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**CONTROL OF PUBLIC PLACES/
FENCING OF SWIMMING POOLS COMMITTEE
1 JUNE 1999**

**A meeting of the Control of Public Places/
Fencing of Swimming Pools Committee
was held on Tuesday 1 June 1999 at 8.00 am**

PRESENT: Councillor Anna Crighton (Chairman, Environment Committee), Councillor Dennis O'Rourke (Chairman, City Services Committee) and Councillor Carole Evans

APOLOGIES: An apology for absence was received and accepted from Councillor Pat Harrow

The Committee reports that:

**PART C - REPORTS ON DELEGATED DECISIONS
TAKEN BY THE COMMITTEE**

1. FENCING OF SWIMMING POOL EXEMPTIONS

The Committee had before it reports from the Senior Building Enforcement Officer and General Inspector in respect of applications for exemption from compliance with sections 8-10 of the schedule of the Fencing of Swimming Pools Act 1987.

(i) Shaun Craig – 8 Springvale Gardens – non-complying hinged door

The Committee **resolved** that the application be approved subject to the door being mounted so that:

- (a) The first closing door (of two) being able to be locked in the closed position and the second closing door being fitted with a self-closing and latching device, such devices being positioned at least 1.5 metres above the floor.
- (b) The work required in the conditions to be completed and the Council to be notified to allow for inspection before the pool is filled with water.

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(ii) **Graham and Jan van Tongeren – 27 Apsley Drive – non-complying hinged door**

The Committee **resolved** that the application be approved subject to the door being mounted so that:

- (a) The first closing door (of two) being able to be locked in the closed position and the second closing door being fitted with a self-closing and latching device, such devices being positioned at least 1.5 metres above the floor.
- (b) The work required in the conditions to be completed and the Council to be notified to allow for inspection before the pool is filled with water.

(iii) **John Martin – 70 Esplanade – non-complying hinged doors**

The Committee **resolved** that the application be declined, as it was considered that the two sets of double doors would be used as a thoroughfare to the rear yard, and that there was adequate room for a complying fence to be built between the proposed residence and immediate pool area.

(iv) **Noel Cordy – 42 Merrin Street – non-complying hinged doors**

The Committee **resolved** that the application be approved subject to the following conditions:

- (a) The first closing door (of two) being able to be locked in the closed position and the second closing door being fitted with a self-closing and latching device, such devices being positioned at least 1.5 metres above the floor.
- (b) The work required in the conditions to be completed and the Council to be notified to allow for inspection before the pool is filled with water.
- (c) The remainder of the immediate pool area must be fenced in accordance with the Fencing of Swimming Pools Act 1987 and amendments, and the applicant's attention being drawn to clause 8(3) of the Act for the benefit of determining his obligations under the Act.

(v) **Dr Nilesh Vasani – 48 Balgay Street – non-complying hinged doors**

The Committee **resolved** that the application be approved subject to the following conditions:

- (a) The first closing door (of two) being able to be locked in the closed position and the second closing door being fitted with a self-closing and latching device, such devices being positioned at least 1.5 metres above the floor.

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- (b) The work required in the conditions to be completed and the Council to be notified to allow for inspection before the pool is filled with water.
- (c) The remainder of the immediate pool area must be fenced in accordance with the Fencing of Swimming Pools Act 1987 and amendments, and the applicant's attention being drawn to clause 8(3) of the Act for the benefit of determining his obligations under the Act.
- (d) The side gate to open outwards from the pool area and to be fitted with self-latching and self-closing devices.

(vi) John Ryan – 74 Paparoa Street – size of immediate pool area

The Committee **resolved** that the application be declined, as it was considered that:

- (a) The inclusion of the existing covered patio, which it is considered would be used for activities other than those associated with the pool, and the addition of six sets of doors to the pool area, would significantly increase the danger and risk to children under six years of age.
- (b) There is sufficient room available for a complying fence to be erected between the existing residence and pool.

(vii) M East – 26 Cranmer Square – non-complying pool cover

The Committee **resolved** that the application be declined, as it was considered that the immediate pool area must be fenced in accordance with the Fencing of Swimming Pools Act 1987 and amendments.

It was further **resolved** that the applicant's attention be drawn to clause 8(3) of the Act, for the benefit of determining his obligations under the Act.

The meeting concluded at 9.35 am.

CONSIDERED THIS 24TH DAY OF JUNE 1999

MAYOR