

Howick Local Board Swimming Pool Fencing Exemptions Committee

OPEN MINUTES

Minutes of a meeting of the Howick Local Board Swimming Pool Fencing Exemptions Committee held in the Howick Local Board Meeting Room, Pakuranga Library Complex, 7 Aylesbury Street, Pakuranga on Tuesday, 14 April 2015 at 1.30pm.

PRESENT

Chairperson	David Collings
Deputy Chairperson	Garry Boles
Member	Jim Donald

ABSENT

Member	John Spiller
--------	--------------

ALSO PRESENT

Phillip Curtis, Senior Swimming Pool Specialist Inspections
Stuart Airs, Senior Swimming Pool Specialist Inspections
Brent Little
Jane Goulding

1 Welcome

The Chair opened the meeting and welcomed everyone.

2 Apologies

Resolution number HWSP/2015/1

MOVED by Member DA Collings, seconded by Member JR Donald:

That the Howick Local Board Swimming Pool Fencing Exemptions Committee:

- a) **accept the apology from John Spiller for absence.**

CARRIED

3 Declaration of Interest

Member David Collings declared that he knew Mr Brent Little, applicant number 14156.

4 Confirmation of Minutes

Resolution number HWSP/2015/2

MOVED by Member DA Collings, seconded by Member G Boles:

That the Howick Local Board Swimming Pool Fencing Exemptions Committee:

- a) **confirm the ordinary minutes of its meeting, held on Tuesday, 25 November 2014, as a true and correct record.**

CARRIED

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

Resolution number HWSP/2015/3

MOVED by Member DA Collings, seconded by Member G Boles:

That the Howick Local Board Swimming Pool Fencing Exemptions Committee:

- a) **That the report be received.**
- b) **That the Local Board receive the applications by the owner/occupier of:**
 - i) **326 Redoubt Road, Manukau**
 - ii) **1/11 Yarra Place, Howick**
 - iii) **52 Mission Heights Drive, Flatbush**
- c) **That the Local Board determine each application, by way of resolution, to:**
 - i) **grant the application for special exemption as sought, or**
 - ii) **grant the application subject to conditions, or**
 - iii) **decline the application for special exemption sought**

CARRIED

6 Timothy Goulding, Jane Goulding and Rowan Kingstone, 326 Redoubt Road, Manukau, 2016

Resolution number HWSP/2015/4

MOVED by Member DA Collings, seconded by Member G Boles:

- a) That the Howick Local Board Swimming Pool Fencing Exemptions Committee receives the application for a special exemption under Section 6 of the Fencing of Swimming Pools Act 1987 by Timothy Goulding, Jane Goulding and Rowan Kingstone, 326 Redoubt Road, Manukau 2106.
- b) That the Howick Local Board Swimming Pool Fencing Exemptions Committee notes members were in attendance at a site visit which took place on Tuesday 14th April 2015 at the applicant's residence at 326 Redoubt Road, Manukau with Auckland Council Officer, Vanessa Leddra, also in attendance.
- c) That the Howick Local Board Swimming Pool Fencing Exemptions Committee **DECLINES** the application for a special exemption under Section 6 of the Fencing of Swimming Pools Act 1987 (FOSPA) by Timothy Goulding, Jane Goulding and Rowan Kingstone , 326 Redoubt Road, Manukau, as the granting of an exemption would significantly increase the danger to young children and the requirements of FOSPA could be met by increasing the height of the spa pool to 1.2 metres or fully fencing the spa pool in accordance with FOSPA including any self-closing gates.

CARRIED

Secretarial Notes:

That Member Jim Donald requests his vote **against** c) be recorded.
The evaluation checklist is attached to the back of the minutes.

7 Brent Little, 1/11 Yarra Place, Howick

Resolution number HWSP/2015/5

MOVED by Member DA Collings, seconded by Member G Boles:

- a) That the Howick Local Board Swimming Pool Fencing Exemptions Committee receives the application for a special exemption under Section 6 of the Fencing of Swimming Pools Act 1987 by Brent Little, 1/11 Yarra Place, Howick.
- b) That the Howick Local Board Swimming Pool Fencing Exemptions Committee notes members were in attendance at a site visit which took place on Tuesday 14th April 2015 at the applicant's residence at 1/11 Yarra Place, Howick with Auckland Council Officer, Vanessa Leddra, also in attendance.
- c) That the Howick Local Board Swimming Pool Fencing Exemptions Committee **DECLINES** the application for a special exemption under Section 6 of the Fencing of Swimming Pools Act 1987 (FOSPA) by Brent Little, 1/11 Yarra Place, Howick, as the granting of an exemption would significantly increase the danger to young children and the requirements of FOSPA could be met by increasing the height of the spa pool to 1.2 metres or fully fencing the spa pool in accordance with FOSPA including any self-closing gates.

