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16 December 2016

Consultation: Proposed Acceptable Solutions for residential pool barriers 2016

Dear Sir / Madam

Confirming, the Swish submission supplied this date has been developed on the following basis:

Option 1: Rejected on the basis current legislation and NZS 8500-2006 terminology did cause interpretational confusion in the administration of swimming pool legislation by Territorial Authorities from 1987 through to-date

Option 2: We have supplied a submission that takes up recommendations to Standards NZ going back to 2007 together with earlier submissions to MBIE in regard to the Building (Pools) Amendment Act and the Select Committee Hearings.

While we have used the MBIE submission form to submit our recommendation we wish to confirm our objective in regard to the following:

3.7.1 Child Resistant Door-sets:

It will be seen from our submission, we have combined appropriate elements of the FoSPA 1987 Schedule together with NZS 8500 clauses 2.3.2, 3.7 and 4.6 to provide an easy to understand and access definition of a Child Resistant Door-set.

From our experience, the format submitted will provide clear direction to home-owners, architects, landscapers, pool manufacturers and Territorial Authorities as to what is required for pool compliance when the dwelling (or part thereof) is used as the pool barrier. This submission should assist in reducing the cost of pool compliance and will definitely contribute to the proposed legislations objective of reducing child deaths in the home pool.

F9-2.1: Pool Door Alarms

Swish recommendations are based on our research during 2006 and 2007 with the objective of providing an effective safety solution for door-sets that were difficult or impossible to self-close.

Our research was focussed by the publishing of NZS 8500-2006 as a compliance document for the guidance of territorial authorities until the standard was taken into FoSPA 1987, replacing the original Schedule.

Our submission is in two parts, first our recommendations followed a supporting comments section that outlines our research, the Swish design process. This is followed by an indication of system testing, demonstration and subsequent approval by Territorial Authority Exemption Committees for use in eighty new pool projects around New Zealand since mid-2007.

We take the opportunity to confirm, Swish are prepared to bring a 600mm x 600mm scaled door-set to Wellington to demonstrate our DoorMinder Selflatch Alarm system to the MBIE Compliance team. This will provide a working example of both door-set and system, allowing a clear understanding of the alarm operating parameters and sound level effective over 3 metres.

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It will assist in the appreciation that, unlike smoke and fire alarms or security / bugler alarms, a pool alarm is not designed to drive people out of the house but rather, direct them to a door that has suffered a safety breach.

F9-2.2: The swing of doors into a pool area:

The Swish submission has been developed to clarify the safe operation of doors with access into a pool area while confirming the international design parameters of commercial hinge door-closers.

It should be appreciated the part fire regulations play in the determination of the direction of swing for hinged door-sets and indeed, the part fire regulations play in performance requirements of fire rated hinged door-closers.

These requirements are complimentary to providing pool-safe hinged door operation.

F9-2.4: Other comments in relation to pool barriers:

We have drawn attention to a further current problem area regarding the home-pool.

Interpretations and opinion from Territorial Authorities are so variable that in many cases, one side of a street operates to a different interpretation than the other.

In an effort to eliminate the resultant confusion, we have recommended the use of Judge Randerson's Declaratory Judgement which was supported by NZS 8500-2006.

In conclusion, we take the opportunity to confirm we are available for further discussion or indeed, clarification of our submission. We would also appreciate any feedback that will assist us in understand the challenges faced by legislators in getting practical solutions into our legislation.

Regards

Les J Hole
Director
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