

**Orākei Local Board Swimming Pool Fencing
Exemptions Committee**

OPEN MINUTES

Minutes of a meeting of the Orākei Local Board Swimming Pool Fencing Exemptions Committee held in the Orākei Local Board Office, Shop 25 Meadowbank Shopping Centre, 35 St Johns Road, Meadowbank on Monday, 22 September 2014 at 4.00pm.

PRESENT

Chairperson	Colin Davis, JP
Deputy Chairperson	Troy Churton
Members	Kit Parkinson Kate Cooke

1 **Welcome**

2 **Apologies**

There were no apologies.

3 **Declaration of Interest**

There were no declarations of interest.

4 **Confirmation of Minutes**

There was no Confirmation of Minutes

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 **Special Exemption Applications for Pool Fencing**

Phil Curtis, Senior Swimming Pool Specialist and Linlee Tram, Building Control Graduate were in attendance to speak to this report.

Resolution number ORSP/2014/34

MOVED by Member CRJ Davis, seconded by Member TG Churton:

That the Orākei Local Board Swimming Pool Fencing Exemptions Committee receives the Special Exemption Applications for Pool Fencing report.

CARRIED

Each application was discussed and received separately.

12.1 3A Glenbrook Street, Remuera

Resolution number ORSP/2014/35

MOVED by Member CRJ Davis, seconded by Member CH Cooke:

That the Orākei Local Board Swimming Pool Fencing Exemptions Committee:

- a) **Approves the application from Frances Ng Waishing, 3 A Glenbrook Street, Remuera, for special exemption from the requirements of the Fencing of Swimming Pools Act 1987, on the grounds that having regard to the particular characteristics of the property and the pool the committee is satisfied that an exemption with the standard conditions of NZS8500-2006, would not significantly increase the danger to young children.**
- b) **Notes that the special exemption under section 6 of the Fencing of Swimming Pools Act 1987 is for Franklin and Frances Ng Waishing, and that this exemption is personal to the owners of the property (Franklin and Frances Ng Waishing) so that on sale of the property a new owner will need to apply for a new exemption.**
- c) **Grants this exemption subject to the owners (Franklin and Frances Ng Waishing), complying at all times with the conditions in the NZS 8500:2006 Safety Barriers and Fences Around Swimming Pools, Spas and Hot Tubs 3.10 'Above-ground spas and hot tubs' 3.10 i) to xii) inclusive:**
 - i. **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;**
 - ii. **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;**
 - iii. **The locks shall not be able to be readily opened or released by a child of up to the age of six years and the key kept in an appropriate place which a child cannot access;**
 - iv. **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;**
 - v. **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;**
 - vi. **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;**
 - vii. **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;**
 - viii. **The cover shall have an evenly spaced mechanical locking device as required in c) ii) 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;**
 - ix. **The cover and locks shall be maintained at all times in a good state**

- of repair;
- x. 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;
 - xi. 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;
 - xii. Any plant material that can support the weight of at least 20 kgs shall be no closer than the edge of the deck where the spa pool stands.
- d) Notes that the owners (Franklin and Frances Ng Waishing) must have the spa pool cover latch locked except when the spa pool is open under the supervision of adults.

CARRIED

Members of the Orākei Local Board Swimming Pool Fencing Exemptions Committee completed a site visit at this property on Monday, 22 September 2014.

12.2 14 Entrician Avenue, Remuera

Resolution number ORSP/2014/36

MOVED by Member CRJ Davis, seconded by Member TG Churton:

That the Orākei Local Board Swimming Pool Fencing Exemptions Committee:

- a) Approves the application from Nicholas and Rhoanna Stanhope, 14 Entrician Avenue Remuera, for special exemption from the requirements of the Fencing of Swimming Pools Act 1987, on the grounds that having regard to the particular characteristics of the property and the pool the committee is satisfied that an exemption with the standard conditions of NZS8500-2006, would not significantly increase the danger to young children.
- b) Notes that the special exemption under section 6 of the Fencing of Swimming Pools Act 1987 is for Nicholas and Rhoanna Stanhope, and that this exemption is personal to the owners of the property (Nicholas and Rhoanna Stanhope) so that on sale of the property a new owner will need to apply for a new exemption.
- c) Grants this exemption subject to the owners (Nicholas and Rhoanna Stanhope), complying at all times with the conditions in the NZS 8500:2006 Safety Barriers and Fences Around Swimming Pools, Spas and Hot Tubs 3.10 'Above-ground spas and hot tubs' 3.10 i) to xii) inclusive:
 - i. 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;
 - ii. 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;
 - iii. The locks shall not be able to be readily opened or released by a

- child of up to the age of six years and the key kept in an appropriate place which a child cannot access;
- iv. 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;
 - v. 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;
 - vi. 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;
 - vii. 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;
 - viii. The cover shall have an evenly spaced mechanical locking device as required in c) ii) 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;
 - ix. The cover and locks shall be maintained at all times in a good state of repair;
 - x. 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;
 - xi. 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;
 - xii. Any plant material that can support the weight of at least 20 kgs shall be no closer than the edge of the deck where the spa pool stands.
- d) Notes that the owners (Nicholas and Rhoanna Stanhope) must have the spa pool cover latch locked except when the spa pool is open under the supervision of adults.

