

APPLICATION CHECKSHEET

Barriers restricting access to residential pools and associated building work

Address:

This checksheet shows you the minimum information that has to be supplied with your building consent application for a physical barrier that restricts access by unsupervised young children to a residential pool. Please complete each box in the Customer use column as you attach the information. Complete all sections using either a ✓ or Y where the information is provided, or a X or N/A where the information is not applicable to the building work proposed as shown on the key at the bottom of each page.

NOTES FOR THE OWNER:

- On 1 January 2017 the Building (Pools) Amendment Act repealed the Fencing of Swimming Pools Act and inserted new provisions into the Building Act 2004.
- Included in these provisions were amendments to Schedule 1 of the Building Act – Exempted building work. The following building work now does not require a building consent; ‘installation of a safety cover as a means of restricting access to a small heated pool that is a residential pool’ and ‘building work in connection with a tank or pool and any structure in support of the tank or pool, including any tank or pool that is part of any other building for which a building consent is required, that does not exceed 35 000 litres capacity and is supported directly by ground. Note, a building consent is required for a physical barrier to restrict access to a residential pool.
- The Amendment Act created new Building Code clause F9 - Means of restricting access to residential pools. The acceptable solutions for clause F9 can be found on [MBIE website](#).
- The residential pool must not be filled (or partly filled) with water until the ‘barrier that restricts access’ has been inspected and approved by Council.
- The issue of a building consent does not relieve the owner of any duty or responsibility under any other act. Please check with us regarding the requirement for other approvals required and fees payable. These may include; consents under the Resource Management Act and approvals under bylaws including earthworks, vehicle crossings and road openings.
- Any building consent granted applies to the property, not just to the current owner/occupier. Therefore any proposed use or design of the immediate pool area must be sufficiently sensible so that it is suitable for most future owners/users of the pool.
- Your attention is also drawn to Environment Canterbury’s rules regarding discharge of water from pools [Canterbury Land and Water Regional Plan](#) Section 5.

Key: ✓ or = provided

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Customer use	1. GENERAL INFORMATION
<input type="checkbox"/>	<p>a. Is this application for a:</p> <p><input type="checkbox"/> Barrier to restrict access to a residential pool only</p> <p><input type="checkbox"/> Barrier to restrict access to a residential pool and the associated building work in constructing the pool</p> <p><input type="checkbox"/> Alteration to an existing barrier to restrict access to a residential pool</p>
<input type="checkbox"/>	<p>b. Building Consent Application form to be completed online at Online Services (only use B-002 form for hardcopy or amendment applications)</p>
<input type="checkbox"/>	<p>c. Proof of ownership (for applications that include construction of the pool): Attached one of the following:</p> <ul style="list-style-type: none"> ▪ Certificate of Title ▪ Lease ▪ Agreement for sale and purchase ▪ Other document showing full name of legal owner(s) of the building
<input type="checkbox"/>	<p>d. Relationship to owner: You as agent must state the details of the authorisation from the owner to make application on the owner's behalf (e.g. contractual agreement etc). Please note: This question must be answered before your application for consent can be processed.</p>
<input type="checkbox"/>	<p>e. Plans and details required:</p> <ul style="list-style-type: none"> ▪ Locality plan showing physical location of the site in relation to streets or landmarks, north point and lot and DP number. ▪ Show all the details that are listed on the following pages.
<input type="checkbox"/>	<p>f. Application fee: Fees payable are set out in the Building Consents Fee Schedule available on our website and will be invoiced on acceptance of the application.</p>
	2. SITE PLAN (TO SCALE) SHOWING THE FOLLOWING: <i>(Note: Some of this information may need to be on a separate drawing if the scale of the Site Plan is too small)</i>
<input type="checkbox"/>	<p>a. Whole site, showing all boundaries, the north point, all buildings including the use of each and the pool's location. If for a new pool, show the dimensions of its set-back from boundaries.</p>
<input type="checkbox"/>	<p>b. The pool barriers (new and existing).</p>
<input type="checkbox"/>	<p>c. The contents of the immediate pool area, <i>(also see section 3 below)</i>.</p>
<input type="checkbox"/>	<p>d. The layout of the dwelling, with the names of all rooms which have doors that give access to outside.</p>
<input type="checkbox"/>	<p>e. The location and type of any house doors and opening windows which face into the immediate pool area, including direction of door opening (i.e. inwards, outwards, sliding) and details of complying hardware <i>(see also under section 5 below)</i>.</p>
	3. IMMEDIATE POOL AREA
<input type="checkbox"/>	<p>a. The immediate pool area 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.</p>
<input type="checkbox"/>	<p>b. The immediate pool area does not incorporate the whole outdoor living space.</p>
<input type="checkbox"/>	<p>c. The immediate pool area only includes activities carried out in relation to or involving the pool. Examples of non-related activities are means of accessing the house from the property boundary or to gain access to other parts of the property from the house, general outdoor living areas, vegetable gardens, general use clothes lines, children's play equipment and tennis courts.</p>
<input type="checkbox"/>	<p>d. The immediate pool area is not likely to be used for general outdoor sitting, eating, entertaining, etc (i.e. when not swimming). Refer to Determination 2003/06 for discussion on "immediate pool surround", and to Justice Randerson's declaratory judgement October 2004, paragraph 30-32.</p>
	4. POOL BARRIERS AND GATES IN POOL BARRIERS
<input type="checkbox"/>	<p>a. Construction details are included</p>
<input type="checkbox"/>	<p>b. Pool barriers not on a property boundary shall have a height of not less than 1200 mm from the finished floor or ground level outside the pool. Any rails, rods or wires forming a part of a pool barrier that are not themselves vertical shall be at least 900 mm apart vertically to restrict climbing. There shall be no openings in the pool barrier that a 100 mm diameter sphere could pass through. Figure 1 shows some acceptable ways of constructing pool barriers. Figure 1, F9/AS1 shows some acceptable ways of constructing pool barriers.</p>