CARRIED

Secretarial Notes:

That Member Jim Donald requests his vote **against** c) be recorded.
The evaluation checklist is attached to the back of the minutes.

8 Richard Griffiths and Louise Griffiths, 52 Mission Heights Drive, Flatbush, Manukau

Resolution number HWSP/2015/6

MOVED by Member DA Collings, seconded by Member G Boles:

- a) That the Howick Local Board Swimming Pool Fencing Exemptions Committee receives the application for a special exemption under Section 6 of the Fencing of Swimming Pools Act 1987 by Richard Griffiths and Louise Griffiths, 52 Mission Heights Drive, Flatbush, Manukau.
- b) That the Howick Local Board Swimming Pool Fencing Exemptions Committee notes members were in attendance at a site visit which took place on Tuesday 14th April 2015 at the applicant's residence at 52 Mission Heights Drive, Flatbush, Manukau with Auckland Council Officer, Vanessa Leddra, also in attendance.
- c) That the Howick Local Board Swimming Pool Fencing Exemptions Committee **DECLINES** the application for a special exemption under Section 6 of the Fencing of Swimming Pools Act 1987 (FOSPA) by Richard Griffiths and Louise Griffiths, 52 Mission Heights Drive, Flatbush, Manukau as the granting of an exemption would significantly increase the danger to young children and the requirements of the FOSPA could be met by increasing the height of the spa pool to 1.2 metres or fully fencing the spa pool in accordance with FOSPA including any self-closing gates.

CARRIED

Secretarial Notes:

That Member Jim Donald requests his vote **against** c) be recorded.
The evaluation checklist is attached to the back of the minutes.

2.43pm

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 HOWICK LOCAL BOARD
SWIMMING POOL FENCING EXEMPTIONS
COMMITTEE HELD ON

DATE:.....

CHAIRPERSON:.....

EVALUATION CHECKLIST FOR LOCAL BOARD
HEARING OF AN APPLICATION FOR AN EXEMPTION
FROM FENCING OF SWIMMING POOLS ACT 1987



(Please tick the applicable box)

1.1. The Local Board have:

- Received an officers report
- Read the application from the applicant
- Conducted a site visit (optional)
- Heard from the applicant in person

1.2. The Local Board have had regard to the following relevant documents:

- Fencing of Swimming Pools Act 1987 (The Act)
- Schedule to the Act
- New Zealand Standard (NZS) 8500:2006
- Building Act 2004
- Performance standards in the Building Code

1.3. The Local Board also considered the following other documents to be relevant to determine the application in accordance with the Act: (e.g. Information on proposed alarm product, Manufacturers report)

- a)
- b)
- c)

N/A

1.4. The Local Board have considered the specific matters pursuant to section 6 of the Act as follows:

- The particular characteristics of the property, and
- The particular characteristics of the pool, and
- Other circumstances raised in the hearing and the application, and
- Any conditions which may be imposed

1.5. In relation to gates and doors, the Local Board have considered the following pursuant to clause 11 of the Schedule to the Act:

- Whether it is impossible, unreasonable or a breach of any other Act to meet the requirements of the Act; and
- Whether there is a locking device that when properly operated prevents the door from being readily opened by children under the age of 6

N/A

Application No: ~~XXXX~~ ²⁰⁴³⁰ Insert Address 326 Redoubt Rd Manukau

Page 1 of 2

2. DECISION

(Please tick the applicable box)

2.1. That the Local Board has made the following decision for the application for an exemption from the requirements of the Act, namely:

- Declines application
- Grants application
- Grants application subject to conditions
- Revokes exemption
- Amends exemption

3. CONDITIONS ON EXEMPTIONS

(Please tick the applicable box)

3.1. That the Local Board grants the exemption subject to the following conditions:

- Personal to the applicant
- Annual inspection
- Expiry date
- Notation on LIR
- Other _____

MA

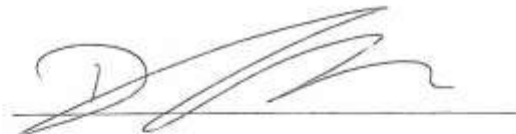
Attach extra sheets if necessary

4. REASONS

(Please cross out inapplicable wording)

4.1 The Local Board is satisfied that the exemption should be ~~granted~~/should not be granted because, having considered the particular characteristics of the property and the pool, other relevant circumstances and any conditions to be imposed, the danger to young children is ~~not~~ /is significantly increased in this case.

