

# MANUKAU CITY CONSOLIDATED BYLAW 2008

## CHAPTER 14

### RECREATIONAL AND CULTURAL FACILITIES

---

#### EXPLANATORY NOTE

<i>Bylaw made using powers of</i>		<i>Local Government Act 2002</i>	
<b>Description</b>	<b>Date Made</b>	<b>Council Minute</b>	<b>Commencement</b>
<i>Bylaw first adopted by Council</i>	<i>28 Sep 2006</i>	<i>CL/SEP/1616/06</i>	<i>30 Nov 2006</i>
<i>Updated chapter and bylaw references, and removed reference to "authorised officer" in clause 3.2 and 3.3.</i>	<i>26 Jun 2008</i>	<i>CL/JUN/745/08</i>	<i>01 Oct 2008</i>

*The purpose of this Bylaw is to provide for the management of recreation centres, swimming pools, community centres and halls in Manukau City.*

*The Bylaw -*

- (a) allows people to use the facilities and sets conditions of use*
- (b) sets out the powers of Council for the management of the facilities*

*This Bylaw should be read in conjunction with the entire Manukau City Consolidated Bylaw 2008, including but not limited to Chapter 6 Dog Control and Chapter 19 Public Places, and other applicable statutory provisions that are not necessarily repeated within this Bylaw, including (but not limited to) the Health Act 1956.*

*This Explanatory Note is for information purposes only and does not form part of this Bylaw.*

---

#### CONTENTS

1.	Interpretation .....	2
2.	Conditions of Use .....	2
3.	Powers of Council .....	2

## **1. Interpretation**

1.1 In this Chapter, unless inconsistent with the context:

**FACILITY** includes any swimming pool, aquatic centre, recreational, cultural or community centre, art gallery, or hall under the ownership or control of the Council, including its precincts and any part of premises used for that purpose.

## **2. Conditions of Use**

2.1 Every person entering, remaining in or using any facility must:

- (a) Pay any applicable subscriptions, fees or charges; and
- (b) Comply with any rules imposed by the Council for the control, management or use of the facility.

2.2 Without limiting clause 2.1, every child under the age of ten years entering or remaining in a facility must be under the direct supervision of a person aged 16 years of age or older.

2.3 Without limiting clause 2.1, every person using a facility for monetary reward must ensure that they have prior written approval from the Council for that use and comply with any conditions of that approval.

2.4 Without limiting clause 2.1, every person using a facility for coaching or teaching, whether for monetary reward or not, must ensure that they have prior approval from the Council for that use and comply with any conditions of that approval.

## **3. Powers of the Council**

3.1 The Council may, from time to time by resolution, make rules for the following matters that shall apply to one or more facilities:

- (a) The control, management and use of the facility;
- (b) Determining the days and hours during which the facility and any specified parts of the facility shall be open for use by the public and the holidays, days, and times upon which it will be closed; and
- (c) Subscriptions, fees and charges payable by persons entering, remaining in or using the facility or any service offered in the facility.

3.2 The Council may from time to time prescribe directions and standards for the following matters that shall apply to one or more facilities:

- (a) Hygiene standards and other health and safety standards;
- (b) The information required for membership and any applicable terms or conditions of membership;
- (c) The closure of the facility or part thereof or for setting aside the facility or part thereof for the exclusive use of individuals or groups;
- (d) Controlling commercial activities;
- (e) The closure of the facility or part thereof where circumstances would adversely affect facility operations or public safety; and
- (f) Maintaining good order and conduct whilst persons are in a facility or part thereof.

3.3 Council may require any person who has contravened any of the provisions of this bylaw or any rules or conditions made under this bylaw, or who has otherwise acted in an unlawful manner in or on the facility to leave the facility until notice is given by the Council permitting the person to return, and any refusal on the part of the person to do so will constitute an offence against this Part of this bylaw.

# ATTACHMENTS TO CHAPTER 14 RECREATIONAL AND CULTURAL FACILITIES

## OF THE MANUKAU CITY CONSOLIDATED BYLAW 2008

### FOR INFORMATION PURPOSES ONLY

---

#### HISTORY OF THE ATTACHMENT

Description	Date Made	Council Minute	Commencement
Attachment first adopted under 2008 consolidated bylaw	25 Sep 2008	CL/SEP/1083/08	01 Oct 2008

#### INTRODUCTION

- 1.1 Chapter 14 Recreation and Cultural Facilities of the Manukau City Consolidated Bylaw 2008 allows Council by resolution to make rules for –
- The control, management and use of any facility;
  - Determining the days and hours during which any facility and any specified parts of a facility shall be open for use by the public and the holidays, days, and times upon which it will be closed; and
  - Subscriptions, fees and charges payable by persons entering, remaining in or using any facility or any service offered in any facility.
- 1.2 The Council or an authorised officer may from time to time prescribe directions and standards for the following matters that shall apply to one or more facilities:
- Hygiene standards and other health and safety rules;
  - The information required for membership and any applicable terms or conditions of membership;
  - The closure of the facility or part thereof or for setting aside the facility or part thereof for the exclusive use of individuals or groups;
  - Controlling commercial activities;
  - The closure of a facility or part thereof where circumstances would adversely affect facility operations or public safety;
  - Maintaining good order and conduct whilst persons are in a facility or part thereof.
- 1.3 This document consolidates for information purposes only rules adopted by the Council under the Chapter 14 Recreation and Cultural Facilities of the Manukau City Consolidated Bylaw 2008.

