

# Barbara Perry MP

Minister for Local Government

Minister Assisting on Health (Mental Health and Cancer)



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## **Stronger NSW swimming pool laws announced**

All backyard swimming pools in NSW will be required to have a four-sided barrier, regardless of the size or the location of the property they are on, under a revamp of the State's swimming pool laws, Minister for Local Government Barbara Perry announced today.

The new laws, set to be introduced to State Parliament, will remove previous automatic exemptions from four sided barriers for new pools on large (two hectare and over), small (less than 230 square metres), and waterfront properties.

"The reforms will streamline the Swimming Pools Act to ensure that the policy of four sided pool fences which isolate a pool from a house is consistently applied," Ms Perry said.

### **Other proposed changes to the Swimming Pools Act 1992 include:**

- An increase in the maximum on-the-spot fine for pool owners if their backyard pool fence fails to meet safety requirements from \$220 to \$550 with the maximum court-imposed penalty increasing from \$1100 to \$5500;
- Allowing councils to urgently fix pool fencing where there is an immediate risk to public safety and the owner refuses to fix the problem;
- Mandatory investigation by councils of any complaint received about a potential breach of backyard pool safety.

The Government will also be examining ways to have pools that currently have exemptions from four sided fences, such as those built prior to 1990, to become compliant in the future.

"Limited exemptions from the requirements will still be available for those pools used by people with a disability or in circumstances where it would be impractical to install a fence," Ms Perry said.

"These changes send a clear message that a four-sided pool barrier is one of the best ways of keeping kids safe around water.

"While our current swimming pool laws significantly improved safety – we have seen an almost 50 per cent reduction in child drownings since they were introduced – we always have to be looking at what else should be done," Ms Perry said.

**The proposed new laws have been developed in consultation with the community and stakeholders. They are the biggest changes to the Swimming Pools Act since it was introduced in 1992.**

“As summer approaches, now is the time for everyone to focus on backyard pool safety,” Ms Perry said.

“These proposed changes are the result of consultation and feedback from key stakeholders including the Royal Life Saving, councils, community groups and pool owners.

“But, even the toughest laws are no substitute for effective adult supervision at all times when children are in or around water.

“Pool fences are just part of a water safety strategy. Learning CPR, familiarising your kids around water and always keeping a close eye on kids when they are in or around water are also essential.”

Under the proposed changes, it will become mandatory for NSW councils to investigate complaints about potentially faulty pool fences.

“Councils have previously followed up allegations of non-compliance at their discretion but these changes will mean each complaint is investigated,” Ms Perry said.

Councils will also be given the power to urgently fix pool fences where there is a serious and immediate risk to public safety.

The proposed changes have been welcomed by Royal Life Saving NSW chief executive officer David Macallister.

“The proposed laws are a step in the right direction for home pool owners present and future. It is important that we build upon the successes of the current Act and continue our zero tolerance for home pool drowning,” Mr Macallister said.

“It is important that Government, water safety advocates and the communities of NSW work together to reduce child drowning in backyard pools. The strengthening of the Act and a commitment to public education and further research provides a solid platform for further reductions.

“The removal of exemptions is an important aspect of the review and will ensure all future development applications for new pools are treated consistently and fairly.”