

**CARTERTON**  
DISTRICT COUNCIL

**Policy and Strategy  
Committee Meeting**

**Wednesday**

**7 June 2017**

Committee Members: Councillor R Carter, R Keys, M Ashby, B Deller, J Greathead, G Lang,  
T O'Callaghan, R Vergunst and Mayor J Booth.



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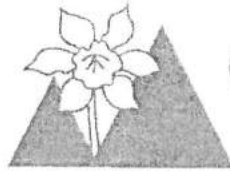
## AGENDA

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**The Agenda of the Policy and Strategy Committee of the Carterton District Council to be held at the Hurunui o Rangi Meeting Room, Carterton Event Centre, Carterton on Wednesday 7 June 2017 at 1.00pm.**

1. Apologies
2. Conflict of Interest Declaration
3. Public Forum
4. Notification of General Business / Late Items
5. Asset Management Planning – *page 1 - 4*
6. Policy Review Waiver of Resource Consent Fees for Heritage Buildings – *page 5 - 8*
7. Policy Review "Exemption of Spa Pool from Requirements of Fencing of Swimming Pools Act" – *page 9 - 16*
8. General Business/Late Items
9. Confirmation of the Minutes – *page 17 - 20*
  - 9.1 Minutes of the Policy and Strategy meeting held on 26 April 2017.
10. Matters Arising from Minutes



7th June 2017

## **ASSET MANAGEMENT PLANNING – POLICY AND STRATEGY**

### **1. PURPOSE OF REPORT**

To obtain the Policy and Strategy Committee's adoption of the proposed policy and strategy to be applied to Council's 2017 Asset Management Plans (AMPs).

### **2. SIGNIFICANCE**

The matters for decision in this report are not considered to be significant under Council's Significance and Engagement policy

### **3. SUMMARY**

CDC's AMPs were last reviewed in 2014/15, ahead of the 2015-25 Long Term Plan. A similar review process is currently underway ahead of and in preparation for Council's draft 2018-28 Long Term Plan work plan, due to commence mid this year. An AMP policy and strategy is required to guide the development of CDC's AMPs.

### **4. BACKGROUND**

Carterton District Council (CDC) has AMPs for each of its four core network infrastructures (three waters and roading). There are currently no AMPs for either solid waste or community facilities.

AMPs are an important input to Council's long term planning and budgeting processes. They are instrumental in developing Council's mandatory 30-year Infrastructure Strategy, and the LTP component of that.

Fundamental to AMPs is a clear policy defining CDC's approach to asset management, and a strategy setting out CDC's long term approach to owning and managing assets in support of delivering the required levels of service.

According to Audit NZ criteria, the AM policy should give clear guidance on:

- Organisational context for AM
- Services for which AMs are required
- How AM is integrated into CDC's business processes
- Roles and responsibilities for AM
- Process for deciding on required level of AM maturity

- Performance measures for AM
- The extent to which AM is expected to contribute to the Council's sustainable development objectives

The AM strategy then describes CDC's long term approach to managing the assets to deliver the levels of service, over the life of the assets.

Review of CDC's AMPs is currently underway in preparation for the 2018-28 Long Term Plan and associated Infrastructure Strategy.

## 5. PROPOSED ASSET MANAGEMENT POLICY

The proposed CDC policy with respect to asset management is as follows:

- Asset management practices will be focused on achievement of Council's Vision as stated in the LTP
- Asset management will be applied to the long term stewardship of CDC's network infrastructure, solid waste assets and community facilities, over a minimum planning horizon of 30 years
- The target maturity level for AMPs will be minimum for solid waste assets, recognising the limited scope of assets for this activity, core for community facilities, stormwater, water supply and wastewater, and intermediate for roading
- Asset management will be focused on delivering the required level of service to existing and future customers in the most cost-effective way
- Relevant legislation, regulatory and statutory requirements will be complied with
- A robust risk management approach consistent with good AM practice will underpin all asset management activities
- The outputs of asset management processes will be endorsed by senior management and the Council
- The outputs of asset management processes will be communicated to relevant staff and third parties to ensure they are aware of their asset management responsibilities
- Asset management plans will be accessible by all stakeholders and other interested parties or members of the public
- Asset management plans will be reviewed three - yearly to ensure they remain relevant and consistent with the LTP
- CDC commits to the continuous improvement of asset management practices to achieve better alignment between the quality of asset management and the nature and scale of Council's assets and activities.

