
PRACTICE NOTE No. 15

Water Safety

Updated July 2012



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Division of Local Government, Department of Premier and Cabinet

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ACCESS TO SERVICES

The Division of Local Government, Department of Premier and Cabinet, located at:

Levels 1 & 2

5 O’Keefe Avenue
NOWRA NSW 2541

Locked Bag 3015
NOWRA NSW 2541

Phone 02 4428 4100

Fax 02 4428 4199

TTY 02 4428 4209

Level 9, 323 Castlereagh Street
SYDNEY NSW 2000

Locked Bag A5045
SYDNEY SOUTH NSW 1235

Phone 02 9289 4000

Fax 02 9289 4099

Email dlg@dlg.nsw.gov.au

Website www.dlg.nsw.gov.au

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1 Introduction

1.1 Purpose and scope

This is a guide to assist councils in NSW to carry out their water safety functions and responsibilities in public places, primarily:

- ➔ in public swimming pools; and
- ➔ on beaches.

It is also relevant for other waterways under council control that are used by the public including:

- ➔ public swimming enclosures such as rock pools and sea baths; and
- ➔ rivers, estuaries and lakes.

A council's water safety functions may include providing public swimming facilities, beach patrols, lifesaving services, water safety education and regulatory activities.

The Practice Note does not represent a minimum set of standards that all councils must apply. Rather, it is a guide to assist individual councils to develop, implement and document appropriate processes to minimise the risk of death or injury at aquatic locations under council care and control.

It should be noted that the Practice Note is not relevant to councils' role in ensuring private (including 'backyard') pools are surrounded by a compliant child-resistant barrier. While briefly outlined in *Section 9 Other aquatic locations and activities*, this role is provided for separately under the *Swimming Pools Act 1992* and *Swimming Pools Regulation 2008*¹.

It should also be noted that the Practice Note is not a comprehensive, stand-alone document. It should be used in conjunction with other relevant resources on water safety, many of which are referenced in this Practice Note.

¹ The *Swimming Pools Act 1992* (the Act) and the *Swimming Pools Regulation 2008* apply to private ('backyard') swimming pools and to moveable dwellings, hotels and motels. The Act prescribes the fencing requirements of backyard swimming pools in NSW. Some other safety requirements are prescribed, including the requirement for a CPR sign to be displayed near the pool. The Regulation prescribes the standards for swimming pool barriers. The current standard is the Australian Standard *AS1926.1-2007 Swimming Pool Safety, Part 1: Safety barriers for swimming pools*. This Standard is available for purchase through Standards Australia's publications distributor, SAI Global on phone: 131 242 or email: sales@saiglobal.com or web shop: www.infostore.saiglobal.com/store/.

1.2 Background

There are 721 beaches and over 370 public swimming pools in NSW. They are amongst the most popular places of public recreation in NSW. Many local residents and tourists enjoy the sun, sand, surf and relaxed lifestyle typical of beaches in this State. Public swimming pools provide an important venue for many forms of water sports, fitness and other recreational activities, and are enjoyed by significant numbers within the community throughout the year and particularly in summer.

However, there are inherent dangers with aquatic locations. Every year a number of people, including children, die in incidents associated with water recreation. Councils have a responsibility to ensure that adequate safeguards are in place to minimise the risks that can be associated with aquatic locations under their care and control.

In recognition of the priority placed by the NSW Government on ensuring that beaches, public swimming pools and other waterways are safe, water safety practice notes have been published since 1994 to provide guidance to councils.

1.3 About this update

Minor updates to the 2010 version of the Practice Note have been made to ensure it reflects current legislation, policy, Australian standards and relevant national vocational education and training packages, qualifications and units of competency and provides current details for organisations listed in section 11. *Further resources.*

2 What is the legislative and policy basis of a council's water safety functions?

2.1 Legislation

The *Local Government Act 1993* provides for local government in NSW and for the role of councils within their local government areas. Under the Act, councils have the power to:

- provide goods, facilities, services and carry out activities appropriate to the current and future needs of the local community and the wider public (section 24);
- manage public land (Part 2, Chapter 6). Public land is defined as land vested in or under the control of the council (with certain exclusions); and
- regulate or control various activities (Chapter 7, Chapter 16 and Chapter 17).

Councils make decisions to carry out various water safety functions using these general powers. Where a council has decided to carry out a water safety function, the council has a responsibility to ensure that it is carried out safely and effectively to minimise risks of associated injury or death.

Councils are encouraged to seek independent legal advice if they are unsure of their water safety responsibilities.

The *Marine Safety Act 1998* and the *Marine Safety (General) Regulation 2009* provide for the responsible operation of vessels in waterways to protect safety and amenity. This includes:

- the provision of licences to operate vessels and personal watercraft (PWC) on navigable waterways;
- vessel and PWC registration;
- aquatic licences for exclusive use of certain waterways or parts thereof;
- mooring licences; and
- navigation aids.

Maritime Services can provide exemptions from the legislation to members of Surf Life Saving NSW and persons employed or contracted to councils to provide lifeguard services. Councils should consult Maritime Services as to the possible impact of any action taken on navigation.

2.2 Policy

In the absence of prescribed water safety minimum standards in the Local Government Act, the Practice Note is a key document providing guidance to councils to carry out water safety functions based on a risk management approach.

The Practice Note has been prepared in the context of NSW policy on water safety. The NSW Government has supported water safety as a critical community issue for many years. In 2011 the NSW Water Safety Advisory Council was re-established with membership comprising peak water safety related agencies. The Council provides advice to the Minister for Police and Emergency Services and the Government on water safety and a strategic approach to addressing water safety issues in NSW.

The Council advises the Minister for Police and Emergency Services on the allocation of the Water Safety Black Spots Fund which is designed to assist non-government water safety agencies to meet the Commonwealth target of reducing drowning deaths. Member organisations are listed in *Section 11: Further resources*.

The Council is responsible for developing the *NSW Water Safety Strategy* which sets the strategic direction for water safety in NSW. The Strategy is under review through 2012 and will be available on the NSW Government's website: www.watersafety.nsw.gov.au. The website also provides further information on the work of the Council, its members and the Black Spots Fund. Important water safety messages and links are provided on the website as the key portal for water safety issues.

Also relevant to coastal councils is the NSW Government's *NSW Coastal Policy: a sustainable future for the NSW coast* (1997). The Coastal Policy guides sustainable management and planning within the NSW coastal zone, including the role of local councils. All NSW councils in coastal zones are required to include provisions in planning proposals that give effect to and are consistent with the Coastal Policy². The Sydney Coastal Councils Group's *Sydney Regional Coastal Management Strategy* (1998) supplements the NSW Coastal Policy by guiding coastal planning, management and conservation activities in the coastal zone between Pittwater and Sutherland local government areas³.

This Practice Note should also be read in conjunction with the following Division of Local Government guidelines:

- ➔ Planning and Reporting Guidelines for Local Government in NSW and the Planning and Reporting Manual for Local Government in NSW (January 2010)⁴;
- ➔ Tendering Guidelines for NSW Government (October 2009);
- ➔ Pricing and Costing for Council Businesses. A Guide to Competitive Neutrality (July 1997).

² The **NSW Coastal Policy** is available on the NSW Department of Planning and Infrastructure's website at www.planning.nsw.gov.au. It guides sustainable management and planning along the NSW coast, including the role of local councils. A key goal relevant to water safety is to *provide for appropriate public access and use*. The policy includes objectives to:

- *increase public access to foreshores where feasible and environmentally sustainable options are available; and*
- *ensure risks to human safety from the use of coastal resources is minimised.*

Actions for councils under these objectives are around having:

- designated areas and management plans for particular types of on-water activity,
- a coastal safety assessment for any new coastal development to indicate the level and type of lifesaving facilities and personnel required as a result of that development
- beach signs and flags are consistent with Australian standards
- appropriate and relevant safety warning signs.

A section 117 Direction under the *Environmental Planning and Assessment Act 1979* requires all coastal zone councils to include provisions in planning proposals that give effect to and are consistent with the Coastal Policy.

³ The Sydney Coastal Councils Group's **Sydney Regional Coastal Management Strategy** (1998) is available at www.sydneycostalouncils.com.au. It guides coastal planning, management and conservation between Pittwater and Sutherland local government areas. One of the Strategy's guiding principles particularly relevant to water safety is:

- *Controlled public access to the coast, including beach...areas, should be maintained for recreation, tourism and other public activities. The extent, location and type of access may need to be controlled to mitigate adverse effects of this access, to resolve incompatible uses, to conserve and maintain ecological integrity, or in the interest of public safety.*

⁴ The **Planning and Reporting Guidelines for Local Government in NSW** and the **Planning and Reporting Manual for Local Government in NSW** (both January 2010) guide the community strategic planning and reporting processes of councils. Consultation on community needs and expectations in relation to aquatic recreational services should be considered as part of these processes. The guidelines and manual are available from the Division of Local Government's website (see *Section 11: Further Resources*).

Councils should ensure that local plans and policies are consistent with NSW Government legislation and policy.

3 What are a council's water safety functions and responsibilities?

The power of a council to undertake activities at beaches, public swimming pools and other waterways under its control derives from various sections of the Local Government Act. Under the Act councils have two broad water safety functions:

- **the performance of** regulatory activities; and
- **the provision of** services.

3.1 Regulatory activities

Regulatory activities are a core function of government. They require specialist skills and training, not least because they can place those carrying out law enforcement functions at physical risk⁵. For these reasons the delegation by councils of the power to perform regulatory activities under the Local Government Act is strictly limited to authorised persons (an employee of the council authorised to deal with a particular matter or a police officer), unless expressly legislated otherwise.

Regulatory activities relevant to water safety under the Act include:

- **erecting notices** (Chapter 16 Offences). A council may erect notices controlling certain activities in public places including public pools and public beaches. The terms of the notice may relate to the doing of anything in the place or the use of the place (section 632(2)). This provides councils with broad discretion in relation to the management of the use of the place;
- **taking legal proceedings with regard to offences** (Chapter 16 Offences). This includes legal proceedings in relation to offences such as damaging, defacing or polluting public bathing place (section 631), acting contrary to notices erected by councils (section 632), bathing (including nude bathing) and other water-based recreational activities (section 633). Legal proceedings cannot be taken against children and young people who were under the age of 10 years at the time the offence was committed (section 5 of the *Children (Criminal Proceedings) Act 1987*);

⁵ In recognition of this fact the *Crimes (Sentencing Procedure) Act 1999* was amended in 2009 to enable courts to consider it an 'aggravating factor' in sentencing if the victim of a crime is a council officer undertaking enforcement duties, including in relation to water safety. Aggravating factors can result in heftier sentences for offenders.

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- **taking enforcement action** (Chapter 17 Enforcement). This includes demanding the name and address of a person who commits an offence under the Act (section 680) and removal of offenders from **community land** (section 681). Community land is specifically defined by the Act and, while it usually applies to public pools, it rarely applies to beaches. It should be noted that authorised council officers cannot remove a person from **operational land**. Enforcement action also includes confiscation of recreational equipment (section 681A). The power to confiscate water-based recreational equipment may be delegated to a member of a volunteer surf life saving club and/or an employee of an organisation providing contracted life saving services. This is the only delegation of regulatory activities relating to water safety other than to an authorised council officer or police officer provided for under the Local Government Act and is strictly limited to the terms of that delegation; and
 - **issuing penalty notices** (various sections of the Act). Penalty notices cannot be issued to children and young people who were under the age of 10 years at the time the offence was committed (section 53(2) of the *Fines Act 1996*).

While members of volunteer surf life saving clubs and employees of organisations providing contracted life saving services are not able to undertake regulatory activity (except in relation to section 681A), they may still provide evidence to authorised council officers or police in their capacity as witnesses to an alleged offence.

Further information about the powers of council to regulate activities under the Local Government Act is contained in **Appendix 1**.

Councils should also consider the need for authorised persons to have the appropriate skills and be provided with the appropriate training to carry out regulatory activities in relation to beaches, public swimming pools and other waterways under their control. It should be noted that the *Security Industry Act 1997* requires persons carrying out defined security activities (e.g. 'patrolling property') to be licensed. Implications of this legislation and options available to councils are outlined in the Local Government and Shires Associations' Local Government Weekly Circular 39/98 of 2 October 1998. Councils may contact the Associations for a copy of this Circular.

3.2 Service activities

These activities involve the provision of a service under section 24 and are therefore able to be delegated. Common service activities carried out by councils under the Act include:

- **Provision of aquatic recreation facilities** including public swimming pools and swimming enclosures such as rock pools. They may be managed directly by the council or delegated under a lease, licence or other arrangement involving the land/and or facility.

