



Swimming pool barriers

Homeowner's guide to the Building Code Clause F9
(means of restricting access to residential swimming pools)

Pool barriers

Private swimming pools are required to be surrounded by barriers that comply with the Building Act 2004 and clause F9 of the Building Code. The purpose of this guide is to provide owners of residential swimming pools with information on what is required under the legislation.

Legal requirements for restricting access to swimming pools

All residential swimming pools are required to have barriers that restrict access to the pool or the immediate pool area to unsupervised children. These barriers must comply with the Building Act 2004.

There are a number of accepted ways of meeting compliance under the legislation. Pool owners can use alternative measures to the ones outlined in this guide.

Note: You may require a building consent; check with the Council before proceeding.

Pool compliance – Council checks

Owners must ensure the swimming pool has a barrier that complies. The Council is obligated to ensure the barrier is checked a minimum of once every three years to confirm compliance.

An inspection from a Council officer or an Independent Qualified Pool Inspector (IQPI) will confirm whether your pool complies.

Existing pools that have been checked and confirmed as complying under the repealed Fencing of Swimming Pools Act 1987, or under building consents issued before 1 January 2017, will still comply.

Is your swimming pool on the register?

The Council has a pool register that holds details of all swimming pools within the district. To find out if your pool is on the register contact the Council on (03) 347 2839 or email poolcompliance@selwyn.govt.nz.

If your pool isn't on the register, you will need to arrange for an inspection by a Council officer or and IQPI. Inspections carried out by the Council carry a charge out fee of \$150 which covers the site visit and associated administration work.

Ensuring your pool barrier is compliant

A swimming pool barrier is classed as a building under the Building Act 2004. Any new fencing therefore requires a building consent. This may also be the case if existing fencing needs to be replaced, or if you wish to move the barrier to a different location on the property.

The immediate pool area must be fenced. This means the land in or on which the pool is situated, and the area around it used for activities in relation to the pool. There is no specific definition of these activities in the Act, however previous guidelines and court cases give guidance as to what activities can and cannot be enclosed within the area enclosed with the pool; including vegetable gardens, general clotheslines and children's play equipment.

Types of pools

The Building Act recognises two types of pools:

1. Residential pool

A pool that is in a place used as a residence or on land that contains a place of residence. A swimming pool that is on land adjacent to a place of residence is also a residential pool if that pool is used in association with the residence.

2. Small heated pool

This is a small heated pool that has a water surface area of 5m² or less and is designed for therapeutic or recreational use.



Barriers to protect young children

An important factor for consideration is the location of the pool barrier in relation to the rest of the property. The barrier should prevent young children moving directly to the pool from the house, other buildings, garden paths, or other areas of the property normally open to them.

If you need to apply for a building consent, this can be done via the AlphaOne online application system, or a paper copy of Form 2. Links to both can be found on the Council's website under Building – Application Forms (www.selwyn.govt.nz/buildingapplications).