---

#### CONTENTS

##### Attachment 1 - Matters Resolved by Council

1. Smoking and alcohol .....	2
2. The days and hours during which facilities shall be open .....	2
3. Fees .....	2

##### Attachment 2 - Other Council Rules

1. Hygiene, safety and behaviour rules for pools .....	2
2. Hygiene Standards for Saunas .....	3
3. Hygiene, safety and behaviour rules for gyms .....	3
4. Membership and conditions of membership .....	3
5. Closure of facilities for commercial activities and sporting competitions .....	3

## **ATTACHMENT 1 MATTERS RESOLVED BY COUNCIL**

### **1. Smoking and alcohol**

In accordance with Clause 3.1(a) of Chapter 14 Recreational and Cultural Facilities of the Manukau City Consolidated Bylaw 2008, the Council has resolved that smoking shall be prohibited from all facilities precincts and any internal or external part of any facility and that the possession, sale and consumption of alcohol shall be prohibited from all facilities precincts and any internal or external part of any facility, except where a liquor licence has been obtained for that purpose.

### **2. The days and hours during which facilities shall be open**

In accordance with Clause 3.1(b) of Chapter 14 Recreational and Cultural Facilities of the Manukau City Consolidated Bylaw 2008, the Council has resolved that the days and hours during which all facilities shall be open will continue to be determined through the annual plan process, and subsequent service level agreements.

### **3. Fees**

In accordance with Clause 3.1(c) of Chapter 14 Recreational and Cultural Facilities of the Manukau City Consolidated Bylaw 2008, the Council has resolved that any subscriptions, fees or charges payable by persons using any facility or service offered in any facility shall continue to be determined through the annual plan process, except in the case of commercial uses where fees or charges payable will be determined in accordance with the Council's Standing Orders and applicable financial policies.

## **ATTACHMENT 2 OTHER COUNCIL RULES**

### **1. Hygiene, safety and behaviour rules for pools**

In accordance with Clause 3.2 of Chapter 14 Recreational and Cultural Facilities of the Manukau City Consolidated Bylaw 2008, the Council has resolved that:

1. Appropriate swimming attire shall be worn by all pool users. Swimming attire must not extend past the knee of the wearer. Where t-shirts are worn they must be white in colour. For the avoidance of doubt lava-lava may be worn as swimming attire.
2. No dirty clothes or under garments are to be worn in the pool.
3. All persons shall shower before using any pool at the discretion of the Council.
4. No food or drink shall be consumed in any facility except in authorised areas, or where otherwise permitted or authorised by the Council.
5. No animals shall be permitted in any facility without prior approval from the Council.
6. No spitting is allowed in any facility.
7. All children who have not been toilet trained shall wear swimming nappies.
8. Soap, shampoo, conditioner and other such body cleansers shall only be used in designated shower areas.
9. No substances shall be used prior to or during the use of any facility that results in a pool becoming discoloured, rendered unpleasant, turbid, or unfit for proper use.
10. No running, jumping, pushing, or bombing shall be permitted in any facility except those areas designated for that purpose.
11. No indecent, obscene, disorderly or improper behaviour or language shall be permitted in any pool.
12. Any other existing rule contained in any sign at the adoption of the bylaw shall remain in force.

## **2. Hygiene Standards for Saunas and Steam rooms**

In accordance with Clause 3.2(a) of Chapter 14 Recreational and Cultural Facilities of the Manukau City Consolidated Bylaw 2008, the Council has resolved that:

1. All users of saunas and steam rooms are to sit on a towel.
2. After using a sauna or steam room, all users must shower before using any pool.

## **3. Hygiene, safety and behaviour rules for gyms**

In accordance with Clause 3.2(a) of Chapter 14 Recreational and Cultural Facilities of the Manukau City Consolidated Bylaw 2008, Council has resolved that:

1. No non members, spectators, or children are permitted on the gym floor.
2. Suitable foot wear must be worn at all times.
3. Suitable clothing must be worn at all times.
4. No wet clothing may be worn in the gym.
5. Members must have with them a towel at all times.
6. Members must comply with booking rules for the use of all equipment.
7. All equipment must be used in an appropriate manner and must be put back after use or returned to the original starting position.
8. No indecent, obscene, disorderly or improper behaviour may be permitted in a gym.

## **4. Membership and conditions of membership**

In accordance with Clause 3.2(b) of Chapter 14 Recreational and Cultural Facilities of the Manukau City Consolidated Bylaw 2008, the Council has resolved that the information required for membership and any applicable terms or conditions of membership shall be that contained in the attached form *Leisure Services Gym Membership Agreement*.

## **5. Closure of facilities for commercial activities and sporting competitions**

In accordance with Clause 3.1(c) of Chapter 14 Recreational and Cultural Facilities of the Manukau City Consolidated Bylaw 2008, the Council has resolved that the closure of facilities or parts thereof in relation to commercial activities and sporting competitions will be determined in accordance with Council's service delivery agreements and Council's Standing Orders.