



Hibiscus and Bays Local Board Swimming Pool Fencing Exemptions Committee

OPEN MINUTES

Minutes of a meeting of the Hibiscus and Bays Local Board Swimming Pool Fencing Exemptions Committee held in the Local Board Office, 2 Glen Road, Browns Bay, on Friday, 11 July 2014 at 1.30pm.

PRESENT

Chairperson	Julia Parfitt, JP
Deputy Chairperson	Janet Fitzgerald, JP
Member	Lisa Whyte

APOLOGIES

Member	Gaye Harding
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1 Welcome

The Chairperson welcomed those in attendance.

2 Apologies

Resolution number HIBS/2014/12

MOVED by Chairperson JG Parfitt, seconded by Deputy Chairperson J Fitzgerald:

That the Hibiscus and Bays Local Board Swimming Pool Fencing Exemptions Committee:

- a) **accept the apology from member Harding for absence.**

CARRIED

3 Declaration of Interest

There were no declarations of interest.

4 Confirmation of Minutes

Resolution number HIBS/2014/13

MOVED by Chairperson JG Parfitt, seconded by Deputy Chairperson J Fitzgerald:

That the Hibiscus and Bays Local Board Swimming Pool Fencing Exemptions Committee:

- a) **confirm the ordinary minutes of its meeting held on Friday, 9 May 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

Philip Curtis, Senior Swimming Pool Specialist and Nicholas Powell, Regional Team Leader Swimming Pools, were in attendance.

The applications were discussed and it was decided that the application for 10B John Brian Drive, Redvale be deferred until the following alterations were made:

A timber fence to be added to the height of the balustrade
A latch be provided to the gate so that it is secure
Provide complying doors with self closing latches.

Resolution number HIBS/2014/14

MOVED by Chairperson JG Parfitt, seconded by Deputy Chairperson J Fitzgerald:

That the Hibiscus and Bays Local Board Swimming Pool Fencing Exemptions Committee:

- a) receive the applications by:
 - i) Tony and Louisa Loughran, 10B John Brian Drive, Redvale
 - ii) Bevan and Kim Philip, 85C Rosario Crescent, Red Beach
- b) defer the application by Tony and Louisa Loughran, 10 John Brian Drive, Redvale until the following alterations are made:
 - i) a timber fence is added to the height of the balustrade
 - ii) a latch is to be provided to the gate so that the gate is secure
 - iii) complying doors with self closing latches are provided.
- c) grant the application by Bevan and Kim Philip, 85C Rosario Crescent, Red Beach, for special exemption under section 6 of the Fencing of Swimming Pools Act 1987, in light of further information and the officers recommending that a fully compliant gate is not required and that this exemption is personal to the property (85C Rosario Crescent, Red Beach) subject to conditions in the NZS 8500:2006 Safety Barriers and Fences Around Swimming Pools, Spas and Hot Tubs, section 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

13 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

15 Procedural Motion to Exclude the Public

Resolution number HIBS/2014/15

MOVED by Deputy Chairperson J Fitzgerald, seconded by Member GA Harding:

That the Hibiscus and Bays Local Board Swimming Pool Fencing Exemptions Committee:

- a) 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-B

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
<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>

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

2.00 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 HIBISCUS AND BAYS
LOCAL BOARD SWIMMING POOL FENCING
EXEMPTIONS COMMITTEE HELD ON

DATE:.....

CHAIRPERSON:.....