Choosing a compliant barrier for your pool

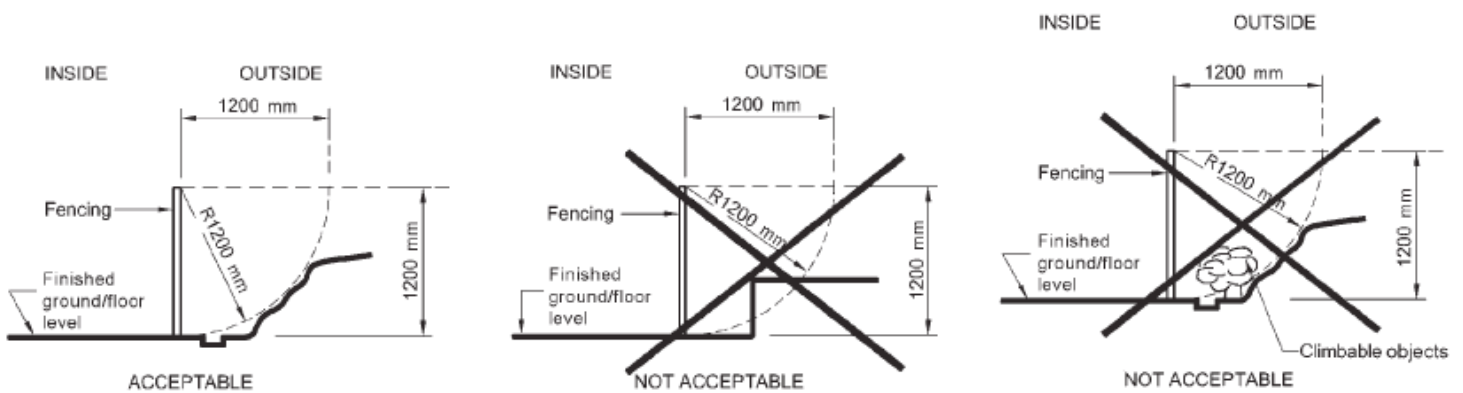
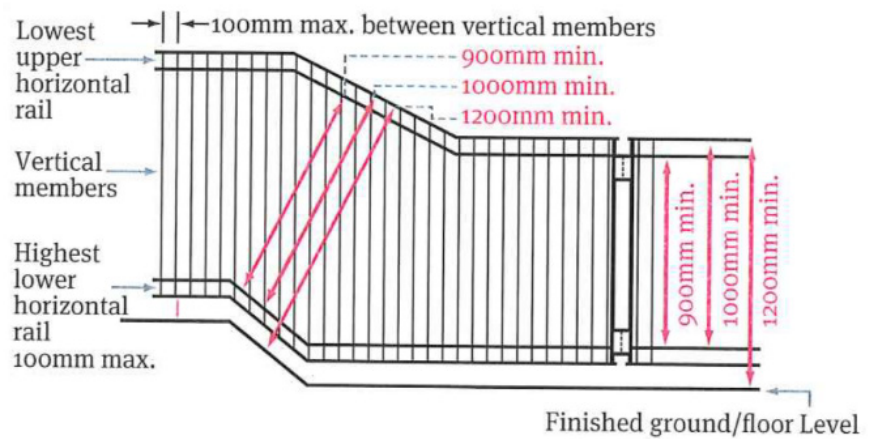
There are a number of different designs for pool barriers which comply. These include close-boarded, open, and solid barriers. The materials used are optional, however they must be able to withstand pressure or impact. Special care needs to be taken with glass barriers as there are other areas of the building code that relate to these.

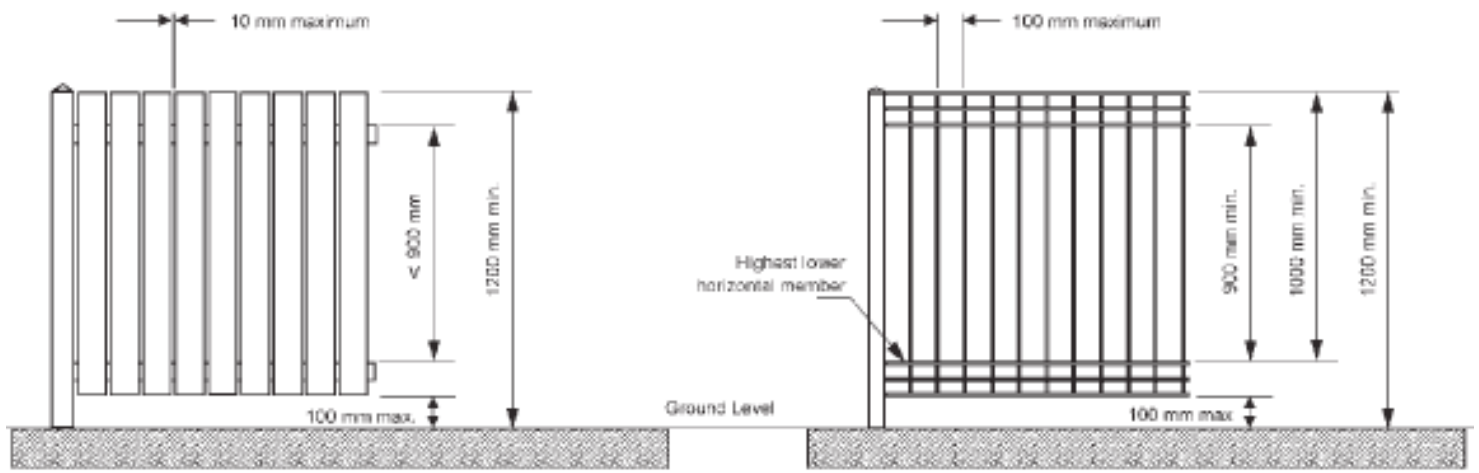
General guidance on pool barriers

The overall height of the barrier shall be no less than 1200mm (1.2 metres) from the outside ground level and any projections within 1200mm of the top of the fence.