## 6. ASSET MANAGEMENT STRATEGY

The proposed asset management strategy to give effect to the AM policy objectives is:

### Levels of Service:

- To maintain current levels of service, with specific, minor variations by exception, and to formally review levels of service at least every three years
- To periodically engage with the community on satisfaction with the levels of service provided and improvements desired
- To undertake consultation on options for specific, significant projects.

### Demand Forecast and Planning:

- To invest in works for growth in a timely way

- To base population growth on the Statistics NZ medium projection of average annual growth rates
- To review the need for works to accommodate growth on an annual basis to take account of any changes to the anticipated growth rates or other demand drivers
- To review demand forecasts annually based on analysis of population and economic growth projections, social and demographic data, technological advances and other relevant data
- To consider demand management options when planning to meet growth to enhance sustainability of asset capacity and natural resources and to ensure projects qualify for any external financial assistance.

**Asset Service Potential:**

- To maintain the current service potential of the asset through an appropriate level of maintenance and renewal works.

**Risk Management and Resilience:**

To manage risk exposure through:

- performance and condition monitoring of critical assets
- assessing resilience of critical assets to natural hazards
- Identifying and managing risks relating to natural hazards and preparing programmes to address those risks.

**Optimised Decision Making:**

- To undertake economic analysis for significant decisions related to optimisation and prioritisation of projects required to mitigate unacceptable risks.

**Measure Operational Performance:**

- To ensure service agreements with contractors contain performance measures consistent with the relevant AMP and activity KPIs to achieve alignment between operational levels and the LTP.

**Maintain and Improve Information Systems:**

- To structure data collection programmes (condition, asset performance, registers and service performance) consistent with the nature and scale of the assets and to track achievement of service targets. Asset management system functionality will be progressively developed to meet the requirements of advanced asset management planning.

**Organisational Development:**

- To develop organisational asset management capability to practise effective asset management techniques.

**Regular Review:**

- To develop the AMP as a 'living' document, reviewed on a three-yearly basis to ensure alignment with current Council, organisational and asset management policy and submit AMPs for formal adoption by the Council.

**Continuous Improvement:**

- To improve AM practices, processes, data, systems and plans in accordance with the improvement plan which will be reviewed annually.

**Monitoring of levels of service performance measures:**

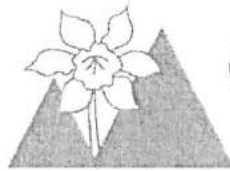
- To monitor performance measures on a monthly basis and report to management team.

**7. RECOMMENDATIONS**

That the Committee:

1. **Receives** the 7 June 2017 report on CDC's proposed asset management policy and strategy.
2. **Adopts** the proposed policy and strategy for preparation of CDC's 2017 AMPs ahead of, and as a key input to, Council's draft 2018-28 Long Term Plan and associated Infrastructure Strategy.

A handwritten signature in black ink, appearing to be 'A. H. H.', is written over a faint, circular stamp or watermark.



7<sup>th</sup> June 2017

## **POLICY REVIEW: WAIVER OF RESOURCE CONSENT FEES FOR HERITAGE BUILDINGS**

### **1. PURPOSE OF THE REPORT**

To update the Waiver of Resource Consent Fees for Heritage Buildings policy

### **2. SIGNIFICANCE**

The matters for decision in this report are not considered to be of significance under the Significance and Engagement Policy.

### **3. SUMMARY**

The Policy and Strategy Committee has previously approved the commencement of a policy review to ascertain current, relevant, revoked or superseded policies, investigate new policies that may be required and to establish a review process to ensure that policies are reviewed in a timely manner.

One of the policies encompassed under the Regulatory role of Council is the Waiver of Resource Consent Fees for Heritage Buildings. An updated policy is attached.

Officers are of the opinion that only minor modifications are required and that the policy has been effective in assisting landowners with heritage building and should be continued.

### **4. RECOMENDATION**

That the Policy and Strategy Committee

- 1. ADOPTS** the attached updated policy on the Waiver of Resource Consent Fees for Heritage Buildings.

