

18 May 2017

Media Release

Government Completely Misses the Point on Pool Barrier Safety

The Victorian Government has released the long-awaited Regulatory Impact Statement (RIS) as part of the Building Regulations Sunset Review and has entirely missed the point on pool and spa barrier safety improvement measures.

The Government has today announced its intention to legislate ‘Retrospective’ barrier laws - which will force 100,000 Victorian pool owners to re-build their safety barriers by 2020 - but admits that there is no evidence of likely improvement.¹

The Government has continued to ignore the recommendations from industry experts regarding the cause of toddler drownings in backyard pools in Victoria. The proposed legislation will direct all owners of pools and spas built prior to 2010 to amend their barriers to not allow direct access to the pool or spa via a door from a building, such as a house or garage.

The evidence is that backyard pool drownings occur as a result of a lack of maintenance to existing barriers. There is no evidence whatsoever that suggests older pool barriers are less safe.

By law, all Victorian pools and spas must already have a certified barrier in place. It is not the design or type of the pool or spa barrier that is the cause of toddler drownings – it’s the lack of maintenance of the barriers.

CEO of the Swimming Pool and Spa Association of Victoria (SPASA) Brendan Watkins says, “Time and again Council inspectors, the Coroner and our members, report the vast majority of home pool barriers aren’t being maintained. This is the real problem. The only solution is regular inspections of pool barriers – as currently works with great success right around Australia.”

SPASA will be heavily involved throughout the Government’s planned sixty day consultation period and will continue to stridently oppose the proposed introduction of ‘Retrospective’ pool and spa barrier laws – and advocate for mandatory pool fence inspections - by lodging a written submission to the Department of Environment, Land, Water and Planning.

SPASA, and related stakeholders, have all been lobbying the Victorian Government for many years to pass legislation for inspections of pool and spa barriers to be made mandatory in Victoria in order to improve safety outcomes.

Specifically our position is to:

- 1. Immediately make pool barrier compliance certification mandatory for all properties sold or leased in Victoria; and**
- 2. Introduce a mandatory barrier inspection protocol that ensures all residential properties with a pool or spa in Victoria are inspected every three years**

[Regulatory Impact Statement \(RIS\) Overview](#)

[RIS Part B: Design, construction, completion / use and other topics - B3.4 Swimming pool barriers](#)

[Draft Building Regulations 2017](#)

¹ ‘The extent to which the adoption of the post-1 May 2010 barrier standard will reduce drowning and near-drowning incidents relative to the current Regulations is uncertain’.

Page 113 - Regulatory impact statement proposed Building Regulations 2017, Part B: Design, construction, completion / use and other topics





Read more on SPASA Victoria's stance on this issue here:

<https://www.spasavic.com.au/about-us/pool-spa-barrier-inspections>

For further information please contact:

Kathryn Barres – Marketing Communications Co-ordinator

Telephone: 03 9501 2040 or kathryn@spasavic.com.au

For Comment: Brendan Watkins, CEO SPASA Victoria - **0417 385 929**