Note: If there is a change in ground level on the outside of the barrier, make sure it still meets the minimum requirements.

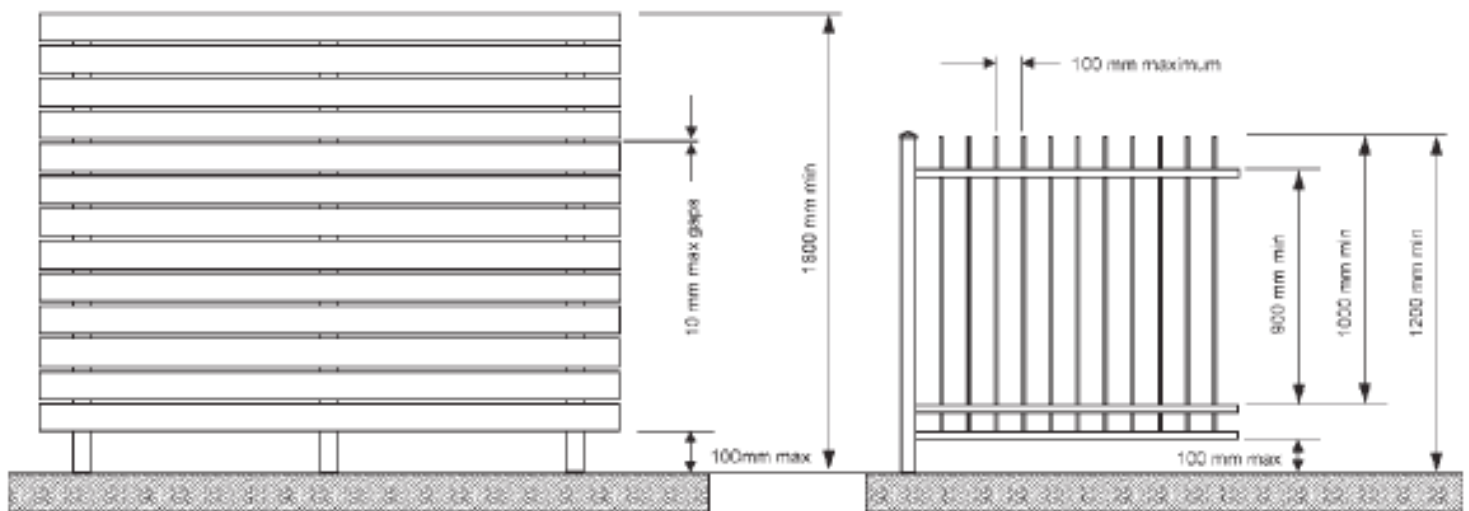
- The barrier should have no gaps that a 100mm (10cm) sphere can pass through. Horizontal members should be no closer than 900mm when accessible from the outside.
- Horizontal close-boarded barriers can be used provided there are no gaps greater than 10mm between the boards; the same applies to vertical close-boarded barriers where the horizontal rails are closer than 900mm on the inside.
- Solid panel barriers must have horizontal rails on the inside if they are closer than 900mm apart.





