



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 Council Chamber, Orewa Service Centre, 50 Centreway Road, Orewa on Friday, 17 October 2014 at 1.30pm.

PRESENT

Chairperson Janet Fitzgerald, JP
Deputy Chairperson
Members Lisa Whyte

APOLOGIES

Member Gaye Harding-Kirikiri
Chairperson Julia Parfitt

1 Welcome

The chairperson welcomed those in attendance.

2 Apologies

Resolution number HIBS/2014/18

MOVED by Deputy Chairperson J Fitzgerald, seconded by Member LM Whyte:

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

- a) **accept the apologies from member Gaye Harding-Kirikiri and Chairperson Julia Parfitt for absence.**

CARRIED

3 Declaration of Interest

There were no declarations of interest.

4 Confirmation of Minutes

There were no minutes to confirm.

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 Report Name: Swimming Pool Fencing Exemption – Special Exemption (Section 6) Fencing of Swimming Pools Act 1987

Resolution number HIBS/2014/19

MOVED by Deputy Chairperson J Fitzgerald, seconded by Member LM Whyte:

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

a) receive the applications by:

- i. Judy Lee – 21 Garadice Road, Rothesay Bay**
- ii. Jenny Draper – 55 Seaton Road, Murrays Bay**
- iii. Lance Newing – 48 Penzance Road, Mairangi Bay**
- iv. Logan Cullen and Mel Lewin, 10 Albatross Road, Red Beach**
- v. Brian Francis Perry, 106 Wade River Road, Arkles Bay**
- vi. Sonya Baldwin, 1458 Whangaparaoa Road, Army Bay**
- vii. G and S Bishop, 49 William Bayes Place, Red Beach**
- viii. Veronica Bridget Hopner, 173A Vipond Road, Stanmore Bay**
- ix. Kerry Willis, 34 Beachwood Drive, Hatfields Beach**
- x. Nicolaas Swanepoel, 30 Manhattan Rise, Orewa**
- xi. Maree Wech, 8 Beach Road, Manly**
- xii. Paul Boocock, 4B Marellen Drive, Red Beach**
- xiii. Fred and Anne Day, 21 Churchill Road, Murrays Bay**
- xiv. Karen Malcom, 58 Jackson Way, Stillwater**

b) grant the application by Judy Lee, 21 Garadice Road, Rothesay Bay, for special exemption under section 6 of the Fencing of Swimming Pools Act 1987, and that this exemption is personal to the property (21 Garadice Road, Rothesay Bay), 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.
- c) grant the application by Jenny Draper, 55 Seaton Road, Murrays Bay, for special exemption under section 6 of the Fencing of Swimming Pools Act 1987, and that this exemption is personal to the property (55 Seaton Road, Murrays Bay) 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.

- d) decline the application by Lance Newing as it does not comply with NZS8500:2006 and advice Mr Newing to seek further advice from council swimming pool officers.
- e) grant the application by Logan Cullen and Mel Lewin, 10 Albatross Road, Red Beach, for special exemption under the Fencing of Swimming Pools Act 1987, to have the doors to the pool house open inwards and not outwards and that this exemption is personal to the property (10 Albatross Road, 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.
- f) grant the application by Bryan Francis Perry, 106 Wade River Road, Arkles Bay, for special exemption under section 6 of the Fencing of Swimming Pools Act 1987, and that this exemption is personal to the property (106 Wade River Road, Arkles Bay) 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.
- g) grant the application by Sonya Baldwin, 1458 Whangaparaoa Road, Army Bay, for special exemption under section 6 of the Fencing of Swimming Pools Act 1987, and that this exemption is personal to the property (1458 Whangaparaoa Road, Army Bay) 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 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;
 - l) The damages lock tabs be replaced and inspected by council's swimming pool inspector.
- h) grant the application by G and S Bishop, 49 William Bayes Place, Red Beach, for special exemption under section 6 of the Fencing of Swimming Pools Act 1987, and that this exemption is personal to the property (49 William Bayes Place, 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;

- 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.
- k) grant the application by Nicolaas Swanepoel, 30 Manhattan Rise, Orewa, for special exemption under section 6 of the Fencing of Swimming Pools Act 1987, and that this exemption is personal to the property (30 Manhattan Rise, Orewa) 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;

least 1200mm from the side of the spa pool or hot tub.

- m) grant the application by Pau Boocock, 4B Marellen Drive, Red Beach, for special exemption under section 6 of the Fencing of Swimming Pools Act 1987, and that this exemption is personal to the property (4B Marellen Drive, 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.
- n. grant the application by Fred and Anne Day, 21 Churchill Road, Murrays Bay, Red Beach, for special exemption to use top bolts 1.5m or higher on triple stacker doors opening into the pool area and that this exemption is personal to the property (21 Churchill Road, Murrays Bay).
- o. grant the application by Karen Malcolm, 58 Jackson Way, Stillwater, for special exemption under section 6 of the Fencing of Swimming Pools Act 1987, and that this exemption is personal to the property (58 Jackson Way, Stillwater) 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.

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

DATE:.....

CHAIRPERSON:.....