

# 1. Minutes: Licensing, Exemptions and Objections Committee Wednesday 14 September and Tuesday 20 September 2011

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*Minutes of a meeting of the Licensing, Exemptions and Objections Committee held in the Council Chamber, Forum North, on Wednesday 14 September 2011 at 1.30 pm and Tuesday 20 September at 9.00am*

**Present:**

Cr M R Williams (Chairperson)

Crs S L Morgan and J D T Williamson

**Apology:**

Cr S J Deeming

**Moved: Cr Williams**

**Seconded: Cr Morgan**

“That the apology be sustained.”

**CARRIED**

**In attendance:**

Senior Meeting Co-ordinator (C Brindle)

## 1. Confirmation of Minutes of a Meeting of the Licensing, Exemptions and Objections Committee held on 10 August 2011

**Moved Cr Williams**

**Seconded Cr Williamson**

“That the minutes of the meeting of the Licensing, Exemptions and Objections Committee held on 10 August 2011, having been circulated, be taken as read and now confirmed and adopted as a true and correct record of proceedings of that meeting.”

**CARRIED**

## 2. Report – Decision of the Licensing, Exemptions and Objections Committee

**Moved Cr Williamson**

**Seconded Cr Morgan**

“That the report be received.”

**CARRIED**

Procedural motion

**Moved: Cr Williams**

**Seconded: Cr Morgan**

“That the meeting be adjourned to be reconvened in the Council Chambers at 9.00am on Tuesday 20 September 2011.”

**CARRIED**

**THE MEETING WAS ADJOURNED AT 1.38PM ON WEDNESDAY 14 SEPTEMBER 2011 TO BE RECONVENED AT 9.00AM ON TUESDAY 20 SEPTEMBER IN THE COUNCIL CHAMBERS, FORUM NORTH, WHANGAREI**

**THE MEETING RECONVENED AT 9.0AM ON TUESDAY 20 SEPTEMBER IN THE COUNCIL CHAMBERS, FORUM NORTH, WHANGAREI**

**Present:**

Cr M R Williams (Chairperson)

Crs S J Deeming, S L Morgan and J D T Williamson

**Apology:**

His Worship the Mayor M C A Cutforth

**Moved: Cr Williams**

**Seconded: Cr Deeming**

"That the apology be sustained."

**CARRIED**

**Also present:**

K Robinson (K J B & VK B Limited)

**In attendance:**

Principal Planner Resource Consents (P Lees), Team Leader Compliance (G Barnsley) and Senior Meeting Co-ordinator (C Brindle)

*Item 7 was taken first on the agenda.*

**3. Special Exemption from Compliance with Fencing of Swimming Pools Act 1987 – Mr Neville Draffin**

**Moved Cr Williamson**

**Seconded Cr Morgan**

"That having considered the particular characteristics of the property, the swimming pool situated thereon and the occupant of the property, Council is satisfied that there would be no significant increase in danger posed to young children by the swimming pool located at 63 Draffin Road, Poroti, Whangarei, or by the granting of a special exemption with appropriate conditions, and therefore **GRANTS** a special exemption from the compliance requirements of the Fencing of Swimming Pools Act 1987. This special exemption is granted pursuant to s.6 of the Act and is granted to Mr Neville Draffin, the owner and occupant of the property under the following conditions:

1. That the exemption is personal to the applicant and will automatically expire upon the property being sold, or ceasing to be personally owned and occupied by the applicant.
2. That the applicant must inform any prospective purchaser of the property that the exemption is personal to him and will expire immediately upon completion of the sale.
3. That the applicant must inform any visitors to the property with young children under 6 years, that the windows which give access to the immediate pool area are not fully compliant with the Act and as such children must be supervised at all times whilst on the property."