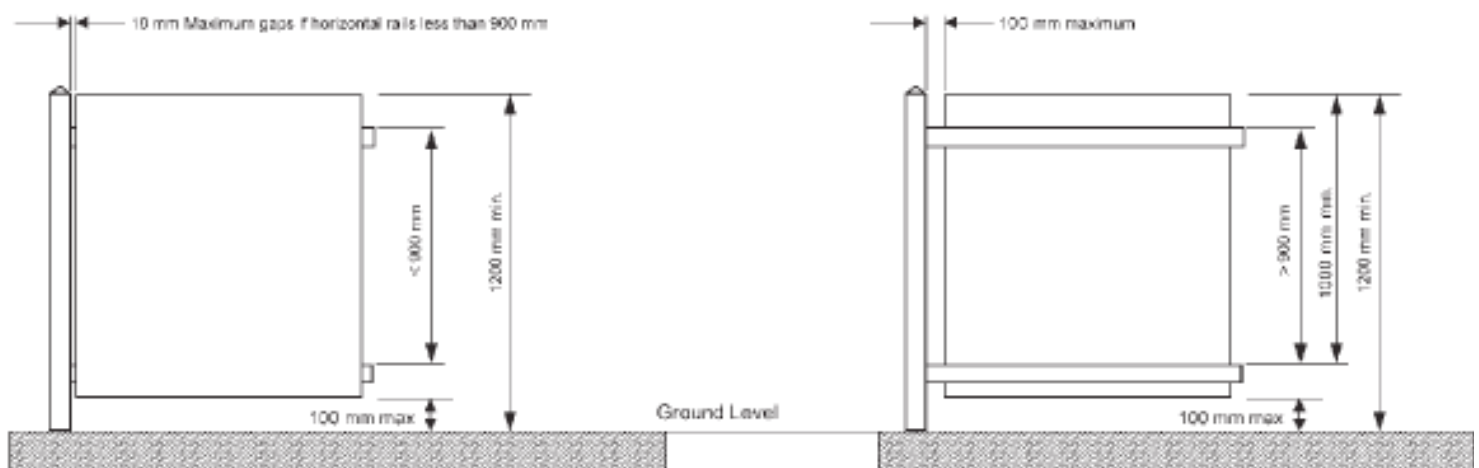
(a) Rails inside, but with uprights spaced not more than 10 mm apart.

(b) Rails on outside, but with uprights spaced not more than 100 mm apart.



(c) Horizontal fencing with spacing of not more than 10 mm.

(d) Fencing with several horizontal members, such as welded construction.



(e) Solid panel type barrier.

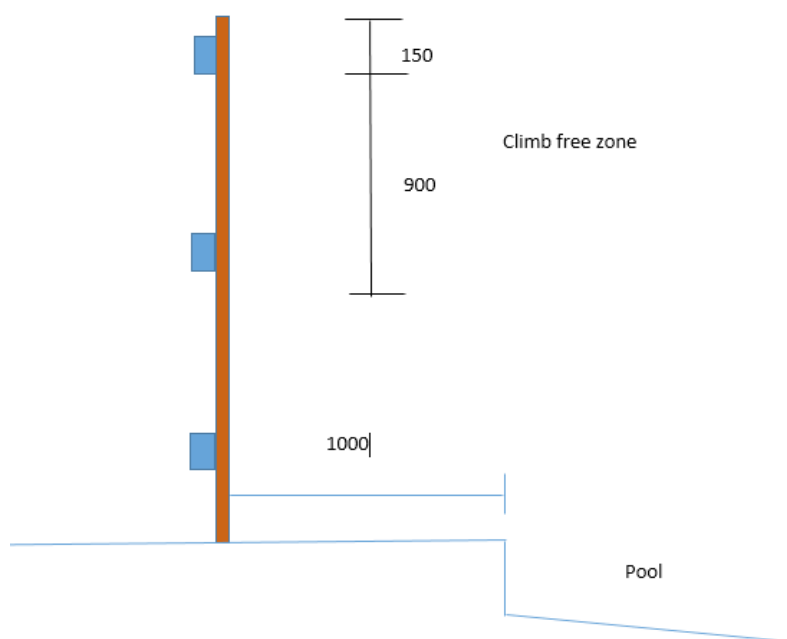
(f) Solid panel type barrier with rails on outside.

Boundary fencing

Boundary fences may be used as pool barriers provided they meet the following criteria:

- Located no less than 1000mm from the water's edge.
- The fence can not be less than 1800mm (1.8m) high measured from ground level on the pool inside. If there is a deck or paving around the pool then the 1800mm is measured from the top of the deck/pavers.
- No openings that a 100mm sphere can pass through.
- A 900mm climb-free zone on the pool side of the barrier. This zone is measured from any starting point within 150mm from the top of the fence. There can be no indentations/projections greater than 10mm within this zone.

