road, Remuera.
- b) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee deems that this application for special exemption under section 6 of the Fencing of Swimming Pools Act 1987 be **GRANTED** and that this exemption is personal to the owner of the property (Murray Selby), so that on a sale of the property a new owner will need to apply for a new exemption.
- c) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee notes that with regard to the particular characteristics of the property and the pool, the granting of an exemption does not significantly increase the danger to young children.
- d) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee notes that this exemption is subject to the spa being locked at all times when not in use.

CARRIED

Members of the Orākei Local Board Swimming Pool Fencing Exemptions Committee completed a site visit at this property on Monday, 17 February 2014.

14.7 16 Melanesia Road, Kohimarama

Resolution number ORSP/2014/12

MOVED by Member CRJ Davis, seconded by Member CC Parkinson:

- a) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee receives the application from Stewart Taylor, 16 Melanesia Road, Kohimarama.
- b) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee deems that this application for special exemption under section 6 of the Fencing of Swimming Pools Act 1987 be **GRANTED** and that this exemption is personal to the owner of the property (Stewart Taylor), so that on a sale of the property a new owner will need to apply for a new exemption.
- c) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee notes that with regard to the particular characteristics of the property and the pool, the granting of an exemption does not significantly increase the danger to young children.
- d) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee notes that this exemption is subject to the spa being locked at all times when not in use and the key stored out of sight.

CARRIED

Members of the Orākei Local Board Swimming Pool Fencing Exemptions Committee completed a site visit at this property on Monday, 17 February 2014.

14.8 21 Hartland Ave, Glendowie

Resolution number ORSP/2014/13

MOVED by Member CH Cooke, seconded by Member CRJ Davis:

- a) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee receives the application from Mark Jonassen, 21 Hartland Ave, Glendowie.
- b) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee deems that this application for special exemption under section 6 of the Fencing of Swimming Pools Act 1987 be GRANTED conditional to a window limiter being installed on the window beside/above the spa and that this exemption is personal to the owner of the property (Mark Jonassen), so that on a sale of the property a new owner will need to apply for a new exemption.
- c) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee notes that with regard to the particular characteristics of the property and the pool, the granting of an exemption does not significantly increase the danger to young children.
- d) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee notes that this exemption is subject to the spa being locked at all times when not in use and a window limiter installed on the window beside/above the spa.

CARRIED

Members of the Orākei Local Board Swimming Pool Fencing Exemptions Committee completed a site visit at this property on Monday, 17 February 2014.

14.9 23A Wendover Road, Glendowie

Resolution number ORSP/2014/14

MOVED by Member TG Churton, seconded by Member CC Parkinson:

- a) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee receives the application from Simon Johnson and Andrea Brady, 23A Wendover Road, Glendowie.
- b) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee deems that this application for special exemption under section 6 of the Fencing of Swimming Pools Act 1987 be GRANTED and that this exemption is personal to the owner of the property (The Palisade Trust (Simon Johnson and Andrea Brady)), so that on a sale of the property a new owner will need to apply for a new exemption.
- c) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee notes that with regard to the particular characteristics of the property and the pool, the granting of an exemption does not significantly increase the danger to young children.
- d) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee notes that this exemption is subject to the spa being locked at all times when not in use.

CARRIED

Members of the Orākei Local Board Swimming Pool Fencing Exemptions Committee completed a site visit at this property on Monday, 17 February 2014.

14.10 24 Platina Street, Remuera

Resolution number ORSP/2014/15

MOVED by Member TG Churton, seconded by Member CC Parkinson:

- a) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee receives the application from Justin and Helga Mora, 24 Platina Street, Remuera.
- b) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee deems that this application for special exemption under section 6 of the Fencing of Swimming Pools Act 1987 be GRANTED and that this exemption is personal to the owner of the property (Justin and Helga Mora), so that on a sale of the property a new owner will need to apply for a new exemption.
- c) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee notes that with regard to the particular characteristics of the property and the pool, the granting of an exemption does not significantly increase the danger to young children.
- d) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee notes that this exemption is subject to the spa being locked at all times when not in use.

CARRIED

Member Kate Cooke wished to record that she did not vote on this item as she was not present during the site visit to this property.

Members of the Orākei Local Board Swimming Pool Fencing Exemptions Committee completed a site visit at this property on Monday, 17 February 2014.

14.11 42 Sprott Road, Kohimarama

Resolution number ORSP/2014/16

MOVED by Member TG Churton, seconded by Member CC Parkinson:

- a) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee receives the application from Julie Beagley, 42 Sprott Road, Kohimarama.
- b) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee deems that this application for special exemption under section 6 of the Fencing of Swimming Pools Act 1987 be GRANTED and that this exemption is personal to the owner of the property (Julie Beagley), so that on a sale of the property a new owner will need to apply for a new exemption.
- c) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee notes that with regard to the particular characteristics of the property and the pool, the granting of an exemption does not significantly increase the danger to young children.
- d) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee notes that this exemption is subject to the spa being locked at all times when not in use.

CARRIED

Members of the Orākei Local Board Swimming Pool Fencing Exemptions Committee completed a site visit at this property on Monday, 17 February 2014.