➔ **Life saving services** These services may be performed by:

- council employees. Schedule 1 of the *Industrial Relations Act 1996* deems council swimming centre managers and supervisors engaged under contract or lease with the local council to be employees. This includes individuals, husband and wife teams who have formed partnerships, and companies contracted to councils to manage or supervise the pool who employ staff to undertake a variety of tasks;
- a person or body, other than an employee of the council, such as a volunteer surf life saving club or an organisation providing contracted life saving services; or
- a combination of the above.

Councils will need to determine which mechanisms are the most appropriate to adequately carry out the life saving function in their local area. Further information on contracting out services can be obtained from the Division's guidelines on competitive tendering and costing of business activities⁶.

It is important to note that councils still retain their regulatory responsibilities when they have delegated their life saving function to a member of a volunteer surf life saving club and/or an employee of an organisation providing contracted life saving services.

➔ **Water safety signage** Councils may be involved in the placement of any signs, provided they are consistent with Australian Standard *AS/NZS 2416.1:2010 Water safety signs and beach flags – Specifications for water safety signs used in workplaces and public areas*, as amended from time to time, and the council has approved their use. This includes regulatory signs such as 'swimming prohibited' and 'surf craft prohibited' signs, as well as information signs, such as the red and yellow flags.

➔ **Water safety education** Many councils undertake water safety education as a service to their communities. Water safety education may focus on:

- pool and beach safety awareness;
- life saving skills; and
- water familiarisation/learn to swim skills.

⁶ Details on contracting out services can be obtained from the following publications: Division of Local Government, *Tendering Guidelines for NSW Government* (October 2009); and (then) Department of Local Government, *Pricing and Costing for Council Businesses. A Guide to Competitive Neutrality*, July 1997.

These documents are available from the Division of Local Government's website (see *Section 11: Further Resources*).

3.3 Service agreements

As service activities may be delegated, it is recommended that councils have formal written service agreements in place with service providers to document agreed responsibilities. For example, service agreements with surf life saving clubs generally cover the following areas:

- ➔ patrol times;
- ➔ staffing levels;
- ➔ emergency procedures;
- ➔ standards of use of equipment;
- ➔ incident and other reporting;
- ➔ indemnity;
- ➔ placing of signs;
- ➔ training and appointment of Honorary Beach Inspectors;
- ➔ funding arrangements (where applicable);
- ➔ agreed performance standards; and
- ➔ services provided by councils, for example, parking permits and meetings.

Councils should ensure that any third party entering into a contract with the council to manage an aquatic facility or provide a service, whether a private owner or a lessee of a swimming pool, considers the recommendations in this Practice Note. This includes learn to swim pools, school pools and public leased pools.

Further information on service agreements can be obtained from relevant organisations listed in *Section 11 Further resources*.

3.4 Agreements with user groups

It is also a recommended practice that councils/delegated aquatic facility managers enter into formal agreements with user groups such as schools, swimming instructors, clubs and community organisations using the facilities.

The agreement should identify key responsibilities of both the council/delegated aquatic facility manager and the hirer, for example, in relation to supervision, emergencies and first aid. This ensures that all parties are aware of their roles and reinforces appropriate stakeholder responsibilities and general behaviours.

Royal Life Saving Society of Australia's *Guidelines for Safe Pool Operation* contain a guideline on hire of facilities (General Operations, section G04) which lists information for inclusion in a user group agreement.

Councils are also strongly encouraged to erect 'Conditions of Entry' signs for aquatic recreation facilities to outline the general standard of behaviour expected of patrons.

4 What are the water safety functions and responsibilities of other stakeholders?

Water safety is not just a function or responsibility of local government. Other stakeholders with water safety functions and/or responsibilities in NSW are listed below.

4.1 NSW Government

The NSW Government provides the legislative and policy framework for water safety in NSW. It also has a regulatory role in certain areas. Agencies and their functions and responsibilities include:

- Ministry for Police and Emergency Services - oversight of water safety policy in NSW;
- Division of Local Government, Department of Premier and Cabinet – oversight of local government and private ('backyard')swimming pools legislation and policy;
- Ministry of Health – oversight of public health associated with public swimming and spa pools in NSW, including regulations and guidelines;
- Maritime Services, Roads and Maritime Services – oversight of marine safety, including boating legislation and policy; and
- Fisheries Compliance, Fisheries NSW, Department of Primary Industries, Department of Trade and Investment, Regional Infrastructure and Services – oversight of recreational fishing legislation and policy, including rock fishing.

4.2 Contractors/lessees

These include:

- companies or individuals that manage and supervise council-owned swimming pools under contract or lease (as discussed above in 3.2, the Industrial Relations Act deems swimming pool managers and supervisors engaged by a council under contract to be council employees);
- contractors providing life saving services; and
- volunteer surf life saving clubs.

Contractors and lessees must carry out their functions and responsibilities in accordance with relevant legislation, guidelines and policies as well as any contract or agreement signed with the council or other relevant body.

4.3 User groups

These include:

- ➔ schools;
- ➔ swimming and aquatic recreation organisations and instructors;
- ➔ swimming clubs; and
- ➔ community organisations.

User groups that hire aquatic recreation facilities on a casual or regular basis must also carry out their functions and responsibilities in accordance with relevant guidelines and policies, as well as any contract or agreement entered into with the council or other relevant body.

For example, schools should be guided by Department of Education and Communities' guidelines relevant to the activity⁷.

4.4 General public

These include:

- ➔ parents of young children;
- ➔ carers; and
- ➔ individuals.

Parents of young children and carers have a responsibility to provide adequate supervision of those under their care and control. Individual users of water recreation facilities also have a responsibility to behave appropriately and to adhere to policies, signage and any conditions of entry that may apply.

4.5 Water safety advocacy and service organisations

Members of the NSW Water Safety Advisory Council and other organisations carry out key water safety functions by promoting water safety, carrying out water safety education and training and, where applicable, carrying out water safety services such as life saving and rescue services. Information on the NSW Water Safety Advisory Council, including links to members' websites, can be found on the NSW Government's website, www.watersafety.nsw.gov.au.

⁷ The former NSW Department of Education and Training's *Guidelines for the Safe Conduct of Sport and Physical Activity in Schools* (1999) provides information for schools on supervision requirements, venue requirements, safety procedures and risk management for water based sports. The Department's *Water Safety Guidelines for Unstructured Activity* (2009) includes information relating to free swim days and other such activities on how to determine the aquatic proficiency of students and recommending the use of wrist bands to differentiate swimming proficiency. These documents are available from the NSW Department of Education and Communities.

5 A risk management approach to water safety

Councils should adopt a risk management or similar approach to making decisions about service provision and undertaking activities at aquatic locations under their care and control to ensure water safety.

5.1 Risk management process

The adopted approach needs to be systematic and comprehensive. It should follow a clear process that:

- ➔ **identifies the context and location** in which the water safety function will be provided (for example, ageing 25m local community swimming pool);
- ➔ **identifies factors** in relation to particular contexts (for example, community needs and resourcing may be identified through the council's community strategic planning process) and locations (for example, unmarked shallow end of pool). Common factors in relation to different locations are listed in 5.2 and 5.3 below;
- ➔ **identifies risks** associated with that factor (for example, head and spinal injury);
- ➔ **analyses and evaluates the risks** using a risk assessment matrix that documents the **likelihood** of a risk occurring and the **consequences** of it occurring (for example, a risk with a 'Very High' likelihood of occurring and having 'Major' consequences such as serious injury would require an immediate decision and action to address);
- ➔ **determines whether a service will be provided** based on an assessment of these factors and, if a service is to be provided, **the level of the service** to be provided (for example, to provide lifesaving services at a particular beach at a particular time);
- ➔ **develops and implements strategies** to address the identified risks (for example, safety signage and supervision);
- ➔ **adequately documents** the process and the basis upon which water safety decisions are made (for example, in a risk management plan); and
- ➔ **adequately monitors** the risk management plan or program concerned with water safety to ensure that the program remains appropriate and effective. Monitoring should be regular and ongoing, and the program revised, if necessary.

Many councils have adopted a risk management approach based on *ISO 31000:2009 Risk management - Principles and guidelines*. The Standard is available through SAI Global (see *Section 11 Further resources* for contact details).

Relevant risk management information may also be found in the National Health and Medical Research Council's *Guidelines for Managing Risks in Recreational Water* (2008) applying to coastal, estuarine and fresh waters and the Australian Water Safety Council's *A Guide to Water Safety Essentials for Local Government*. They are available on the Councils' websites (see *Section 11 Further resources* for details).

Councils should note that they remain responsible for the effective implementation of any risk management program regardless of whom they have delegated the life saving or other non-regulatory water safety function to. Examples of risk management factors and audit tools to reduce the number of and severity of hazards, risks and potential injuries at particular locations are listed in 5.2 and 5.3 below.

5.2 Risk management in public swimming pools and other still water environments

Factors for consideration as part of a risk management process for public swimming pools and other still water environments include:

- ➔ number of patrons;
- ➔ characteristics of patrons, for example, age and swimming ability;
- ➔ design of the facility and the impact this has on visual surveillance of patrons;
- ➔ size, shape and number of pools;
- ➔ nature and scope of activities available, such as diving towers and water slides, aqua-aerobics, and learn-to-swim classes;
- ➔ reported injuries and incidents; and
- ➔ occupational health and safety issues for employees and/or contractors.

Royal Life Saving NSW has developed an on-line Public Pool Injury Reporting System available to assist councils and other managers of commercial aquatic facilities to collect, analyse and report on data on injuries that occur at public swimming pools, including injury type, rate, location and medical treatment required. RLS NSW contact details are in *Section 11 Further resources*.

To assist determine appropriate personnel, safety equipment and signage needed at aquatic facilities to manage water safety risks, councils are encouraged to audit and categorise public swimming pools and other still water environments under their care and control in accordance with the following five categories:

Category	Definition
5	Swimming Pool: (Multi-Purpose Aquatic and Recreation Facility). This facility generally has more than one body of water and would typically have a high patronage level with multiple activities occurring at the same time, e.g. school usage, lap swimming, learn to swim, scuba diving. Pool configuration and number of pools at the facility should also be taken into consideration for the purpose of surveillance.
4	Swimming Pool: (Aquatic Centre). Facility that has one or two bodies of water with medium to low patronage levels and no more than one aquatic activity occurring at any one time, e.g. one main swimming pool and a diving or toddler pool. Pool configuration is generally a standard rectangular shape.
3	Swimming Pool: (Local Community Swimming Pool). Swimming pool that is managed by the council and/or a designated community group that has one small swimming pool (less than 25 metres in length) with very low patronage levels and no more than one aquatic activity occurring at any one time. Pool configuration would always be the standard rectangular shape.
2	Other: Any still water environment that has been specifically constructed, designed or is intended to be used for swimming, diving, paddling or wading (e.g. rock pools, dams, swimming enclosures).
1	Other: Natural still waterway that is an area known for swimming and associated activities (e.g. rivers, creeks, lakes).

Note that the above categories are a guide only. Some facilities may not easily fit into these categories. In such cases councils should determine their own categories based on factors listed in 5.2 above (for example, facility size, configuration, usage and patronage), together with an assessment of their risk.

Once a category for an aquatic facility has been determined, councils should then determine and document the standards to apply to each category in terms of qualifications and number of personnel, equipment and signage.

In accordance with sound risk management practices, it is important that councils keep records of the process of determining why a facility was included in a particular category. The determined categories and standards that apply should be consistently maintained. They should be reviewed as part of a council's formal risk management review process.

To assist with this process, **Appendix 2** provides a detailed framework for councils on recommended minimum standards for personnel, safety equipment and signage based on the five categories above. **The framework in Appendix 2 is also a guide only.** It should be used and adapted as necessary by each council to suit local facilities and needs.

Councils may also seek guidance on an appropriate review timeframes and processes from relevant organisations listed in *Section 11 Further resources*.

5.3 Risk management at beaches and other waterways

Factors for consideration as part of a risk management process for beaches and other waterways include:

- ➔ number of users;
- ➔ characteristics of users, for example, age and swimming ability;
- ➔ nature of activities undertaken, for example, high risk activities, such as rock fishing⁸;
- ➔ seasonality, including holiday periods which may occur outside normal patrolled times;
- ➔ wave, tidal and weather patterns;
- ➔ location and access, for example, proximity to emergency services such as ambulance;
- ➔ geographic layout and the impact this has on visual surveillance of users;
- ➔ number and size of patrolled and unpatrolled areas;
- ➔ characteristics of beaches, such as rips, surf conditions, location of rocks, shark sightings and other hazards;
- ➔ condition of swimming enclosure barriers, including shark netting⁹;
- ➔ lifesaver/lifeguard capabilities including qualifications and experience;
- ➔ occupational health and safety issues for employees and/or contractors; and
- ➔ type and condition of equipment available.

