

Building (Pools) Amendment Act 2016



Photo courtesy of WaterSafe Auckland from the 'Your Pool Your Responsibility' campaign.

www.building.govt.nz/poolsafety



In this presentation

Why fence pools?

Key changes:

- Mandatory inspections every three years
- Small heated pools with safety covers comply
- Access to the powers under the Building Act
- Unclear aspects of the law are clarified.



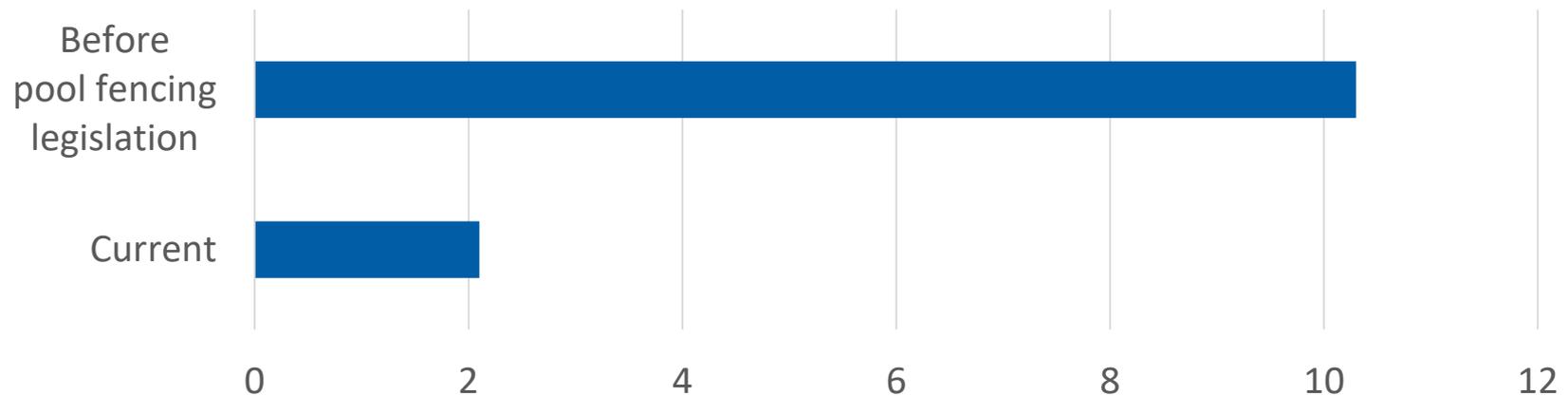
**Changes took effect
1 January 2017**



Why fence pools?

Fencing reduces drowning

Average number of children under five drowning every year in home pools



Data Sources:
Local Bills Committee (1983) *Report on the Fencing of Private Swimming Pools*, AJHR I(10A). Drownings between 1973 and 1982.
Water Safety New Zealand submission to the Local Government and Environment Committee, 2015. Drownings between 2003 and 2014.



Key changes

Mandatory inspections every three years

Applies to

- Residential pools (excluding small heated pools where the barrier is a safety cover).

Inspected by

- Territorial authorities, or
- Independently qualified pool inspectors.





Small heated pools with safety covers comply



Photo: https://commons.wikimedia.org/wiki/File:Spa_jardin.jpg

The pool

- Water surface $\leq 5\text{m}^2$
- Side walls $\geq 760\text{mm}$
- Side walls inhibit climbing

The cover

- Restricts entry when closed
- Can be readily closed
- Can withstand a foreseeable load
- Has safety signage



Access to the powers under the Building Act

Power	Fencing of Swimming Pools Act 1987	Building Act 2004
Enforcement tools	<ul style="list-style-type: none"> • Prosecution 	<ul style="list-style-type: none"> • Notice to fix • Infringement notice • Prosecution
Special exemptions / Waivers and modifications	<ul style="list-style-type: none"> • Decided by councillors • No right of appeal 	<ul style="list-style-type: none"> • Delegated to officers • Decisions can be appealed



Unclear aspects of the law are clarified

Doors

- Have a self-closer or a door alarm.



Photo: https://commons.wikimedia.org/wiki/File:Upvc_Patio_doors.JPG

Garden ponds

- Barrier requirements do not apply.



Photo: https://commons.wikimedia.org/wiki/File:Water_Garden_01.jpg





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