Signed by [Full Name] on behalf of the
Local Board:



Date:

14/4/15

Hearing Closing Time:

2.43pm

Application No: 20430 XXXX, Insert Address 326 Redoubt Rd
Manukau

EVALUATION CHECKLIST FOR LOCAL BOARD
HEARING OF AN APPLICATION FOR AN EXEMPTION
FROM FENCING OF SWIMMING POOLS ACT 1987



(Please tick the applicable box)

1.1. The Local Board have:

- Received an officers report
- Read the application from the applicant
- Conducted a site visit (optional)
- Heard from the applicant in person

1.2. The Local Board have had regard to the following relevant documents:

- Fencing of Swimming Pools Act 1987 (The Act)
- Schedule to the Act
- New Zealand Standard (NZS) 8500:2006
- Building Act 2004
- Performance standards in the Building Code

1.3. The Local Board also considered the following other documents to be relevant to determine the application in accordance with the Act: (e.g. Information on proposed alarm product, Manufacturers report)

- a)
- b)
- c)

N/A.

1.4. The Local Board have considered the specific matters pursuant to section 6 of the Act as follows:

- The particular characteristics of the property, and
- The particular characteristics of the pool, and
- Other circumstances raised in the hearing and the application, and
- Any conditions which may be imposed

1.5. In relation to gates and doors, the Local Board have considered the following pursuant to clause 11 of the Schedule to the Act:

- Whether it is impossible, unreasonable or a breach of any other Act to meet the requirements of the Act; and
- Whether there is a locking device that when properly operated prevents the door from being readily opened by children under the age of 6

N/A.

Application No. ~~XXXX~~ 14156 i/11 Yarra Place Howick

Page 1 of 2

2. DECISION

(Please tick the applicable box)

2.1. That the Local Board has made the following decision for the application for an exemption from the requirements of the Act, namely:

- Declines application
- Grants application
- Grants application subject to conditions
- Revokes exemption
- Amends exemption

3. CONDITIONS ON EXEMPTIONS

(Please tick the applicable box)

3.1. That the Local Board grants the exemption subject to the following conditions:

- Personal to the applicant
- Annual inspection
- Expiry date
- Notation on LIR
- Other _____

N/A


Attach extra sheets if necessary

4. REASONS

(Please cross out inapplicable wording)

4.1 The Local Board is satisfied that the exemption ~~should be granted~~/should not be granted because, having considered the particular characteristics of the property and the pool, other relevant circumstances and any conditions to be imposed, the danger to young children ~~is not~~ is significantly increased in this case.

Signed by [Full Name] on behalf of the Local Board:



Date:

14/4/15

Hearing Closing Time:

2.43pm

Application No. ~~X337~~ 14156, Insert Address

1/11 Yarra Place Howick

EVALUATION CHECKLIST FOR LOCAL BOARD
HEARING OF AN APPLICATION FOR AN EXEMPTION
FROM FENCING OF SWIMMING POOLS ACT 1987



(Please tick the applicable box)

1.1. The Local Board have:

- Received an officers report
- Read the application from the applicant
- Conducted a site visit (optional)
- Heard from the applicant in person

1.2. The Local Board have had regard to the following relevant documents:

- Fencing of Swimming Pools Act 1987 (The Act)
- Schedule to the Act
- New Zealand Standard (NZS) 8500:2006
- Building Act 2004
- Performance standards in the Building Code

1.3. The Local Board also considered the following other documents to be relevant to determine the application in accordance with the Act: (e.g. Information on proposed alarm product, Manufacturers report)

- a)
- b)
- c)

N/A.

1.4. The Local Board have considered the specific matters pursuant to section 6 of the Act as follows:

- The particular characteristics of the property, and
- The particular characteristics of the pool, and
- Other circumstances raised in the hearing and the application, and
- Any conditions which may be imposed

1.5. In relation to gates and doors, the Local Board have considered the following pursuant to clause 11 of the Schedule to the Act:

- Whether it is impossible, unreasonable or a breach of any other Act to meet the requirements of the Act; and
- Whether there is a locking device that when properly operated prevents the door from being readily opened by children under the age of 6

N/A

Application No: ~~XXXX~~ 21697, Insert Address S2 Mission Heights Drive Flat bush.

2. DECISION

(Please tick the applicable box)

2.1. That the Local Board has made the following decision for the application for an exemption from the requirements of the Act, namely:

- Declines application
- Grants application
- Grants application subject to conditions
- Revokes exemption
- Amends exemption

3. CONDITIONS ON EXEMPTIONS

(Please tick the applicable box)

3.1. That the Local Board grants the exemption subject to the following conditions:

- Personal to the applicant
- Annual inspection
- Expiry date
- Notation on LIR
- Other _____

NA

Attach extra sheets if necessary

4. REASONS

(Please cross out inapplicable wording)

4.1 The Local Board is satisfied that the exemption ~~should be granted~~/should not be granted because, having considered the particular characteristics of the property and the pool, other relevant circumstances and any conditions to be imposed, the danger to young children ~~is not~~/is significantly increased in this case.

Signed by [Full Name] on behalf of the Local Board:



Date:

14/4/15

Hearing Closing Time:

2.43pm

Application No: ~~XXXX~~ ~~Insert Address~~ 21697 S2 Mississauga Heights Drive