

## OPERATION OF GATES AND DOORS

Every gate or door shall be fitted with a latching device.

Where a latching device is accessible from the outside of the fence by either a hole or reaching over the fence, gate or door, the latching device and the lowest point of any hole giving access to it shall be at least 1.2 metres above the ground on the outside of the fence.

- Where the latching device is otherwise accessible from the outside of the fence, gate or door the latching device shall be at least 1.5 metres over the ground on the outside of the fence.
- Every gate or door shall be fitted with a device that will automatically return the gate or door to the close position and operate the latching device when the gate or door is stationary and 150mm from the closed and secured position.

## DOORS IN WALLS OF BUILDINGS

Where any building forms part of a fence and the pool is not contained within the building, any door that gives access to the immediate pool area need not comply with the requirements for gates or doors set out in clauses 8 to 10 of this schedule to the extent (if any) that the territorial authority is satisfied that such compliance is possible, unreasonable, or in breach of any other Act, Regulation or Bylaw and the door is fitted with a locking device that, when properly operated, prevents the door from being readily opened by children under the age of 6 years.

## OCCUPIER'S RESPONSIBILITY

Every occupier is a property on which a swimming pool is situated and must ensure that the pool is not filled with water to a depth greater than 400mm unless the requirements for fencing have been met.

## CONTACT THE COUNCIL

Council will assist pool owners in the District to fulfil their obligations under the Act. An inspection of your pool will be carried out on request. Please do not hesitate to communicate with the Building Officer regarding the requirements to the fencing of your pool.



*This pamphlet is one in a series published by the Rangitikei District. It is intended to provide general information only. It is not intended as a legal document and may not be applicable to all circumstances. For specific details on any consent application, please contact:*

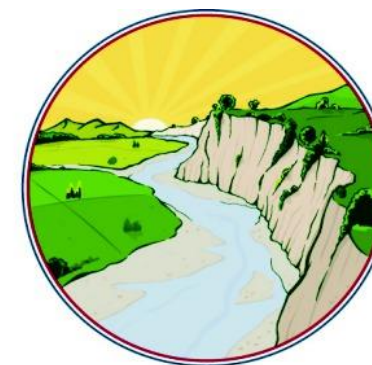


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# FENCING OF SWIMMING POOLS



# Rangitikei

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**If the water level of your pool or spa pool exceeds 400mm, then it must be fenced.**

## INTRODUCTION

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The Fencing of Swimming Pools Act 1987 was passed to promote the safety of young children by fencing certain swimming pools.

There is an obligation on the owner and persons in control of a pool to ensure the pool and all of the immediate pool area is fenced with a fence that complies with the requirements of the Act (see below). However there are some exceptions. (E.g. pool located inside a dwelling).

Every person having a property on which a pool is situated must ensure that the pool is not filled or partly filled unless they are reasonably certain that the Act is being complied with.

## REQUIREMENTS FOR FENCES UNDER THE ACT

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The following fences and gates will comply with fencing obligations under the Act (extracted from the Schedule to the Act).

**The immediate pool area could include the pool, its decking and any changing sheds, but not a vegetable garden, clothesline or BBQ area, child's sandpit, slide or swing.**

## HEIGHT

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The fence shall extend:

- At least 1.2 metres above the ground on the outside of the fence; and at least 1.2 metres above any permanent projections from objects permanently placed on the

ground outside and within 1.2 metres of the fence.

There must be no trees, hedges, or stacks of wood etc, which can be climbed within 1.2 metres of the outside of the fence.

Notwithstanding sub clause (1) of this clause, where the fence is constructed of perforated material, netting, or mesh and any opening in the material, netting or mesh has a dimension (other than the circumference or perimeter) greater than 10mm, the fence shall extend at least 1.8 metres above the ground or the projections or object.

## GROUND CLEARANCE

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Any clearance between the bottom of the fence and ground level shall not exceed 100mm.

## MATERIALS

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All materials and components must be of a durable nature and must be erected so as to inhibit any person from climbing over or crawling under the fence from the outside.

Except where the fence is horizontally close-boarded, the spacing between adjacent vertical panels, or other posts shall not exceed 100mm at any point.

All fencing supports, rails, rods, wires, bracing or other similar posts shall be on the inside of the fencing and shall be inaccessible to use for climbing inside the pool area from the outside.

Where any perforated material, netting or mesh is used, no opening in that material, netting or mesh

shall have the dimension (other than the circumference or perimeter) greater than 50mm.

All perforated material, netting or mesh material shall be firmly attached at both the top and bottom to a rail, pipe or similar firm structure, or otherwise be of such a nature that the fence cannot readily be crossed by children under the age of six years.

## GATES AND DOORS

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Every gate or door shall be constructed as to comply with the relevant requirements of clauses 1 to 7 of this schedule, and shall be so mounted that;

- It cannot open inwards towards the immediate pool area.
- It is clear of any obstruction that could hold the gate or door open.
- When lifted up or pulled down the gate or door does not release the latching device, come off its hinges or provide a ground clearance greater than 100mm.

## OPERATION OF GATES AND DOORS

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Every gate or door must be fitted with a latching device that will automatically return the gate or door to the close position.