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<input type="checkbox"/>	c. No ground features or objects outside a pool barrier within 1200 mm of the top of the barrier that would assist a child in climbing. Figure 2, F9/AS1 gives acceptable methods for evaluating this requirement.
<input type="checkbox"/>	d. Pool barrier on a property boundary shall be not less than 1800 mm high, measured from the ground level on the pool side; and have no openings that a 100 mm diameter sphere could pass through; and be located not less than 1000 mm horizontally from the water's edge; and have a 900 mm high zone on the pool side that begins not more than 150 mm from the top. Refer to paragraph 2.2.1, F9/AS1 for acceptable solutions for steel wire mesh barriers.
<input type="checkbox"/>	e. Pool barriers using steel wire mesh with square openings may be used provided the openings do not have a side dimension greater than 13 mm. Panels with steel wire mesh having openings measuring between 13 mm and 35 mm on a side shall be not less than 1800 mm high but may have a gap at the base of not more than 100 mm. Refer to paragraph 2.1.5, F9/AS1 for acceptable solutions for steel wire mesh barriers.
<input type="checkbox"/>	f. Gates: Any gates must open away from the pool; and not be able to be readily opened by children; and automatically return to the closed position after use. Refer to paragraph 3.1, F9/AS1 for acceptable solutions for gates in pool barriers.
<input type="checkbox"/>	g. Pool wall as a barrier: The outside face of a pool wall is an acceptable barrier if it is no less than 1200 mm high. Any ladder or other means of providing access to the pool shall have an enclosing barrier and gate. Refer to paragraph 2.3.1, F9/AS1 for acceptable solutions for pool wall as a barrier.
<input type="checkbox"/>	h. Alternative Solutions: These may be proposed but must include evidence that demonstrates they will meet the performances of building code clause F9- Means of restricting access to residential pools.
	5. DOORS IN BUILDING WALL FORMING THE POOL BARRIER (refer to paragraph 4.2, F9/AS1)
<input type="checkbox"/>	a. Doors between the building and the immediate pool area must not be able to be readily opened by children, and must either — (i) emit an audible warning when the door is open; or (ii) close automatically after use. These doors shall be single leaf doors that are not more than 1000 mm in width and shall be side hinged or sliding.
<input type="checkbox"/>	b. Doors in a building wall providing access into the immediate pool area shall have: a self-latching device that automatically operates on the closing of the door and that must be released manually; and the release for the latching device located not less than 1500 mm above the inside floor; and a sign which: shall be fixed adjacent to the inside door handle at a height between 1200 mm and 1500 mm stating 'SWIMMING POOL. CLOSE THE DOOR.'
<input type="checkbox"/>	c. If a self-closing device is used it shall return the door to the closed and latched position when the door is stationary and 150 mm or further from the closed and latched position. Except that the self-closing device on a hinged door that opens towards a pool shall return the door to the closed and latched position from any position when the door is stationary.
<input type="checkbox"/>	d. If a door alarm is used it shall produce an alarm tone of 75dBAL10 when measured at a distance of 3 m that commences 7 seconds after the door's self-latching device is released; and automatically return to a state of readiness when the door is closed and latched; and have a low battery charge warning that may be visual or audible. Door alarms may be provided with a deactivation switch placed not less than 1500 mm above floor level that silences the alarm for not more than 15 seconds.
	6. WINDOWS IN BUILDING WALL FORMING THE POOL BARRIER (refer to paragraph 4.1, F9/AS1)
<input type="checkbox"/>	a. Where there is a window that can open above and within 2400 mm vertically of the immediate pool area the window shall have either : a) The lower edge of the opening no less than 1000 mm above the floor inside the building with no projections underneath of more than 10 mm, or b) a restrictor limiting the size of the opening such that a 100 mm diameter sphere cannot pass through; or c) a permanently fixed screen over the opening that a 100 mm diameter sphere cannot pass through.
	7. BALCONIES PROJECTING INTO THE IMMEDIATE POOL AREA
<input type="checkbox"/>	a. When the floor of a balcony is more than 2400 mm vertically above the immediate pool area a barrier complying with Clause F4 may be used instead of a Clause F9 barrier provided that there would be no projections within 1200 mm below the top of it, such as a wall or landscaping feature, that would assist a child to climb down.
	8. SAFETY GLAZING
<input type="checkbox"/>	a. Glazing wholly or partly within 2000 mm vertically and within 2000 mm horizontally of the walking surface alongside spa pools and swimming pools shall be safety glass in accordance with Table 1, 4 or 5, NZS 4223.3

