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2010/035: Dispute about a notice to fix for safety barriers to a swimming pool area

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Abbreviation

2010/035

Valid from

27/04/2010

Information provider

Ministry of Business, Innovation and Employment

Author

Ministry of Business, Innovation and Employment

Information type

Determination

Format

PDF

Description

The dispute between the parties related to the decision of the authority to issue a notice to fix in respect of a house with an adjoining swimming pool.

The reason given by the authority for issuing the notice was because the swimming pool barrier was not erected in accordance with the building consent and that there was a failure to comply with Clause F4 Safety from falling of the Building Code.

The matter for determination was whether the decision of the authority to issue the notice to fix was correct.

In order to determine this matter it was considered whether the pool barriers as constructed and the

lack of a barrier at the top of a set of two retaining walls complied with Clause F4 of the Building Code.

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