



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, 4 December 2015 at 1:05pm.

PRESENT

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

ABSENT

Member	Gaye Harding-Kirikiri
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1 Welcome

The Chairperson opened the meeting and welcomed those in attendance.

2 Apologies

Resolution number HIBS/2015/47

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 Gaye Harding-Kirikiri 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 Special Exemption (Section 6) Fencing of Swimming Pools Act 1987

Phillip Curtis, Senior Swimming Pool Specialist, was in attendance.

Mr and Mrs Maxwell, the applicants for 903 Beach Road, Torbay were in attendance. The chairperson advised she visited the site at 903 Beach Road, Torbay to determine if the pool was a swimming pool or a spa pool. The chairperson advised it is a spa pool and that the recommended conditions of having additional latches at 1.5 metres above ground and the restrictors on windows opening into the pool area are not required. The chairperson also advised that the approval for this application will be to the property owners rather than to the property.

Resolution number HIBS/2015/48

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

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

- a) **grant the application by Angus Robertson Limited, 903 Beach Road, Torbay, for special exemption under section 6 of the Fencing of Swimming Pools Act 1987, and the exemption is granted to the current owners. This exemption is 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 j) 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;**

CARRIED

Resolution number HIBS/2015/49

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

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

- a) **grant the application by Ian and Tove Stevenson, 39 Sharon Road, Browns Bay for special exemption under section 6 of the Fencing of Swimming Pools Act 1987, subject to the conditions that children are supervised when using the pool, the clothesline not be used when the pool is being used and the exemption be granted to the current owners.**

CARRIED

Resolution number HIBS/2015/50

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

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

- a) **grant the application by Murray and Sue Flewellen, 12 Seaton Road, Murrays Bay, for special exemption under section 6 of the Fencing of Swimming Pools Act 1987, subject to the pot plants being moved 1.2m away from the spa and the spa pool remaining in the same location as it was on the date of inspection. This exemption is 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

Resolution number HIBS/2015/51

MOVED by Chairperson JG Parfitt, seconded by Member LM Whyte:

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

- a) grant the application by Guy and Debbie Jones, 11 Wara Nui Court, Orewa, for special exemption under section 6 of the Fencing of Swimming Pools Act 1987, subject to the top bolts remaining in good condition and the exemption is granted to the property.

CARRIED

Resolution number HIBS/2015/48

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

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

- a) grant the application by Yvette Horler and Shaun Weston, 5 Reynolds Place, Torbay, for special exemption under section 6 of the Fencing of Swimming Pools Act 1987, subject to the spa pool being 1.2m away from the retaining wall or fencing installed on the retaining wall to prevent climbing onto the cover and that the the spa pool remaining in the same location as it was on the date of inspection.. This exemption is 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

The owner has indicated that he will probably choose a fence as an option

13 Consideration of Extraordinary Items

There was no consideration of extraordinary items.

1.10 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:.....