



Minister for Planning

Our Ref: BMIN016438
File: 12/004632-04

Ms Kate Doherty
Coroner's Registrar
Coroner's Court of Victoria
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MELBOURNE VIC 3000



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Dear Ms Doherty

Thank you for your letter dated 24 August 2012 and the Coroner's 'Finding into Death without Inquest' relating to the tragic death of Jacob Ovadia Ben Zur.

I have noted the Coroner's recommendation two on page ten of the decision, that the Building Commissioner and I "*consider the contributing circumstances of this death, and determine whether amendments should be made to the existing swimming pool barrier requirements to reduce the risk of previously acceptable barrier configurations, particularly those which utilise self-closing doors, when properties are sold, or offered for lease.*"

I have also noted the Coroner's recommendation that "*Consumer Affairs Victoria seeks to amend its tenancy forms and publications available to tenants and landlords to include information about pool barrier fencing. Furthermore, landlords and their agents should be encouraged when making available properties to rent to families with young children, to strongly consider complying with the latest Australian Standard relating to pool fencing.*"

I have written to the Building Commissioner, Mr. Michael Kefford, drawing his attention to the Coroner's recommendation two and requesting that the Building Commission consider this recommendation and liaise with Consumer Affairs Victoria.

I have drawn the Building Commissioner's attention to the requirements of s.72 of the *Coroners Act 2008* for a public statutory authority or entity which receives recommendations made by the Coroner to provide a written response in accordance with the requirements of s.72.

If you have any further queries in relation to this matter please contact Mr Darren Smith, Manager Policy & Strategy of the Department of Planning and Community Development on (03) 9223 1820.

Yours sincerely


MATTHEW GUY MLC
Minister for Planning

28.11.12

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