Dave Gittings  
**Planning and Regulatory Manager**

Attachment 1



## CARTERTON DISTRICT COUNCIL

~~Proposed~~ Policy

## Waiver of Resource Consent Fees for Heritage Buildings

As a result of ~~compilation of the Proposed~~ the adoption of the Wairarapa Combined District Plan on the 25<sup>th</sup> May 2011 a significant number of heritage buildings ~~have~~ <sup>Formatted: Superscript</sup> ~~were been~~ added to the existing heritage buildings listed in the previous Carterton District Council's Operative Plan.

Subsequent to the adoption of the Wairarapa Combined District Plan, all three Wairarapa Council adopted a policy to provide for waiver of resource consent fees for heritage buildings

The ~~Proposed Plan~~ Combined District Plan requires resource consent application to be made when alterations/additions are proposed to the listed heritage buildings.

~~It is considered prudent that financial incentives for the protection of these historic buildings be provided. This would be in line with Masterton District Council's Operative Plan, I understand South Wairarapa are considering a similar stance.~~

~~It is therefore recommended that the following be included for Carterton within the Combined District Plan by way of variation to the Plan.~~

*Waving of resource consent fees for applications for alterations to heritage items or for changes of use provided that the change is for adaptive reuse and the resource consent is granted.*

~~M.F. Hautler  
Manager Planning & Regulatory Solitaire Robertson  
Planner/Policy Adviser~~

Adopted: 7<sup>th</sup> June 2016  
Review: 7<sup>th</sup> June 2021





**CARTERTON**  
DISTRICT COUNCIL

## Waiver of Resource Consent Fees for Heritage Buildings

As a result of the adoption of the Wairarapa Combined District Plan on the 25<sup>th</sup> May 2011 a significant number of heritage buildings were added to the existing heritage buildings listed in the previous Carterton District Council's Operative Plan.

Subsequent to the adoption of the Wairarapa Combined District Plan, all three Wairarapa Councils adopted a policy to provide for waiver of resource consent fees for heritage buildings

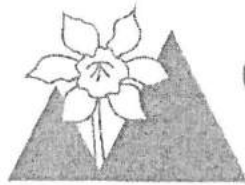
The Combined District Plan requires resource consent application to be made when alterations/additions are proposed to the listed heritage buildings.

*Waving of resource consent fees for applications for alterations to heritage items or for changes of use provided that the change is for adaptive reuse and the resource consent is granted.*

Solitaire Robertson  
Planner/Policy Adviser

Adopted: 7<sup>th</sup> June 2016  
Review: 7<sup>th</sup> June 2021





7<sup>th</sup> June 2017

## **POLICY REVIEW: EXEMPTION OF SPA POOL FROM REQUIREMENTS OF FENCING OF SWIMMING POOLS ACT**

### **1. PURPOSE OF THE REPORT**

To rescind the Exemption of Spa Pool from Requirements of Fencing of Swimming Pools Act 1987 policy

### **2. SIGNIFICANCE**

The matters for decision in this report are not considered to be of significance under the Significance and Engagement Policy.

### **3. SUMMARY**

The Policy and Strategy Committee has previously approved the commencement of a policy review to ascertain current, relevant, revoked or superseded policies, investigate new policies that may be required and to establish a review process to ensure that policies are reviewed in a timely manner.

An existing Council policy is the exemption of spa pools from requirements of Fencing of Swimming Pools Act 1987 (attachment 1). The Fencing of Swimming Pools Act 1987 was repealed, as from 1 January 2017 and fencing of spa pools is a legislative requirement under the Building Act 2004 and Building Regulations 1992 (the Building Code).

Safety covers will be able to be used as barriers for spa pools and hot tubs when not in use but cannot be excluded from Building Code requirements unless under a case-by-case waiver.

### **4. RECOMENDATION**

That the Policy and Strategy Committee

- 1. Rescinds** the attached policy of Exemption of Spa Pool from Requirements of Fencing of Swimming Pools Act 1987

Dave Gittings  
Planning and Regulatory Manager



8<sup>th</sup> November 2010.