⁸ Rock fishing is considered one of the most dangerous pastimes in Australia See *Section 8 Other safety considerations* for further information about rock fishing safety initiatives and contact organisations.

⁹ In relation to swimming enclosure barriers and shark netting, Fisheries Compliance, Fisheries NSW, Department of Primary Industries, recommends:

- Regular maintenance of swimming enclosures to ensure any netting is securely anchored and regularly checked for holes
- Inspection of facilities and necessary repairs at least three times a year – start of swimming season (September), mid season (December) and end of season (April). Additional checks as required based on principles of risk management (see *Section 8*)
- Forming links with local community groups (e.g. dive groups) to report maintenance issues.

To assist determine appropriate personnel, safety equipment and signage needed at beaches to manage water safety risks, coastal councils are strongly encouraged to audit and categorise beaches in their local government area. GPS data, maps, photographs, inspections, weather and surf condition reports, patrol reports and other data may be used to categorise beaches into types based on the risk factors identified above. The Practice Note does not advocate a particular beach audit or categorisation tool as there are a number in existence. Councils should use the one that best suits their local needs and circumstances. Some examples are listed below.

The Australian Beach Safety & Management Program, supported by the NSW Government and developed by the University of Sydney in partnership with Surf Life Saving Australia, is a comprehensive research project that has examined the nature, facilities, conditions, usage and public risks associated with all beaches in Australia. It has produced publications and resources that allocate a safety rating for each beach in NSW ranging from a low rating of 1 (least hazardous) to a high rating of 10 (extremely hazardous) based on a combination of factors.¹⁰

The Australian Professional Ocean Lifeguard Association has developed the *Beach Water Risk Assessment Checklist for Seaside Councils and National Parks* (2003 Revision).¹¹ This assessment tool provides councils with key information for each beach water location from which risk management service needs and requirements, including signage, can be determined.

Surf Life Saving Australia has developed an Aquatic Risk and Safety Audit.¹² The Audit provides a risk assessment of the coastal and aquatic environment with recommendations on beach access, signage and safety services.

Some councils have developed their own audit tools.¹³

¹⁰ The program has produced the publication *Beaches of the New South Wales Coast. A guide to their nature, characteristics, surf and safety* (Short. A., Sydney University Press, 2007). To complement this, a computer disk to enable local councils determine the level of staffing and the equipment and signage appropriate for beaches is also available from Surf Life Saving Australia.

¹¹ The APOLA Beach *Water Risk Assessment Checklist for Seaside Councils and National Parks* is divided into three parts:

- Part A provides for a comprehensive initial audit of a beach water location.
- Part B provides for an ongoing comprehensive audit of a beach water location over a period of one month. Daily information recorded provides a clear picture of typical weather, beach, surf, usage and incident patterns for a particular month.
- Part C provides for an ongoing daily comprehensive audit of a beach water location over a longer period such as a seven month swimming season, and typically for metropolitan locations, 365 days each year. It provides an opportunity to develop a full picture of typical weather, beach, surf, usage and incident patterns for particular times throughout the year.

¹² The Aquatic Risk and Safety Audit tool has been developed to identify and reduce hazards in an aquatic environment. Further information on the tool can be obtained from Surf Life Saving Australia (see Section 11 Further Resources for contact details). Australian Professional Ocean Lifeguard Association has also produced relevant publications that are available to councils.

¹³ Computerised Risk Management Programs - Wollongong City Council has developed a comprehensive risk management system called Corporate Asset Protection System (CAPS), which is used to assist the council in carrying out its water safety functions.

For advice on beach safety auditing tools and risk rating of beaches, councils should contact the Australian Professional Ocean Lifeguard Association, Surf Lifesaving Australia or the Australian Lifeguard Services. Contact details are in *Section 11 Further resources*.

Additional information and resources relating to risk management are included in *Section 11 Further resources*.

6 Training of water safety personnel

Where a council provides a life saving service, regardless of whether the service is delegated, it is the council's responsibility to ensure that the personnel have the life saving skills and qualifications necessary to adequately address the risks associated with the public pool, beach or other known still water swimming location under council's control (see *Section 5 A risk management approach to water safety*).

The Practice Note sets out recommended **minimum** standards for the qualifications of water safety personnel based on nationally accredited, competency-based, Vocational Education and Training packages, as revised from time to time.

This does not preclude councils from adopting higher standards if these are considered necessary or appropriate. Indeed, because of the characteristics of their public swimming pools, beaches and/or other still water environments, many councils have adopted higher standards, such as requiring personnel to undertake ongoing practical industry placement and more frequent assessment, registration and re-assessment.

In accordance with a risk management approach, councils should be committed to the ongoing training of water safety personnel to ensure that qualifications remain current. Councils should also ensure that personnel are provided with frequent opportunities to practise emergency management, physical fitness and other skills.

Personnel should update their certificates, through participation in re-accreditation or professional development programs, in accordance with industry recommendations.

For further information about the recommended minimum and higher standards of water safety training, councils should contact one of the relevant organisations identified in *Section 11 Further resources*.

Separate standards are set out below for public swimming pools and other still water environments as well as for beaches. This is because staff in these different aquatic locations require somewhat different qualifications.

Councils should take reasonable steps to ensure that any person participating in an aquatic activity in a council facility is supervised by a qualified person (e.g. pool lifeguard) or accompanied by a responsible adult at all times as a minimum.

Due to the unpredictability and ever-changing nature of aquatic environments, it is also important that councils encourage patrons to never swim or undertake an aquatic activity alone.

Councils should ensure that, if multiple activities occur at the same time at any aquatic location (e.g. school usage, lap swimming, scuba diving), the person responsible for supervising each activity has the qualifications appropriate for that activity.

6.1 Qualifications for public swimming pools and still water environments

The minimum standards for still water environments are based on nationally accredited vocational competencies for the sport, fitness and recreation sectors, including competencies for the **SIS30110 Certificate III in Aquatics** and the **SIS40110 Certificate IV in Community Recreation**.

Managers/operators, supervisory personnel and pool attendants/lifeguards

Appendix 2 comprises a framework that includes a detailed description of the role and functions of the facility manager/operator, supervisors and pool attendants/lifeguards, together with recommended minimum training qualifications at each level.

Appendix 3 provides a list of recommended competencies for personnel with different levels of qualification working in swimming pools.

Appendix 3 may be amended from time to time to reflect updates to the nationally accredited training packages. Councils will be advised of any changes.

Coaching and instructional staff

Personnel providing instruction in specific aquatic activities should hold an appropriate and approved qualification. This recommendation should apply to venues coordinating the following activities or for groups hiring the facility to undertake the identified activities.

Swimming and water safety instruction (learn-to-swim teaching staff):

A critical factor affecting water safety is the swimming and water safety skills of patrons. It is important that personnel teaching learn-to-swim programs are appropriately trained. A council should consider the following recommended **minimum** standards for learn-to-swim and other instructional staff:

General:

- The community recreation skill set for swimming and water safety teacher listed in the national Vocational Education and Training package *SIS10 Sport, Fitness and Recreation Training Package*.
- To view the skill set, go to **Appendix 3**.
- To find registered training organisations, go to www.training.gov.au.

Specialist areas:

- ➔ For swimming and water safety teachers wishing to teach infants, additional relevant competencies listed in national Vocational Education and Training package *SIS10 Sport, Fitness and Recreation Training Package*.
- ➔ To view the additional competencies, go to **Appendix 3**.
- ➔ To find registered training organisations, go to www.training.gov.au.
- ➔ For swimming and water safety teachers wishing to teach people with disabilities, additional relevant competencies listed in the national Vocational Education and Training package *SIS10 Sport, Fitness and Recreation Training Package*.
- ➔ To view the additional competencies, go to **Appendix 3**.
- ➔ To find Registered Training Organisations, go to www.training.gov.au.

Competitive swimming coaching:

- ➔ Australian Swimming Coaching Qualification, or the equivalent industry qualification.

Platform and springboard diving:

- ➔ Australian Diving Association Qualification, or the equivalent industry qualifications.

SCUBA diving:

- ➔ Dive instructor qualification from a recreational scuba training organisation, or the equivalent industry qualification.

Aqua-exercise:

- ➔ Australian Fitness Association Council Aqua Exercise Leaders Certificate, or the equivalent industry qualification.

Hydrotherapy:

- ➔ Hydrotherapy Aquatic Safety Certificate, or the equivalent industry qualification.

Still water lifesaving instruction:

- ➔ Royal Life Saving Society Australia Bronze Examiner Accreditation, or the equivalent industry qualification.

Waterpolo:

- ➔ Australian Waterpolo Association Coaching Qualification, or the equivalent industry qualification.

Other activities:

- any other aquatic activity where a relevant coaching qualification is recommended by the industry peak body.

6.2 Qualifications for beaches

The minimum standards for beach environments are based on nationally accredited vocational competencies for the public safety industry, including competencies for **PUA21010 Certificate II in Public Safety (Aquatic Rescue)** and **PUA31310 Certificate III in Public Safety (Aquatic Search and Rescue)**.

In determining the appropriate standard of training for those who perform the life saving function on beaches, councils will need to take into account the following:

- the number of council employed or contracted lifeguards on duty at any one time. Further information about this is provided in *Section 7 Number of trained water safety personnel*; and
- whether or not a volunteer surf life saving club is on duty. Because of their voluntary membership, it cannot be expected that all members of a club have the same standards of training. However, the council should ensure that the club can provide an appropriate number of personnel on duty who have the minimum standards of training set out below.

A council should consider as a recommended **minimum** standard of training the following:

Where the life saving function is carried out by a council employed lifeguard or contracted lifeguard.

The achievement of an award that includes the competencies listed in **Appendix 4** under *Council employed lifeguard or contracted lifeguard* or the PUA31310 Certificate III in Public Safety (Aquatic Search and Rescue)¹⁴ from or on behalf of a registered training organisation by qualified personnel. Some competencies for the Certificate III in Public Safety (Aquatic Search and Rescue) are listed in **Appendix 4** under *Volunteer surf life saving club*.

Appendix 4 may be amended from time to time, independent of a Practice Note review, to reflect updates to the nationally accredited training packages. Councils will be advised of any changes.

¹⁴ The Certificate III in Public Safety (Aquatic Search and Rescue) was developed by the Public Safety Industry Training Advisory Board. This nationally recognised qualification provides comprehensive, industry recognised training for aquatic rescue personnel involved in life saving. Details are available on the national database for the Vocational Education and Training sector at: www.training.gov.au (see *Section 11 Further Resources* for contact details).

Where the life saving function is carried out by a volunteer surf life saving club

A current Surf Life Saving Australia Bronze Medallion and PUA21010 Certificate II in Public Safety (Aquatic Rescue), along with an appropriate certificate/qualification relating to rescue equipment under the council's care and control from or on behalf of a registered training organisation.

Regardless of who carries out the life saving function

- ➔ a current first aid certificate from or on behalf of a registered training organisation with an aquatic focus and in accordance with WorkCover NSW standards, or the equivalent industry qualification;
- ➔ a current advanced resuscitation certificate, which includes the use of oxygen, from a registered training organisation whose programs accord with the guidelines of the Australian Resuscitation Council and WorkCover NSW, or the equivalent industry qualification.

The certificate/qualification should specify the type of equipment the holder has been trained on. Councils should ensure that water safety personnel are trained to use the particular oxygen equipment provided for use at the location.

Qualifications for coaching and instructional staff

Personnel providing instruction in specific aquatic activities at beaches should hold an appropriate and approved qualification. This applies to beaches and aquatic reserves, including lagoons and other open waters. Persons engaged in surf safety, learn-to-surf and other instructional activities involving craft used in the surf environment should hold an appropriate recognised qualification.

7 Number of trained water safety personnel

The number of trained personnel that need to be on duty to adequately deal with emergencies will depend on the circumstances of each swimming pool, beach and other waterway under the council's control.

These include those factors that need to be considered in the development of a risk management strategy or any other strategy concerned with water safety (see *Section 5 A Risk Management Approach*). Other considerations include equipment used, occupational health and safety, and child protection.

Councils should carefully consider the benefits of having more than one person on duty, particularly during an emergency situation such as a rescue or when first aid is needed. Having a minimum of two people on duty better ensures that emergency situations do not adversely impact on regular surveillance duties or put water safety personnel at risk.

Where a council has assessed that it is appropriate to have only one person on duty, the council should ensure that emergency support is available and arrangements are in place so that assistance can be immediately summoned. The support might consist of staff on standby or an appropriate emergency service.

Some guidance on supervision at public swimming pools is available to councils. For example, Royal Life Saving Australia's *Guidelines for Safe Pool Operation* has information about bather supervision, including a recommended minimum number of two lifeguards on duty and a recommended minimum ratio of 1 lifeguard for up to 100 people in the water (1:100). However, the guidelines caution that a risk assessment should be completed prior to establishing lifeguard ratios.

