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FENCING OF SWIMMING POOLS

The Fencing of Swimming Pools Act 1987 requires owners of swimming pools to fence their swimming pool.

A pool must be fenced if:

1. It is filled or partly filled with water;
2. It is an above ground pool and it has sides less than 1.2 metres high from the ground;
3. It has a depth of over 400mm.

A pool does not need to be fenced if:

1. It is an above ground pool and it has sides higher than 1.2m from the ground; and
2. It has an exterior that cannot be climbed; and
3. Any steps or ladders are removable and are removed whenever it is intended for the pool to be out of use.

Fences around pools must:

1. Be at least 1.2 metres tall above the ground and any nearby protruding structures (such as decks); and
2. Be at least 1.2 metres away from any permanent structure (such as a deck, roof etc); and
3. Have no more than a 100mm gap between the bottom of the fence and the ground; and
4. Be made of materials which would prevent any child under the age of six years from climbing over or crawling under the fence; and
5. Have all support, rail rods, wires and bracing inaccessible from the

outside or if accessible, with a gap of at least 900mm between each such support rail rod, wire or bracing to prevent climbing; and

6. If made of a netting or mesh, not have a gap anywhere in the netting or mesh bigger than 50mm wide.

Any gates or doors must not:

1. Open inwards towards the immediate pool area; and
2. Be near an obstruction that could hold the gate or door open; or
3. Have a ground clearance of more than 100mm; or
4. Come off its latches or hinges if moved up or down.

Pool owners are expected to notify the Council of the existence of the pool.

Officers of the Council have the right to obtain warrants to enter any property with a pool to ensure compliance with the Act and any by-law.

Each Council has its own interpretation of the requirements and we recommend that you contact your relevant council to make sure you comply with its standards.

If you have any queries in regards to the fencing of your swimming pool, please don't hesitate to contact us.

- **Next newsletter—Do I Need a Will—by Paul Whitmarsh**