



Department of Environment,  
Land, Water & Planning

8 Nicholson Street  
East Melbourne, Victoria 3002  
PO Box 500  
East Melbourne, Victoria 8002  
www.delwp.vic.gov.au

Ms Emma Lindsey  
Coroner's Registrar  
Coroners Court of Victoria  
65 Kavanagh Street  
SOUTHBANK VIC 3006



Ref: MIN030378



Dear Ms Lindsey

**INVESTIGATION INTO THE DEATH OF [REDACTED]  
COURT REF: COR 2015 004688**

Thank you for your letter dated 1 May 2017 to the Hon Richard Wynne MP, Minister for Planning relating to the investigation into the death of [REDACTED] and to the following recommendations of Coroner Audrey Jamieson:

1. With the aim of improving Victoria's pool safety regulation framework and preventing like deaths I recommend that during the review of the Building Regulations 2006, the Minister for Planning consider adopting elements of the framework enacted in Queensland, including but not limited to, requiring that a pool safety certificate be obtained prior to a property with a pool being sold or leased.
2. With the aim of improving Victoria's pool safety regulation framework and rigorously monitoring compliance, I recommend that, as anticipated in the recommendations made by Deputy State Coroner Iain West in the finding following the Inquest into the death of Lauren Kayley Harris dated 14 October 2014, the Minister for planning consider the creation of a state-wide pool register.

As this matter is in my area of responsibility, the Minister has asked that I respond on his behalf.

In relation to the recommendations, I advise that they are under consideration.

As required by the Subordinate Legislation Act 1994, the Building Regulations are currently the subject of a Regulatory Information Statement (RIS). Public consultation is now underway on proposals for the new Building Regulations. The public consultation will run until 5pm 18 July 2017. A copy of the RIS can be accessed at <https://engage.vic.gov.au/buildingregulationsreview>

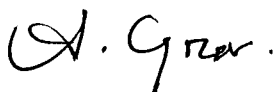
Submissions may be received in relation to a range of issues relevant to Victoria's pool safety framework, including pool safety certificates and a state-wide register. However advice is that a mandatory state-wide pool register would likely require legislative change.

The totality of the new regulations will be finally decided upon after the RIS consultation process has concluded, the submissions have been evaluated and the Minister has been briefed and has decided on the preferred regulation. It is anticipated that new regulations will be made in the first half of 2018.

Apart from the outcome of the review of the building regulations the Minister asked the department to investigate best practice legislative options for pool safety. This will include consideration of the Queensland and Western Australian frameworks, as well as reforms that have been proposed by the Victorian Municipal Building Surveyors Group. This will include consideration of a mandatory state-wide pool register and the requirement that a pool safety certificate be obtained prior to a property with a pool being sold or leased.

The department estimates that 6-9 months will be required to complete this work.

Yours sincerely



**Andrew Gear**  
Executive Director  
Planning, Building and Heritage

13 / 7 / 2017