A lower ratio for NSW primary students of 1:50 has more recently been recommended by the NSW Coroner (see *Section 10 Other safety considerations*). Relevant Department of Education and Communities' guidelines require an even lower overall ratio of school teacher/supervisors to students of no more than 1:20 for school activities (see *Section 11 Further resources* for contact details).

Having considered all relevant factors, if a council decides not to staff a facility or to staff it only at certain times, it should consider implementing other safety precautions. In the case of a public swimming pool, this might include the following:

- proper fencing, including appropriate signage in accordance with *AS/NZS 2416:1:2010 Water safety signs and beach safety flags – Specifications for water safety signs used in workplaces and public areas*, as amended from time to time;
- a warning notice including resuscitation instructions as prescribed under the *Swimming Pools Act 1992* prominently displayed in the vicinity of the pool. These signs are available from a number of the organisations listed in *Section 11 Further resources*;
- procedures in place to deal with emergencies, including a quick and direct means of communication to emergency services.

Councils should also consider the safety needs of the personnel providing the service (staff or contractors) when determining the number of personnel to be on duty.

Councils must also ensure that they meet their legislative responsibilities in relation to child protection when determining staffing issues. These requirements are established in the following Acts:

- The *Commission for Children and Young People Act 1998*, which requires employment screening for those employed in child-related activities and makes it an offence to employ, or keep in employment, a person who has been convicted of a serious sex offence where that employment involves direct unsupervised contact with young people under the age of 18 years;
- The *Child and Young Persons (Care and Protection) Act 1998*, which places a duty of mandatory reporting on specified groups of council employees, including those providing water safety services at swimming pools and/or beaches;

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- The *Ombudsman Act 1974*, which gives the NSW Ombudsman jurisdiction to oversee and monitor systems for preventing child abuse by employees and for handling and responding to child abuse allegations or convictions involving employees.

Councils should seek independent legal advice if they are uncertain about their responsibilities in this regard.

8 Equipment, facilities and signage

Water safety personnel need to have equipment and facilities that enable them to respond effectively to emergency situations. The type of equipment and facilities should reflect the council's risk management assessment and will depend on the circumstances of each swimming pool, beach and waterway under the council's control.

8.1 Equipment and facilities

As a **minimum**, a council should consider providing the following safety equipment and facilities at a patrolled location:

- rescue aids. In the case of beaches, this can include a rescue board or another kind of flotation device, such as a rescue tube. Main rescue aids should be clearly visible to water safety personnel and members of the public;
- a first aid kit and/or a first aid room, or other suitable area where emergency treatment can be performed. Councils are encouraged to contact the Ambulance Service of NSW, and/or other accredited first aid training organisations, for details on what a suitable first aid kit should contain;
- oxygen resuscitation equipment sufficient to enable bag-mask oxygen resuscitation to be undertaken;
- water safety signs that are consistent with Australian Standard *AS/NZS 2416:1:2010 Water safety signs and beach safety flags – Specifications for water safety signs used in workplaces and public areas*, as amended from time to time. The Standard is available through Standards Australia (see *Section 11 Further resources* for contact details);
- a device to warn the public about potential danger. This can include a whistle and/or a loudspeaker/PA system; and
- a quick and direct means of communication between water safety personnel and emergency services. This can include a telephone.

For public swimming pools and other still waterways, **Appendix 2** provides more detailed guidance on the recommended minimum standards of safety equipment and facilities for each aquatic facility category.

Any equipment or facilities should:

- ➔ comply with the requirements of the NSW *Work Health and Safety Act 2011*;
- ➔ comply with any relevant standards produced by Standards Australia;
- ➔ be readily accessible to trained water safety personnel;
- ➔ be of a design that water safety personnel have been trained to use; and
- ➔ be stored, maintained and operated in accordance with any manufacturer's instructions and any relevant occupational health and safety requirements.

Water safety personnel, such as lifeguards and lifesavers on duty, should be readily identifiable at a distance and distinguishable from other beach/pool users.

A number of the organisations listed in *Section 11 Further resources* can provide councils with further information and guidance about water safety equipment and facilities.

8.2 Signage

Signage is an essential tool for councils to perform their water safety functions.

Under clause 411 of the Local Government (General) Regulation 2005 councils are required to ensure that all signage used by a council to control bathing and other related recreational activities complies with *AS/NZS 2416:1:2010 Water safety signs and beach safety flags – Specifications for water safety signs used in workplaces and public areas*, as amended from time to time.

The third version of the best practice manual, *Signs as Remote Supervision* (2007)¹⁵, has been produced for Statewide Mutual in response to audits undertaken of member councils of the Statewide Mutual Liability Scheme that highlighted claims in relation to issues with signage. The manual outlines a risk management process for councils to use to select the most appropriate type, number and location of information signs for their beaches, public swimming pools, other waterways and public reserves. The manual also provides information about relevant legal decisions regarding public liability. Councils are encouraged to use the manual.

Public swimming pools and other still waterways

For public swimming pools and other still waterways, Appendix 2 provides more detailed guidance on the recommended minimum standards of signage for each aquatic facility category.

¹⁵ The latest version of the best practice manual, *Signs as remote supervision* (2007), was developed by Echelon Australia for Statewide Mutual and is available to member councils on the internet at www.statewide.nsw.gov.au.

Councils are also encouraged to use Royal Life Saving Australia's *Guidelines for Safe Pool Operation* which has information about water safety signs at public swimming pools (see Section 11 Further resources for contact details).

Beaches

Councils may incur liability if they fail to warn the public of the risks of swimming at beaches under their care and control, or if they encourage people to swim where they otherwise might not. This liability is governed by the common law of negligence, as modified by the *Civil Liability Act 2002*. The Act provides certain protections to those who may incur such liabilities.

To minimise risk and therefore liability, councils should ensure that all swimmers are adequately and reasonably warned about swimming risks.

Warnings can be given orally or in writing provided they are likely to warn people of the general nature of a particular risk. Warnings should be clear, comprehensible and close to where people swim.

Councils should keep in mind that the audience for warnings includes children, tourists, people with a disability, people unfamiliar with the beach and people with lower than average skills, perception or judgment. For this reason it is preferable for warnings to be given by way of an easily understandable pictogram.

To further minimise liability, it is recommended that any statements on the relative safety of swimming between the flags should not use words such as 'safe', 'safer' or 'safest', or any similar form of words either on signs or in educational materials, including brochures and websites. Signs or educational material advising swimmers to 'exercise caution', 'swim between the flags' or that the area between the flags is patrolled are recommended instead.

9 Other aquatic locations and activities

9.1 Private or 'backyard' swimming pools

While this Practice Note focuses on the water safety functions of councils in public aquatic locations, it is relevant to note that councils play a crucial role in ensuring water safety in private or 'backyard' swimming pools in NSW.

Under the *Swimming Pools Act 1992* and *Swimming Pools Regulation 2008* councils have a regulatory role in ensuring private swimming pools are surrounded by a child-resistant barrier that complies with the Australian Standard *AS1926.1-2007 Swimming Pool Safety, Part 1: Safety barriers for swimming pools*, as amended from time to time.

Councils have general duties under section 5 of the *Swimming Pools Act 1992* to:

- ➔ take appropriate steps to ensure that they are notified of the existence of all pools in their areas to which the Act applies;
- ➔ promote awareness within their areas of the Act's requirements; and

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- ➔ investigate complaints about breaches of the Act when required to do so.

Further information about the role of councils under the swimming pools legislation is available in the 'Directory of Policy Advice for Councils' on the Division of Local Government's website at www.dlg.nsw.gov.au. The website also has information and resources targeted at the general public under the topic 'Backyard Swimming Pools', including the brochure *Swimming Pool Laws*, which has been updated to reflect recent amendments to the Act. It also includes a *Home Swimming Pool Safety Checklist*.

Royal Life Saving Australia has resources relevant to 'backyard' private swimming pools on its Home Pool Safety webpage at www.homepoolsafety.com.au. It additionally has a suite of *Guidelines for Water Safety* for:

- ➔ Body Corporate Pools (e.g. residential units and retirement villages);
- ➔ Hotels, Motels, Camping and Caravan Grounds;
- ➔ Commercial Learn to Swim and School Pools; and
- ➔ Urban Water Development (e.g. features such as lagoons in public spaces).

9.2 Dams and weirs

Recent drowning deaths in dams on private property have highlighted the importance of educating the community about the risks dams and weirs can pose, particularly to young children.

Councils in rural areas may play an important role in promoting awareness in their communities about the risks of dams and strategies to address these risks. These strategies may include education, signage, fencing and promoting the use of 'safe play areas', or securely fenced yards adjacent to houses designed to isolate young children from dams and other hazards on rural properties.

Further information on promoting water safety around dams is available in the Australian Water Safety Council's *Guide to Water Safety Essentials for Local Government* (Feb 2008) and from Royal Life Saving Australia's factsheet on farm water safety available at www.royallifesaving.com.au.

The Australian Water Safety Council's report, *Examination of water safety in rural, remote and regional locations across Australia* (July 2005), contains research results on access to aquatic facilities and water safety programs, supervision, adoption of 'safe play areas' and other best practice measures in rural, remote and regional locations (see *Section 11 Further resources* for contact details).

9.3 Other locations

Councils may need to consider the appropriateness of measures such as signage, railings, regular maintenance and/or lighting to address safety risks associated with other locations such as jetties, boardwalks and non-standard swimming pool enclosures. Councils should follow a risk management approach to determine what is reasonable and appropriate to provide in each circumstance (see *Section 5 A risk management approach to water safety*).

A public education program SharkSmart is informing NSW residents and visitors about ways to reduce their risk of a close encounter with a shark at NSW beaches and estuaries.¹⁶

9.4 Rock fishing

Councils may need to consider strategies to address safety issues associated with rock fishing. Rock fishing is considered one of the most dangerous pastimes in Australia, with the NSW Coroner stating in 1993 ‘...rock fishing has the highest fatality rate of any sport in NSW’¹⁷.

The NSW Government has been working with the Australian National Sportfishing Association (NSW Branch) to install angel rings at known rock fishing ‘blackspots’. Angel rings are life buoys that may be installed at popular ocean rock fishing spots across NSW. Angel Rings keep the victim afloat and away from the rocks until help arrives or a rescue can be organised. For further information about rock fishing and angel rings councils should contact Fisheries Compliance, Fisheries NSW, Department of Primary Industries, Department of Trade and Investment, Regional Infrastructure and Services and the Australian National Sportfishing Association (see *Section 11 Further resources* for contact details).

10 Other safety considerations

Other aspects of water safety that councils should consider include:

10.1 Equipment and facility design, materials and maintenance

Councils should give attention to the design of equipment and facilities, the use of appropriate surface materials and have a system in place for regular maintenance of all equipment and facilitates including signs¹⁸.

¹⁶ Councils may contact Fisheries Compliance, Fisheries NSW, Department of Primary Industries, for further information about SharkSmart.

¹⁷ Councils may contact Fisheries Compliance, Fisheries NSW, Department of Primary Industries and the Australian National Sportfishing Association for further information about rockfishing including the angel ring project (see *Section 11 Further Resources*). Councils may also go to the NSW Water Safety Advisory Council’s Safewaters website for research reports and safety pamphlets in relation to rock fishing at www.safewaters.nsw.gov.au

¹⁸ Councils are encouraged to use Royal Life Saving Australia’s *Guidelines for Safe Pool Operation* in relation to the design of equipment and facilities.

10.2 Shade protection

Councils are encouraged to consider the provision of shade protection¹⁹. This includes protection for employees and contractors in accordance with councils' duty of care under the NSW Work Health and Safety Act requirements²⁰.

10.3 Emergency procedures

Councils should have clear and practised emergency procedures, including emergency signals and evacuation plans²¹.

10.4 Supervision of young children

Councils should consider the need for effective strategies to ensure adequate supervision of young children at public swimming pools²². Advice provided by the Anti-discrimination Board indicates that preventing entry to children not accompanied by an adult constitutes discrimination in access to facilities based on age under the Anti-discrimination Act. While the Act provides for exemptions, a strong case of special need would have to be established. Councils should consider implementing alternative strategies such as an entry fee structure that encourages family groups and that reflects the cost to the council of more diligent supervision of young children, and taking strong action in respect of any person who fails to comply with standards for safe behaviour at the pool.

10.5 Change rooms

Councils should consider the need for policies and practices in relation to change rooms. Different change room arrangements are described in **Appendix 5**, along with options to address the use of single sex change rooms by children of the opposite sex. The use of technology such as mobile phones, cameras and video recorders also raise issues of child protection and privacy for councils to consider.

