



**BUILDING ACT 2004 (Section 162C)**  
**POOL SAFETY BARRIER INSPECTION NOTES & CHECKLIST**  
Environmental Protection Department

**Pool Details**

**Address:** 19 Mansion Street  
**Owner:** Stuart & Renee Harris  
**Phone:** 0276772881  
**Email:** stuandrenee@gmail.com

**Officer Details**

**Officer** Neil Page Pool Safety and Compliance Officer  
07 5777 000; 027 405 0294 neil.page@tauranga.govt.nz  
**Team** Pool Safety Barrier Compliance Team, Environmental Protection

**Inspection Record**

**Pool Consented?** Yes **Consent Number** 117834 **Date of Consent** 1972  
**Date of CCC** n/a

**Time and Date of Inspection** 20/03/2019 9:10 AM **Time Expended** 20 **Travel KMs** 7

**Outcome:** is fully compliant

**Owner present:** Yes Stuart

**Is the swimming pool full at the time of inspection?** Yes

**Is there a barrier surrounding the immediate pool area?** Yes

**Code Compliance Certificate Disclaimer**

This scheduled pool safety barrier inspection report may confirm that the pool safety barriers on this property have achieved compliance with S162C Building Act 2004 by meeting the requirements of the Fencing of Swimming Pools Act 1987 AND/OR the function and performance requirements of Building Code F9.

However should a Building Consent have been issued in respect of this pool and no formal Code Compliance Certificate (CCC) has been previously issued in this regard, this report must not be taken as a formal Code Compliance Certificate issued pursuant to S95 Building Act 2004.

**The Barrier**

Yes No N/A

- 1 **A** – The barrier is a minimum height of 1200mm (outside ground level), is no more than 15° from vertical, has no horizontal or angled rails, rods or wires on the outside which are less than a 900mm apart, or less than 900mm from the top of the barrier and has no protrusions or indentations over 10mm deep which may offer an opportunity for a small child to scale the barrier from the outside **AND/OR**

✓

**B** – The barrier is a minimum height of 1800mm (internal ground level) is no more than 15° from vertical, has no rails, rods, wires, platforms, protrusions or indentations over 10mm on the inside, (pool side) which are less than 900mm apart **AND** less than 900mm from the top of the barrier (measured no more than 150mm from the top) which may offer an opportunity to climb down into the pool area.

✓

- 2 Any barrier, (other than when **B** above applies) has no permanent climbable surfaces projections or objects located on the outside of the barrier and within a 1200mm arc from the top of the barrier which may offer an opportunity for a small child to scale the barrier from the outside.

✓

- 3 The barrier is of a rigid and durable nature with no gaps or spaces exceeding 100mm and will effectively inhibit access to the pool area by a small child climbing over, under or through the barrier

✓

- 4 The barrier encloses only the immediate pool area, which does not provide access to any other part of the dwelling or property, and does not contain any features or equipment that would not normally be used in conjunction with the use of the pool, such as a clothesline, play equipment, vegetable garden etc. (Barbecues & patio furniture are acceptable if used in association with the use of the pool).

✓

- 5 The barrier does not enclose the whole of the property, thereby offering no opportunities for activities other than those normally undertaken in conjunction with the use of the pool.

✓

**If the barrier is of mesh construction;**

- 6 Spacing (measured along the side) does not exceed 13mm, for a barrier up to 1200mm in height

✓

- 7 Spacing (measured along the side) does not exceed 35mm for a barrier over 1200mm in height but no less than 1800mm in height.

✓

- 8 Spacing does not exceed 50mm for a barrier over 1800mm

✓

- 9 All netting, mesh, shade cloth etc. is durable, rigid and firmly attached to the framework and the the framework is secure and firmly fixed in the ground, or to other sections of framework, with no gaps or spaces exceeding 100mm thereby offering no opportunity for a small child to access the pool

✓

**Gates and Latching**

- 10 All gates that access the pool area only open outwards away from the pool, and there are no obstructions, apparatus or devices used to lodge the gate open.

