

Waiheke Local Board Swimming Pool Fencing Exemption Committee

OPEN MINUTES

Minutes of a meeting of the Waiheke Local Board Swimming Pool Fencing Exemption Committee held in the Waiheke Local Board Office, 100 Ocean View Road, Allison Park, Waiheke Island on Thursday, 23 July 2015 at 4.45pm.

PRESENT

Chairperson	John Meeuwsen
Deputy Chairperson	Beatle Treadwell

ABSENT

Members	Paul Walden
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1 **Welcome**

2 **Apologies**

Resolution number WHKSP/2015/1

MOVED by Chairperson JP Meeuwsen, seconded by Deputy Chairperson BM Treadwell:

That the Waiheke Local Board Swimming Pool Fencing Exemption Committee:

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

CARRIED

3 **Declaration of Interest**

There were no declarations of interest.

4 **Confirmation of Minutes**

Resolution number WHKSP/2015/2

MOVED by Chairperson JP Meeuwsen, seconded by Deputy Chairperson BM Treadwell:

That the Waiheke Local Board Swimming Pool Fencing Exemption Committee:

- a) **confirm the ordinary minutes of its meeting, held on Thursday, 11 December 2014, including the confidential section, as a true and correct record.**

CARRIED

5 **Public Forum**

There was no public forum.

6 **Extraordinary Business**

There was no extraordinary business.

7 **Swimming Pool Fencing Exemption – Special Exemption (Section 6) Fencing of Swimming Pools Act 1987**

Resolution number WHKSP/2015/3

MOVED by Chairperson JP Meeuwsen, seconded by Deputy Chairperson BM Treadwell:

That the Waiheke Local Board Swimming Pool Fencing Exemption Committee:

- a) **Receives the application by the owners of:**
 - i) **5 Gulf Place, Waiheke Island.**
 - ii) **1/25 The Strand, Waiheke Island.**
 - iii) **42 Beach Parade, Waiheke Island.**
 - iv) **1 Karu Street, Waiheke Island**

CARRIED

7.1 Swimming Pool Fencing Exemption - Special Exemption (Section 6) Fencing of Swimming Pools Act 1987 - John Farmer - 5 Gulf Place, Waiheke Island

Resolution number WHKSP/2015/4

MOVED by Chairperson JP Meeuwsen, seconded by Deputy Chairperson BM Treadwell:

That the Waiheke Local Board Swimming Pool Fencing Exemption Committee:

- a) Approves the application from John Farmer, 5 Gulf Place, Waiheke Island, for special exemption from the requirements of the Fencing of Swimming Pools Act 1987, on the grounds that the committee is “satisfied that an exemption 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 John Farmer, 5 Gulf Place, Waiheke Island, and that this exemption is personal to the owner of the property (John Farmer) 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 (John Farmer), 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;
- d) Notes that the owner (John Farmer) must have the spa pool cover latch locked except when the spa pool is open under the supervision of adults.

CARRIED

7.2 Swimming Pool Fencing Exemption - Special Exemption (Section 6) Fencing of Swimming Pools Act 1987 - Beverly Handisides, 1/25 The Strand, Waiheke Island

Resolution number WHKSP/2015/5

MOVED by Chairperson JP Meeuwsen, seconded by Deputy Chairperson BM Treadwell:

That the Waiheke Local Board Swimming Pool Fencing Exemption Committee:

- a) Approves the application from Beverly Handiside, 1/25 The Strand, Waiheke Island, for special exemption from the requirements of the Fencing of Swimming Pools Act 1987, on the grounds that the committee is “satisfied that an exemption would not significantly increase the danger to young children”
- c) Notes that the special exemption under section 6 of the Fencing of Swimming Pools Act 1987 is for Beverly Handiside, 1/25 The Strand, Waiheke Island, and that this exemption is personal to the owner of the property (Beverly Handiside) 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 (Beverly Handiside), 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;
- d) Notes that the owner (Beverly Handiside) must have the spa pool cover latch locked except when the spa pool is open under the supervision of adults.

CARRIED

7.3 Swimming Pool Fencing Exemption - Special Exemption (Section 6) Fencing of Swimming Pools Act 1987 - Graeme Quigley, Marian Kirkpatrick, Garth Sinclair, 42 Beach Parade, Waiheke Island

Resolution number WHKSP/2015/6

MOVED by Chairperson JP Meeuwsen, seconded by Deputy Chairperson BM Treadwell:

That the Waiheke Local Board Swimming Pool Fencing Exemption Committee:

- a) Approves the application from Graeme Quigley, Marian Kirkpatrick, Garth Sinclair, 42 Beach Parade, Waiheke Island, for special exemption from the requirements of the Fencing of Swimming Pools Act 1987, on the grounds that the committee is “satisfied that an exemption would not significantly increase the danger to young children”
- d) Notes that the special exemption under section 6 of the Fencing of Swimming Pools Act 1987 is for Graeme Quigley, Marian Kirkpatrick, Garth Sinclair, 42 Beach Parade, Waiheke Island, and that this exemption is personal to the owner of the property (Graeme Quigley, Marian Kirkpatrick, Garth Sinclair) 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 (Graeme Quigley, Marian Kirkpatrick, Garth Sinclair), 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;
- d) Notes that the owner (Graeme Quigley, Marian Kirkpatrick, Garth Sinclair) must have the spa pool cover latch locked except when the spa pool is open under the supervision of adults.

CARRIED

7.4 Swimming Pool Fencing Exemption - Special Exemption (Section 6) Fencing of Swimming Pools Act 1987 - Robert Scott, 1 Karu Street, Oneroa, Waiheke Island

Resolution number WHKSP/2015/7

MOVED by Chairperson JP Meeuwsen, seconded by Deputy Chairperson BM Treadwell:

That the Waiheke Local Board Swimming Pool Fencing Exemption Committee:

- a) Declines the application from Robert Scott, 1 Karu Street, Oneroa, Waiheke Island, for special exemption from the requirements of the Fencing of Swimming Pools Act 1987, on the grounds that the committee believes that an exemption would significantly increase the danger to young children. In particular, the application does not meet the standard as the surrounding walls are climbable and that there are objects within 1200mm from the side of the spa pool which are also climbable.
- b) Recommends that further discussion between Mr Scott and relevant officers be held to enable action to be taken for eventual approval of the exemption once all safety concerns are dealt with.
- c) Notes that on inspection the spa pool had only one padlock on it instead of the required two.

CARRIED

8 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

4:49 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 WAIHEKE LOCAL BOARD
SWIMMING POOL FENCING EXEMPTION
COMMITTEE HELD ON

DATE:.....

CHAIRPERSON:.....