¹⁹ Councils are encouraged to use the NSW Cancer Council publication, *Under cover. Guidelines for shade planning and design* (2003). As well as providing general information about planning, designing and constructing shade protection, the guidelines provide recommendations and considerations for shade provision at a range of specific sites including public swimming pools and beaches (see *Section 11 Further Resources* for contact details).

²⁰ The Division of Local Government's Circular 03/13 provides councils with a Best Practice Guide to Sun Protection in Local Government.

²¹ For further information about emergency planning, it is suggested that councils contact the Aquatic and Recreation Institute or Royal Life Saving Australia in the case of swimming pools; and the Australian Lifeguard Service, the Australian Professional Ocean Lifeguard Association or Surf Life Saving NSW in relation to beaches (see *Section 11 Further Resources* for contact details).

²² Royal Life Saving Australia has a *Keep Watch @ Public Pools* initiative. The initiative includes a public education program targeting parents and carers involving key supervision messages at the facility via pool signage, pool announcement systems and information cards. Pools that participate in the program sign a partnership agreement with Royal Life Saving (see *Section 11 Further Resources* for contact details).

10.6 Water quality

The Public Health (Swimming Pools) Regulation 2000 controls the public health risks associated with public swimming and spa pools in NSW.

To complement the Regulation, NSW Ministry of Health has produced *Public Swimming Pool and Spa Pool Guidelines* which specify minimum levels of chemicals and disinfectants as a health criteria for *treated* water public swimming pools and public spa pools. The guidelines also include guidance on *untreated* or natural swimming pools such as rivers, streams and water holes.

Environmental Health Officers in NSW Ministry of Health and councils also use the national *Guidelines for Managing Risks in Recreational Water* (2008, National Health and Medical Research Council) for managing health risks in natural recreational swimming environments such as lakes, dams, rivers, streams and beaches/oceans.

Further information can be found on the NSW Ministry of Health website at www.health.nsw.gov.au/PublicHealth/environment/water/water_recreational.asp or by contacting a Public Health Unit.

10.7 Coronial recommendations

Councils should consider Coronial findings and recommendations in relation to drownings in the context of exercising their water safety functions.

For example, a Coronial recommendation to the then NSW Department of Education and Training based on findings into a drowning at a public pool in 2006 was for primary school students participating in school fun days to be assessed for their swimming proficiency and assigned colour coded wrist bands identifying them as swimmers or non-swimmers. The same report further recommended to Royal Life Saving Australia that a policy be implemented for a ratio of lifeguards to primary school students during unstructured school swimming activities of 1 lifeguard to 50 students.

Councils should follow a risk management approach to determine what strategies are reasonable and appropriate to implement in each circumstance (see *Section 5 A risk management approach to water safety*).

The findings and recommendations of Coronial inquests into drownings are publicly available on the NSW Coroner's Court webpage on the NSW Lawlink website at www.coroners.lawlink.nsw.gov.au/.

11 Further resources

Contact details for organisations referred to in the Practice Note are listed below in alphabetical order. Included are their relevant areas of expertise and resources.

NSW Government agencies:

Ambulance Service of NSW

Locked Bag 105

ROZELLE NSW 2039

Phone: (02) 9320 7777

Fax: (02) 9320 7800

Email: generalenquiry@ambulance.nsw.gov.au

Web: www.ambulance.nsw.gov.au

- Provides emergency and non-emergency clinical care and health related transport services;
- For advice on the content of a first aid kit.

Division of Local Government, Department of Premier and Cabinet

Locked Bag 3015

NOWRA NSW 2541

Phone: (02) 44284100

Fax: (02) 4428 4199

Email: dlg@dlg.nsw.gov.au

Web: www.dlg.nsw.gov.au

- Provides NSW Government policy advice on local government;
- For information about the Practice Note;
- For information about private swimming pools legislation in NSW;
- For *Planning and Reporting Guidelines for Local Government in NSW* and *Planning and Reporting Manual for Local Government in NSW* (Jan 2010).

Fisheries NSW, Department of Primary Industries, Department of Trade and Investment, Regional Infrastructure and Services

PO Box 21

CRONULLA NSW 2230

Phone: 1300 550 474

Email: information-advisory@dpi.nsw.gov.au

Web: www.dpi.nsw.gov.au/fisheries

- Provides NSW Government policy advice on fish and recreational fishing;
- For advice on rock fishing;
- For advice on managing shark attack risks including maintenance of swimming enclosures and shark netting.

Maritime Services, Roads and Maritime Services, Transport for NSW

Locked Bag 5100

CAMPERDOWN NSW 1450

Phone: (02) 9563 8511

Fax: (02) 9563 8522

Email: enquiries@maritime.nsw.gov.au

Web: www.rms.nsw.gov.au

- Provides NSW Government policy advice on marine safety including boating.

Ministry for Police and Emergency Services

PO Box 6976

SILVERWATER NSW 2128

Phone: (02) 9228 5491 (water safety)

Fax: (02) 9228 3551 (water safety)

Email: Via website

Web: www.mpes.nsw.gov.au

- Lead agency for water safety in NSW.
- Chair of NSW Water Safety Advisory Council (www.watersafety.nsw.gov.au).

Ministry of Health

Locked Mail Bag 961

NORTH SYDNEY NSW 2059

Phone: (02) 9391 9000

Fax: (02) 9391 9101

Email: feedback@doh.health.nsw.gov.au

Web: www.health.nsw.gov.au

- Provides NSW Government policy advice on public health at public swimming pools and spas and information on water quality;
- For *Public Swimming Pool and Spa Pool Guidelines* (1996);

Office of the NSW State Coroner

Coroner's Court

PO Box 309

CAMPERDOWN BC 1450

Phone: (02) 8584 7777

Fax: (02) 9660 7594

Email: local_court_glebe@agd.nsw.gov.au

Web: <http://www.coroners.lawlink.nsw.gov.au/>

- For the findings and recommendations based on Coronial inquiries into drowning deaths.

School Sports Unit, Strategic Initiatives, Learning and Development, Public Schools, Department of Education and Communities

Locked Bag 1530
BANKSTOWN NSW 2200

Phone: (02) 9707 6900
Fax: (02) 9707 6999
Email: schoolsportunit@det.nsw.edu.au
Web: www.sports.det.nsw.edu.au

- For advice on water safety for schools and school groups;
- For *Guidelines for the Safe Conduct of Sport and Physical Activity in Schools* (1999) and *Water Safety Guidelines for Unstructured Activity* (2009).

Other organisations:

Aquatic and Recreation Institute

PO Box 7283
BROOKVALE NSW 2100
Phone: 0414 659 389
Email: aquaticsrecreation@gmail.com
Web : www.aquaticinstitute.com.au

- Professional association of Aquatic and Recreation practitioners;
- For advice on public swimming pools including categorisation and recommended minimum standards in relation to personnel, safety equipment and signage.

Australian Lifeguard Service

Locked Bag 1010
ROSEBERY NSW 2018
Phone: (02) 9215 8000
Fax: (02) 9215 8180
Web: www.lifeguards.com.au

- Organisation providing professional ocean beach lifeguard services;
- For advice on access to, and use of, safety auditing tools, risk rating of beaches and Lifeguard Risk Management Services.

Australian National Sportfishing Association NSW

Angel Ring Co-ordinator
PO Box 328
MATRAVILLE NSW 2036
Phone: 1800 079 009 or 0407 131 714
Email: Please see website
Web: www.ansansw.com.au

- National association for sportfishing;
- For advice on rock fishing and the angel ring program.

Australian Professional Ocean Lifeguard Association

PO Box 6700

COFFS HARBOUR PLAZA NSW 2450

Phone: (02) 6650 0366

Email: apola@apola.asn.au

Web: www.apola.asn.au

- Association for Australian professional beach inspector ocean lifeguards;
- For advice on beaches including access to and use of safety audit tools including the *Beach Water Risk Assessment Checklist for Seaside Councils and National Parks* (2003).

Australian Sports Commission

Sports Performance & Planning

Sports Development

PO Box 176

BELCONNEN ACT 2617

Phone: (02) 6214 1111

Fax: (02) 6214 1836

Web: www.ussport.gov.au

- National sports administration and advisory agency;
- For advice on why a first aid kit is important and how to use it.

Australian Water Safety Council

PO Box 558

BROADWAY NSW 2007

Phone: (02) 8217 3111

Fax: (02) 8217 3199

Email: Please see website

Web site: www.watersafety.com.au

- Consultative forum on key water safety issues;
- For the *Australian Water Safety Strategy*;
- For *Guide to Water Safety Essentials for Local Government* (Feb 2008) including information on risk management at various aquatic locations;
- For *Examination of water safety in rural, remote and regional locations across Australia* (July 2005).

Cancer Council NSW

PO Box 572

KINGS CROSS NSW 1340

Phone: (02) 9334 1900

Fax: (02) 9326 9328

Web: www.cancercouncil.com.au

- For information on shade protection including *Under cover. Guidelines for shade planning and design* (2003).

Coastal Studies Unit, School of Geosciences, University of Sydney

SYDNEY NSW 2006

Phone: 02 9036 7583

Fax: 02 9351 2442

Web: www.sydney.edu.au/science/geosciences

- Unit conducting education and research on coastal environments;
- For copies of *Beaches of the New South Wales Coast. A guide to their nature, characteristics, surf and safety* (Short. A., Sydney University Press, 2007).

Local Government and Shires Associations of NSW

GPO Box 7003

SYDNEY NSW 2001

Phone: (02) 9242 4000

Fax: (02) 9242 4111

Email: lgsa@lgsa.org.au

Web: www.lgsa.org.au

- Peak body for local councils in NSW;
- For specialist advice, services and advocacy for NSW councils.

National Health and Medical Research Council

GPO Box 1421

CANBERRA ACT 2601

Phone: 1300 064 672 or (02) 6217 9000

Fax: (02) 6217 9100

Email: nhmrc@nhmrc.gov.au

Web: www.nhmrc.gov.au

- National body for supporting health and medical research and for developing health advice for the Australian community;
- For *Guidelines for Managing Risks in Recreational Water* (2008) in coastal, estuarine and fresh waters.

National Register of information on Training Packages, Qualifications, Courses, Units of Competency and Registered Training Organisations

Web: www.training.gov.au

- Database on Vocational Education and Training in Australia;
- For information on training packages, qualifications, courses, units of competency and registered training organisations.

Royal Life Saving NSW

PO Box 8307

BAULKHAM HILLS BC NSW 2153

Phone: (02) 9634 3700

Fax: (02) 9634 8529

Email nsw@royalnsw.com.au

Web: www.royallifesaving.com.au

- Organisation for water safety, swimming and lifesaving education;
- For the *Guidelines for Safe Pool Operation*;
- For advice on risk management of public swimming pools;
- For advice on swimming pool safety including aquatic rescue, staffing, signage, resuscitation training, safety equipment, oxygen equipment and first aid kits and contents;
- For information and resources on private swimming pool safety.

SAI Global

Information Services

GPO Box 5420

SYDNEY NSW 2001

Phone: 131 242

Fax: 1300 65 49 49

Email: sales@saiglobal.com

Web: www.infostore.saiglobal.com/store/

- Standards publications distributor;
- For copies of the following Standards:
 - *AS/NZS ISO 31000:2009 Risk management - Principles and guidelines.*
 - *AS/NZS 2416.1:2010 Water safety signs and beach safety flags – Specifications for water safety signs used in workplaces and public areas*

St John NSW

St John House

9 Deane Street

BURWOOD NSW 2134

Freephone: 1300 360 455

Tel: (02) 9745 8888

Fax: (02) 9745 8777

Email: customer_service@stjohnnsw.com.au

Web: www.stjohnnsw.com.au

- Charitable organisation providing first aid training, services and equipment;
- For advice on first aid and resuscitation training.

Standards Australia

GPO Box 476

SYDNEY NSW 2001

Phone: 1800 035 822 or (02) 9237 6000

Fax: (02) 9237 6010

Email: mail@standards.org.au

Web: www.standards.org.au

- Organisation coordinating the development of national Standards;
- For copies of *AS/NZS 2416:1:2010 Water safety signs and beach safety flags – Specifications for water safety signs used in workplaces and public areas* contact the Standards publications distributor, **SAI Global** on phone: 131 242 or email: sales@saiglobal.com or web shop: www.infostore.saiglobal.com/store/.

Statewide Mutual

PO Box H25

AUSTRALIA SQUARE NSW 1215

Phone: (02) 8270 6000

Fax: (02) 9299 2029

Email: secretary@statewide.nsw.gov.au

Web: www.statewide.nsw.gov.au

- Insurer of most local councils in NSW;
- For advice on a range of insurance and risk related matters;
- For copies of *Information Signs as Remote Supervision*.

