

Swimming Pool Barrier/Fence - Technical FAQs

Definitions;

'Pool' means;

- (a)(i) any excavation or structure of a kind normally used for swimming, paddling, or bathing; or
- (ii) any product (other than ordinary home bath) that is designed or modified to be used for swimming, wading, paddling, or but
- (b) does not include an artificial lake

'Residential pool' - means;

A pool that is;

- (a) In a place of abode; or
- (b) In or on land that also contains an abode; or
- (c) In or on land that is adjacent to other land that contains an abode if the pool is used in conjunction with that other land or abode

'Abode'- means;

Abode or place of abode

- (a) Means any place used predominantly as a place of residence or abode, including any appurtenances belonging to or enjoyed with the place; and
- (b) Includes-
 - i) A hotel, motel, inn, hostel, or boarding house:
 - ii) A convalescent home, nursing home, or hospice:
 - iii) A rest home or retirement village:
 - iv) A camping ground:
 - v) Any similar place

'Immediate pool area' - means;

Means the land in or on which the pool is situated and so much of the surrounding area as is used for activities carried out in relation to or involving the pool.

'Small heated pool'- means;

A heated pool (such as a spa pool or hot tub):-

- (a) Has a water surface area of 5 sq metres or less; and
- (b) Is designed for therapeutic or recreational use.

Who is responsible for ensuring compliance?

Persons responsible for ensuring compliance are listed under section 162C (4) of the Building Act 2004 as below:

- (a) The owner of the pool
- (b) The pool operator (a person who operates and maintains a pool on a day to day basis)
- (c) The owner of the land on which the pool is situated
- (d) If the pool is subject to a hire purchase agreement- the purchaser of the pool
- (e) The lessee of the pool or the premises if a lease is in place

Do portable pools need fencing/barriers ?

Any residential pools with a maximum depth of water of 400mm or more, **including portable pools, inflatable pools and stand-alone pools**, must have physical barriers that restrict access to the pool by unsupervised children under 5 years of age, whether the pool is filled or partly filled.

Portable pools with sides lower than 400mm in height are exempt.

Do indoor residential pools need a barrier?

Young children are at risk if they have unrestricted access to the pools whether the pool is inside or outside. Therefore, indoor residential pools are now subject to the same barrier requirements as other residential pools. Eg – children must not be able to readily open the doors to the pool room. Pool room doors need to be self-closing or have an alarm.

What pools do not need pool barriers?

The outside face of a pool wall is an acceptable barrier if it is no less than 1200mm high and complies with Paragraphs 2.1.6 and 2.1.7. Any ladder or other means of providing access to the pool shall have an enclosing barrier and gate complying with 2.1 and 3.1. See [F9/AS1 Section 2.3](#)

AND

Any projections or indentations on the outside face of a pool barrier shall not have a horizontal projection from the face of the pool barrier greater than 10mm unless they are at least 900mm apart vertically.

OR

Portable pools with sides lower than 400mm in height are exempt.

What is counted as a fence/barrier?

A fence/barrier includes any part of a building and any gate or door that forms part of the fence/barrier. Fencing is any barrier used to enclose a pool to restrict or prevent access to the pool.

Do I need a fence/barrier for my spa pool?

Fencing is no longer required for spa pools and other small heated pools if the following criteria are met.

- 1) Surface water area of not more than 5m² ,**and**
- 2) Has sides at least 760mm above adjacent floor or ground, **and**
- 3) The sides are non-climbable, **and**
- 4) Has no external objects or projections within 760mm of the top edge that could assist climbing, **and**

- 5) The spa pool has a cover that;
 - a) Restricts entry of children when closed, **and**
 - b) Is able to withstand a reasonably foreseeable load, **and**
 - c) Is able to be readily returned to the closed position, **and**
 - d) Has signage indicating its child safety features

What are the new specifications for pool fencing/barriers?

The basic requirements are as follows for exact specifications see below [Clause F9 of the NZ Building Code](#)

- Pool barrier/fence not on a property boundary shall have a height of not less than 1200mm
- No openings in the pool barrier that a 100mm diameter sphere could pass through
- The gap between the ground and the bottom of the pool barrier/fence not to exceed 100mm

To find out the exact specifications, and additional information relating to swimming and spa pool fencing/barriers, and pool safety visit the below listed sites:

Visit: www.building.govt.nz/pool-safety

Visit: [Clause F9 of the NZ Building Code - Means of Restricting access to Residential Pools](#)

Where should my pool fence/barrier be built?

The pool fence/barrier is required to enclose the pool and the immediate pool area. This could be different for each pool, ideally, the fence/barrier will be built around the pool itself, to isolate it from other areas of the property not used in conjunction with the pool.

Can you use a building as part of pool fence/barrier?

Yes, but all windows and doors leading into the pool area must not be able to be readily opened by children. Doors must have an audible alarm (alarm must comply with [Acceptable Solutions F9 AS1 of the NZ Building Code](#)) **OR** have a self-closing device fitted on the door/s **AND** have a self latching device fitted at 1500mm above the ground/floor. The door shall be single leaf, hinged or sliding - not in excess of 1m and not bi-fold, stacker or french (double) doors. They must have a sign attached to the inside of the door stating "swimming pool - close the door" (must comply with visit [F8/AS1 of the NZ Building Code signs](#)). Windows may need restrictors fitted so they do not open in excess of 100mm, or a permanent fixed screen over the opening with gaps of no more than 100mm.

Can you use boundary fencing as part of pool barrier?

If your proposed pool barrier is to be located on a boundary- the below is the basic requirements. However for exact specifications see [Clause F9 of the NZ Building Code- Means of Restricting access to Residential Pools](#)

- Be not less than 1800mm high, measured from the ground level on the pool side
- Have no openings that a 100mm diameter sphere could pass through
- Be located not less than 1000mm horizontally from the water's edge
- Have a 900mm high unclimbable zone on the pool side of the barrier that begins not more than 150mm from the top

If your existing boundary fence complies with the [Schedule to the Fencing of Swimming Pools Act 1987](#) then it must continue to comply with this requirement.

Where can I get more information?

You can make contact with Rotorua Lakes Council's Building Compliance Officer- Pools by phoning (07) 348 4199 or emailing info@rotorualc.nz

**The above information was correct as at the time of writing, and may be subject to change due to legislative amendments, etc.*