



Speech by

CHRISTINE SMITH

MEMBER FOR BURLEIGH

Hansard 11 September 2003

BUILDING AMENDMENT BILL

Mrs SMITH (Burleigh—ALP) (2.50 p.m.): The changes proposed in the Building Amendment Bill 2003 will go a long way to improving swimming pool safety and reducing the number of toddler drownings. Today I would like to talk about the practical safety measures that the Beattie government will be introducing to save young lives in this state. To me, most importantly, the bill will restrict the ability of local councils to grant a fencing exemption to the pool standards.

Limiting the granting of exemptions by local governments to only those situations where an occupant has a disability will undoubtedly upset some prospective pool owners. This is because some people believe a pool fence reduces the aesthetics of a pool. I make no apology for this government's No. 1 priority being child and toddler safety. I have seen plenty of pretty smart-looking pool fences on the Gold Coast. Anyone who thinks you cannot have a top-looking pool that is safely fenced needs to come and see mine.

I understand that since 1991 some 7,200 exemptions have been granted. Some local councils do not even keep a record of the exemptions they have granted. I am advised that of the 7,200 exemptions offered around 5,000 were offered by the Gold Coast City Council. Many of the exemptions allowed direct access from the house to the pool via a self-closing, self-latching door. This is despite a finding that 22 per cent of deaths are attributed to defective house doors which open directly onto the pool.

I strongly support restricting the ability of local governments to grant pool fencing exemptions. Under these requirements set down by the Beattie government, exemptions can only be granted in those cases where it is absolutely necessary, for example where the pool owner has a disability. After all, what is more important: a child's life or a pool's aesthetics? Once the need for the exemption no longer exists, such as if the person with a disability no longer occupies the land, the pool fence will have to be converted back to one that complies with the standard.

The bill will also amend the current definition of 'indoor swimming pool' to require a pool on a building to have a complying pool fence. This provision will not apply to existing swimming pools on buildings, but it will apply to pools built after the commencement of the bill. Currently a pool on a deck attached to a house or a pool on a roof of a building meets the definition of a pool on a building and therefore is not covered by the current law. This is an anomaly and is used by some owners to bypass the legislation. It does not provide a safe environment for young children. The bill will redefine the term 'indoor swimming pool' to include only swimming pools that are completely enclosed by the walls of the building. The level of safety for young children will be improved by the provision of compliance fencing for pools on a building.

The bill will also insert a new provision into the Building Act requiring the owner of a new residential swimming pool to have a sign installed prominently near the pool that details procedures to enable CPR to be undertaken. These changes will significantly improve swimming pool safety, and I strongly support the bill.