Surf Life Saving NSW

PO Box 307

BELROSE NSW 2085

Phone: (02) 9471 8000

Fax: (02) 9471 8001

Email: experts@surflifesaving.com.au

Web: www.surflifesaving.com.au

- Organisation for beach and aquatic environment lifesaving services;
- For advice on risk management and coastal risk assessments of beaches;
- For NSW beach database;
- For *Australian Coastal Public Safety Guidelines (2007)*.

12 Acknowledgements

The following organisations have previously provided input to formal reviews of the Practice Note. Their input is appreciated.

Members of the NSW Water Safety Council Standards Sub-committee

- Aquatic and Recreation Institute;
- Australian Professional Ocean Lifeguard Association;
- Statewide Mutual;
- Local Government and Shires Associations of NSW;
- Sport and Recreation, Office of Communities, Department of Education and Communities;
- Maritime Services, Roads and Maritime Services, Transport for NSW;
- Fisheries Compliance, Fisheries NSW, Department of Primary Industries, Department of Trade and Investment, Regional Infrastructure and Services;
- Royal Life Saving NSW;
- Surf Life Saving NSW.

Other stakeholders

- NSW local councils²³;
- Australian Lifeguard Service;
- AUSTSWIM (member of the NSW Water Safety Advisory Council);
- St John NSW.

²³ 75 NSW councils responded to a (then) Department of Local Government survey on public swimming pool safety that included a questions on the Practice Note. Councils' responses have been incorporated into this review.

Appendix 1 - Regulatory activities

The performance of regulatory activities under the *Local Government Act 1993* is strictly limited to authorised council officers and police officers, unless expressly legislated otherwise (as under section 681A). This is because regulatory activities are a core function of government that require specialist skills and training to minimise the risk of harm to authorised officers in carrying them out. Councils should take steps to ensure that authorised persons have the appropriate skills and training to perform these duties.

Below are some common water safety related regulatory activities undertaken by councils.

Power to erect and enforce notices to control activities in a public place

Under the Act a council may erect notices controlling certain activities in public places, including public beaches and public land near beaches. These activities include:

- ➔ the consumption of alcohol (s632);
- ➔ managing vehicle access (s632);
- ➔ controlling animals (s632);
- ➔ the doing of anything in the place (s632);
- ➔ the use of the place for anything (s632);
- ➔ the use of water-based recreational equipment, including surfboards, windsurfers and personal water craft (PWC) (s633), subject to the concurrent approval of the Minister for Transport, as Minister responsible for the Marine Safety Act;
- ➔ the conduct and costume of people on the beach (s633);
- ➔ using the beach for nude bathing (s633);
- ➔ the use of skateboards, roller blades and roller skates (s633A).

Failure to comply with a notice is an offence, subject to a maximum penalty of 10 penalty units (i.e. \$1100). Penalty notices cannot be issued to children and young people who were under the age of 10 at the time the offence was committed (section 53(2) of the *Fines Act 1996*).

Councils may delegate the authority to erect water safety signs (compliant with *AS/NZS 2416.1:2010 Water safety signs and beach safety flags – Specifications for water safety signs used in workplaces and public areas*) to members of water safety organisations.

Any person, including water safety personnel who are not employees of the council, may request that people comply with any notices erected by or on behalf of the council. If a person refuses that request, only an appropriately authorised council employee or the police, may take action to prosecute them. However, other water safety personnel may provide evidence in their capacity as witnesses to an alleged offence.

A council may erect notices and authorised persons may issue penalty notices to persons who fail to comply with the terms of the notice on community and operational land.

Power to remove a person from council facilities on community land

Community land is specifically defined by the Local Government Act. Most council swimming pools are situated on community land but most beaches are not.

If a person commits an offence under sections 632 or 633 of the Local Government Act on community land then section 681 of the Act allows an authorised person to remove the offender. Section 681 also provides that reasonable force may be used for the removal and that such removal does not affect the person's liability to be prosecuted for an offence.

It should be noted that if a pool is situated on operational land then an authorised person cannot remove a person under section 681 of the Act. However, as noted above, authorised persons can still issue a penalty notice for failure to comply with a council notice on operational land. Crown land must be managed in accordance with the *Crown Lands Act 1989*.

Confiscation of water-based recreational equipment

Confiscation of water-based recreational equipment is a unique situation in that this power may be exercised by a member of a surf life saving organisation who has been appropriately authorised by the council.

Under section 681A of the Local Government Act, the power to confiscate water-based recreational equipment may be exercised by:

- ➔ an employee of the council authorised by the council in writing to carry out this function; or
- ➔ a police officer; or
- ➔ a member of a surf life saving organisation who is authorised by the council in writing to carry out this function.

If water-based recreational equipment is being used in contravention of notices erected by the council under section 633 of the Act, an authorised person can give a warning that the misuse must stop. If the misuse continues the authorised person may confiscate the equipment, but may not use force to do so.

When equipment is confiscated the authorised person must give the person who had possession a receipt showing the nature of the equipment and the time and date it was taken. The receipt could also describe distinguishing features of the equipment, for example, colours, design and any existing damage. The confiscated equipment must be returned to that person or delivered to a public pound within 24 hours. If the confiscated equipment is taken to a pound the person from whom it was taken must be notified in writing of the address of the pound.

The *Impounding Act 1993* (sections 20 and 23 (2)(b) and (c) excepted) applies to confiscated equipment that is delivered to the pound. In summary:

- the equipment must be released on demand without payment of fees or charges;
- the impounding authority must be satisfied that the person who requests the equipment is the owner, is authorised to claim the equipment, or is otherwise entitled to lawful possession of the equipment;
- the person must sign a receipt for the release of the equipment; and
- the equipment may be sold by public auction or public tender if not released within 28 days.

Other offences under the Local Government Act

Other offences under the Local Government Act relating to public behaviour in public places, including beaches and public swimming pools, include:

- wilfully breaking, throwing or leaving a bottle, glass, syringe or anything likely to endanger or cause injury to any person in a public place (s630);
- damaging, defacing or polluting a public bathing place (s631);
- using loudspeakers or sound amplifying device without prior approval of the council (s68; s626). It should be noted that section 68 only applies to community land; and
- wilfully obstructing water safety personnel, duly authorised by a council, in carrying out their functions (s660).

Any person, including water safety personnel who are not employees of the council, may request that people comply with these provisions of the Act. However, if any person refuses that request, only an appropriately authorised council employee can enforce compliance. Police help may be sought if the council employee is not available.

Only authorised council employees, or the police, may take action to prosecute persons who do not comply with these provisions. However, other water safety personnel may provide evidence in their capacity as witnesses to an alleged offence.

Appendix 2 - Public swimming pool & still water facility categories - Recommended minimum standards

Category 5 Swimming Pool: (Multi-Purpose Aquatic and Recreation Facility). This facility generally has more than one body of water and would typically have a high patronage level with *multiple activities* occurring at the same time e.g. school usage, lap swimming, learn to swim, scuba diving. Pool configuration and number of pools within the facility should also be taken into consideration for the purpose of surveillance

Role/Function	Definition	Qualification	Professional Development
<u>Facility/Centre Manager/Operator Requirements</u>	<p>The owner, manager, trustee or other person or persons in charge of the aquatic facility.</p> <p>On site during operational hours or delegation of responsibilities formally given to a senior staff member holding the appropriate qualifications.</p> <p>The position of <i>Facility/Centre Manager/Operator</i> requires expertise in a range of areas such as:</p> <ul style="list-style-type: none"> • maintenance of water quality, including testing, chemical treatment, disease control • vision of emergency life saving services and/or reliable onsite communication to these services • plant operation and maintenance • management, including business operation, human resource management and public relations • awareness of the Work Health and Safety Act 2011 • risk management • safe chemical handling 	<p>1. Aquatic and other competencies providing credit towards the SIS40110 Certificate IV in Community Recreation in the SIS10 Sport, Fitness and Recreation Training Package. These competencies are appropriate for aquatic <i>management</i> level. For a list of competencies together with descriptions see Appendix 3.</p> <p>Or the equivalent industry qualifications provided by a registered training organisation.</p> <p><i>And</i></p> <p>2. Aquatic and other competencies providing credit towards the SIS30110 Certificate III in Aquatics in the SIS10 Sport, Fitness and recreation Training Package. These competencies are appropriate for aquatic <i>operations</i> level. For a list of competencies together with descriptions see Appendix 3.</p> <p>Or the equivalent industry qualifications provided by a registered training organisation.</p>	<p>Councils should be committed to the ongoing training of management staff and strongly encourage their regular participation in professional development to ensure that qualifications and skills remain current.</p> <p>This could include participation in industry specific conferences and workshops such as the ARI Conference, Country Pool Managers Conference, work health and safety workshops, Risk Management Workshops and/or emergency procedures workshops.</p> <p>It would be advantageous to hold a current membership with an industry professional body.</p>
<u>Supervisory Personnel</u>	<p>Those responsible for overseeing the day to day operations of the facility e.g. Shift or Duty Manager.</p>	<p>1. Aquatic and other competencies providing credit towards the SIS30110 Certificate III in Aquatics in the SIS10 Sport, Fitness and recreation Training Package. These competencies are appropriate for aquatic <i>supervision</i> level. For list of competencies together with descriptions see Appendix 3.</p> <p>Or the equivalent industry qualifications provided by a registered training organisation.</p> <p><i>And</i></p>	<p>Councils should be committed to the ongoing training of supervisory staff and strongly encourage their regular participation in professional development to ensure that qualifications and skills remain current.</p> <p>This could include participation in industry specific conferences and workshops such as the ARI Conference, Country Pool Managers Conference, work health and safety workshops, Risk Management Workshops and/or emergency procedures workshops.</p>

Category 5 Swimming Pool: (Multi-Purpose Aquatic and Recreation Facility). This facility generally has more than one body of water and would typically have a high patronage level with *multiple activities* occurring at the same time e.g. school usage, lap swimming, learn to swim, scuba diving. Pool configuration and number of pools within the facility should also be taken into consideration for the purpose of surveillance

		<p>2. RLSSANSW Pool Lifeguard Licence (updated annually) consisting of RLSSA Bronze Medallion, NSW Workcover approved First Aid (updated every 3 years) and RLSSA Oxygen Equipment; <i>Or</i> The equivalent in competencies from the SIS10 Sport, Fitness and Recreation Training Package, provided by a registered training organisation. For list of competencies together with descriptions see Appendix 3.</p>	<p>Councils should recognize their responsibility to encourage permanent staff at this level to gain nationally accredited industry competencies at Certificate IV AQF level.</p>
<p><u>Pool Attendant / Lifeguard</u></p>	<p>Those responsible for the supervision of patrons using the facility ensuring safety of patrons at all times in accordance with legislation, regulations and the centre's rules, policies and procedures.</p>	<p>RLSSANSW Pool Lifeguard Licence (updated annually) consisting of RLSSA Bronze Medallion, NSW Workcover approved First Aid (updated every 3 years) and RLSSA Oxygen Equipment; <i>Or</i> The equivalent in competencies from the SIS10 Sport, Fitness and Recreation Training Package, provided by a registered training organisation. For list of competencies together with descriptions see Appendix 3.</p>	<p>Councils should be committed to the ongoing training of lifeguard staff and strongly encourage their regular participation in professional development to ensure that qualifications and skills remain current.</p> <p>This could include participation in industry specific conferences and workshops such as the ARI Conference, Country Pool Managers Conference, work health and safety workshops, Risk Management Workshops and/or emergency procedures workshops.</p> <p>Councils should recognize their responsibility to encourage permanent staff at this level to gain nationally accredited industry competencies at Certificate III AQF level.</p>

Safety Equipment (including first aid and rescue)	Signage
<p>First Aid facilities</p> <p>A separate room containing all the necessary first aid equipment, fittings and supplies where emergency treatment can be performed as outlined in RLSSA Guidelines for Safe Pool Operations and that complies with Ministry of Health and Australian Standards.</p> <p>It is advisable that first aid stations be established that enable rapid treatment and are readily accessible by qualified personnel. Facilities should provide appropriate rescue equipment enabling effective response to emergency situations.</p> <p>The type of equipment will depend on the circumstances of each facility and examples would include: rescue aids, reach poles, throwing aids such as rope or flotation device (throw bags, life jackets, rescue tubes), spine boards, extraction collars and appropriate strapping systems. Reference RLSSA Guidelines for Safe Pool Operations.</p> <p>Oxygen resuscitation equipment sufficient to enable bag valve mask oxygen resuscitation including capabilities of delivering oxygen therapy and / or oxygen supplementation for EAR on adults and children. It is essential that this equipment meets Australian Standard requirements and is regularly maintained and serviced and the appropriate documentation maintained.</p> <p>The necessary communication systems to enable the appropriate warning or notification of staff and facility patrons. A quick and direct means of communication between water safety personnel and emergency services (e.g. two way radios, whistles).</p> <p>All facilities should have emergency procedure policies and plans and incident reporting procedures in line with Work Health and Safety legislation. For more information on safety equipment refer to section 8 of this Practice Note.</p>	<p>All aquatic facilities should use signage that details acceptable patron behaviour, and other safety rules. The signage should be displayed in a prominent location, and contain information that is appropriate for the nature of activities conducted at the facility. For additional information refer to the following publications and/or organisations:</p> <ul style="list-style-type: none"> • RLSSA Guidelines for Safe Pool Operations • Standards Australia for appropriate Australian Standards • “Information Signs as Remote Supervision” as developed by the Echelon Group for Statewide Mutual

Category 4 Swimming Pool: (Aquatic Centre). Facility that has one or two bodies of water with medium to low patronage levels and no more than one aquatic activity occurring at any one time e.g. one main swimming pool and a diving or toddler pool. Pool configuration is generally a standard rectangular shape.

