



HOME SWIMMING POOL SAFETY REFORMS

REPORT ON WHAT WE HEARD

The ACT Government has engaged with the community to receive feedback on regulatory reforms that will require all home swimming pools to have a barrier compliant with modern safety standards (within a specified transition period).

At present, pool owners must comply with the standard that applied when their pool was constructed, unless substantial changes have been made to the barrier. If substantial changes have been made, the pool owner must comply with the standard that applied at the time those changes were made.

The legislative reforms will:

- require all home swimming pool barriers to comply with modern safety standards
- require ongoing maintenance of home swimming pools and barriers with a penalty for non-compliance
- require disclosure of a pool's compliance status when the property is sold or leased
- establish a compliance framework to support the enforcement of the above.

The reforms will apply to all ACT home swimming pools and spa pools that are capable of containing water to a depth greater than 30cm. Home swimming pools means pools associated with a residential building such as a house, unit, townhouse or block of apartments. Some exemptions will be available in specified circumstances.

THE CONVERSATION

We conducted a 6-week community and industry engagement process from 1 February to 15 March 2023, where the community was able to have their say on the regulatory reforms for home swimming pools.

We asked the community and industry to provide feedback on the reforms by completing an online survey through the ACT YourSay Conversations page. The survey asked for feedback on specific aspects of the reforms, including transition timeframes, exemptions, financial assistance and compliance framework.

We spoke to the community face-to-face at the annual 'A Day at the Lake' water safety event run by the Royal Life Saving Society ACT on 12 February 2023. We also spoke to industry stakeholders through various briefing sessions and one-on-one discussions.



WHO WE ENGAGED

The consultation was aimed at members of the ACT community, in particular pool owners, and key industry representatives. We reached these groups through a variety of communication channels.

Written feedback was received from 362 individuals through the online survey and 3 key industry representative groups through written submissions. Of the 362 survey submissions, 299 respondents identified that they live in a property with a pool or spa. Briefing sessions and one-on-one discussions were undertaken with key industry stakeholders including the Swimming Pool & Spa Association of Australia, the Australian Institute of Buildings Surveyors, the Royal Life Saving Society of Australia, Master Builders Association, Housing Industry Association, Property Council of Australia and Real Estate Institute of the ACT.



KEY INSIGHTS FROM THE COMMUNITY AND STAKEHOLDERS

All feedback received through the survey responses and written submissions has been individually analysed.

Key insights from the community and stakeholders

Transition period

1. There is strong support for a transition period of 6 years to allow time for property owners to comply with the prescribed safety standard under the reforms.
2. Support also exists for a transition period of 2 years.
3. A range of additional timeframes between 2 and 6 years for a transition period were also supported.

Exemptions

4. There is strong support for the exemptions proposed by government.
5. Support also exists for additional exemptions to be included related to financial impacts or hardships.

Financial assistance scheme

6. There is support for the reforms to include a financial assistance scheme for financially vulnerable households.

Compliance certificate

7. There is support for a compliance certificate to have a validity period of 5 years.
8. Support also exists for a validity period of more than 5 years.

Timeframe to rectify issues

9. There is strong support for a prescribed statutory period of 6 months to rectify issues resulting in non-compliance, before a non-compliance certificate is lodged.
10. Support also exists for a prescribed statutory period of 3 months.
11. Support also exists for a prescribed statutory period of more than 6 months.

Consequences for non-compliance

12. There is strong support for non-compliance to be responded to with an order to rectify and a grace period to do so.
13. Support also exists for a financial penalty for non-compliance.

Inspections

14. There is moderate support for pool barriers to be inspected by qualified inspectors to ensure compliance with the ongoing obligations to maintain pool barriers and keep pool gates closed to prevent access.
15. Of those who support inspections, there is strong support for an inspection frequency of 5 years.
16. Some support exists for an inspection frequency of 3 years.

Additional feedback

17. There is strong support for these reforms to be accompanied by more education and funding for children and adult swimming lessons.



WHAT'S NEXT?

We are using your feedback to inform the final design of the home swimming pool safety reforms.

The reforms are anticipated to be implemented in late 2023 or early 2024. However, a transition period will be provided to allow time for property owners to comply with the prescribed safety standard, and to support the community and industry to meet the new requirements. The transition period is being determined based on feedback from this public consultation.

You can register to receive project updates by emailing: EPSDDComms@act.gov.au

To find out more about the home swimming pool safety reforms and other initiatives, policies and projects in Canberra visit www.yoursay.act.gov.au or follow us on EPSDD and ACT Government social media channels and websites.

Key Timings

Development of draft reforms – 2022

Community and industry consultation for reforms – 1 February - 15 March 2023

Finalisation of reforms based on community and industry feedback – April 2023 onwards

Legislation introduced in the Legislative Assembly – Mid / late 2023

Implementation of reforms including transitional arrangements – Late 2023 / early 2024

THANK YOU FOR YOUR FEEDBACK

4,353

We reached 4,353 people via YourSay

42

We spoke to 42 people at the 'A Day at a Lake' water safety event

21

We delivered a presentation to 21 ACT certifiers

7

We had discussions with 7 key industry representative groups

85,120

We reached 85,120 people through our social media campaign

365

We received 365 pieces of written feedback