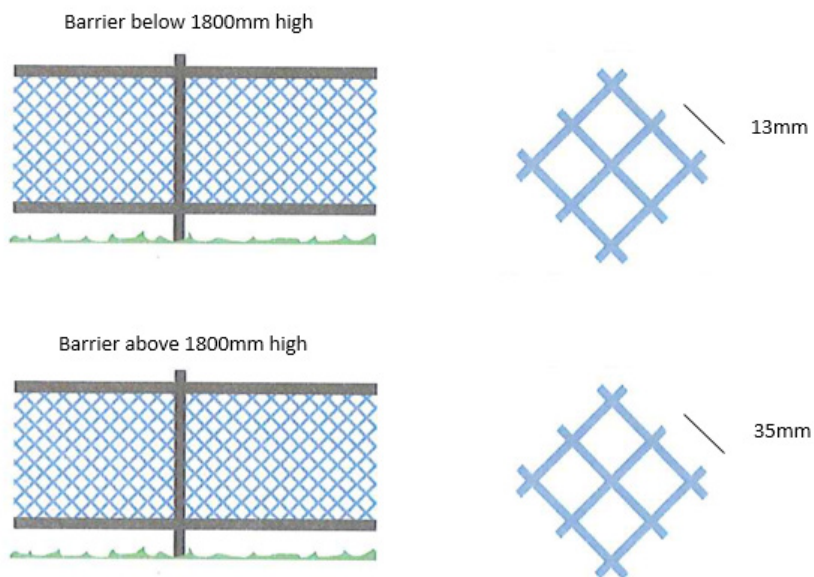
Where it not be possible to meet the above criteria, you will need to consider erecting a complying barrier between the pool and boundary fence or come up with an acceptable alternative solution approved by the Council.



Wire mesh and trellis fencing

Wire mesh/trellis fencing is acceptable. It will need to meet the following conditions:

- Secured effectively so that the bottom of the mesh cannot be lifted to create a gap greater than 100mm and, cannot be pushed down from the top to reduce the height of the fence to below 1200mm. The use of solid framing to attach the mesh to is recommended.
- Timber trellis can be used provided the gaps are the same as the maximum size for wire mesh.
- For barriers 1800mm or lower the maximum size mesh that can be used is 13mm on one side.
- For barriers above 1800mm the mesh size, on one side, can be up to 35mm.
- The gap between the base of the barrier and the ground cannot exceed 100mm.



Pool gates

Pool gates need to meet the same design criteria as the pool barriers, with the following requirements:

- The gate needs to open away from the pool area and swing clear of any obstruction that may hold it open.
- Have a self-closing device that closes and latches the gate shut from any position.
- A latch that automatically operates on the closing of the gate so that it can only be opened manually.
- A latch that is positioned 1500mm above ground level when accessible from the outside, or at 1200mm when only accessible by reaching over the top of the gate.
- The latch can not be able to be operated from the outside of the barrier by using a thin implement.

Building walls

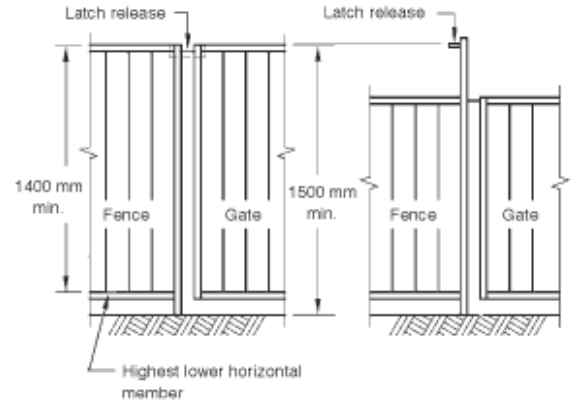
Walls of buildings can form part of the swimming pool barrier. When these walls have openings within them that can give access to the pool area, such as doors and windows, they need to be made safe.

Windows within 2400mm above the pool area require either:

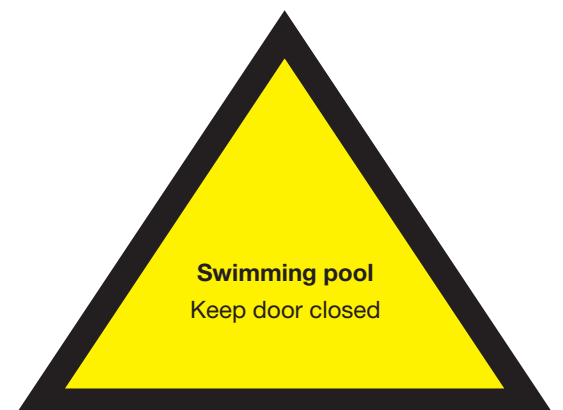
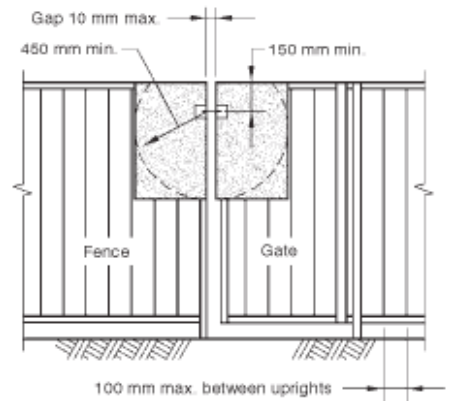
- The lower edge of the opening no less than 1000mm above the inside floor level with no projections underneath of any more than 10mm, or
- Be fitted with a restrictor that reduces the opening to no more than 100mm, or
- A screen fitted over the opening that a 100mm sphere cannot pass through if it has gaps.

