

1. Minutes: Licensing, Exemptions and Objections Committee Tuesday 13 March 2012

Minutes of a meeting of the Licensing, Exemptions and Objections Committee held in the Council Chamber, Forum North, on Tuesday 13 March 2012 at 9.30am

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 Deeming

Seconded: Cr Morgan

“That the apology be sustained.”

CARRIED

Also present:

Mr B Herman and Mr G Benney

Mr K Rogers

In attendance:

Legal Counsel (K Candy), Bylaw Co-ordinator (M Henehan), Team Leader Compliance (G Barnsley), K Thompson and V Morris (Environmental Northland Ltd) and Senior Meeting Co-ordinator (C Brindle)

1. Confirmation of Minutes of a Meeting of the Licensing, Exemptions and Objections Committee held on 8 February 2012

Moved Cr Deeming

Seconded Cr Morgan

“That the minutes of the meeting of the Licensing, Exemptions and Objections Committee held on 8 February 2012 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. Hearing of Objection to Classification of a Dog as Menacing

Moved Cr Deeming

Seconded Cr Morgan

“That the Licensing, Exemptions and Objections Committee having heard the objection to the menacing classification of Rottweiler dog “Zac”, owned by Josephine Herman, will consider the objection and will as soon as practicable, give written notice to the owner of (a) its determination and (b) the reasons for its determination.”

CARRIED

A tea break was taken at 10.42am following Item 2. The meeting resumed at 11.01am.

3. Special Exemption from Compliance with Fencing of Swimming Pools Act 1987 – Mr Lawrence and Mrs Ruth Elliot

Moved Cr Deeming
Seconded Cr Williams

“That having considered the particular characteristics of the property, the swimming 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 located at 133 Ross Road, RD 1, 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 Lawrence Elliott and Mrs Ruth Elliott, 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 six 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

4. Special Exemption from Compliance with Fencing of Swimming Pools Act 1987 – Mr D Wynne and Mrs K Wynne

Moved Cr Deeming
Seconded Cr Morgan

“That having considered the particular characteristics of the property, the swimming pool and 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 spa pool located at 356 Cemetery Road, 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 David Wynne and Mrs Karen Wynne, 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 spa pool and the dwelling are not fully compliant with the Act and as such those 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 Mark and Mrs Claire Pearson

Moved Cr Williams
Seconded Cr Williamson

“That having considered the particular characteristics of the property, the swimming 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 located at 395 Ody 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 Mark Pearson and Mrs Claire Pearson, 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 of age, that the immediate pool area is not fully compliant with the Act due to the trees which are in close proximity to the fence 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 R A and Mrs M D Engdahl

Moved: Cr Deeming

Seconded: Cr Morgan

“That having considered the particular characteristics of the property, the swimming pool and 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 spa pool located at 75 Headland Farm Park, 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 RA Engdahl and Mrs MD Engdahl, 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 areas are not fully compliant with the Act and as such children must be supervised at all times whilst on the property.”

CARRIED

The meeting closed at 11.16am

Confirmed this 11th day of April 2012

M R Williams (Chairperson)