**His Worship the Mayor, and Councillors.**

**Subject: Exemption of Spa Pools from requirement of Fencing of Swimming Pools Act 1987**

**Purpose:** Council to grant an exemption under Section 6 of the Fencing of Swimming Pools Act 1987 in relation to spa pools and hot tubs from such structures:

- a. requiring a building consent, and
- b. needing to be fenced

**Significance:** The matters for decision in this report are required to be publicly notified

**Background:** Under the requirements of both the Building Act 2004 and the Fencing of Swimming Pools Act 1987, any spa pool or hot tub constructed or located on any property within the district requires a building consent and must be fenced accordingly

The Fencing of Swimming Pools Act 1987 (FOSP) defines Swimming pool and pool as;

“an excavation, structure, or product that is used or is capable of being used for the purpose of swimming, wading, paddling, or bathing; and includes any such excavation, structure, or product that is a spa pool.”

Accordingly, for the purposes of the FOSP a spa pool and a swimming pool have the same meaning. Hence the placement of a spa pool on a property is deemed to be a building or construction and a building consent is required.

The FOSP further requires that, in the absence of a specific exemption, every spa pool is to be fenced in accordance with the Act.

In 2006, New Zealand Standards released NZS 8500:2006 with the intention that it replace the current schedule in the FOSP. Section 3.10 of this standard relates to spa pools and specifies that provided certain conditions are met, mainly in terms of the height of the spa pool and the existence of a lockable cover, then spa owners will not have to install specific fencing.

However, to date Parliament has not enacted the change to the FOSP allowing this Standard to be cited, and accordingly the responsibility for granting exemptions still rests with each Council. Councils may use NZS8500:2006 as a guideline in deciding as to the granting of an exemption. (See appendix 1 attached.)

#### Current practice

Currently, a building consent is required for the construction, installation or supply of all new swimming pools in the district that are deeper than 400mm, and as a requirement of that consent, appropriate fencing is required.

Provided that spa pools are kept securely covered when not in use, and they are the minimum height above ground, in accordance with Appendix 2 (a), it is considered that they do not pose a danger to small children. It has never been this council's intention to require spa pools to be consented and it is for this reason that this recommendation is forwarded, to put some legality on this policy.

To date no consents have been issued as it has always been the premise by this Council and generally many other councils that spa pool construction should be exempt from building consent and requirements for fencing. Typically installations for spa pools are not notified to council building inspectors.

This topic has been discussed substantively by practitioners. The current status between building control authorities is quite varied, with a fairly equal number of councils having adopted this policy with those that have not.

#### Consequences of maintaining the status quo

The FOSP, when introduced, was retrospective and applied to any or all pools and spas capable of being filled with water as from 1 May 1988. Consequently all current spa pools within the district will need to be identified, placed on the swimming pool register and owners instructed to take out a building consent to fence the pool. This action would at very least be controversial and will no doubt lead to consumer opposition.

#### **Recommendation:**

1. That Council resolve to grant an exemption under Section 6 of the Fencing of Swimming Pools Act 1987 in relation to spa pools and hot tubs from such structures:

(a) requiring a building consent, and

(b) needing to be fenced, -

Subject to the provisions of Appendix 2 clauses a to k

2. That Council adopts the recommendations of NZS8500:2006 Safety Barriers and Fences Around Swimming Pools, Spas and Hot Tubs in its entirety as replacing the schedule of the Fencing of Swimming Pools Act 1987.

Prepared by

Approved by

M. F. Hautler

C. Wright

**Manager Planning & Regulatory**

**Chief Executive Officer**

#### **Attachments:**

Appendix 1 - Fencing of Swimming Pools Act 1987, Section 6 Special exemptions.

Appendix 2 - NZS 8500:2006, Safety barriers and fences around swimming pools, spa's, and hot tubs.

## Appendix 1

### **Fencing of Swimming Pools Act 1987**

#### **Section 6 Special exemptions**

- (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.
  
- (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.
  
- (3) Any exemption granted or condition imposed under this section may be amended or revoked by Council, by resolution.



