



## Hibiscus and Bays Local Board Swimming Pool Fencing Exemptions Committee

### OPEN MINUTES

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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, 10 July 2015 at 1.30pm.

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#### PRESENT

**Chairperson**

**Deputy Chairperson** Janet Fitzgerald, JP

**Members** Gaye Harding-Kirikiri

#### ABSENT

**Members** Julia Parfitt, JP  
Lisa Whyte

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**1 Welcome**

The deputy chairperson opened the meeting and welcome those in attendance.

**2 Apologies**

Resolution number HIBS/2015/15

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

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

- a) **accept the apology from members Parfitt and Whyte for absence.**

**CARRIED**

**3 Declaration of Interest**

There were no declarations of interest.

**4 Confirmation of Minutes**

Resolution number HIBS/2015/16

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

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

- a) **confirm the ordinary minutes of its meeting, held on Friday, 12 June 2015, 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 Report Name: Swimming Pool Fencing Exemption – Special Exemption (Section 6) Fencing of Swimming Pools Act 1987**

Resolution number HIBS/2015/17

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

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

- a) receive the applications by the owners of:
  - i. 69 Knights Road, Rothesay Bay
  - ii. 2A Rushden Terrace, Red Beach
  - iv. 32 The Circle, Manly
- b) grant the application by Quim Silva, 69 Knights 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 (69 Knights 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 and special conditions l) – n) :
  - 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;
  - l) The pool is to remain in the same location as it was on the date of inspection;
  - m) The spas is to be moved at least 1200mm away from the old brick barbeque or alternatively the loose bricks from the old barbeque are to be removed;
  - n) The horizontal rail on the wooden fence is to be made non-climbable to prevent climbing onto the spa pool.
- c) grant the application by Stephen and Betty Howarth, 2A Rushden Terrace, 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 (2A Rushden Terrace, 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 and special condition l):
- 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;
  - l) The pool is to remain in the same location as it was on the date of inspection.
- d) grant the application by Julia Skiffington, 32 The Circle, Manly, for special exemption under section 6 of the Fencing of Swimming Pools Act 1987, and that this exemption is personal to the applicant (Julia Skiffington), 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 and special condition l):
- 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;
  - l) The pool is to remain in the same location as it was on the date of inspection.

**CARRIED**

**13 Consideration of Extraordinary Items**

There was no consideration of extraordinary items.

1.35 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:**.....