



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, 26 February 2016 at 10.05am.

PRESENT

Chairperson	Julia Parfitt, JP
Deputy Chairperson	
Members	Gaye Harding-Kirikiri Lisa Whyte

ABSENT

Member	Janet Fitzgerald
---------------	------------------

1 Welcome

The Chairperson opened the meeting and welcomed those in attendance.

2 Apologies

Resolution number HIBS/2016/1

MOVED by Chairperson JG Parfitt, seconded by Member GA Harding-Kirikiri:

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

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

CARRIED

3 Declaration of Interest

There were no declarations of interest.

4 Confirmation of Minutes

Resolution number HIBS/2016/2

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

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

- a) **confirm the ordinary minutes of its meeting, held on Friday, 4 December 2015, 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 Special Exemption (Section 6) Fencing of Swimming Pools Act 1987

Resolution number HIBS/2016/3

MOVED by Chairperson JG Parfitt, seconded by Member GA Harding-Kirikiri:

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

- a) grant the application by Wayne and Amanda Herd, 309 Whangaparaoa Road, Red Beach, for special exemption under section 6 of the Fencing of Swimming Pools Act 1987, subject to the self closing device and latch on the door into the pool area being kept in good working order at all times.

CARRIED

Resolution number HIBS/2016/4

MOVED by Member LM Whyte, seconded by Member GA Harding-Kirikiri:

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

- b) grant the application by Auday Ali, 257 Beach Road, Campbells Bay, for special exemption under section 6 of the Fencing of Swimming Pools Act 1987, subject to 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/2016/5

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

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

- c) grant the application by MP and DJ Street, 76 Churchill Road, Murrays Bay, for special exemption under section 6 of the Fencing of Swimming Pools Act 1987, subject to the pet door opening to the pool being able to be locked when not in use. The approval is granted to the current property owner.

CARRIED

Resolution number HIBS/2016/6

MOVED by Member GA Harding-Kirikiri, seconded by Member LM Whyte:

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

- d) grant the application by Adam Howarth, 39 Braemar Road, Rothesay Bay, for special exemption under section 6 of the Fencing of Swimming Pools Act 1987, subject to the clips being replaced and the cover is able to be locked in place, 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

Note: The committee asked questions as to whether the tree could be used to climb onto the pool and it was stated that officers believed that would not be the case for a child six years or under.

Resolution number HIBS/2016/7

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

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

- e) grant the application by Neil Lowie, 38 Churchill Road, Murrays Bay, for special exemption under section 6 of the Fencing of Swimming Pools Act 1987, subject to 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/2016/8

MOVED by Member GA Harding-Kirikiri, seconded by Chairperson JG Parfitt:

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

- f) grant the application by William Davies, 6 Corwen Place, Torbay, for special exemption under section 6 of the Fencing of Swimming Pools Act 1987, subject to the clothesline being folded away when not in use. This approval is granted to the current property owner only as the current owner has no children. The officer believes this could be a greater issue to a future owner should they have children. Also in making this decision the committee considered the Randerson decision which required no clothesline within the immediate pool area.

CARRIED

Resolution number HIBS/2016/9

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

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

- g) grant the application by Clifford Ross and Ngaire Patricia Markwick, 21 Lingham Crescent, Torbay, for special exemption under section 6 of the Fencing of Swimming Pools Act 1987 for the gate to open into the pool area, subject to the gate being maintained in good working order and self close and latch from 150mm at all times.

CARRIED

Note: the property owner has upgraded the latch and shifted it to the higher position.

13 **Change to Hibiscus and Bays Fencing of Swimming Pool Exemptions Committee Meeting Dates 2016**

Resolution number HIBS/2016/10

MOVED by Chairperson JG Parfitt, seconded by Member GA Harding-Kirikiri:

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

a) **Adopt the change in business meeting schedule for 2016 as listed below:**

**HIBISCUS AND BAYS FENCING OF SWIMMING POOLS EXEMPTIONS
COMMITTEE
BUSINESS MEETING SCHEDULE 2016**

Committee	Date	Location	Time
Fencing of Swimming Pool Exemptions	Wednesday, 23 March 2016	Local Board Office, 2 Glen Road, Browns Bay	12.35pm
Fencing of Swimming Pool Exemptions	Wednesday, 27 April 2016	Council Chambers, Orewa Centre, 50 Centreway Road, Orewa	12.35pm
Fencing of Swimming Pool Exemptions	Wednesday, 25 May 2016	Local Board Office, 2 Glen Road, Browns Bay	12.35pm
Fencing of Swimming Pool Exemptions	Wednesday, 22 June 2016	Council Chambers, Orewa Centre, 50 Centreway Road, Orewa	12.35pm
Fencing of Swimming Pool Exemptions	Wednesday, 27 July 2016	Local Board Office, 2 Glen Road, Browns Bay	12.35pm
Fencing of Swimming Pool Exemptions	Wednesday, 24 August 2016	Council Chambers, Orewa Centre, 50 Centreway Road, Orewa	12.35pm

CARRIED

14 **Consideration of Extraordinary Items**

There was no consideration of extraordinary items.

10.12 am

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:.....