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	<p>9. COVERS FOR SMALL HEATED POOLS (refer to F9/AS2)</p>
<input type="checkbox"/>	<p>a. A cover may be used as a barrier for a small heated pool with a water surface area of 5 m² or less and with walls that are 760 mm above the adjacent floor or ground. The cover must restrict the entry of children when closed; and be able to withstand a reasonably foreseeable load; and be able to be readily returned to the closed position; and have signage indicating its child safety features.</p>
	<p>10. IF THE APPLICATION INCLUDES CONSTRUCTION OF THE POOL</p>
<input type="checkbox"/>	<p>a. Dimensions of pool from boundaries and other buildings are shown.</p>
<input type="checkbox"/>	<p>b. Does the pool location need a resource consent?</p>
<input type="checkbox"/>	<p>c. Construction details, and producer statement: for design from an engineer (if specifically designed), are provided.</p>
<input type="checkbox"/>	<p>d. For in-ground pools ground conditions report is not required for;</p> <ol style="list-style-type: none"> 1. Proprietary pools where Council records do not identify the <u>intended site</u> as having soft ground. The verification of the ground conditions will be made by the Building Inspector at the excavation inspection will probe the ground. Should the Inspector identify suspect ground conditions the owner will be required to engage a recognised engineering consultant to verify that the design if the pool is appropriate for the ground conditions which have been exposed. 2. Specific designed pools (non-proprietary pool) where and the design engineer intends to verify their design assumptions at the time of excavation. In all other cases (other than identified above) a ground conditions report from recognised engineering consultant confirming the ground has suitable bearing capacity to support the intended load of the pool, e.g. Proprietary pools where Council records indicate the presents of soft ground on the site.
<input type="checkbox"/>	<p>e. If an in-ground pool, a Sediment Control Management Plan is provided to show how sediment from the excavated material is prevented from entering any surface water drain, waterway, etc.</p>
<input type="checkbox"/>	<p>f. Location of water source, and type of backflow prevention device (usually a hose tap fitted with a vacuum breaker device).</p>
<input type="checkbox"/>	<p>g. Location of discharge point for pool water and filter backwash (usually a gully trap on the sewer drain)</p>
<input type="checkbox"/>	<p>h. Discharge onto or into the ground (usually in rural areas): Under Environment Canterbury's Canterbury Land and Water Regional Plan Section 5, Page 77 pool water and filter backwash may be discharged onto or into the ground, subject to certain stated conditions.</p>
<input type="checkbox"/>	<p>i. The pool or spa pool has no edges that are >1 m above the surrounding ground. If they are, they have a 1 m high barrier to reduce the likelihood of falling. If not, an alternative solution has been offered (e.g. some method, other than a 1 m high barrier, to reduce the likelihood that someone will sit on or walk along the edge, and therefore be at risk of falling.)</p>

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