## Appendix 2

### **NZS 8500:2006 SAFETY BARRIERS AND FENCES AROUND SWIMMING POOLS, SPAS AND HOT TUBS**

#### **3.10 Above-Ground Spas and Hot Tubs**

Above-ground spas and hot tubs shall meet all of the following:

- (a) The top of the spa pool or hot tub shall be positioned with the entire top surface not less than 760 mm above the surrounding ground or deck;
- (b) The cover shall be lockable and shall be kept locked when the spa pool or hot tub is not being used or supervised. (A locking device shall contain a mechanical locking mechanism or a self-locking mechanism in addition to latching shut);
- (c) The locks shall not be able to be readily opened or released by a child of up to the age of six years;
- (d) When locked the cover shall be fitted so that if lifted it does not release the locking device or provide a clearance greater than 100 mm;
- (e) The cover shall be made of a material that if walked on cannot collapse and can withstand the weight of at least 20 kg to ensure that it will more than take the weight of a child up to six years of age;
- (f) The cover shall be constructed of material that meets ASTM F1346-91 to allow easy movement on and off the spa pool or hot tub; (g) The cover shall be

constructed with a taper from the centre hinge to the outside edge of the cover so that water will not pond on top of it;

- (h) The cover shall have an evenly spaced mechanical locking device as required in (b) which shall be positioned to ensure the cover cannot be lifted more than 100 mm by a child up to six years of age, and ensures that the cover is fixed securely to the spa pool or hot tub;
  
- (i) The cover and locks shall be maintained at all times in a good state of repair;
  
- (j) Warning stickers/signs shall be placed on the cover to advise that it shall be locked in place when the spa pool or hot tub is not being used or supervised;
  
- (k) Removable steps, movable furniture, or other objects that can assist a young child to climb onto the cover, shall be stowed/stored away at least 1200 mm from the side of the spa pool or hot tub.



**The minutes of the Policy and Strategy Committee Meeting  
of the Carterton District Council held in the Carterton Fire Station, High Street,  
Carterton on Wednesday 26 April 2017 at 1.00pm.**

**Present:** Cr R Carter (Chair)  
Mayor J Booth, Deputy Mayor R Keys, Crs B Deller, J Greathead, T O'Callaghan,  
R Vergunst, M Ashby, G Lang

**Attendance:** J Davis (Chief Executive)  
D Gittings (Planning and Regulatory Manager)  
H Burgess (Executive Assistant)

**1. Apologies**

There were no apologies for this meeting.

**2. Conflict of Interest**

There was no conflict of interest declared.

**3. Public Forum**

There were no speakers for the public forum.

**4. Notification of General Business / Late Items**

There was no General Business or late items.

**5. Submission on the Local Government Commission's Draft Proposal**

**Purpose**

For the Policy and Strategy Committee to adopt a submission on the Local Government Commission's Draft Proposal for a Wairarapa Council.

**Moved**

**That** the Committee receives the report.

Crs Greathead/O'Callaghan  
CARRIED

**Moved**

**That** the Committee adopts the submission on the Local Government Commission's Draft Proposal for Wairarapa Council, in Attachment 1.

Deputy Mayor Keys/Cr Lang  
CARRIED

Crs Ashby/Greathead/O'Callaghan  
AGAINST

**Moved**

That the Committee requests the Mayor and Deputy Mayor to present the submission to the Commission on behalf of the Council.

Crs Greathead/Ashby  
CARRIED

**6. Policy Review Update**

**Purpose**

To update the Committee as to the status of the policy review.

**Moved**

That the committee ask if the Library committee would like to review the library policies as listed:

School Holiday Programme	Care of children
Cataloguing and classification	Charging
Complaints	Copyright
Customer code of conduct	Friends
Fundraising and donations	Housebound
Interloans	Internet access
Membership	Privacy

Mayor Booth/Cr O'Callaghan  
CARRIED

That the Committee receives the report.

Mayor Booth/Cr Ashby  
CARRIED

**7. General Business / Late Items**

There was no General Business or late items.

**8. Confirmation of the minutes**

**Moved**

That the minutes of the Policy and Strategy Committee Meeting held on Wednesday 15 March 2017 be confirmed.

Crs Greathead/O'Callaghan  
CARRIED

**9. Matters Arising from Minutes**

There were no matters arising from the minutes of the Wednesday 15 March 2017.

The meeting concluded at 1.45pm

Minutes confirmed.....

Date.....