14.12 65A Michaels Ave, Ellerslie

Resolution number ORSP/2014/17

MOVED by Member TG Churton, seconded by Member CC Parkinson:

- a) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee receives the application from Todd and Lisa Martin, 65A Michaels Ave, Ellerslie.
- b) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee deems that this application for special exemption under section 6 of the Fencing of Swimming Pools Act 1987 be GRANTED and that this exemption is personal to the owner of the property (Todd and Lisa Martin), so that on a sale of the property a new owner will need to apply for a new exemption.
- c) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee notes that with regard to the particular characteristics of the property and the pool, the granting of an exemption does not significantly increase the danger to young children.
- d) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee notes that this exemption is subject to the spa being locked at all times when not in use.

CARRIED

Member Kate Cooke wished to record that she did not vote on this item as she was not present during the site visit to this property.

Members of the Orākei Local Board Swimming Pool Fencing Exemptions Committee completed a site visit at this property on Monday, 17 February 2014.

14.13 84 Grampian Road, Kohimarama

Resolution number ORSP/2014/18

MOVED by Member CRJ Davis, seconded by Member CH Cooke:

- a) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee receives the application from Julie Huxford and David Scobie, 84 Grampian Road, Kohimarama.
- b) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee deems that this application for special exemption under section 6 of the Fencing of Swimming Pools Act 1987 be GRANTED and that this exemption is personal to the owner of the property (Julie Huxford and David Scobie), so that on a sale of the property a new owner will need to apply for a new exemption.
- c) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee notes that with regard to the particular characteristics of the property and the pool, the granting of an exemption does not significantly increase the danger to young children.
- d) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee notes that this exemption is subject to the spa being locked at all times when not in use.

CARRIED

Members of the Orākei Local Board Swimming Pool Fencing Exemptions Committee completed a site visit at this property on Monday, 17 February 2014.

14.14 103 Lucerne Road, Remuera

Resolution number ORSP/2014/19

MOVED by Member CRJ Davis, seconded by Member TG Churton:

- a) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee receives the application from Symon Nausbaum, 103 Lucerne Road, Remuera.
- b) That at the request of the applicant, consideration of the application for special exemption be DEFERRED, and in the interim the spa pool is to remain empty.

CARRIED

14.15 240 Riddell Road, Glendowie

Resolution number ORSP/2014/20

MOVED by Member TG Churton, seconded by Member CC Parkinson:

- a) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee receives the application from Christine Key, 240 Riddell Road, Glendowie.
- b) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee deems that this application for special exemption under section 6 of the Fencing of Swimming Pools Act 1987 be GRANTED and that this exemption is personal to the owner of the property (Christine Key), so that on a sale of the property a new owner will need to apply for a new exemption.
- c) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee notes that with regard to the particular characteristics of the property and the pool, the granting of an exemption does not significantly increase the danger to young children.
- d) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee notes that this exemption is subject to the spa being locked at all times when not in use.

CARRIED

Members of the Orākei Local Board Swimming Pool Fencing Exemptions Committee completed a site visit at this property on Monday, 17 February 2014.

14.16 734A Remuera Road, Auckland

Resolution number ORSP/2014/21

MOVED by Member CC Parkinson, seconded by Member TG Churton:

- a) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee receives the application from Mike Malcolm, 734A Remuera Road, Auckland.
- b) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee deems that this application for special exemption under section 6 of the Fencing of Swimming Pools Act 1987 be GRANTED and that this exemption is personal to the owner of the property (Mike Malcolm), so that on a sale of the property a new owner will need to apply for a new exemption.
- c) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee notes that with regard to the particular characteristics of the property and the pool, the granting of an exemption does not significantly increase the danger to young children.
- d) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee notes that this exemption is subject to the spa being locked at all times when not in use.

CARRIED

Member Kate Cooke wished to record that she did not vote on this item as she was not present during the site visit to this property.

Members of the Orākei Local Board Swimming Pool Fencing Exemptions Committee completed a site visit at this property on Monday, 17 February 2014.

14.17 78 Rukutai Street, Orakei

Resolution number ORSP/2014/22

MOVED by Member CC Parkinson, seconded by Member TG Churton:

- a) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee receives the application from Andries and Yzette van der Westhuizen, 78 Rukutai Street, Orakei.
- b) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee deems that this application for special exemption under section 6 of the Fencing of Swimming Pools Act 1987 be **GRANTED** and that this exemption is personal to the owner of the property (Andries and Yzette van der Westhuizen), so that on a sale of the property a new owner will need to apply for a new exemption.
- c) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee notes that with regard to the particular characteristics of the property and the pool, the granting of an exemption does not significantly increase the danger to young children.
- d) That the Orākei Local Board Swimming Pool Fencing Exemptions Committee notes that this exemption is subject to the spa being locked at all times when not in use.

CARRIED

Members of the Orākei Local Board Swimming Pool Fencing Exemptions Committee completed a site visit at this property on Monday, 17 February 2014.

15 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

4.17 pm

The Chairperson thanked Members for their attendance and attention to business and declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD
AT A MEETING OF THE ORĀKEI LOCAL BOARD
SWIMMING POOL FENCING EXEMPTIONS
COMMITTEE HELD ON

DATE:.....

CHAIRPERSON:.....