

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, 12 May 2014 at 12.00pm. The meeting reconvened on Monday, 9 June 2014 at 12.20pm.

PRESENT

Chairperson	Warren Flaunty, QSM
Deputy Chairperson	John McLean
Members	James Colville
	Beth Houlbrooke

1 Welcome

The Chairperson opened the meeting and welcomed all those in attendance.

2 Apologies

There were no apologies.

3 Declaration of Interest

There were no declarations of interest.

4 Confirmation of Minutes

Resolution number ROD/2014/20

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, 14 April 2014, 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

Julie Russell (Swimming Pool Inspector) and Phillip Curtis (Swimming Pool Inspector) in attendance for this item.

Resolution number ROD/2014/21

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

That the Rodney Local Board Swimming Pool Fencing Exemptions Committee:

- a) receive the applications by:
 - i) Mark McKay, 27 Goldflats Lane, Coatesville.
 - ii) Atkinson Family Trust, 9D Rautahi Terrace, Redvale.
 - iii) Christopher Jenkins, 151 Motutara Road, Muriwai Beach.
 - iv) Jeffrey Douglas, 366 Matua Road, Huapai.
 - v) Berend Jacobsen & Christina Vos, 392 Bawden Road, Dairy Flat.
 - vi) Nick & Annette Marshall, 145 Kanohi Road, Kaukapakapa.
- b) **GRANT THE APPLICATION** by Mark McKay, 27 Goldflats Lane, Coatesville 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 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.*
- c) GRANT THE APPLICATION by Atkinson Family Trust, 9D Rautahi Terrace, Redvale 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 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 Berend Jacobsen and Christina Vos, 392 Bawden Road, Dairy Flat 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 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;*
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 - 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 Nick and Annette Marshall, 145 Kanohi Road, Kaukapakapa 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 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

Resolution number ROD/2014/22

MOVED by Member BP Houlbrooke, seconded by Deputy Chairperson JG McLean:

That the Rodney Local Board Swimming Pool Fencing Exemptions Committee:

- f) agree to adjourn the meeting until site visits have been conducted for the properties at 151 Motutara Road, Muriwai Beach and 366 Matua Road, Huapai.**

CARRIED

Public Excluded

Resolution number ROD/2014/23

MOVED by Member BP Houlbrooke, seconded by Member JG Colville:

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 – F.

<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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CARRIED

13 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

RESTATEMENTS

It was resolved while the public was excluded:

Item 12 – Attachments A - F

a) agree to note the confidential status of attachments # A - F to Item 12.

Secretarial Note: The meeting was adjourned at 12.13pm on Monday, 12 May 2014 in order for site visits to be completed at 151 Motutara Road, Muriwai Beach and 366 Matua Road, Huapai.

The meeting reconvened on Monday, 9 June 2014 at 12.20pm in the Council Chamber, Orewa Service Centre, 50 Centreway Road, Orewa.

PRESENT

Chairperson John McLean
Members James Colville
Beth Houlbrooke

2 Apologies

Resolution number ROD/2014/30

MOVED by Member BP Houlbrooke, seconded by Member JG Colville:

That the Rodney Local Board Swimming Pool Fencing Exemptions Committee:

- a) **accept the apology from Member WW Flaunty for absence.**

CARRIED

Secretarial Note: In the absence of Member Flaunty, Member McLean chaired the meeting. The following applications had been deferred from the May meeting in order for a site visit to be conducted.

12 Applications for Special Exemptions under Section 6 of the Fencing of Swimming Pools Act 1987 (continued)

Jan Barnard (Senior Swimming Pools Specialist) in attendance for this item.

Resolution number ROD/2014/31

MOVED by Member BP Houlbrooke, seconded by Member JG Colville:

That the Rodney Local Board Swimming Pool Fencing Exemptions Committee:

- g) **REFER the application from Christopher Jenkins, 151 Motutara Road, Muriwai Beach for consideration to the Rodney Local Board Swimming Pool Fencing Exemptions Committee meeting on Monday, 14 July 2014.**
- h) **GRANT THE APPLICATION by Jeffrey Douglas, 366 Matua 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 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;*
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- 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

12.30 pm

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:.....