**CARRIED**

**4. Special Exemption from Compliance with Fencing of Swimming Pools Act 1987 – Mr Stewart McKenzie-Pollock**

**Moved Cr Deeming**  
**Seconded Cr Williamson**

“That having considered the particular characteristics of the property, the swimming pool situated thereon and the occupant of the property, Council is satisfied that there would be no significant increase in danger posed to young children by the swimming pool located at 220 Hailes Rd, Whananaki, Whangarei, or by the granting of a special exemption with appropriate conditions, and therefore **GRANTS** a special exemption from the compliance requirements of the Fencing of Swimming Pools Act 1987. This special exemption is granted pursuant to s.6 of the Act and is granted to Mr Stewart McKenzie-Pollock, the owner and occupant of the property under the following conditions:

- 1 That the exemption is personal to the applicant and will automatically expire upon the property being sold, or ceasing to be personally owned and occupied by the applicant.
- 2 That the applicant must inform any prospective purchaser of the property that the exemption is personal to him and will expire immediately upon completion of the sale.
3. That the applicant must inform any visitors to the property with young children under 6 years, that the immediate pool area is not fully compliant with the Act and as such children must be supervised at all times whilst on the property.”

**CARRIED**

**5. Special Exemption from Compliance with Fencing of Swimming Pools Act 1987 – Mr Anthony and Mrs Caroline Slater**

**Moved Cr Williamson**  
**Seconded Cr Morgan**

“That having considered the particular characteristics of the property, the swimming pool and the spa pool situated thereon and the occupants of the property, Council is satisfied that there would be no significant increase in danger posed to young children by the swimming pool and the spa pool located at 116 Wood Road, Whangarei, or by the granting of a special exemption with appropriate conditions, and therefore **GRANTS** such special exemption from the compliance requirements of the Fencing of Swimming Pools Act 1987. This special exemption is granted pursuant to s.6 of the Act and is granted to Mr Anthony Slater and Mrs Caroline Slater, the owners and occupants of the property under the following conditions:

- 1 That the exemption is personal to the applicants and will automatically expire upon the property being sold, or ceasing to be personally owned and occupied by the applicants.
- 2 That the applicants must inform any prospective purchaser of the property that the exemption is personal to them and will expire immediately upon completion of the sale.
- 3 That the applicants must inform any visitors to the property with young children under 6 years, that the immediate pool area is not fully compliant with the Act and as such children must be supervised at all times whilst on the property.”

**CARRIED**

**6. Special Exemption from Compliance with Fencing of Swimming Pools Act 1987 – Mr Graham and Mrs Marion Mackenzie**

**Moved Cr Deeming**  
**Seconded Cr Williams**

“That having considered the particular characteristics of the property, the spa pool situated thereon and the occupants of the property, Council is satisfied that there would be no significant increase in danger posed to young children by the spa pool located at 243 Waiotoi Road, Ngunguru, Whangarei, or by the granting of a special exemption with appropriate conditions, and therefore **GRANTS** a special exemption from the compliance requirements of the Fencing of Swimming Pools Act 1987. This special exemption is granted pursuant to s.6 of the Act and is granted to Mr Graham Mackenzie and Mrs Marion Mackenzie, the owners and occupants of the property under the following conditions:

- 1 That the exemption is personal to the applicants and will automatically expire upon the property being sold, or ceasing to be personally owned and occupied by the applicant.
- 2 That the applicants must inform any prospective purchaser of the property that the exemption is personal to them and will expire immediately upon completion of the sale.
- 3 That the applicants must inform any visitors to the property with young children under 6 years, that the immediate spa pool area is not fully compliant with the Act and as such children must be supervised at all times whilst on the property.”

**CARRIED**

*Item 7 was taken first on the agenda.*

**7. Objection to Costs under section 357B of the Resource Management Act 1991 – KJB & VKB Limited**

**Moved Cr Williams**  
**Seconded Cr Deeming**

“That following the hearing of the matters before the committee, the public be excluded from the meeting pursuant to Section 48 (1) (d) of the Local Government Official Information and Meetings Act to enable the committee to deliberate on the decisions made.”

**CARRIED**

*Item 3 was taken after Item 7.*

**The meeting closed at 10.25am**

Confirmed this 12<sup>th</sup> day of October 2011

M R Williams (Chairperson)