Role/Function	Definition	Qualification	Professional Development
<u>Facility/Centre Manager/Operator Requirements</u>	A representative of the owner/ lessee having formal responsibility for the management of the facility.	Essential requirements of the representative's position as deemed necessary by the council.	<p>Councils should be committed to the ongoing training of management staff and strongly encourage their regular participation in professional development to ensure that qualifications and skills remain current.</p> <p>This could include participation in industry specific conferences and workshops such as the ARI Conference, Country Pool Managers Conference, work health and safety workshops, Risk Management Workshops and/or emergency procedures workshops.</p> <p>It would be advantageous to hold a current membership with an industry professional body.</p>
<u>Supervisory Personnel</u>	Those responsible for overseeing the day to day operations of the facility e.g. Shift or Duty Manager.	<p>1. Aquatic and other competencies providing credit towards the SIS30110 Certificate III in Aquatics in the SIS10 Sport, Fitness and recreation Training Package. These competencies are appropriate for aquatic supervision level. For list of competencies together with descriptions see Appendix 3.</p> <p><i>Or</i> the equivalent industry qualifications provided by a registered training organisation.</p> <p><i>And</i></p> <p>2. RLSSANSW Pool Lifeguard Licence (updated annually) consisting of RLSSA Bronze Medallion, NSW Workcover approved First Aid (updated every 3 years) and RLSSA Oxygen Equipment;</p> <p><i>Or</i> The equivalent in competencies from the SIS10 Sport, Fitness and Recreation Training Package, provided by a registered training organisation. For list of competencies together with descriptions see Appendix 3.</p>	<p>Councils should be committed to the ongoing training of supervisory staff and strongly encourage their regular participation in professional development to ensure that qualifications and skills remain current.</p> <p>This could include participation in industry specific conferences and workshops such as the ARI Conference, Country Pool Managers Conference, work health and safety workshops, Risk Management Workshops and/or emergency procedures workshops.</p> <p>Councils should recognize their responsibility to encourage permanent staff at this level to gain nationally accredited industry competencies at Certificate IV AQF level.</p>
<u>Pool Attendant / Lifeguard</u>	Those responsible for the supervision of patrons using the facility ensuring safety of patrons at all times in accordance with legislation, regulations and the centre's rules, policies and procedures.	<p>RLSSA NSW Pool Lifeguard Licence (updated annually) consisting of RLSSA Bronze Medallion, NSW Workcover approved First Aid (updated every 3 years) and RLSSA Oxygen Equipment;</p> <p><i>Or</i> The equivalent in competencies from the SIS10 Sport, Fitness and Recreation Training Package, provided by a registered training organisation. For list of competencies together with descriptions see Appendix 3.</p>	<p>Councils should be committed to the ongoing training of supervisory staff and strongly encourage their regular participation in professional development to ensure that qualifications and skills remain current.</p> <p>This could include participation in industry specific conferences and workshops such as the ARI Conference, Country Pool Managers Conference, work health and safety workshops, Risk Management Workshops and/or emergency procedures workshops.</p> <p>Councils should recognize their responsibility to encourage permanent staff at this level to gain nationally accredited industry competencies at Cert. III AQF level.</p>

Safety Equipment (including first aid and rescue)	Signage
<p>First Aid facilities</p> <p>A separate room containing all the necessary first aid equipment, fittings and supplies where emergency treatment can be performed as outlined in RLSSA Guidelines for Safe Pool Operations and that complies with Ministry of Health and Australian Standards.</p> <p>It is advisable that first aid stations be established that enable rapid treatment and are readily accessible by qualified personnel. Facilities should provide appropriate rescue equipment enabling effective response to emergency situations.</p> <p>The type of equipment will depend on the circumstances of each facility and examples would include: rescue aids, reach poles, throwing aids such as rope or flotation device (throw bags, life jackets, rescue tubes), spine boards, extraction collars and appropriate strapping systems. Reference RLSSA Guidelines for Safe Pool Operations.</p> <p>Oxygen resuscitation equipment sufficient to enable bag valve mask oxygen resuscitation including capabilities of delivering oxygen therapy and / or oxygen supplementation for EAR on adults and children. It is essential that this equipment meets Australian Standard requirements and is regularly maintained and serviced and the appropriate documentation maintained.</p> <p>The necessary communication systems to enable the appropriate warning or notification of staff and facility patrons. A quick and direct means of communication between water safety personnel and emergency services (e.g. two way radios, whistles).</p> <p>All facilities should have emergency procedure policies and plans and incident reporting procedures in line with Work Health and Safety legislation. For more information on safety equipment refer to section 8 of this Practice Note.</p>	<p>All aquatic facilities should use signage that details acceptable patron behaviour, and other safety rules. The signage should be displayed in a prominent location, and contains information that is appropriate for the nature of activities conducted at the facility. For additional information refer to the following publications and/or organisations:</p> <ul style="list-style-type: none"> • RLSSA Guidelines for Safe Pool Operations • Standards Australia for appropriate Australian Standards • "Information Signs as Remote Supervision" as developed by the Echelon Group for Statewide Mutual

Category 3 Swimming Pool: (Local Community Swimming Pool). Swimming pool that is managed by the council and/or a designated community group that has one small swimming pool (less than 25 metres in length) with very low patronage levels and no more than one aquatic activity occurring at any one time. Pool configuration would always be the standard rectangular shape.

Role/Function	Definition	Qualification	Professional Development
<u>Facility/Centre Manager/Operator Requirements</u>	<p>Appropriate council representative in charge of daily operations of the swimming pool e.g. representative from the engineers, environmental services, or community services department.</p> <p>Council should ensure that regular routine checking of the facility is maintained for both maintenance and swimmer safety purposes.</p>	Essential requirements of the representative's position as deemed necessary by the council.	<p>Councils should be committed to the ongoing training of management staff and strongly encourage their regular participation in professional development to ensure that qualifications and skills remain current.</p> <p>This could include participation in industry specific conferences and workshops such as the ARI Conference, Country Pool Managers Conference, OHS Workshops, Risk Management Workshops and/or emergency procedures workshops.</p> <p>It would be advantageous to hold a current membership with a professional body.</p>
<u>Supervisory Personnel</u>	Not Applicable	Not Applicable	Not Applicable
<u>Pool Attendant / Lifeguard</u>	<p>Whenever a Category 3 facility is open or available for use it is highly recommended that a person with approved safety training be present.</p> <p>Councils should consider need for a qualified person to be on duty for community organised events and/or high patronage days.</p> <p>Councils should take reasonable steps to encourage any patron using this facility to be accompanied by a responsible adult at all times.</p>	<p>1. RLSSA Bronze Medallion award, or the equivalent industry qualifications from a registered training organisation, updated annually.</p> <p><i>And</i></p> <p>2. NSW Workcover Authority approved First Aid, or the equivalent in competencies, updated every three years.</p>	To be determined by councils.

Safety Equipment (including first aid and rescue)	Signage
<p>First Aid facilities</p> <p>A warning and resuscitation sign displayed in the immediate vicinity of the pool area as per the <i>Swimming Pools Act 1992</i>.</p> <p>For more information on Safety Equipment refer to section 8 of this Practice Note.</p>	<p>All aquatic facilities should use signage that details acceptable patron behaviour and other safety rules. Signage should be displayed in a prominent location and contain information that is appropriate for the nature of activities conducted at the facility. For additional information refer to the following publications and/or organisations:</p> <ul style="list-style-type: none"> • RLSSA Guidelines for Safe Pool Operations • Standards Australia for appropriate Australian Standards • "Information Signs as Remote Supervision" as developed for Statewide Mutual <p>A "No Lifeguard on Duty" sign should be displayed at times there is no qualified person on premises.</p>

Category 2 Other: Any still water environment that has been specifically constructed, designed or intended to be used for swimming, diving, paddling or wading (e.g. rock pools, dams, swimming enclosures)

Role/Function	Definition	Qualification	Professional Development
<u>Facility/Centre Manager/Operator Requirements</u>	Appropriate council representative in charge of daily operations of the swimming pool e.g. representative from the engineers, environmental services, or community services department.	Essential requirements of the representative's position as deemed necessary by the council.	Hold a current membership with an industry professional body or attend workshops which provide current information on industry changes.
<u>Supervisory Personnel</u>	Not Applicable	Not Applicable	Not Applicable
<u>Pool Attendant / Lifeguard</u>	<p>Council representative(s) should ensure that the facility is checked on a regular basis by qualified personnel for both maintenance and swimmer safety purposes e.g. rock pools, swimming enclosures should be checked by an appropriately designated person such as a beach lifeguard, surf club, maintenance personnel.</p> <p>Councils should take reasonable steps to encourage any patron using this facility to be accompanied by a responsible adult at all times.</p>	<p>If a group hires or uses the facility for any recreational activity e.g. schools, sporting groups, it is recommended that the council, as a condition of hire, requires that a person supervising holds the following qualifications:</p> <ol style="list-style-type: none"> 1. RLSSA Bronze Medallion award, or the equivalent industry qualifications from a registered training organisation, updated annually. <p><i>And</i></p> <ol style="list-style-type: none"> 2. NSW Workcover Authority approved First Aid, or the equivalent in competencies, updated every three years 	To be determined by councils.

Safety Equipment (including first aid and rescue)	Signage
<p>First Aid facilities</p> <p>A warning and resuscitation sign displayed in the immediate vicinity of the pool area as per the <i>Swimming Pools Act 1992</i>.</p> <p>For more information on Safety Equipment refer to section 8 of this Practice Note.</p>	<p>All aquatic facilities should use signage that details acceptable patron behaviour and other safety rules. Signage should be displayed in a prominent location and contain information that is appropriate for the nature of activities conducted at the facility. For additional information refer to the following publications and/or organisations:</p> <ul style="list-style-type: none"> • RLSSA Guidelines for Safe Pool Operations • Standards Australia for appropriate Australian Standards • "Information Signs as Remote Supervision" as developed by the Echelon Group for Statewide Mutual <p>A "No Lifeguard on Duty" sign should be displayed at times there is no qualified person on the premises.</p>

Category 1 Other: Natural still waterway that is an area known for swimming and associated activities (e.g. rivers, creeks, lakes)

Role/Function	Definition	Qualification	Professional Development
Facility/Centre Manager/Operator Requirements	Appropriate council representative in charge of daily operations of the natural swimming area e.g. representative from the engineers, environmental services, or community services department.	Essential requirements of the representative's position as deemed necessary by the council.	To be determined by councils.
Supervisory Personnel	Not Applicable	Not Applicable	Not Applicable
Pool Attendant / Lifeguard	<p>Council representative should ensure that the natural waterway known for swimming and associated activities is checked on a regular routine basis by qualified personnel for both maintenance and swimmer safety purposes.</p> <p>Council should take reasonable steps to encourage any patron using this facility to be accompanied by a responsible adult at all times.</p>	<p>If council hires this area out for any recreational activity to schools, sporting groups etc then it is recommended that the council, as condition of hire requires a person supervising that holds the following qualifications:</p> <ol style="list-style-type: none"> 1. RLSSA Bronze Medallion award, or the equivalent industry qualifications from a registered training organisation, updated annually. <p><i>And</i></p> <ol style="list-style-type: none"> 2. NSW Workcover Authority approved First Aid, or the equivalent in competencies, updated every three years. 	To be determined by councils.