CARRIED

Members of the Orākei Local Board Swimming Pool Fencing Exemptions Committee completed a site visit at this property on Monday, 22 September 2014.

12.3 128 Meadowbank Road, Meadowbank

Resolution number ORSP/2014/37

MOVED by Member CRJ Davis, seconded by Member CC Parkinson:

That the Orākei Local Board Swimming Pool Fencing Exemptions Committee:

- a) Approves the application from Libby Ellis, 128 Meadowbank Road, Meadowbank, for special exemption from the requirements of the Fencing of Swimming Pools Act 1987, on the grounds that having regard to the particular characteristics of the property and the pool the committee is satisfied that an exemption with the standard conditions of NZS8500-2006, would not significantly increase the danger to young children.
- b) Notes that the special exemption under section 6 of the Fencing of

- Swimming Pools Act 1987 is for Libby Ellis, and that this exemption is personal to the owner of the property (Libby Ellis) so that on sale of the property a new owner will need to apply for a new exemption.
- c) Grants this exemption subject to the owner (Libby Ellis), complying at all times with the conditions in the NZS 8500:2006 Safety Barriers and Fences Around Swimming Pools, Spas and Hot Tubs 3.10 'Above-ground spas and hot tubs' 3.10 i) to xii) inclusive:
- i. 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;
 - ii. 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;
 - iii. The locks shall not be able to be readily opened or released by a child of up to the age of six years and the key kept in an appropriate place which a child cannot access;
 - iv. 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;
 - v. 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;
 - vi. 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;
 - vii. 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;
 - viii. The cover shall have an evenly spaced mechanical locking device as required in c) ii) 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;
 - ix. The cover and locks shall be maintained at all times in a good state of repair;
 - x. 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;
 - xi. 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;
 - xii. Any plant material that can support the weight of at least 20 kgs shall be no closer than the edge of the deck where the spa pool stands.
- d) Notes that the owner (Libby Ellis) must have the spa pool cover latch locked except when the spa pool is open under the supervision of adults.

CARRIED

Members of the Orākei Local Board Swimming Pool Fencing Exemptions Committee completed a site visit at this property on Monday, 22 September 2014.

12.4 84 Bell Road, Remuera

Resolution number ORSP/2014/38

MOVED by Member CRJ Davis, seconded by Member CH Cooke:

That the Orākei Local Board Swimming Pool Fencing Exemptions Committee:

- a) Approves the application from Ewan Hankey, 84 Bell Road, Remuera, for special exemption from the requirements of the Fencing of Swimming Pools Act 1987, on the grounds that having regard to the particular characteristics of the property and the pool the committee is satisfied that an exemption with the standard conditions of NZS8500-2006 noting that the distance between the pool and the raised garden is 800mm away from the fence wall instead of 1200mm, would not significantly increase the danger to young children.
- b) Notes that the special exemption under section 6 of the Fencing of Swimming Pools Act 1987 is for Ewan and Bernadine Hankey, and that this exemption is personal to the owners of the property (Ewan and Bernadine Hankey) so that on sale of the property a new owner will need to apply for a new exemption.
- c) Grants this exemption subject to the owners (Ewan and Bernadine Hankey), complying at all times with the conditions in the NZS 8500:2006 Safety Barriers and Fences Around Swimming Pools, Spas and Hot Tubs 3.10 'Above-ground spas and hot tubs' 3.10 i) to xii) inclusive:
 - i. 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;
 - ii. 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;
 - iii. The locks shall not be able to be readily opened or released by a child of up to the age of six years and the key kept in an appropriate place which a child cannot access;
 - iv. 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;
 - v. 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;
 - vi. 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;
 - vii. 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;
 - viii. The cover shall have an evenly spaced mechanical locking device as required in c) ii) 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;
 - ix. The cover and locks shall be maintained at all times in a good state

- of repair;
 - x. 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;
 - xi. 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;
 - xii. Any plant material that can support the weight of at least 20 kgs shall be no closer than the edge of the deck where the spa pool stands.
- d) Notes that the owners (Ewan and Bernadine Hankey) must have the spa pool cover latch locked except when the spa pool is open under the supervision of adults.

CARRIED

Members of the Orākei Local Board Swimming Pool Fencing Exemptions Committee completed a site visit at this property on Monday, 22 September 2014.

13 Consideration of Extraordinary Items

There were no extraordinary items.

4.10 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 ORĀKEI LOCAL BOARD
SWIMMING POOL FENCING EXEMPTIONS
COMMITTEE HELD ON

DATE:.....

CHAIRPERSON:.....