

Rodney Local Board Swimming Pool Fencing Exemptions Committee

OPEN MINUTES

Minutes of a meeting of the Rodney Local Board Swimming Pool Fencing Exemptions Committee held in the Council Chamber, Orewa Service Centre, 50 Centreway Road, Orewa on Monday, 10 February 2014 at 11.00am.

PRESENT

Chairperson Warren Flaunty, QSM
Members Beth Houlbrooke

APOLOGIES

James Colville
John McLean

1 Welcome

The Chairperson opened the meeting and welcomed those in attendance.

2 Apologies

Resolution number ROD/2014/9

MOVED by Chairperson WW Flaunty, seconded by Member BP Houlbrooke:

That the Rodney Local Board Swimming Pool Fencing Exemptions Committee:

- a) **accept the apology from Members McLean and Colville (for absence).**

CARRIED

3 Declaration of Interest

There were no declarations of interest.

4 Confirmation of Minutes

Resolution number ROD/2014/10

MOVED by Chairperson WW Flaunty, seconded by Member BP Houlbrooke:

That the Rodney Local Board Swimming Pool Fencing Exemptions Committee:

- a) **confirm the ordinary minutes of its meeting, held on Monday, 9 December 2013, including the confidential section, as a true and correct record.**

CARRIED

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 Applications for Special Exemptions under Section 6 of the Fencing of Swimming Pools Act 1987

Resolution number ROD/2014/11

MOVED by Chairperson WW Flaunty, seconded by Member BP Houlbrooke:

That the Rodney Local Board Swimming Pool Fencing Exemptions Committee:

a) Receive the applications by:

- i) Bryan Thompson, 506 Waitakere Road, Taupaki.**
- ii) Chris Millett, 319 Motutara Road, Muriwai.**
- iii) Nigel Frogley, 187 Valley Road, Muriwai Valley.**
- iv) Won Joo Hur, 116 Station Road, Huapai.**
- v) Peter McPhail, 33 Inanga Lane, Omaha.**

b) GRANT THE APPLICATION by Bryan Thompson, 506 Waitakere Road, Taupaki for special exemption under section 6 of the Fencing of Swimming Pools Act 1987 for an above ground spa pool subject to the exemption being personal to the applicant at the above address, the cover being repaired or replaced, the pot plants being removed to outside the paved edge and subject to NZS 8500:2006 Safety Barriers and Fences Around Swimming Pools, Spas and Hot Tubs 3.10 'Above-ground spas and hot tubs' 3.10 b) to k) inclusive:

- 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 100mm;***
- e) The cover shall be made of a material that if walked on cannot collapse and can withstand the weight of at least 20kg to ensure that it will more than take the weight of a child up to six years old;***
- 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 100mm 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/sign 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 1200mm from the side of the spa pool or hot tub.*
- c) **GRANT THE APPLICATION** by Chris Millett, 319 Motutara Road, Taupaki for special exemption under section 6 of the Fencing of Swimming Pools Act 1987 for an above ground spa pool subject to the exemption being personal to the applicant at the above address and the pool remaining in the position as shown in the photograph accompanying the application and subject to NZS 8500:2006 Safety Barriers and Fences Around Swimming Pools, Spas and Hot Tubs 3.10 'Above-ground spas and hot tubs' 3.10 a) to k) inclusive:
- a) *The top of the spa pool or hot tub shall be positioned with the entire top surface not less than 760mm 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 100mm;*
- e) *The cover shall be made of a material that if walked on cannot collapse and can withstand the weight of at least 20kg to ensure that it will more than take the weight of a child up to six years old;*
- 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 100mm 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/sign 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 1200mm from the side of the spa pool or hot tub.*
- d) **GRANT THE APPLICATION** by Nigel Frogley, 187 Valley Road, Muriwai Valley for special exemption under section 6 of the Fencing of Swimming Pools Act 1987 for an above ground spa pool subject the exemption being personal to the applicant at the above address and the spa pool remaining in the position as shown in the photograph accompanying the application and subject to NZS 8500:2006 Safety Barriers and Fences Around Swimming Pools, Spas and Hot Tubs 3.10 'Above-ground spas and hot tubs' 3.10 a) to k) inclusive:
- a) *The top of the spa pool or hot tub shall be positioned with the entire top*

- surface not less than 760mm 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 100mm;*
 - e) The cover shall be made of a material that if walked on cannot collapse and can withstand the weight of at least 20kg to ensure that it will more than take the weight of a child up to six years old;*
 - 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 100mm 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/sign 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 1200mm from the side of the spa pool or hot tub.*
- e) **GRANT THE APPLICATION** by Won Joo Hur, 116 Station Road, Huapai for special exemption under section 6 of the Fencing of Swimming Pools Act 1987 for an above ground spa pool subject to the exemption being personal to the applicant at the above address and to the replacement of the broken lock and subject to NZS 8500:2006 Safety Barriers and Fences Around Swimming Pools, Spas and Hot Tubs 3.10 'Above-ground spas and hot tubs' 3.10 a) to k) inclusive:
- a) The top of the spa pool or hot tub shall be positioned with the entire top surface not less than 760mm 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 100mm;*
 - e) The cover shall be made of a material that if walked on cannot collapse and can withstand the weight of at least 20kg to ensure that it will more*

than take the weight of a child up to six years old;

- 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 100mm 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/sign 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 1200mm from the side of the spa pool or hot tub.*
- f) **GRANT THE APPLICATION** by Peter McPhail, 33 Inanga Lane, Omaha for special exemption under section 6 of the Fencing of Swimming Pools Act 1987 for an above ground spa pool subject to the exemption being personal to the applicant at the above address and to the cover being replaced and subject to NZS 8500:2006 Safety Barriers and Fences Around Swimming Pools, Spas and Hot Tubs 3.10 'Above-ground spas and hot tubs' 3.10 a) to k) inclusive:
- a) *The top of the spa pool or hot tub shall be positioned with the entire top surface not less than 760mm 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 100mm;*
 - e) *The cover shall be made of a material that if walked on cannot collapse and can withstand the weight of at least 20kg to ensure that it will more than take the weight of a child up to six years old;*
 - 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 100mm 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/sign 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 1200mm from the side of the spa pool or hot tub.***

CARRIED

Public Excluded

Resolution number ROD/2014/12

MOVED by Chairperson WW Flaunty, seconded by Member BP Houlbrooke:

That the Rodney Local Board Swimming Pool Fencing Exemptions Committee:

- a) exclude the public from the following part(s) of the proceedings of this meeting.**

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

12 Swimming Pool Fencing Exemption – Special Exemption (Section 6) Fencing of Swimming Pools Act 1987 - Attachments A – E.

<p>The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.</p>	<p>s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.</p> <p>In particular the attachments of the swimming pool exemption applications contain personal details of the applicants.</p>	<p>s48(1)(a)</p> <p>The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.</p>
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The text of these resolutions is made available to the public who are present at the meeting and form part of the minutes of the meeting.

CARRIED

13 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

11.20 am

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 RODNEY LOCAL BOARD
SWIMMING POOL FENCING EXEMPTIONS
COMMITTEE HELD ON

DATE:.....

CHAIRPERSON:.....