Safety Equipment (including first aid and rescue)	Signage
<p>First Aid facilities</p> <p>A warning and resuscitation sign displayed in the immediate vicinity of the pool area as per the <i>Swimming Pools Act 1992</i>.</p> <p>For more information on Safety Equipment refer to section 8 of this Practice Note.</p>	<p>All aquatic facilities should use signage that details acceptable patron behaviour and other safety rules. Signage should be displayed in a prominent location and contain information that is appropriate for the nature of activities conducted at the facility. For additional information refer to the following publications and/or organisations:</p> <ul style="list-style-type: none"> • RLSSA Guidelines for Safe Pool Operations • Standards Australia for appropriate Australian Standards • "Information Signs as Remote Supervision" as developed by the Echelon Group for State wide Mutual <p>A "No Lifeguard on Duty" sign should be displayed at times there is no qualified person on the premises.</p>

Appendix 3 - Recommended competencies – swimming pools

Units provide credit towards the SIS30110 Certificate III in Aquatics and/or the SIS40110 Certificate IV in Community Recreation in the SIS10 Sport, Fitness and Recreation Training Package. Further information on training packages, qualifications, courses, units of competency and registered training organisations can be viewed at www.training.gov.au.

Aquatic management level:

- ➔ Manage injuries at emergency incident
- ➔ Monitor pool water quality
- ➔ Operate aquatic facility plant and equipment
- ➔ Maintain pool water quality
- ➔ Perform advanced water rescues
- ➔ Develop pool water maintenance procedures
- ➔ Develop aquatic facility maintenance procedures
- ➔ Coordinate lifeguard service at an aquatic facility
- ➔ Work with key stakeholders
- ➔ Develop a budget for a recreation activity
- ➔ Apply legal and ethical instructional skills
- ➔ Instruct water familiarisation, buoyancy and mobility skills
- ➔ Address client needs
- ➔ Plan and provide sport and recreational services
- ➔ Maintain financial records
- ➔ Promote compliance with laws and legal principles
- ➔ Implement and monitor occupational health and safety policies
- ➔ Develop work priorities
- ➔ Conduct projects
- ➔ Support implementation of environmental management practices
- ➔ Manage a small team
- ➔ Coordinate marketing activities

Aquatic supervisor level:

- ➔ Monitor pool water quality
- ➔ Operate aquatic facility plant and equipment
- ➔ Maintain pool water quality
- ➔ Implement aquatic facility plant and equipment maintenance program
- ➔ Follow occupational health and safety policies
- ➔ Respond to emergency situations
- ➔ Undertake risk analysis of activities
- ➔ Perform basic water rescues
- ➔ Supervise clients at an aquatic facility or environment
- ➔ Perform advanced water rescues
- ➔ Provide emergency care
- ➔ Administer oxygen in an emergency situation

Aquatic operations level:

- ➔ Manage injuries at emergency incident
- ➔ Monitor pool water quality
- ➔ Operate aquatic facility plant and equipment
- ➔ Maintain pool water quality
- ➔ Apply legal and ethical instructional skills
- ➔ Coordinate client service activities
- ➔ Respond to emergency situations
- ➔ Maintain sport and recreation equipment for activities
- ➔ Maintain financial records
- ➔ Provide public education on the use of resources
- ➔ Undertake risk analysis of activities
- ➔ Work autonomously
- ➔ Deal with conflict
- ➔ Perform basic water rescues
- ➔ Supervise clients at an aquatic facility or environment
- ➔ Perform advanced water rescues
- ➔ Provide emergency care
- ➔ Administer oxygen in an emergency situation

Skill sets

The units of competency listed in the skill sets below provide credit towards SIS30110 Certificate III in Aquatics in SIS10 Sport, Fitness and Recreation Training Package. Further information on training packages, qualifications, courses, units of competency and registered training organisations can be viewed at www.training.gov.au.

Pool Lifeguard skill set:

- ➔ Apply first aid
- ➔ Provide Emergency Care
- ➔ Administer oxygen in an emergency situation
- ➔ Perform basic water rescues
- ➔ Supervise clients at an aquatic facility or environment
- ➔ Perform advanced water rescues

Swimming and Water Safety Teacher skill set:

- ➔ Perform basic water rescues
- ➔ Instruct water familiarisation, buoyancy and mobility skills
- ➔ Instruct clients in water safety and survival skills
- ➔ Instruct swimming strokes
- ➔ Apply legal and ethical instructional skills

Additional units of competency for swimming and water safety teachers wishing to teach infant and preschool aquatics and/or people with disabilities:

- ➔ Foster the development of infants and toddlers in an aquatic environment
- ➔ Assist participants with a disability during aquatic activities

Aquatic Technical Operator skill set:

- ➔ Monitor pool water quality
- ➔ Operate aquatic facility plant and equipment
- ➔ Implement aquatic facility plant and equipment maintenance program
- ➔ Respond to emergency situations
- ➔ Undertake risk analysis of activities

Appendix 4 - Recommended competencies - beaches

Council employed lifeguard or contracted lifeguard:

1. Fitness and strength

- ➔ Swim 800m in a 25m to 50m length pool in a time less than 14 minutes
- ➔ Lifeguard mission (ocean swim, beach run, rescue board paddle and beach run over a set M shape course commencing with 600m swim, followed by an 800m beach run, followed by a 600m rescue board paddle and concluding with an 800m beach run, within a time determined by the council). Overall time recorded for comparison with other candidates
- ➔ Simulated board rescue (paddle to rescue an unconscious patient, demonstrate rollover, demonstrate deep water resuscitation simulation, return patient unassisted and simulate patient care including placing patient in recovery position)
- ➔ Rescue tube rescue (swim with rescue tube to rescue an unconscious patient, demonstrate securing patient in rescue tube, demonstrate deep water resuscitation simulation, return patient unassisted and simulate patient care including placing patient in recovery position)
- ➔ Simulated motorised craft rescue (using IRB/PWC where appropriate)

OR

The fitness test detailed within the Surf Life Saving Australia Gold Medallion Award

- ➔ Complete an 800m swim in 14 minutes or less in a swimming pool of not less than 25m
- ➔ Perform complex patient rescue and support aided and unaided by equipment:
 - Select appropriate rescue equipment
 - Assess and manage the patient's levels of distress
 - Support and return patients to shore
 - Perform a one-person drag technique and patient lay
- ➔ Perform surf skill and fitness test:
 - Complete a 400m swim, 800m run, 400m board paddle and 800m run in 25 minutes
 - Complete tube rescue of a patient 100m out at sea and return (with flippers optional)
 - Complete board rescue of patient 200m out at sea and return

2. Demonstrated experience through skills including:

- ➔ Ability to perform effective first aid and resuscitation following a rescue from an aquatic environment (possess current first aid and advanced resuscitation certificates from a registered training organisation)
- ➔ Communication/interpersonal skills to promote compliance with safety rules and regulations and respond to an aquatic emergency
- ➔ Application of casualty management procedures
- ➔ Application of supervision techniques in an aquatic environment
- ➔ Recognition and appropriate response to aquatic emergencies requiring basic and advanced water rescue techniques

3. Demonstrated knowledge and understanding including:

- ➔ Organisational emergency procedures
- ➔ Occupational Health and Safety and other relevant legislative requirements
- ➔ Identification of individuals who may be at risk
- ➔ Signs and symptoms of physical injury
- ➔ First aid techniques and procedures
- ➔ Crowd control in emergency situations
- ➔ Rescue equipment used in aquatic emergencies
- ➔ Hazardous behaviour that poses risks to clients
- ➔ Facility or environmental hazards
- ➔ Role of lifeguard

Volunteer surf life saving club:

In addition to completing units of competency from PUA00 Public Safety Training Package to attain PUA21010 Certificate II in Public Safety (Aquatic Rescue), candidates may also complete additional units of competency providing credit, variously, to PUA21010 Certificate II in Public Safety (Aquatic Rescue), PUA31310 Certificate III in Public Safety (Aquatic Search and Rescue) and PUA42610 Certificate IV in Public Safety (Aquatic Search and Rescue Management). Some of these units of competency are listed below. For a full list of units of competency for these qualifications, as well as details of registered training organisations, go to www.training.gov.au.

OH&S

- ➔ Follow defined occupational health and safety policies and procedures
- ➔ Maintain safety at an incident scene

First aid

- ➔ Provide emergency care
- ➔ Manage injuries at emergency incident
- ➔ Administer oxygen in an emergency situation

Operational and incident management

- ➔ Conduct briefings and debriefings
- ➔ Treat risk at an operational level
- ➔ Conduct risk assessment
- ➔ Manage information

Public relations and Communications

- ➔ Provide services to clients
- ➔ Communicate in the workplace
- ➔ Foster a positive organisational image in the community
- ➔ Liaise with other organisations
- ➔ Operate communications systems and equipment

Team response

- ➔ Contribute to team effectiveness
- ➔ Search as a member of an aquatic search team
- ➔ Apply surf awareness and self-rescue skills
- ➔ Participate in an aquatic rescue operation
- ➔ Work in a team
- ➔ Work effectively in a public safety organisation

Appendix 5 - Change rooms

Swimming pools with family change rooms

Swimming pools are currently being constructed which usually provide either separate change rooms for families or, more commonly, combined change rooms for people with disabilities and families. These change rooms are in addition to single sex change rooms.

In most instances these facilities will be adequate so that there will be no need for children to use change rooms for use by the opposite sex. However, there may be times when there is a high level of demand for the family change rooms, particularly where these change rooms are also used by people with disabilities. Consequently, councils should consider developing a policy concerning the following:

- ➔ priority to be given to people with disabilities; and
- ➔ the use of single sex change rooms by children of the opposite sex (see section below on development of a council policy).

Swimming pools without family change rooms but with separate change rooms for people with disabilities

Where swimming pools do not have family change rooms but do have separate change rooms for people with disabilities, that is, they do not require patrons to move through single sex change rooms to gain access to them, consideration should be given to making these facilities available for use by families.

The provision of combined change rooms for people with disabilities and families is consistent with the Building Code of Australia which provides for toilets and showers for people with disabilities at public facilities to also be used by other people.

Making change room facilities currently available for people with disabilities available to families may mean that there are occasions when people with disabilities will not be able to use the facilities without having to wait a substantial period of time. Consequently, councils should consider developing a policy concerning the following:

- ➔ priority to be given to people with disabilities; and
- ➔ the use of single sex change rooms by children of the opposite sex (see section below on development of a council policy).

Swimming pools with single sex change rooms only

Where swimming pools have single sex change rooms only, consideration should be given to the following options:

- ➔ construction of a new change room(s) for use by families;

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- modification of existing facilities to provide a change room(s) for use by families;
 - allocation of a lockable cubicle(s) within single sex change rooms for use by children of the opposite sex and their parent. This should be located near the entrance to the change rooms so as to minimise any adverse impact on other patrons; and
 - development of a policy regarding children using change rooms for the opposite sex (see section below on development of a council policy).

Development of a council policy

Under Ordinance No.52 of the former Local Government Act 1919, the maximum age at which children could be taken into a change room used by the opposite sex was eight years. This provision does not exist under the current *Local Government Act 1993*. Therefore, this is a matter for council discretion.

Different policies have developed among councils throughout NSW in relation to this issue. Information provided by a sample of councils showed that the maximum age permitted to use change rooms for the opposite sex ranged from 4 years, or up to school age, to seven or eight years. The Aquatic and Recreation Institute recommends that children aged seven years and under be allowed to use change rooms for the opposite sex. While in some cases, this information was displayed on signs, in many cases patrons only become aware of the policy after a complaint had been made to pool staff by another patron.

Councils are therefore encouraged to develop a policy concerning the use of change rooms by children of the opposite sex. In developing such a policy, an appropriate balance between the right of children to be safe and the right of swimming pool patrons to privacy when changing needs to be achieved. It is important that the policy be developed in consultation with patrons. Particular attention should be given to consulting with patrons from culturally and linguistically diverse backgrounds in a culturally appropriate way.

The policy might provide for the following:

- a maximum age for children to use change rooms for the opposite sex;
- allocation of a lockable cubicle(s) within single sex change rooms for use by children of the opposite sex and their parent;
- pool staff to be available to accompany children over the maximum age into the appropriate change room where another suitable adult, such as a family member of the same sex as the child or young person, is not available. However, this should not be at the expense of maintaining an adequate level of supervision of the pool itself;
- adequate supervision of change rooms by staff to ensure that they are being used appropriately and in accordance with the policy;

-
- notices to be erected informing patrons about the policy. Notices should be prominently displayed near the entrance to the change rooms, both inside and outside, and should be in appropriate community languages;
 - a procedure for dealing with complaints from patrons about children using change rooms for the opposite sex. It is important that patrons feel able to complain and that their complaint is treated seriously; and
 - Training of staff specifically in relation to implementation of the policy. Consideration should also be given to training staff generally in gender awareness issues so that they understand the reasons for complaints concerning children using change rooms for the opposite sex and the need to deal with such complaints in a sensitive manner.

Council change room policies may be extended or modified to apply to beach facilities where applicable.