



**Franklin Local Board Swimming Pool
Subcommittee**

OPEN MINUTES

Minutes of a meeting of the Franklin Local Board Swimming Pool Subcommittee held in the Local Board Chambers, Pukekohe Service Centre, 82 Manukau Road, Pukekohe on Tuesday, 10 July 2012 at 2.00 pm.

PRESENT

Chairperson	Paul Muir
Deputy Chairperson	
Councillors	Bill Cashmore Daniel Lynch

APOLOGIES

Jan Sinclair JP

ALSO PRESENT

IN ATTENDANCE

1 Welcome

2 Apologies

Resolution number FRSP/2012/8

MOVED by Member PG Muir, seconded Member W Cashmore:

That an apology from Board Member Sinclair for absence, be accepted.

CARRIED

3 Declaration of Interest

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

There were no declarations of interest.

4 Confirmation of Minutes

Resolution number FRSP/2012/9

MOVED by Member DA Lynch, seconded Member W Cashmore:

That the minutes of the Franklin Local Board Swimming Pool Subcommittee held on Tuesday, 10 April 2012, be confirmed as a true and correct record.

CARRIED

5 Public Forum

A period of time (approximately 30 minutes) is set aside for members of the public to address the meeting on matters within its delegated authority. A maximum of 3 minutes per item is allowed, following which there may be questions from members.

There was no public forum.

6 Swimming Pool Fencing Exemption - Special Exemption (Section 6) Fencing of Swimming Pools Act 1987

Resolution number FRSP/2012/10

MOVED by Member W Cashmore, seconded Member PG Muir:

- a) That the report entitled "Swimming Pool Fencing Exemption – Special Exemption (Section 6) Fencing of Swimming Pools Act 1987" report be received.
- b) That the Franklin Local Board receive the application for a swimming pool fencing exemption – special exemption (section 6) Fencing of Swimming Pools Act 1987 by:
 - i) Craig and Morag Rendle
 - ii) Graeme Bell
 - iii) James Burke and Bronwyn Sims
- c) That the Franklin Local Board consider the swimming pool fencing exemption applied for by:
 - i) Craig and Morag Rendle, 76 Brownhill Road, Whiteford
 - ii) Graeme Bell, 235 Brookby Road, Brookby, Manurewa
 - iii) James Burke and Bronwyn Sims, 13 Reidy Place, Pukekohe

and consider whether to:

 - i. grant the application for special exemption as sought, or
 - ii. grant the application subject to conditions, or
 - iii. declining the application for special exemption sought

CARRIED

7. Procedural motion to exclude the public

Resoution Number FRSP/2012/11

MOVED by Member Lynch, seconded Member Cashmore:

That the public be excluded from the following part(s) of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

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

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of this part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	S7(2)(a) – The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person. In particular the attachments provide security and access to the property information that if made	S48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.

	public could compromise the security of the property.	
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2.10 pm The public was excluded.

Resolutions in relation to the confidential items are recorded in the confidential section of these minutes and are not publicly available.

2.25 pm The public was re-admitted.

8 REINSTATEMENTS

It was resolved while the public was excluded:

Resolution number FRSP/2012/12

MOVED by Member DA Lynch, seconded Member W Cashmore:

- a) That the Franklin Local Board Swimming Pool Exemption Subcommittee receive the application for a special exemption under section 6 of the Fencing of Swimming Pools Act 1987 by Craig and Morag Rendle, 76 Brownhill Road, Whitford.
- b) That the Franklin Local Board Swimming Pool Exemption Subcommittee GRANTS the application by Craig and Morag Rendle, 76 Brownhill Road, Whitford, for special exemption under section 6 of the Fencing of Swimming Pools Act 1987 subject to the following conditions:
 - i) that this exemption is personal to the owner of the property Craig and Morag Rendle, so that on a sale of the property a new owner will need to apply for a new exemption.
 - ii) that the spa pool is not moved from its location when inspected on 30 March 2012.
 - iii) that 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 are met:
 1. 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;
 2. 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;
 3. The locks shall not be able to be readily opened or released by a child of up to the age of six years;
 4. 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.
 5. 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;
 6. 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;
7. 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;
 8. 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;
 9. The cover and locks shall be maintained at all times in a good state of repair;
 10. 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;
 11. 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.
 12. Any plant material that can support the weight of at least 20 kgs shall be no closer than the edge of the deck where the spa pool stands.

CARRIED

Resolution number FRSP/2012/13

MOVED by Member W Cashmore, seconded Member PG Muir:

- c) That the Franklin Local Board Swimming Pool Exemption Subcommittee receive the application for a special exemption under section 6 of the Fencing of Swimming Pools Act 1987 by Graeme Bell, 235 Brookby Road, Brookby, Manurewa.
- d) That the Franklin Local Board Swimming Pool Exemption Subcommittee **GRANTS** the application by Graeme Bell, 235 Brookby Road, Brookby, Manurewa, for special exemption under section 6 of the Fencing of Swimming Pools Act 1987 subject to the following conditions:
 - i) that this exemption is personal to the owner of the property Graeme Bell, so that on a sale of the property a new owner will need to apply for a new exemption.
 - ii) that the spa pool is not moved from its location when inspected on 30 March 2012.
 - iii) that 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 are met:
 1. 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;
 2. 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;
3. The locks shall not be able to be readily opened or released by a child of up to the age of six years;
 4. 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.
 5. 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;
 6. 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;
 7. 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;
 8. 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;
 9. The cover and locks shall be maintained at all times in a good state of repair;
 10. 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;
 11. 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.
 12. Any plant material that can support the weight of at least 20 kgs shall be no closer than the edge of the deck where the spa pool stands.

CARRIED

Resolution number FRSP/2012/14

MOVED by Member W Cashmore, seconded Member DA Lynch:

- e) That the Franklin Local Board Swimming Pool Exemption Subcommittee receive the application for a special exemption under section 6 of the Fencing of Swimming Pools Act 1987 by James Burke and Bronwyn Sims, 13 Reidy Place, Pukekohe.
- f) That the Franklin Local Board Swimming Pool Exemption Subcommittee **GRANTS** the application by James Burke and Bronwyn Sims, 13 Reidy Place, Pukekohe, for special exemption under section 6 of the Fencing of Swimming Pools Act 1987 subject to the following conditions:
 - i) that this exemption is personal to the owner of the property James Burke and Bronwyn Sims, so that on a sale of the property a new owner will need to apply for a new exemption.
 - ii) that the spa pool is not moved from its location when inspected on 30

March 2012.

- iii) that 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 are met:
1. 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;
 2. 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;
 3. The locks shall not be able to be readily opened or released by a child of up to the age of six years;
 4. 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.
 5. 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;
 6. 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;
 7. 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;
 8. 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;
 9. The cover and locks shall be maintained at all times in a good state of repair;
 10. 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;
 11. 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.
 12. Any plant material that can support the weight of at least 20 kgs shall be no closer than the edge of the deck where the spa pool stands.

CARRIED

Resolution number FRSP/2012/15

MOVED by Member DA Lynch, seconded Member W Cashmore:

That the Franklin Local Board Swimming Pool Exemption Committee move out of

public excluded and that resolutions a) to f) be restated in the open section of the meeting

CARRIED

2.30 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 FRANKLIN LOCAL BOARD
SWIMMING POOL SUBCOMMITTEE HELD ON

DATE:.....

CHAIRPERSON:.....