✓

- 11 The gate is hung in a permanent manner with no more than 100mm ground clearance and cannot be opened by moving the gate up, down or sideways.

✓

- 12 An automatic closing device is fitted to the gate, and this device readily and firmly closes the gate automatically from a static start in any position.

✓

- 13 The latching device is of a durable and permanent nature and automatically latches cleanly and remains firmly latches when the gate closes from a static start in any position.

✓

- 14 Any latch that can be accessed from outside the gate CANNOT be accessed at a height less than 1500mm from outside ground level.

✓

- 15 Any internal latch that can be accessed by reaching over the gate or through the gate CANNOT be accessed at a height of less than 1200mm from the outside ground level, OR is fitted with a compliant shielding device that effectively restricts a small child from accessing the latch.

✓

**Building Exclusion Devices**

- 16 **Any door** in a building, which gives access to the pool area,

**A** – Has a locking device installed at a minimum height of 1500mm from the indoor floor level AND has previously been deemed compliant pursuant to a Clause 11 Fencing of Swimming Pools Act 1987. Therefore this is now compliant with S162C Building Act 2004 and can be endorsed by way of a S67A Building Act 2004 Application, **OR**

✓

**B** - Has a locking device installed at a minimum of 1500mm above indoor floor level AND a audible warning device is fitted above 1500mm, which sounds immediately when the door is opened and is therefore deemed to meet the performance standards of NZBC F9.3.4(a)(i). **OR**

✓

**C** – Has an automatic closing device and automatically latching device installed so that the door automatically closes and latches cleanly from a static start of 150mm or more.

✓

- 17 **Any window** with a sill less than 1200mm from the indoor floor level, is fitted with a device to prevent it opening more than 100mm OR is fitted with a permanent fixed screen OR is constructed to prevent the passage of a small child.

✓

**This inspection determined that the pool fencing: is fully compliant**

**Notes on Inspection:**

The pool is located in the backyard.

The pool is fenced separately away from the house.

There are two boundaries that form part of the pool barriers, both the rear and side boundaries have a 1.8 metre high non-climbable iron fences.

Running from the rear boundary is a section of aluminium 1.2 metre high, non-climbable pool fencing, this stops to the side of a small pump house/changing rooms.

There is a section of the same aluminium pool fencing that runs from the other side of the pump house, at a right angle to the side boundary, this is also 1.2 metres high and non-climbable.

Two gates provide access to the pool area, both are self-closing and self-latching from a static start. One has the latching point located on the inside of the gate, at 1.4 metres from inside ground level, the other has the latching point at 1.5 metres up from outside ground level.

All barriers are constructed of strong durable materials with no gaps located within any of the fence lines that are not greater than 100mm.

\*\*\*At the time of inspection the pool area is Fully compliant\*\*\*

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**Waiver or Modification**

Section 67a of the Building Act 2004:

(1) A territorial authority may grant a waiver or modification from section 162c(1) or (2) (which requires residential pools to have means of restricting access by unsupervised children) if the territorial authority is satisfied that the waiver or modification would not significantly increase danger to children under 5 years of age.

(2) In deciding whether to grant a waiver or modification under subsection (1), the territorial authority must have regard to all of the relevant circumstances (including the particular characteristics of the pool and the land on which it is situated).

**Water Level Exemption**

Pursuant to section 162b of the Building Act 2004, any pool with a maximum depth of water of less than 400 mm, (16 inches), does not require to have a barrier provided which complies with section 1621c. Therefore, should your pool safety barrier not meet compliance standards, then at all times whilst the safety barrier remains non-compliant, the water level in your pool should not exceed a depth of 400mm, which effectively deems your pool exempt from compliance requirements,

Signed:



Date: 20/03/2019

for Tauranga City Council

# INSPECTION PHOTOS

NOTE: If no photos were taken then the pages following will be blank.



*Tauranga City*