Doors giving access to pool area should:

- Have an opening leaf that is no wider than 1000mm.
- Be sliding or side hinged.
- Have either a self-closing device or an audible alarm that commences 7 seconds after the latch is released and returns to readiness when the door is closed and latched.
- Be fitted with a self-latching device that operates the same as a pool gate and be located at not less than 1500 above inside floor level.
- Have a sign located adjacent to the inside door handle (refer example).



(d) Shield not required for latch or release located at 1500 mm or higher.



Balconies projecting into the pool area

A standard barrier complying with F4 of the building code can be used when the floor of a balcony is more than 2400mm above the immediate pool area, and there are no climbable objects within 1200mm below the top of the barrier.

Where the balcony floor is less than 2400mm above the ground, or there are climbing aids within 1200mm, then the barrier must be designed the same as a pool barrier to comply with the requirements of code clause F9.

Pool walls as barriers

The wall of a pool can be used as a complying barrier, provided it meets the following requirements:

- The pool sides need to be a minimum of 1200mm high
- Have no climbing aids within 1200mm of the pool, and
- Have no indentations/projections on the side of the pool greater than 10mm.

Any ladder or other means of access to the pool must be enclosed with a complying pool barrier.

Small heated pools

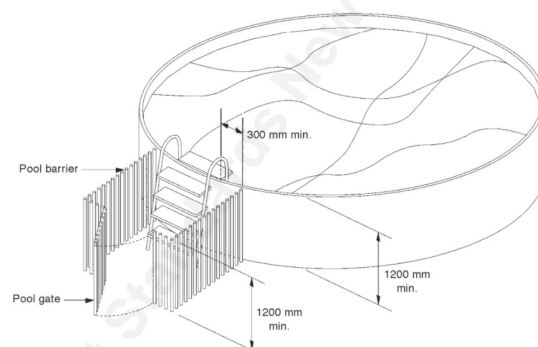
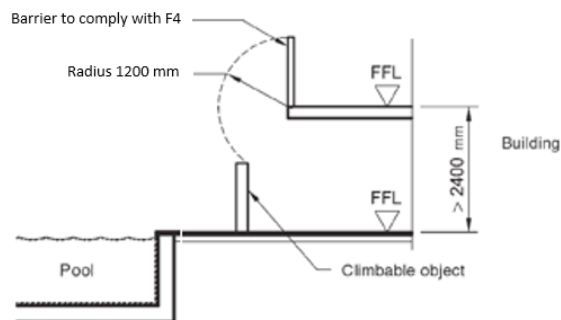
Spa pools and hot tubs do not require barriers erected around them provided they meet the following criteria:

- The small heated pool has a water surface area of less than 5m².
- The top edge of the pool wall is no less than 760mm above ground level.
- There are no climbable objects within 760mm of the edge of the pool.
- There are no projections/indentations greater than 10mm on the pool wall.
- The pool has a cover which meets the following requirements:
 - Held in place with lockable snap fasteners with a minimum width of 35mm.
 - Cannot be lifted to create a gap greater than 100mm when the locks are in place.
 - Is able to support a point load of 20kg.
 - Sloped so that water cannot pond on top.
- There is warning signage on at least two sides of the pool (refer example).

Regularly maintaining your pool barrier

Pool owners need to carry out routine maintenance to ensure the pool barrier continues to meet the minimum requirements, including:

- Lubricating gate hinges.
- Checking gate self-closes.
- Pruning trees/vegetation to keep it clear from the pool barrier.
- Repair/replace any broken/damaged components of the pool barrier as part of routine maintenance.



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Disclaimer: This guide is intended to provide an overview of the pool barrier requirements and every effort has been made to ensure the information is accurate at the time of publication. Please contact the Selwyn District Council building department if you require further clarification.